Commercial Fishing Modernization Project
Initial Study and
Mitigated Negative Declaration

The following Initial Study has been prepared in compliance with the California Environmental Quality Act.

Prepared For:

The Port of Hueneme
Oxnard Harbor District
333 Ponoma Street
Port Hueneme, CA 93041

Prepared By:

Impact Sciences, Inc.
811 W. 7th Street, Suite 200
Los Angeles, California 90017

May 2025

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INTRODUCTION

INITIAL STUDY

Pursuant to Section 15063 of the *California Environmental Quality Act (CEQA) Guidelines* (Title 14, California Code of Regulations, Sections 15000 et seq.), an Initial Study is a preliminary environmental analysis that is used by the lead agency (the public agency principally responsible for approving or carrying out the proposed project) as a basis for determining whether an environmental impact report, a mitigated negative declaration, or a negative declaration is required for a project. The *State CEQA Guidelines* require that an Initial Study contain a project description, description of existing setting, identification of environmental effects by checklist or other similar form, explanation of environmental effects, discussion of mitigation for significant environmental effects, evaluation of the project's consistency with existing, applicable land use controls, and the name of persons who prepared the study.

The purpose of this Initial Study is to evaluate the potential environmental impacts of the proposed Commercial Fishing Modernization Project at Ventura Harbor and demolish the existing commercial squid offloading facilities located at the Port of Hueneme (herein referenced as the "Project"). Prior to this taking place, the Project would construct a new commercial squid offloading facility within the Ventura Harbor. The new facility would increase the landing capacity to offload, process, and transport existing commercial squid at the Ventura Harbor to allow Ventura Harbor to process additional squid previously processed through the Port of Hueneme. The area used for squid processing at the Port of Hueneme, once demolished, will be paved. The future use of the site will serve as expanded cargo storage and sorting space to conform with the surrounding area that already is used for this purpose.

PUBLIC AND AGENCY REVIEW

This Initial Study / Proposed Mitigated Negative Declaration will be circulated for public and agency review from **May 2, 2025,** to **June 2, 2025**. Copies of this document are available for review at 333 Ponoma Street, Oxnard, California, and on the Port of Hueneme Oxnard Harbor District's website at https://www.portofhueneme.org/. Comments on this Initial Study / Proposed Mitigated Negative Declaration must be received no later than 5:00 P.M. on **June 2, 2025,** and can be mailed or emailed to:

Port of Hueneme Oxnard Harbor District
Susim Gedam
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ORGANIZATION OF THE INITIAL STUDY

This Initial Study is organized into the following sections:

Section I – Project Information: provides summary background information about the Project, including Project location, lead agency, and contact information.

Section II – Project Location and Description: includes a description of the Project, including the need for the Project, the Project objectives, and the elements included in the Project.

Section III – Environmental Factors Potentially Affected: identifies what environmental resources, if any, would involve at least one significant or potentially significant impact that cannot be reduced to a less than significant level.

Section IV – Determination: indicates whether impacts associated with the Project would be significant, and what, if any, additional environmental documentation is required.

Section V – Evaluation of Environmental Impacts: contains the Environmental Checklist form for each resource and presents an explanation of all checklist answers. The checklist is used to assist in evaluating the potential environmental impacts of the Project and determining which impacts, if any, need to be further evaluated in an EIR.

Section VI – References: lists references used in the preparation of this document.

Section VII – Initial Study Preparers: lists the names of individuals involved in the preparation of this document.

Appendices: present the technical studies used in the preparation of this Initial Study.

I. PROJECT INFORMATION

1. PROJECT TITLE

Commercial Fishing Modernization Project

2. LEAD AGENCY NAME AND ADDRESS

Port of Hueneme Oxnard Harbor District
333 Ponoma Street
Port Hueneme, CA 93041

3. CONTACT PERSON AND PHONE NUMBER

Susim Gedam
Engineering Manager III
(805) 754-5797

4. PROJECT LOCATION

333 Ponoma Street
Port Hueneme, CA 93041

5. GENERAL PLAN DESIGNATION

Ventura Harbor is Designated as Commerce in the City of Ventura's General Plan.

Port of Hueneme is designated as Port in the City of Port Hueneme's General Plan.

7. ZONING

The project site within Ventura Harbor is zoned Harbor Commercial by the City of Ventura.

Port of Hueneme is zoned Port by the City of Port Hueneme.

II. PROJECT LOCATION & DESCRIPTION

1. DESCRIPTION OF PROJECT

Location

The proposed Commercial Fishing Modernization Project (Project) involves changes within two separate harbors in greater Ventura County (see **Figure 1**, **Regional Project Location**). The Project involves the demolition of the existing commercial squid offloading facility located at the Port of Hueneme and the construction of a new commercial squid offloading facility within the Ventura Harbor. The two Project Sites are located at the Port of Hueneme and the Ventura Harbor, respectively.

Port of Hueneme

The Port of Hueneme Harbor is located in the southwestern portion of the City of Port Hueneme. Regional access is provided via US-101. The Port of Hueneme currently maintains a commercial squid offloading site within its larger port operations. The facility is approximately 7,100 square feet and is located at the southwestern corner of Harbor (see **Figure 2**, **Project Site Locations,** and **Figure 3, Aerial of Port of Hueneme Site**).

Ventura Harbor

The project site within Ventura Harbor is located at 1449 Spinnaker Drive within the Ventura Harbor. Local roadway access is provided via Spinnaker Drive and regional access is provided via US-101. The Ventura Port District owns and operates Ventura Harbor and in doing so maintains an existing squid offloading facility located at the southern portion of the Ventura Harbor. The squid facility is bounded by the Ventura Harbor and the Pacific Ocean; commercial uses such as the Ventura Harbor Village to the east; the Ventura Harbor Boatyard to the west; and open space to the south (see **Figure 2**, **Project Site Locations,** and **Figure 4, Aerial of Project Site**). The Proposed Project would be located on three parcels. Immediately to the south of the Project Site is Spinnaker Drive, which provides vehicular access to the Project Site.

Background

The Port of Hueneme (Port) is owned and operated by the Oxnard Harbor District, an independent State Special District and public agency. The Port is a commercial trade gateway for niche cargo on the West Coast. Trade through the Port generates more than $236 million in direct and related state and local taxes.[1]

1 The Port of Hueneme, "Home Page." Available online at: https://www.portofhueneme.org/, accessed February 19, 2025.

The Port serves as a dominant port in Southern California for agribusiness (fruit and other produce), liquids, t-shirts, fresh seafood and vehicles.[2] Currently, squid catch is offloaded at the Port for processing and distribution. In 2024, the Port of Hueneme's squid landings reached 16,800 tons of squid, accounting for 26 percent of California's total squid landings. Over the past decade, the average annual landing volume at the Port has been approximately 8,450 tons. However, there are no lay berths available for fishing vessels within the Port.[3] Further, given the location of the existing facilities, larger cargo container ships that navigate to and berth at the Port interfere with smaller commercial fishing vessels, resulting in delays in offloading (which has a negative impact on productivity and quality of the fish product).

The Ventura Port District is an Independent Special District within the City of Ventura. Special Districts are independent, special-purpose governmental units that exist separately from local governments such as a city or county, with substantial administrative and fiscal independence. On April 15, 1952, the Board of Supervisors of Ventura County ordered the formation of the District pursuant to the Harbors and Navigation Code of the State of California and by two Ventura County Resolutions. The District was organized for the purpose of acquiring, constructing, and operating a commercial and recreational boat harbor within the City of Ventura. The District's legal boundaries encompass all of the Harbor within the City of Ventura as well as some small areas outside the City limits.

The District is the owner/operator of Ventura Harbor, which is comprised of 274 acres (152 acres of land and 122 acres of water area) plus a 2.74-acre site owned and operated by the National Park Service. Harbor operations include recreational fishing and commercial fishing small craft.

In 2024, approximately 21,842 tons of squid were offloaded in Ventura Harbor, accounting for about 34 percent of California's total squid landings.

Over the past decade, there has been a slight downward trend in Ventura's squid landing volumes (for both the Harbor and the Port). However, during this period, Ventura's market share within California's total squid landings has experienced a slight increase.

Project Objectives

The objectives of the Proposed Project include the following:

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2 Pacific Coast Business Times, "With new leaders and branding, Port of Hueneme's ship comes in." Available online at: https://www.pacbiztimes.com/2013/07/26/with-new-leaders-and-branding-port-of-huenemes-ship-comes-in/, accessed February 19, 2025.

3 A lay berth is a designated space at a dock where a ship can be temporarily moored while not in use.

- To phase out the commercial squid offloading activities at the Port of Hueneme to improve cargo efficiencies.

- Meeting the regional goal of retaining the economic benefit of all commercial squid fishing within Ventura County through an increase in landing capacity at Ventura Harbor.

- To improve the transportation efficiency of squid offloading.

- To increase landside handling capacity for commercial fisheries within the Ventura Harbor.

- To maintain and improve the cohabitation between commercial fishing, public fish sales (fish market), activity at the Ventura Harbor Village shopping center and other recreational activities at Ventura Harbor.

The Port of Hueneme serves as a dominant port to transport essential commodities to the entire Southern California region. The Port of Hueneme aims to maintain this status by operating as a self-supporting port that maximizes the potential for maritime-related commerce and regional economic benefit.[4] However, currently, truck access to the squid facilities in the Port (i.e., existing commercial squid offloading facilities) is limited during container vessel operations several days per week typically, as such trucks can be queued in the vicinity of the offloading facility within the Port complex. Additionally, squid boats waiting to enter the harbor to offload must wait outside the harbor during cargo vessel movements. This increases the idling time for trucks to enter and dwell within the Port of Hueneme, load the commercial squid, and then exit efficiently. It also creates conflict between goods movement activities and results in increased delay for boats waiting to offload. By relocating squid offloading to the Ventura Harbor, the Port of Hueneme can continue to refine its focus on goods movement. The relocation serves to benefit the larger Southern California region by increasing overall good movement efficiency.

The Ventura Harbor is located less than two miles from US-101 and is more accessible to regional highways. In addition, many of the fish operators who currently offload at the Port berth at Ventura Harbor. Relocating the Port's squid facilities to Ventura Harbor would have the dual benefit of reducing truck trip lengths (as a result of the shorter distance to US-101 from Ventura Harbor) and also reducing boat trip lengths (by keeping out and back boat trips at Ventura Harbor, where many of the boats currently berth).

4 The Port of Hueneme Oxnard Harbor District, *Draft 10-Year Strategic Plan*, 2023. Available online at: https://www.portofhueneme.org/wp-content/uploads/2024/08/POH24_Hueneme_Strategic_Plan_Proof7-002-8.27.2024.pdf, accessed March 10, 2025.

Existing Conditions

The California Market squid season runs from April 1st to March 31st each year with a statewide seasonal catch limit of 118,000 tons. In Southern California, the catch season varies by climate conditions (in particular, water temperature). The season typically runs from May to January, with the peak period generally between September and December.

Port of Hueneme

The two-acre Port of Hueneme site is developed and paved with an operating commercial squid offloading facility. The offloading facility consists of an approximately 5,500-square-foot open-structured squid offloading and carrying deck. A 3,150-square-foot icehouse where ice is produced for preserving squid during transportation is immediately east of the offloading facility. Vessels carrying squid typically berth at the western portion of the site.

In 2022, the Port of Hueneme offloaded a total of 22,597 tons of commercial squid to a total of 1,883 trucks.[5] Squid is offloaded using a vacuum piping system and pumped to the processing area. The processing area consists of the open-sided loading structure with eight truck bays and sorting equipment located adjacent to the south side of the structure. There are also open-topped containers used to transport the squid from the facility. The squid are pumped from the vessels, dewatered, weighed, and deposited in open containers, packed in ice, and then loaded onto the trucks. During squid season, the facility is staffed with a maximum of 26 employees contracted by the Port's tenant to offload and process squid. A calculated maximum of 60 trucks access the site daily. Squid truck access to the entire Port of Hueneme is limited with one gated entryways; at the western end of Port Hueneme Road and one along E. Pleasant Valley Road. The entryway along Port Hueneme Road is the closest entryway to the Site and is located approximately 0.5 miles northeast. Trucks typically take the Primary Corridor (Hueneme Road and Rice Avenue) and Contingency Corridor (Ventura Road, North Spur, and Victoria Avenue) for regional access to access US-101.[6] The primary destination for these trucks include fisheries located in the Oxnard, Watsonville, San Pedro, and Salinas.

5 Ventura Port District, *California Market Squid: Ventura and Port of Hueneme Landings*, March 2025.

6 The Port of Hueneme, "Uncongested and Efficient Roadway Access." Available online at: https://www.portofhueneme.org/road-routes/, accessed March 12, 2025.

However, according to data provided by the District, the number of truck trips from the Port of Hueneme has generally decreased over the last several years.[7] As indicated above, a maximum of eight trucks are able to load commercial squid from the Port of Hueneme's facilities.

Ventura Harbor

Ventura Harbor's commercial fishing area has a gross area of 6.5 acres and is developed with a fully operating commercial fishing facility, located just west of the intersection of Spinnaker Drive and Angler Drive. The site includes two concrete fish piers for incoming vessels to berth. A two-story, 5,000-square-foot commercial fishing building anchors the site with two of the squid sorting areas located just north of the building and providing access through the building to the truck bays to the south. The building also hosts two fish market facilities, one that operates on Saturdays and the other as part of Andria's Seafood. A one-story, 2,000-square-foot building houses the rest of Andria's Seafood. The remainder of the site is paved and consists of parking. Seven truck bays are located on the south side of the building connected by an offloading deck. Three to four additional portable truck ramps are typically used just east of the building for truck loading from the third squid sorting machine located about 130 feet to the east at the Ventura Harbor Boatyard.

The commercial building includes storage spaces and workshops, a fish store, and a small ice plant that is currently not in use in the attic of the second floor. The second floor is used as office space for two of the fisheries, Andria's Seafood, and a District operated office. The site also includes the two landscape islands within the parking lot and the landscaped area located south of Andria's Seafood Restaurant.

During the squid season, squid operations at the Ventura Harbor can be 24 hours a day, five days a week (California mandates weekend closures to allow for periods of uninterrupted spawning to keep the fishery sustainable). Hours of operation vary post-season. Two piers within the harbor are used for offloading commercial fish. The existing building includes the loadout area for the squid and is also used for storage of tote bins that are used to pack squid on trucks. Ice storage containers are dispersed on-site and a fuel tank for semi-trailer trucks is located in the southeastern corner of the facility (see **Figure 5**, **Existing Commercial Fishing Facilities**).

Currently, vessels that are carrying squid berth at one of the two piers on-site. Using a vacuum pump, the unloading process of the squid can offload an average of 35 tons per hour. There are three pumps located at the harbor. The squid is then transported from the piers to the land via 10 inch pipeline. Once on land, the squid is then transported to one of the three squid sorting station, dewatered, weighed, and then loaded

7 Port of Hueneme had experienced 1,477 truck trips in 2017, 568 in 2018, 134 in 2019, 43 in 2020, 520 in 2021, 1,883 in 2022, and 338 in 20223.

into storage tote bins, which are mixed with ice and saltwater for preservation. Once processed, the squid is then unloaded onto semi-trailer trucks that are parked at the existing truck loading platform or via the loading ramps. Water from the squid dewatering process (i.e., "stick" water) is then stored in aboveground tanks and then pumped back into the berthed vessel using 4" pipelines at the end of the unloading process.

According to data provided by the District, Ventura Harbor offloaded squid to a total of 2,392 trucks in 2022.[8] Specifically, the average truck traffic for the second half of 2022 (August to December) was calculated at 361 trucks per week or 54 trucks per day. This includes trucks carrying squid, trucks transporting ice and empty totes, and delivery trucks for the Andria's Seafood Restaurant. The highest number of trucks entering the facility in one day was 131 trucks. Trucks typically take Spinnaker Drive for regional access to US-101.

Project Features and Operations

The proposed Project would demolish the existing squid offloading and carrying deck and icehouse within the Port of Hueneme. The existing icehouse would be preserved. The area would be paved, and used as storage.

At the Ventur Harbor, the Project would increase the site's squid landing capacity by implementing changes to the exiting squid processing facility and doubling the number of truck bays to fourteen. The two piers where offloading take place will remain in operation as will the existing pumps. Two additional pumps may be added to increase capacity. The pipes are suspended under the existing piers and therefore, no portion of the project would impact the water.

The Project proposes to demolish a portion of the existing commercial fish building, truck loading platform, and select landscaping islands at the current commercial fishing facilities in Ventura Harbor. The existing restaurant attached to the commercial fish building would remain, although parts of it located within the current two-story building will need to be reconstructed as part of the new building. The new building will also add restrooms to serve the restaurant and its customers. The existing truck loading area would be removed and disposed of and the truck bays filled with soil to bring the entire site to grade. The Project also proposes to remove approximately 13,900 square feet of landscaped area on-site and the existing loading areas on-site. The existing ice storage units and tote bin storage units on-site would also be removed to accommodate the proposed Project.

The Project would create two elevated truck loading areas with a truck loading platform in each area. To do this, the existing terrain within the truck loading area would be leveled to allow for new platforms and

8 Ventura Port District, *California Market Squid: Ventura and Port of Hueneme Landings*, March 2025.

associated dewatering stations. The current estimate is 630 cubic yards of fill would be imported to accomplish this. One platform would be located directly south of the proposed commercial fish building and the other would be located in the southeastern corner of the site. Each truck loading platform would be able to load up to seven trucks at a time. With both truck loading platforms, the proposed commercial fishing facility could process up to 62,500 tons of commercial squid per season. The existing 26 employees contracted at the Port of Hueneme to offload and process squid would be relocated to work at the Ventura Harbor. Operations for squid offloading and sorting at Ventura Harbor would continue to be 24 hours a day, five days a week. To separate the existing restaurant patio from fishing activities on-site, a six- to eight-foot masonry wall would be constructed.

The Project would consider replacing existing pipes, if required, and potentially add new lines for the new pumps, if required. Lines would be extended from the current offloading areas to the new offloading areas. Water pipelines would be installed at each truck loading area to remove and dispose of used stick water from the storage tote bins. These pipelines would transport stick water into the new stick water tanks south of the existing piers on-site. Stick water from these tanks would eventually be discharged into the Pacific Ocean a minimum of three nautical miles offshore, as required. Areas throughout the site would be designated for storage tote bins.

The Project proposes reconstructing the commercial fish building with a new, two-story building slightly north of the existing building and closer to the waterfront. The proposed building would house a new fish market area featuring up to three brick-and-mortar shops designed for the display and sale of seafood and associated products on the north side of the building. A four-foot-wide fixed canopy would extend above the promenade. In addition, fish market vendor signage would be installed immediately above the canopy or below the second-floor windows. The fish market area would accommodate new restrooms and would meet the requirements of the 1990 Americans with Disability Act (ADA).

Figures 6,**Project Site – Conceptual Site Plan**, show the proposed structures and changes on-site at the Ventura Harbor. **Table 1, Ventura Harbor Proposed Development**, details each proposed structure and its size.

Table 1
Ventura Harbor Proposed Development

Proposed Structure	Size (in square feet)	Capacity
Fish Market Building Additions	7,444	N/A
• Fish Market	4,900	
• Restrooms (total)	1,200	
• Restaurant	1,344	
Loading Platform #1	3,800	7 bays
Loading Platform #2	3,500	7 bays
Stick Water Tanks (3)	8,412 (cubic yards)	N/A
Covered Tote Storage Areas	6,000 (total area)	2,235 bins

Source: WSP. Layout Fisheries. Ventura Port District Mini Master Plan-Architectural Drawings

Landscaping

The Project would remove the two existing islands of ornamental landscaping located within the site's existing parking lot. Removal of these islands would involve the removal of a total of 14 trees. The existing landscaping located adjacent to Andria's Seafood Restaurant and its patio would be preserved. The area would be restriped to allow for easier truck access to the proposed truck bays.

Parking

The surface parking lot on-site would be reconfigured and restriped to allow for parking spaces for employees, fish market, shopping center customers, and office staff. Parking spaces are shown in **Figure 6**. On-site parking spaces for loading trucks would be provided at each of the seven loading spaces at each platform. Therefore, a maximum of seven trucks may load at each loading platform at a time, and a total of 14 trucks may be present on-site at once.

During the squid fishing season, the area will have a reduced number of surface parking spaces (176 to 95) for standard size vehicles in order to maximize truck activity. During the slower season (typically January through September), areas adjacent to some of the truck bays will be repurposed back to standard vehicle parking.

Satellite parking remains available for employees and visitors at the "Dolphin Lot," which is located a five-minute walk from the site along the waterfront Promenade.

Vehicle Access and Circulation

At the Ventura Harbor**,** employees and customers of the proposed commercial fish building would be able to use the existing driveways located along Spinnaker Drive. As shown in **Figure 6, t**he trucks would have options for entering the Project Site, as well as circulating to and parking at the proposed truck-loading platforms on-site. Trucks may use the existing driveway along Spinnaker Drive in the southwestern portion of the site for both ingress and egress. Once the commercial squid is loaded, trucks would then travel off-site to transport the squid to fisheries in cities throughout the state, such as Oxnard, Watsonville, San Pedro, and Salinas.

While the total number of truck trips associated with squid processing would remain the same with the project, implementation of the Project would improve overall goods movement in Southern California as the travel distance from Ventura Harbor to US 101 is shorter than the distance from Port of Hueneme to US-101, resulting in fewer vehicle miles traveled.

2. SURROUNDING LAND USES

Ventura Harbor

Per the *City of Ventura General Plan* (2005) the Ventura Harbor site is designated as Commerce. The site is also zoned by the City as Harbor Commercial.

Surrounding land uses mainly include commercial uses and open space uses. Live aboard residential uses are located north of the project site within the Ventura Harbor (the nearest of which is 200′ from the existing commercial fish pier and 400′ away from the closest point of project construction), vacant parcels are located east, open space, walking trails, and the Santa Clara River Estuary to the south, and restaurants to the west. Land uses located west, and east of the Project Site are designated by the General Plan as Port and zoned by the City as Port. Land uses south of the Project Site, across from Spinnaker Drive are designated by the *General Plan* as Park and Open Spaces and zoned by the City as Parks.

Port of Hueneme

According to the *City of Port Hueneme 2045 General Plan* (2022), the Port Hueneme and the Port of Hueneme Harbor are designated as Port. Accordingly, uses surrounding the Port of Hueneme Site are limited to areas with uses for the Port of Hueneme. To the east are residential, commercial and open space lands.

3. DISCRETIONARY APPROVAL AUTHORITY

The following agencies and other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement) would be involved in discretionary approvals and permits required for various project components.

Ventura Port District

The Ventura Port District will serve as a Responsible Agency for the project.

The site at the Ventura Port District is within the Appeal Jurisdiction of the California Coastal Commission.

Los Angeles Regional Water Quality Control Board

Under the National Pollutant Elimination Discharge System (NPDES), a General Construction Permit is required under the Los Angeles Regional Water Quality Control Board (LARWQCB) for stormwater discharge during construction.

City of Ventura

Planning approval (Coastal Development Permit) as well as demolition and building permitting would be required under the City of Ventura prior to the commencement of construction activities.

City of Port Hueneme

Demolition permitting would be required under the City of Port Hueneme prior to demolishing the existing facility.

4. PROJECT CONSTRUCTION SEQUENCING AND STAGING

Construction activities would occur in the following phases:

- **Phase 1**: The first phase of construction will be the construction of one offloading facility in the southeast portion of the Ventura Harbor project area. This area is currently only occupied by parking lot and planters. The project will require the installation of utilities, squid piping, and water storage tanks. This will allow the Ventura Harbor fisheries to relocate offloading activities to the new site during Phases 2 and 3 (demolition of the existing building and facility and reconstruction of the new facility).

- **Phase 2:** The second phase of construction will involve: demolition of the existing commercial fishing building, site preparation, including leveling and grading in preparation for the construction the new commercial fish building and second offloading facility in Phase 3.

- **Phase 3:** Will involve construction of the second offloading facility, installation of utilities, piping, and water tanks for the new offloading facility. Simultaneously, the new building will be constructed slightly north of its existing footprint, which will take place in two parts: (i) foundation laying and structural work followed by interior and exterior finishing.

- **Phase 4:** Once Ventura Harbor is ready to accept all offloading activity through the completion of the above phases, the demolition of the existing facility in the Port of Hueneme Site and the subsequent grading and paving will occur

Phase 1 activities will construct the 7-bay offloading facility in the southwest area of the project site. It will include site preparation, removal of existing planters, installation/relocation of utilities, including piping, and water tanks. Construction of the first offloading facility will result in the import of approximately 550 cubic yards of soil. The first phase of the Project is anticipated to commence as early as 2027 (pending all permitting) and to be completed within 6 months of the start date.

Phase 2 activities would include demolition of the existing commercial fishing building, site preparation, including leveling and grading in preparation for the new building. Demolition of the existing 5,000-square-foot commercial fishing building would take approximately one month. This demolition will impact Andria's Seafood and will require some temporary modifications to allow the business to remain operational. Site preparation of the 2.9-acre project site would result in the import of 670 cubic yards of soil and would take approximately one month. This phase of the project is anticipated to commence once Phase 1 is materially complete and offloading activities can take place at the new site. If it is off-season for squid offloading, this phase can commence sooner.

Phase 3 will entail construction of the loading platforms, and the installation of utilities, piping, and water tanks. Construction of the loading platforms will result in the import of approximately 550 cubic yards of soil and would take approximately 10 months.

Phase 3 will also include the construction of a 4,900-square-foot commercial fish building, 1,200 square feet of restrooms, and 1,344 square feet of expanded restaurant space. Site preparation, foundation laying, and structural work is anticipated to take place over the course of five months. Interior and exterior finishing is anticipated to take approximately 12 months.

Phase 4 activities will include the demolition of the existing approximately 5,500-square-foot squid offloading facility in the Port of Hueneme. This phase of the Project is anticipated to commence as early as 2028 (pending all permitting) and to be completed within 12 months of the start date. However, it is possible for construction activities in the phase to overlap and take place over a shorter duration of time. Paving and architectural coating are assumed to take place concurrently with the final month of building construction.

Table 2, Construction Equipment, identifies the equipment needed for each phase of construction typical of a project site between three to five acres large.

Table 2
Construction Equipment

Phase	Equipment Type	Number
Demolition	Concrete/Industrial Saw	1
	Excavator	3
	Rubber Tired Dozers	2
Site Preparation/Grading	Excavator	1
	Grader	1
	Tractor/Loader/Backhoes	3
	Rubber Tired Dozer	1
Building Construction	Cranes	1
	Forklifts	3
	Tractor/Loader/Backhoes	3
	Generator Set	1
	Welder	1
Paving	Cement and Mortar Mixers	2
	Pavers	1
	Rollers	2
	Tractor/Loader/Backhoes	1
Architectural Coating	Air Compressors	1

Source: CalEEMod User Guide, Page G-9..

It is expected that one or more construction staging areas would remain within the Project Site boundaries. However, if required, two privately owned vacant parcels, of respectively 1.6 and 2.8 acres, could be made available for construction staging. Both parcels are located east of the Project Site, across Spinnaker Drive (see **Figure 7**, **Construction Staging Areas**).

SOURCE: Esri, 2025

FIGURE 1

Regional Project Location

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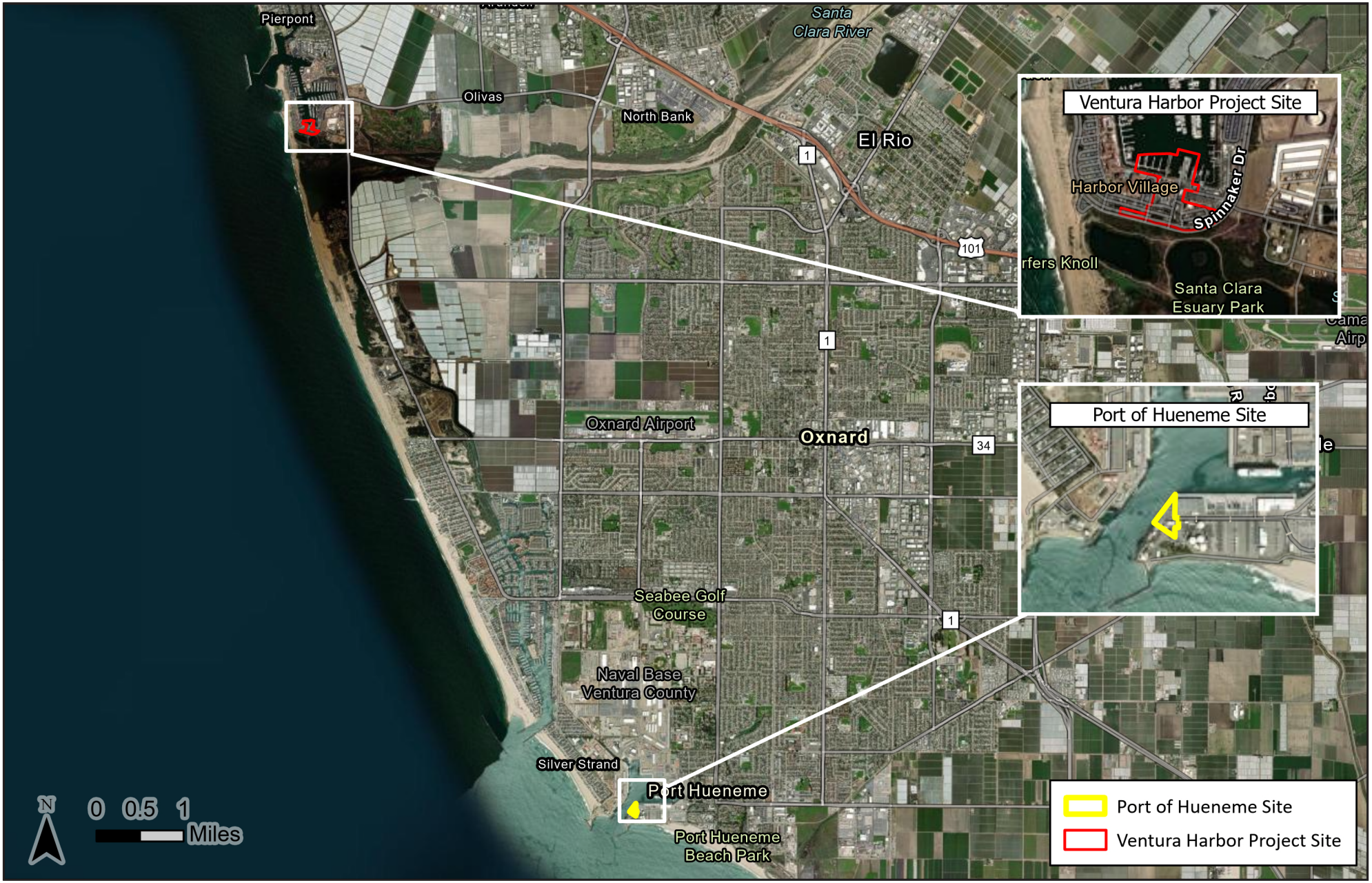

SOURCE: Esri, 2025

FIGURE 2

Project Site Locations

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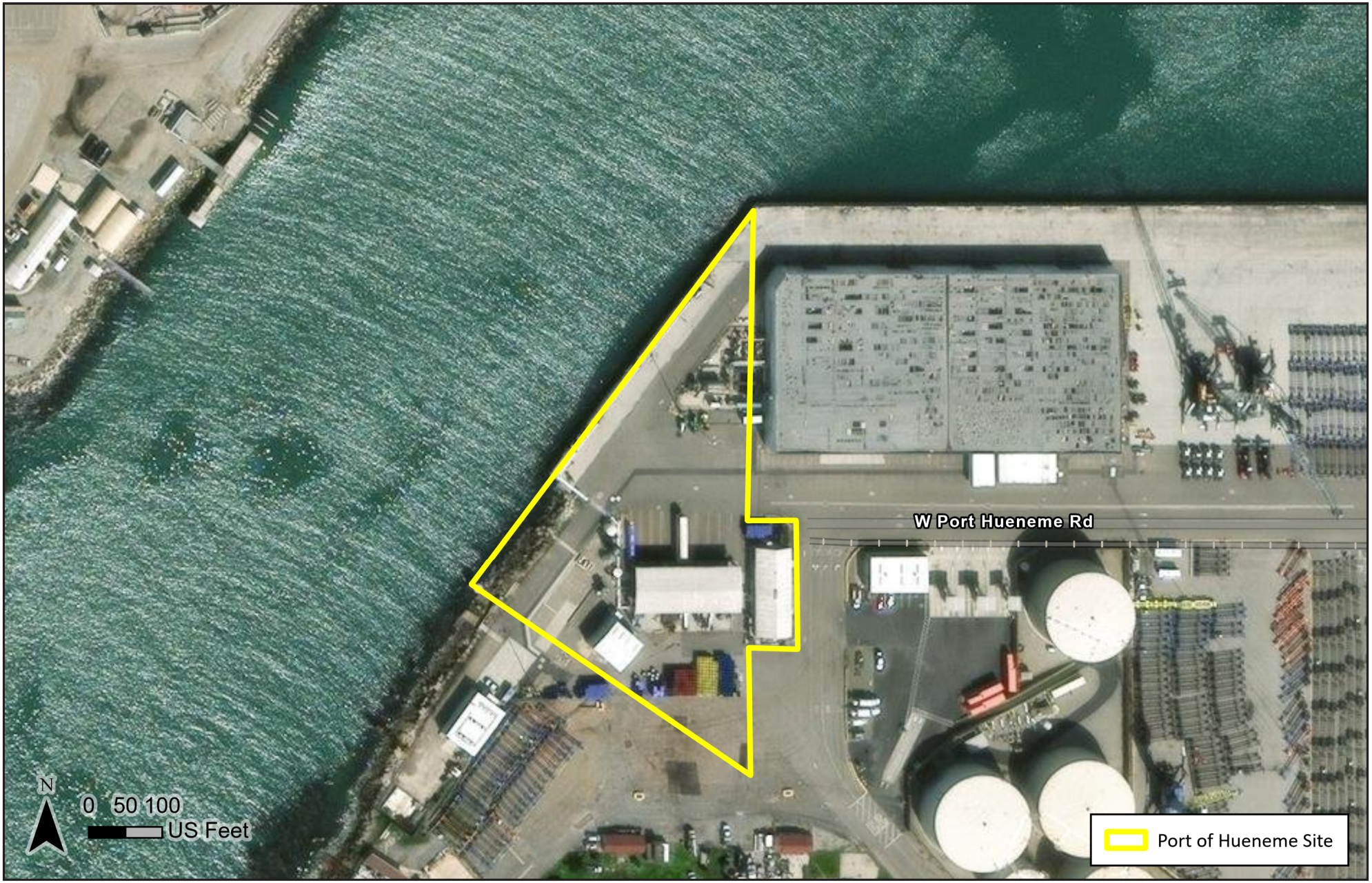

SOURCE: Esri, 2025

FIGURE 3

Aerial of Port of Hueneme Site

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SOURCE: Esri, 2025

FIGURE **4**

Aerial of Ventura Harbor Site

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SOURCE: Ventura Port District, 2025

FIGURE 5

Existing Commercial Fishing Facilities

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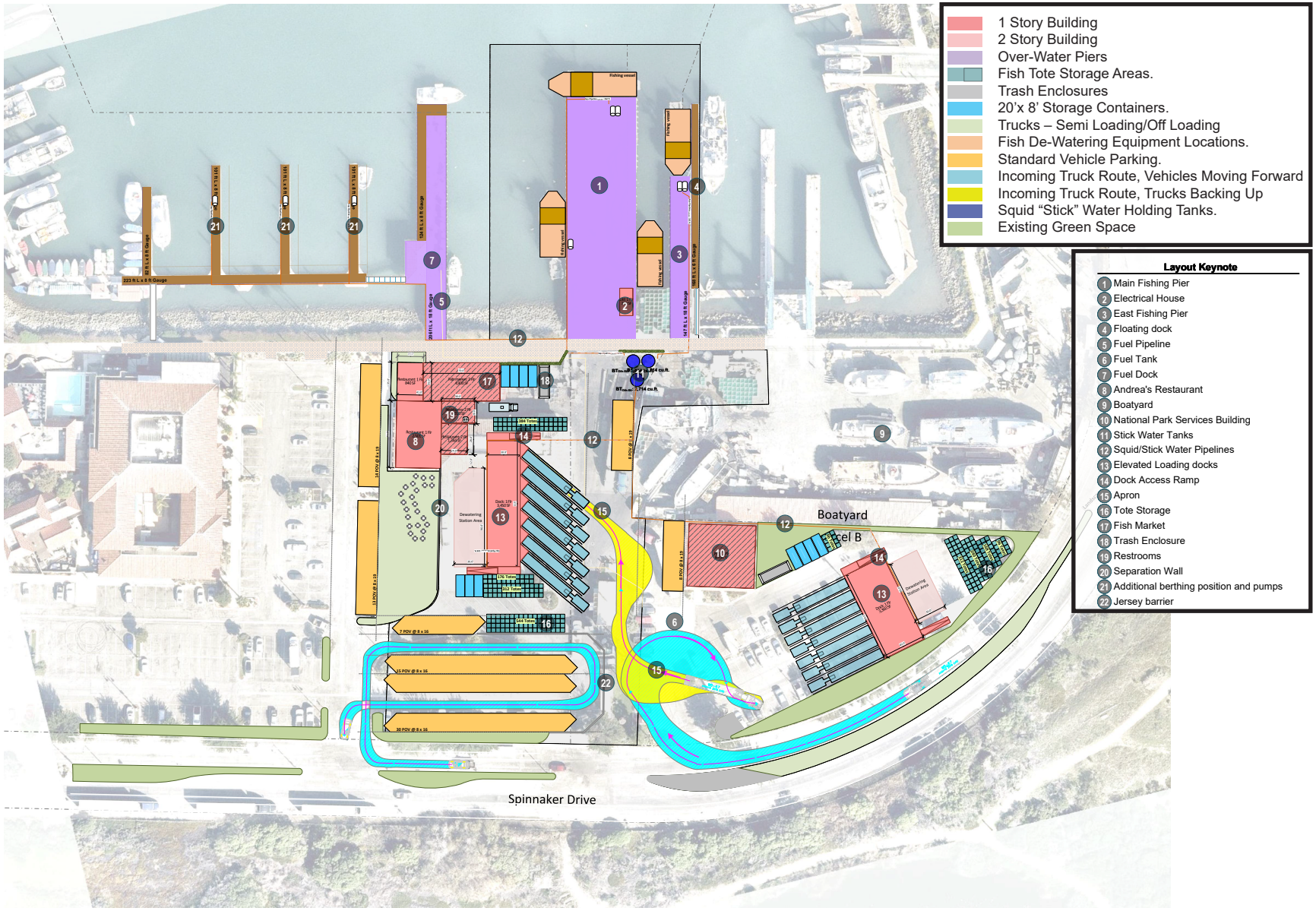

SOURCE: Ventura Port District, 2025

FIGURE 6

IMPACT SCIENCES

Project Site - Conceptual Site Plan

1647.001•03/25

SOURCE: Esri, 2025

FIGURE 7

IMPACT SCIENCES

Construction Staging Areas

1647.001•03/25

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- ☐ Aesthetics
- ☐ Air Quality
- ☒ Cultural Resources
- ☒ Geology and Soils
- ☐ Hazards and Hazardous Materials
- ☐ Land Use/Planning
- ☐ Noise
- ☐ Public Services
- ☐ Transportation
- ☐ Utilities/Service Systems
- ☒ Mandatory Findings of Significance
- ☐ Agriculture and Forestry Resources
- ☒ Biological Resources
- ☐ Energy
- ☐ Greenhouse Gas Emissions
- ☒ Hydrology/Water Quality
- ☐ Mineral Resources
- ☐ Population and Housing
- ☐ Recreation
- ☒ Tribal Cultural Resources
- ☐ Wildfire

IV. DETERMINATION

On the basis of the initial evaluation that follows:

☐ I find that the proposed Project WOULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the Project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made that would avoid or reduce any potential significant effects to a less than significant level. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed Project MAY have a significant effect on the environment. An ENVIRONMENTAL IMPACT REPORT will be prepared.

_____ _____

Kristin Decas
Port of Hueneme CEO

Date

V. EVALUATION OF ENVIRONMENTAL IMPACTS

During the completion of the environmental evaluation, the Lead Agency relied on the following categories of impacts, noted as column headings in the Initial Study checklist. All impact determinations are explained and supported by the information sources cited.

A) "Potentially Significant Impact" is appropriate if there is substantial evidence that the Project's effect may be significant. If there are one or more "Potentially Significant Impacts" for which effective mitigation may not be possible, a Project EIR will be prepared.

B) "Less Than Significant With Mitigation Incorporated" applies where the incorporation of Project-specific mitigation would reduce an effect from "Potentially Significant Impact" to a "Less than Significant Impact." All mitigation measures must be described, including a brief explanation of how the measures would reduce the effect to a less than significant level.

C) "Less than Significant Impact" applies where the Project would not result in a significant effect (i.e., the Project impact would be less than significant without the need to incorporate mitigation).

D) "No Impact" applies where the Project would not result in any impact in the category, or the category does not apply. This may be because the impact category does not apply to the proposed Project (for instance, the Project Site is not within a surface fault rupture hazard zone), or because of other Project-specific factors.

1. AESTHETICS

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Except as provided in Public Resources Code section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Regulatory Setting

California State Scenic Highways Program

The California State Scenic Highways Program was designed to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment and identify highways that are designated as "Official" state scenic highways or "Eligible" to be a state scenic highway.

City of Ventura General Plan Policies

The City's *General Plan* policies applicable to aesthetics include, but are not limited to, the following:

Policy 3A: Sustain and complement cherished community characteristics.

Policy 4D: Protect views along scenic routes.

City of Ventura Municipal Code

The *City of San Buenaventura (Ventura) Municipal Code* (*Municipal Code*) provides the regulatory framework that is associated with the protection of the City's visual character. *Municipal Code* Section 10.650.150, (Special Noise Sources*)* limits construction activities of new structures to the hours between 7.00 a.m. and 8:00 p.m. *Municipal Code* Chapter 24.238 (H-C Harbor Commercial Zone) outlines the design and development standards of buildings zoned Harbor Commercial. Chapter 24.423 (Lighting Standards) of the City's Municipal Code requires all lighting fixtures in new developed and designed and selected to avoid excessive spillage of illumination onto public right-of-way and adjacent properties

Existing Setting

Ventura Harbor Site

Scenic vistas identified in Ventura County include the rolling hills of the Transverse Range.[9] Additional scenic resources identified by the City of Ventura include the City's existing coastline, Ventura Harbor, the Channel Islands, rivers within City boundaries (i.e., the Ventura River and Santa Clara River), and the agricultural uses within the eastern and western portions of the City.[10] The Channel Islands are not visible from the Project Site within the Ventura Harbor, nor are there any rivers or agricultural areas visible. Spinnaker Drive, Harbor Boulevard, Navigator Drive, and Olivas Park Drive are designated as Scenic Routes however, only Spinnaker Drive is visible from the Project Site. While Spinnaker Drive, Harbor Drive and Olivas Park Drive are designated as 'scenic routes' in the *Ventura General Plan*, the Project Site is not located near any designated state scenic highways, as designated by Caltrans.[11]

Direct views of the Ventura Harbor Site are afforded from Spinnaker Driver, while partial views that are heavily disturbed by trees and structures are afforded from Harbor Boulevard. Additionally, the Ventura Harbor Site is currently developed with the existing commercial fish building, loading docks, and associated equipment, and, therefore, generates nighttime lighting in the form of security lighting, mounted building lighting, and walkway lighting.

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9 County of Ventura Resource Management Agency, *Ventura County 2040 General Plan*, September 2020. Available online at: https://rmadocs.venturacounty.gov/planning/programs/general-plan/publications/2040-general-plan.pdf, accessed March 31, 2025.

10 City of Ventura, *City of Ventura 2005 General Plan Final Environmental Impact Report*, August 2005. Available online at: https://www.cityofventura.ca.gov/DocumentCenter/View/2303/Final-EIR-for-the-2005-General-Plan-PDF?bidId=, accessed March 31, 2025.

11 California Department of Transportation, *California State Scenic Highway System Map*. Available online at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa, accessed March 31, 2025.

Port of Hueneme Site

The primary scenic vistas in the City of Port Hueneme occur at the shoreline, particularly from Surfside Drive and the Hueneme Beach Park.[12] At the Port of Hueneme, due to distance and intervening structures, these vistas are not visible from the Project Site. The Project Site is not located near any designated state scenic highways, as designated by Caltrans.[13]

Impacts

a) Less than Significant Impact. A scenic vista is generally defined as a view of undisturbed natural characteristics exhibiting a unique feature that comprises an important or dominant portion of the viewshed. Although scenic vistas are identified at the discretion of its jurisdiction, common examples of scenic vistas include open hillsides, mountain ranges, rivers/streambeds, and large bodies of water. As stated, scenic vistas in the Harbor include the Harbor itself, and associated water views. Because the Hueneme Site changes are limited to demolition, there would be no impact on scenic views or vistas at the Hueneme site.

Scenic vistas in the vicinity of the Ventura Harbor Site include the harbor and water views available from Spinnaker Drive. The Project would minimally increase the building footprint of the commercial fish building by approximately 1,000 square feet. The Project would not introduce any new features that are not currently existing on the site although the storage areas and stick water tanks would be upgraded and replaced. The offloading area would also be covered and a second truck loading bay would be added. However, the proposed uses would not substantially differ from the existing uses. Thus, the Project would not substantially alter views for motorists travelling along Spinnaker Drive, nor would the Project alter the scenic quality of the Ventura Harbor. There would be no significant change in overall height that could impede Harbor views. Lastly, the Project would not construct new structures that would impede any existing views of Spinnaker Drive from the Project Site. Therefore, the Project would not have a substantial effect on a scenic vistas or other scenic resources. Less than significant impacts would occur.

b) No Impact. There are no designated or eligible State scenic highways located near the Ventura Harbor or Port of Hueneme sites. The nearest designated, or eligible, State scenic highway is US-101, located

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12 City of Port Hueneme, *City of Port Hueneme General Plan Environmental Impact Report*, September 2021. Available online at: https://www.ci.port-hueneme.ca.us/DocumentCenter/View/4549/City-of-Port-Hueneme-General-Plan-Update-EIR-FEIR-September-2021?bidId=, accessed March 31, 2025.

13 *Ibid.*

1.42 miles north of the Ventura Harbor site.[14] Due to this distance, the US-101 is not visible from either Ventura Harbor or Port Hueneme, nor are either of the sites visible from US-101. Therefore, no impact would occur.

c) ***Less than Significant Impact***. Although the Project would modify the existing squid processing area on the Ventura Harbor site, the proposed uses would be similar to existing conditions. Public views of the new water tanks would be limited, as the proposed tanks would be located at the rear of the fish building and screened from view from Spinnaker Drive. The new commercial fish building would be consistent with the design and development standards outlined in Chapter 24.238 (Harbor Commercial Zone) of the Municipal Code for buildings zoned Harbor Commercial. The relocation of the squid sorting would move that activity away from the waterfront, where it takes place today. This would make the activity more visible from Spinnaker Drive but would screen the operation from pedestrian views along the Harbor's waterfront.. Because the Port of Hueneme site only includes demolition, there would be no change in the visual character at the Port As such, visual quality impacts would be less than significant.

d) ***Less than Significant Impact***. At the Ventura Harbor, the Project would increase the number of heavy-duty trucks on-site, which would increase the amount of vehicle lighting on-site during nighttime hours during Project operations. Vehicle lighting from these trucks would face Spinnaker Drive as they exit the site and potentially impact light sensitive uses, such as the open space and recreational trails around the ponds located just south of the site. However, the trails are screened by vegetation and access to the trails and street parking is prohibited in the evenings. Further, Project operations would occur during offloading season, which is variable year by year but typically occurs primarily between September and December. Recreational users (i.e., bicyclists, pedestrians, etc.) typically are not present during nighttime hours, and would therefore not be exposed to nighttime lighting from vehicles. An elevated hill is also between the open space area and walking trail and the Project Site and would shield the area from vehicle lights. Furthermore, the Project would adhere to Chapter 24.423 (Lighting Standards) of the Municipal Code, which requires all lighting fixtures to be designed in a manner that avoids excessive spillage of illumination onto public right-of-way and adjacent properties. Therefore, operational impacts would be less than significant.

Construction activities related to the project may occur during the evening hours. Thus, the Project could introduce nighttime lighting that could impact light-sensitive uses, such as the liveaboard slips north of the Site. However, the Project would adhere to the *City Municipal Code* 10.650.150, Special

14 California Department of Transportation, "California State Scenic Highway System Map." Available online at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa, accessed April 3, 2024.

Noise Sources, and limit construction activities to occur between the hours of 7:00 a.m. and 8:00 p.m. Adherence to local regulations would reduce short-term impacts regarding light and glare to *less than significant* levels. Impacts would be less than significant.

2. AGRICULTURE & FORESTRY RESOURCES

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☒

Regulatory Setting

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of farmlands over time. Agricultural land is designated in accordance with soil quality and irrigation status. The highest quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present.

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties under

a Williamson Act contract are used to identify sites that may contain agricultural resources or are zoned for agricultural uses.

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources. Programs such as CAL FIRE's Fire and Resource Assessment Program and are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.

Existing Setting

Ventura Harbor Site

Ventura Harbor is currently developed with harbor related uses and is zoned Harbor Commercial by the City of Ventura. The Harbor is designated by the General Plan as Commerce. There are no agricultural or forest lands on or within the vicinity of the Harbor Site.

Port of Hueneme Site

The Port of Hueneme Site is also currently developed and is zoned and designated by the City of Port Hueneme as Port. There are no agricultural or forest lands on or within the vicinity of the Port of Hueneme Site.

Impacts

a) ***No Impact.*** According to the California Department of Conservation's California Important Farmland Finder, neither Ventura Habor nor Port of Hueneme is classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.[15] Therefore, the Project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No impact would occur.

b-e) No Impact. The Project would occur within the developed Ventura Harbor and Port Hueneme. As stated above, both sites are zoned for harbor/port related uses. Neither site is zoned for agricultural uses and/or forestland/timberland. Therefore, the Project would not convert farmland and/or forest land/timberland to non-agricultural or non-forest land uses. No impact would occur.

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15 California Department of Conservation, "California Important Farmland Finder." Available online at: https://maps.conservation.ca.gov/dlrp/ciff/, accessed March 6, 2025.

3. AIR QUALITY

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Air Quality Setting

South Central Coast Air Basin

Both Ventura Harbor and Port of Hueneme are located within the Ventura County portion of the South Central Coast Air Basin (Basin). The Basin includes all of San Luis Obispo, Santa Barbara, and Ventura County.

Ventura County is located along the southern portion of the central California coast between Santa Barbara and Los Angeles Counties. Its diverse topography is characterized by mountain ranges to the north, two major river valleys (the Santa Clara, which trends east-west, and the Ventura, which trends roughly north-south), and the Oxnard Plain to the south and west. As pollutants are carried into the inland valleys by prevailing winds, they are frequently trapped against the mountain slopes by a temperature inversion layer, generally occurring between 1,500 and 2,500 feet above sea level. Above the temperature inversion layer, pollutants are allowed to disperse freely. The air monitoring stations are therefore found between the coast and the inland valley mountain foothills up to approximately 1,000 feet.

The purposes of the Ventura County Air Pollution Control Districts' (VCAPCD) (District) air monitoring network are: 1) to determine Ventura County's attainment status for the National and California standards for ozone, PM2.5 and PM10; 2) to track Ventura County's air quality trends; 3) to provide information to the public about the quality of Ventura County's air (i.e., reporting of the Air Quality Index (AQI) and ozone and particulate episode forecasting); and, 4) for data in air quality modeling efforts.

The majority of the population resides in the southern half of Ventura County – the VCAPCD has focused its air monitoring efforts there. The south half of Ventura County is divided into five air monitoring regions: Ventura and the Oxnard Coastal Plain, Ojai Valley, Santa Clara River Valley, Simi Valley, and the Conejo Valley. The air monitoring network has been designed to provide air monitoring coverage to those regions of Ventura County. Both the Ventura Harbor site and the Port of Hueneme site are located in the Ventura and the Oxnard Coastal Plain.

The Ventura and the Oxnard Coastal Plain is a broad coastal area stretching from the Pacific Ocean to several inland valleys, covering 405 square miles, and having a population of 433,245 people. This area encompasses the cities of Port Hueneme, Ventura, Oxnard and Camarillo. The Oxnard plain area is a relatively flat plain area with foothills and mountains at its northern border. This area is home to considerable agricultural activities and includes a deepwater port and a number of Ventura County's major stationary sources, including two natural gas-fired electric generating units, two naval bases, several natural gas-fired cogeneration facilities, several oil and gas production and processing facilities, and a paper products manufacturer. The area is impacted by mobile sources and marine shipping operations occurring off Ventura County's coast.

Air Pollutants of Concern

Criteria air pollutants are defined as pollutants for which the federal and state governments have established ambient air quality standards for outdoor concentrations. The federal and state standards have been set at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons such as children, pregnant women, and the elderly, from illness or discomfort. Criteria air pollutants include ozone (O_3), nitrogen dioxide (NO_2), carbon monoxide (CO), sulfur dioxide (SO_2), particulate matter 2.5 microns or less in diameter (PM2.5), particulate matter ten microns or less in diameter (PM10), and lead (Pb). Note that reactive organic gases (ROGs), which are also known as reactive organic compounds (ROCs) or volatile organic compounds (VOCs), and nitrogen oxides (NOx) are not classified as criteria pollutants. However, ROGs and NOx are widely emitted from land development projects and participate in photochemical reactions in the atmosphere to form O_3; therefore, NOx and ROGs are relevant to the Proposed Project and are of concern in the Basin. As such, they are listed below along with the criteria pollutants. Sources and health effects

commonly associated with criteria pollutants are summarized in **Table 3, Criteria Pollutants Summary of Common Sources and Effects**.

Table 3
Criteria Pollutants Summary of Common Sources and Effects

Pollutant	Major Man-Made Sources	Human Health & Welfare Effects
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuels is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO_2)	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include moto vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to ozone and acid rain. Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
Ozone (O_3)	Formed by a chemical reaction between volatile organic compounds (VOC) and nitrous oxides (NOx) in the presence of sunlight. VOCs are also commonly referred to as reactive organic gases (ROGs). Common sources of these precursor pollutants include motor vehicle exhaust, industrial emissions, gasoline storage and transport, solvents, paints, and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield. Damages rubber, some textiles, and dyes.
Particulate Matter (PM10 & PM2.5)	Produced by power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles, and others.	Increased respiratory symptoms, such as irritation of the airways, coughing or difficulty breathing; aggravated asthma; development of chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility (haze).
Sulfur Dioxide (SO_2)	A colorless, nonflammable gas formed when fuel containing sulfur is burned; when gasoline is extracted from ore. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant; aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron, and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.

Source: CAPCOA, Health Effects. Available: http://www.capcoa.org/health-effects/

Ambient Air Quality

Ambient air quality in Ventura can be inferred from ambient air quality measurements conducted at nearby air quality monitoring stations. Existing levels of ambient air quality and historical trends and projections are documented by measurements made by the VCAPCD, the air pollution regulatory agency in the Basin. The VCAPCD maintains air quality monitoring stations which process ambient air quality measurements throughout the Basin.

Ambient concentration data are collected for a wide variety of pollutants. The most important of these in Ventura County are ozone, PM2.5, and PM10. Other pollutants measured include oxides of nitrogen (NOx), nitric oxide (NO), nitrogen dioxide (NO_2), toxics (hexavalent chromium, total metals and aldehydes), and volatile organic compounds (VOC). Measurement of meteorological parameters is also conducted at all monitoring stations. Data for all of the pollutants is used to better understand the nature of the ambient air quality in Ventura County, as well as to inform the public about the quality of the air.

Measurements of ambient concentrations of criteria pollutants are used by the U.S. EPA and the CARB to assess and classify the air quality of each air basin, county, or, in some cases, a specific urbanized area. The classification is determined by comparing actual monitoring data with national and state standards. If a pollutant concentration in an area is lower than the standard, the area is classified as being in "attainment." If the pollutant concentration exceeds the standard, the area is classified as a "non-attainment" area. If there is not enough data available to determine whether the standard is exceeded in an area, the area is designated "unclassified."

The U.S. EPA and the CARB use different standards for determining whether the Basin is in attainment. Under the CCAA the State has developed the California ambient air quality standards (CAAQS), which are generally more stringent than the national ambient air quality standards (NAAQS). In addition to the federal criteria pollutants, the CAAQS also specifies standards for visibility-reducing particles, sulfates, hydrogen sulfide, and vinyl chloride. Federal and State standards are summarized in **Table 4, Ambient Air Quality Standards**.

Table 4
Ambient Air Quality Standards

Air Pollutant	Averaging Time	State Standard	Federal Standard
Ozone (O_3)	1-Hour	0.09 ppm	-
	8-Hour	0.07 ppm	0.07 ppm
Carbon Monoxide (CO)	1-Hour	20.0 ppm	35.0 ppm
	8-Hour	9.0 ppm	9.0 ppm
Nitrogen Dioxide (NO_2)	1-Hour	180 ppb	100 ppb
Sulfur Dioxide (SO_2)	1-Hour	250 ppb	75 ppb
	24-Hour	40 ppb	140 ppb
Sulfates (SO_4)	24-Hour	25 ug/m3	-
Fine Particulate Matter (PM2.5)	24-Hour	-	35 ug/m3
	Annual Arithmetic Mean	12 ug/m3	9 ug/m3 (Primary) 15 ug/m3 (Secondary)

Air Pollutant	Averaging Time	State Standard	Federal Standard
Respirable Particulate Matter (PM10)	24-Hour	50 ug/m3	150 ug/m3
Lead (Pb)	30-Day Average	1.5 ug/m3	-
	Calendar Quarter	-	1.5 ug/m3 (for certain areas)
	Rolling 3-Month Average	-	0.15 ug/m3

ppm = parts per million; ppb = parts per billion; µg/m3 = microgram per cubic meter
Source: CARB. Ambient Air Quality Standards. Available at: https://ww2.arb.ca.gov/sites/default/files/2024-08/AAQS%20Table_ADA_FINAL_07222024.pdf, accessed February 2025.

The attainment status for the Basin region is included in **Table 5, State and Federal Nonattainment Pollutants for Ventura County**. Areas that meet ambient air quality standards are classified as attainment areas, while areas that do not meet these standards are classified as nonattainment areas. The Basin region is designated as a nonattainment area for federal ozone and is designated as nonattainment for state ozone and PM10.

Table 5
State and Federal Nonattainment Pollutants for Ventura County

Pollutant	State	Federal
Ozone (O_3)	Non-Attainment	Nonattainment (Serious)
Carbon Monoxide (CO)	Attainment	Attainment/Unclassifiable
Particulate Matter (PM10)	Non-Attainment	Attainment/Unclassifiable
Particulate Matter (PM2.5)	Attainment	Attainment/Unclassifiable
Carbon Monoxide (CO)	Attainment	Attainment/Unclassifiable
Nitrogen Dioxide (NO_2)	Attainment	Attainment/Unclassifiable
Sulfur Dioxide (SO_2)	Attainment	Attainment
Lead	Attainment	Attainment

VCAPCD. Air Quality Standards. http://www.vcapcd.org/air_quality_standards.htm, accessed February 2025.

Toxic Air Contaminants

In addition to the criteria pollutants discussed above, toxic air contaminants (TACs) are another group of pollutants of concern. TACs are considered either carcinogenic or noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For regulatory purposes, carcinogenic TACs are assumed to have no safe threshold below which health impacts would not occur, and cancer risk is expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that

there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

There are many different types of TACs, with varying degrees of toxicity. Sources of TACs include industrial processes, such as petroleum refining and chrome-plating operations; commercial operations, such as gasoline stations and dry cleaners; and motor vehicle exhaust. Public exposure to TACs can result from emissions from normal operations, as well as from accidental releases of hazardous materials during upset conditions. The health effects associated with TACs are quite diverse and generally are assessed locally, rather than regionally. TACs can cause long-term health effects such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute affects such as eye watering, respiratory irritation (a cough), running nose, throat pain, and headaches.

To date, CARB has designated 244 compounds as TACs. Additionally, CARB has implemented control measures for a number of compounds that pose high risks and show potential for effective control. The majority of the estimated health risks from TACs can be attributed to a relatively few compounds.[16]

CARB identified diesel particulate matter (DPM) as a TAC. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex mixture of particulates and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. DPM includes the particle-phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. DPM poses the greatest health risk among the TACs. Almost all diesel exhaust particle mass is 10 microns or less in diameter. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung.

Sensitive Receptors

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. Sensitive population groups include children, the elderly, the acutely ill, and the chronically ill, especially those with cardiovascular diseases.[17]

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16 California Air Resources Board, "CARB Identified Toxic Air Contaminants." Available online at: https://ww2.arb.ca.gov/resources/documents/carb-identified-toxic-air-contaminants.

17 California Air Resources Board, "Sensitive Receptor Assessment." Available online at: https://ww2.arb.ca.gov/capp-resource-center/community-assessment/sensitive-receptor-assessment.

Residential areas are considered sensitive receptors to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Children are considered more susceptible to health effects of air pollution due to their immature immune systems and developing organs.[18] As such, schools are also considered sensitive receptors, as children are present for extended durations and engage in regular outdoor activities. Recreational land uses are considered moderately sensitive to air pollution. Although exposure periods are generally short, exercise places a high demand on respiratory functions, which can be impaired by air pollution. In addition, noticeable air pollution can detract from the enjoyment of recreation. The closest air quality sensitive receptors to the Port of Hueneme site include: residences northwest of the Project Site (1,746 feet) and residences east of the Project Site 3,111 feet). The closest air quality sensitive receptors to the Ventura Harbor include: the Ventura Isle Marina liveaboard residences to the east of the Project Site (431 feet), the Ventura West Marina II liveaboard residences to the northwest of the Project Site (1,939 feet) and the Portside Ventura Harbor Residences to the northeast of the Project Site (2,064 feet).

Criteria Air Pollutant Monitoring Data

Ambient air quality in Ventura can be inferred from ambient air quality measurements conducted at nearby air quality monitoring stations. Existing levels of ambient air quality and historical trends and projections are documented by measurements made by the VCAPCD, the air pollution regulatory agency in the Basin. The VCAPCD maintains air quality monitoring stations which process ambient air quality measurements throughout the Basin.

Ambient concentration data are collected for a wide variety of pollutants. The most important of these in Ventura County are ozone, PM2.5, and PM10. Other pollutants measured include oxides of nitrogen (NOx), nitric oxide (NO), nitrogen dioxide (NO_2), toxics (hexavalent chromium, total metals and aldehydes), and volatile organic compounds (VOC). Measurement of meteorological parameters is also conducted at all monitoring stations. Data for all of the pollutants is used to better understand the nature of the ambient air quality in Ventura County, as well as to inform the public about the quality of the air.

The purpose of the monitoring station is to measure ambient concentrations of pollutants and determine whether ambient air quality meets the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). Ozone and particulate matter (PM10 and PM2.5) are pollutants of particular concern in the Basin. The monitoring station located closest to the Project Site and most representative of air quality is CARB Station No. 346, El Rio-Rio Mesa School #2, at 545 Central

[18] Office of Environmental Health Hazard Assessment and The American Lung Association of California, "Air Pollution and Children's Health." Available online at: https://oehha.ca.gov/air/air-pollution-and-childrens-health-fact-sheet-oehha-and-american-lung-association, accessed February 4, 2025.

Avenue in El Rio, approximately 7 miles east of the Project Site. Ambient emission concentrations vary due to localized variations in emissions sources and climate and should be considered "generally" representative of ambient concentrations near the Project Site. This station currently monitors for O_3, PM10, and PM2.5. See **Table 6, Air Monitoring Station Ambient Pollutant Concentrations**.

Table 6
Air Monitoring Station Ambient Pollutant Concentrations

Pollutant	Standards[1]	Year		
		2021	2022	2023
OZONE (O_3)				
Maximum 1-hour concentration monitored (ppm)		0.071	0.077	0.071
Maximum 8-hour concentration monitored (ppm)		0.059	0.063	0.059
Number of days exceeding state 1-hour standard	0.09 ppm	0	0	0
Number of days exceeding federal/state 8-hour standard	0.070 ppm	0	0	0
RESPIRABLE PARTICULATE MATTER (PM10)				
Maximum 24-hour concentration monitored (μg/m³)		125	57.5	104
Annual average concentration monitored (μg/m³)		24.7	23.1	20.4
Number of samples exceeding state standard	50 μg/m³	12	3	7
Number of samples exceeding federal standard	150 μg/m³	1	0	0
FINE PARTICULATE MATTER (PM2.5)				
Maximum 24-hour concentration monitored (μg/m³)		31.7	18.5	24.5
Annual average concentration monitored (μg/m³)		6.8	6.4	6.1
Number of samples exceeding federal standard	35 μg/m³	0	0	0

California Air Resources Board, "Select 8 Summary," Select 8 Summary-First Steps (ca.gov)
NA = not available
[1] *Parts by volume per million of air (ppm), micrograms per cubic meter of air (μg/m³), or annual arithmetic mean (aam).*

Regulatory Framework

Federal

Clean Air Act

The Clean Air Act (CAA) of 1970 and the CAA Amendments of 1971 required the U.S. Environmental Protection Agency (U.S. EPA) to establish NAAQS, with states retaining the option to adopt more stringent standards or to include other specific pollutants. On April 2, 2007, the Supreme Court found that carbon dioxide is an air pollutant covered by the CAA; however, no NAAQS have been established for carbon dioxide.

These standards are the levels of air quality considered safe, with an adequate margin of safety, to protect the public health and welfare. They are designed to protect those "sensitive receptors" most susceptible to

further respiratory distress such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and persons engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed.

The U.S. EPA has classified air basins (or portions thereof) as being in attainment, nonattainment, or unclassified for each criteria air pollutant, based on whether or not the NAAQS have been achieved. If an area is designated unclassified, it is because inadequate air quality data were available as a basis for nonattainment or attainment designations. **Table 3** lists the federal attainment status of the County for criteria pollutants.

National Emissions Standards for Hazardous Air Pollutants Program

Under federal law, 187 substances are currently listed as hazardous air pollutants (HAPs). Major sources of specific HAPs are subject to the requirements of the National Emissions Standards for Hazardous Air Pollutants (NESHAPS) program. The U.S. EPA is establishing regulatory schemes for specific source categories and requires implementation of the Maximum Achievable Control Technologies (MACT) for major sources of HAPs in each source category. State law has established the framework for California's TAC identification and control program, which is generally more stringent than the federal program and is aimed at HAPs that are a problem is California. The state has formally identified 244 substances as TACs and is adopting appropriate control measures for each. Once adopted at the state level, each air district will be required to adopt a measure that is equally or more stringent.

National Ambient Air Quality Standards

The federal CAA required the U.S. EPA to establish NAAQS. The NAAQS set primary standards and secondary standards for specific air pollutants**.** Primary standards define limits for the intention of protecting public health, which include sensitive populations such as asthmatics, children, and the elderly. Secondary Standards define limits to protect public welfare to include protection against decreased visibility, damage to animals, crops, vegetation, and buildings. A summary of the federal ambient air quality standards is shown in **Table 7, National Ambient Air Quality Standards**.

Table 7
National Ambient Air Quality Standards

Pollutant		Primary/Secondary	Averaging Time	Level
Carbon monoxide		Primary	8 hours	9 ppm
			1 hour	35 ppm
Lead		Primary and secondary	Rolling 3-month average	0.15 μg/m^3
Nitrogen dioxide		Primary	1 hour	100 ppb
		Primary and secondary	Annual	0.053 ppm
Ozone		Primary and secondary	8 hours	0.070 ppm
Particulate Matter	PM2.5	Primary	Annual	12 μg/m^3
		Secondary	Annual	15 μg/m^3
		Primary and secondary	24 hours	35 μg/m^3
	PM10	Primary and secondary	24 hours	150 μg/m^3
Sulfur dioxide		Primary	1 hour	75 ppb
		Secondary	3 hours	0.5 ppm

Source: California Air Resources Board. May 2016. Ambient Air Quality Standards. Available online at: https://www.arb.ca.gov/research/aaqs/aaqs2.pdf.

State

California Clean Air Act of 1988

The California CAA of 1988 (CCAA) allows the state to adopt ambient air quality standards and other regulations provided that they are at least as stringent as federal standards. The California Air Resources Board (CARB), a part of the California Environmental Protection Agency (Cal EPA), is responsible for the coordination and administration of both federal and state air pollution control programs within California, including setting the CAAQS. The CCAA, amended in 1992, requires all air quality management districts (AQMDs) in the state to achieve and maintain the CAAQS. The CAAQS are generally stricter than national standards for the same pollutants and has also established state standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles, for which there are no national standards. CARB also conducts research, compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB also has primary responsibility for the development of California's State Implementation Plan (SIP), for which it works closely with the federal government and the local air districts.

California Ambient Air Quality Standards

The federal CAA permits states to adopt additional or more protective air quality standards if needed. California has set standards for certain pollutants, such as particulate matter and ozone, which are more protective of public health than respective federal standards. California has also set standards for some pollutants that are not addressed by federal standards. The state standards for ambient air quality are summarized in **Table 8, California Ambient Air Quality Standards**.

Table 8
California Ambient Air Quality Standards

Pollutant		Averaging Time	Level
Carbon monoxide		8 hours	9 ppm
		1 hour	20 ppm
Lead		30-day average	1.5 μg/m^3
Nitrogen dioxide		1 hour	0.180 ppm
		Annual	0.030 ppm
Ozone		8 hours	0.070 ppm
		1 hour	0.09 ppm
Particulate matter	PM2.5	Annual	12 μg/m^3
	PM10	24 hours	50 μg/m^3
		Annual	20 μg/m^3
Sulfur dioxide		1 hour	0.25 ppm
		24 hours	0.04 ppm
Sulfates		24 hours	25 μg/m^3
Hydrogen sulfide		1 hour	0.03 ppm
Vinyl chloride		24 hours	0.01 ppm

Source: California Air Resources Board. May 2016. Ambient Air Quality Standards. Available online at: https://www.arb.ca.gov/research/aaqs/aaqs2.pdf.

California State Implementation Plan

The federal CAA (and its subsequent amendments) requires each state to prepare an air quality control plan referred to as a State Implementation Plan (SIP). The SIP is a living document that is periodically modified to reflect the latest emissions inventories, plans, and rules and regulations of air basins as reported by the agencies with jurisdiction over them. The CAA Amendments dictate that states containing areas violating the NAAQS revise their SIPs to include extra control measures to reduce air pollution. The SIP includes strategies and control measures to attain the NAAQS by deadlines established by the CAA. The EPA has the responsibility to review all SIPs to determine if they conform to the requirements of the CAA.

State law makes CARB the lead agency for all purposes related to the SIP. Local air districts and other agencies prepare SIP elements and submit them to CARB for review and approval. CARB then forwards SIP revisions to the EPA for approval and publication in the Federal Register. As a revision to the SIP for Ventura County, the Ventura County 2022 Air Quality Management Plan (AQMP) was submitted to CARB on January 10, 2023. See below for a discussion on the 2022 AQMP.

California Air Toxics "Hot Spots" Information and Assessment Act (AB 2588)

The California Air Toxics Program is supplemented by the Air Toxics "Hot Spots" program, which became law (AB 2588, Statutes of 1987) in 1987. In 1992, the AB 2588 program was amended by Senate Bill 1731 to require facilities that pose a significant health risk to the community to perform a risk reduction audit and reduce their emissions through implementation of a risk management plan. Under this program, which is required under the Air Toxics "Hot Spots" Information and Assessment Act (Section 44363 of the California Health and Safety Code), facilities are required to report their air toxics emissions, assess health risks, and notify nearby residents and workers of significant risks when present.

Typically, land development projects generate diesel emissions from construction vehicles during the construction phase, as well as some diesel emissions from small trucks during the operational phase. Diesel exhaust is mainly composed of particulate matter and gases, which contain potential cancer-causing substances. Emissions from diesel engines currently include over 40 substances that are listed by EPA as hazardous air pollutants and by CARB as TACs. On August 27, 1998, CARB identified particulate matter in diesel exhaust as a TAC, based on data linking diesel particulate emissions to increased risks of lung cancer and respiratory disease.[19]

In March 2015, the OEHHA adopted "The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments" in accordance with the Health and Safety Code, Section 44300. The Final Guidance Manual incorporates the scientific basis from three earlier developed Technical Support Documents to assess risk from exposure to facility emissions. The 2015 OEHHA Final Guidance has key changes including greater age sensitivity in particular for children, decreased exposure durations, and higher breathing rate profiles. Because cancer risk could be up to three times greater using this new guidance, it may result in greater mitigation requirements, more agency backlog, and increased difficulty in getting air permits. Regardless of the change in calculation methodology, actual emissions and cancer risk within South Coast Air Basin has declined by more than 50% since 2005.

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19 Diesel exhaust is included within pollutants subject to the hotspot program. Please refer to OEHHA's Air Toxics Hot Spot Program Risk Assessment Guidelines. https://oehha.ca.gov/air/crnr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0.

The CARB provides a computer program, the Hot Spots Analysis and Reporting Program (HARP), to assist in a coherent and consistent preparation of a Health Risk Assessment (HRA). HARP2, an update to HARP, was released in March 2015. HARP2 has a more refined risk characterization in HRA and CEQA documents and incorporates the 2015 OEHHA Final Guidance.

Regional

Ventura County Air Pollution Control District

The management of air quality in Ventura County is the responsibility of the VCAPCD. The VCAPCD is responsible for bringing air quality in the County into conformity with federal and state air quality standards. Specifically, the VCAPCD has the responsibility to monitor ambient air pollutant levels throughout the County and to develop and implement attainment strategies to ensure that future emissions will be within federal and state standards. These attainment strategies form the basis for the AQMP, which is continuously updated to reflect changes in control strategies mandated by updates of the federal and state CAAs. The 2022 Ventura County AQMP, adopted on December 13, 2022, presents Ventura County's strategy (including related mandated elements) to attain the 2015 federal 8-hour ozone standard, as required by the federal Clean Air Act Amendments of 1990.

Photochemical air quality modeling indicates that Ventura County will attain the 2015 federal 8-hour ozone standard by 2026 using local, state, and federal clean air programs. The previous Ventura County AQMP, prepared in 2016, projected attainment of the 2008 federal 8-hour ozone standard by 2020. The EPA published a final rule on October 20, 2022, determining that Ventura County has attained the 2008 Ozone National Ambient Air Quality Standard by its July 20, 2021, attainment date.

The 2022 AQMP presents a combined state and local strategy for attaining the 2015 federal 8-hour ambient air quality standard for ozone, the only federal clean air standard Ventura County does not meet, by the statutory compliance deadline of August 3, 2027. It was prepared to satisfy federal Clean Air Act planning requirements for areas designated as serious federal 8-hour ozone nonattainment areas, including, but not limited to, updated air quality information, an updated emissions inventory, local and state air pollutant control measures, new emission forecasts and projections, a new federal conformity budget for transportation projects, a reasonable further progress demonstration for precursors of ozone (reactive organic gases and nitrogen oxides), a new countywide emission carrying capacity, and a demonstration that Ventura County will attain the federal 8-hour ozone standard.

To implement these strategies, the VCAPCD Board has adopted specific rules and regulations to limit emissions from stationary and mobile sources and activities within the County. These rules and regulations identify specific pollution-reduction measures, which must be implemented in association with various

uses and activities. These rules not only regulate the emissions of criteria pollutants, but also emissions of TACs and HAPs. The rules and regulations are subject to ongoing refinement by the VCAPCD. Enforcement of these rules and regulations is carried out through a permitting process that monitors emissions generated by stationary sources, such as power plants, manufacturing operations, and large and small businesses, that use products that release ozone-forming precursors or TACs into the atmosphere. The Project would be subject to the VCAPCD rules and regulations to reduce project-related emissions and minimize potential air quality impacts. For instance, the VCAPCD has authorized the Ventura Harbor to operate one (1) or more portable diesel engines with a maximum of 14,371 BHP for operation of a barge mounted dredge, crane, or other such construction equipment through Permit No. 01139-111.

In addition to permitting stationary sources, the VCAPCD Air Quality Planning and Evaluation Division administers the CEQA program for Ventura County, which is used to review and comment on the adequacy of environmental documents. It recommends thresholds for determining whether projects would have significant adverse environmental impacts, identifies methodologies for predicting project emissions and impacts, and identifies measures that can be used to avoid or reduce air quality impacts. The *Ventura County Air Quality Assessment Guidelines*, adopted in October 2003, is the most up-to-date document that local government agencies and consultants use to prepare environmental documents for projects subject to CEQA.[20] This document describes the criteria and methods required to mitigate construction and operational emissions from planned developments to ensure compliance with the VCAPCD AQMP.

VCAPCD is responsible for limiting the amount of emissions that can be generated throughout Ventura County by various stationary and area sources. Specific rules and regulations have been adopted by the VCAPCD that limit the allowed amount of emissions generated by various uses and activities, and that identify specific pollution-reduction measures that must be implemented for various uses and activities.[21]

Stationary emission sources subject to these rules are generally regulated through VCAPCD's permitting process. Some activities associated with the project may be subject to VCAPCD rules and regulations. With regard to project development, the following rules may apply:

- **Rule 50 (Opacity) –** This rule sets opacity standards on the discharge from sources of air contaminants. This rule would apply during construction of the Proposed Project, specifically grading activities.

- **Rule 51 (Nuisance) –** This rule prohibits any person from discharging air contaminants or any other material from a source that would cause injury, detriment, nuisance, or annoyance to a considerable

20 VCAPCD, *Ventura County Air Quality Assessment Guidelines,* Adopted in October 2003. Available online at: http://www.vcapcd.org/pubs/Planning/VCAQGuidelines.pdf.

21 Ventura County Air Pollution Control District, *Rules and Regulations.*

number of persons or the public, or which endangers the comfort, health, safety, or repose of a considerable number of persons or the public.

- **Rule 55 (Fugitive Dust) –** This rule sets restrictions on activities, including grading, demolition, and construction that could potentially cause visible dust emissions.

- **Rule 57.1 (Particulate Matter from Fuel Burning Equipment) –** This rule sets restrictions on the particulate matter emissions from fuel input for boilers, steamers, process heaters, water heaters, space heaters, flares and gas turbines.

- **Rule 68 (Carbon Monoxide)** – This rule sets a limit on the concentration of carbon monoxide (CO) that can be emitted.

- **Rule 74.2 (Architectural Coatings) –** This rule sets limits on the volatile organic compound (VOC) content of architectural coatings manufactured, blended, sold, or offered for sale within VCAPCD's jurisdiction. The rule also sets container-labeling requirements for businesses or individuals manufacturing or supplying architectural coatings. Architectural coating products used for the Proposed Project are required to comply with the standards set forth in this rule.

- **Rule 74.4 (Cutback Asphalt) –** This rule sets limits on the type of application and ROC content of cutback and emulsified asphalt. The Proposed Project is required to comply with the type of application and ROC content standards set forth in this rule for cutback and emulsified asphalt.

- **Rule 74.9 (Stationary Internal Combustion Engines)** – This rule sets limits on NOx, ROC, and CO emissions on stationary spark-ignited or diesel internal combustion engine rated at 50 or more horsepower, operated on any gaseous fuel, including liquid petroleum gas (LPG), or liquid fuel.

- **Rule 74.11 (Natural Gas-Fired Residential Water Heaters – Control of NO_x) –** This rule sets a NO_x emission limit (40 nanograms of NO_x per joule of heat output) for natural gas-fired residential water heaters. Residential water heaters must also comply with certification and compliance report requirements specified in this rule. Residential water heaters that do not comply with these standards are not to be sold, offered for sale, or installed within Ventura County.

Ventura County Air Quality Management Plan

As discussed previously, the federal and state CAAs require preparation of plans to reduce air pollution to acceptable levels. The VCAPCD has responded to this requirement by preparing a series of Air Quality Management Plans (AQMPs), the most recent of which is the 2022 AQMP and was adopted by the VCAPCD Control Board on December 13, 2022. The 2022 AQMP is designed to comply with the provisions

of the 1990 amendments to the federal CAA and the 1988 CCAA, accommodate growth, reduce the levels of pollutants within the County, and identify a control strategy to reduce ozone-forming emissions from mobile and stationary sources. Building on previous Ventura County AQMPs, the 2022 AQMP presents a combined local and state clean air strategy based on concurrent reactive organic gases (ROG) and nitrogen oxides (NOx) emission reductions to bring Ventura County into attainment of the 2015 federal 8-hour ozone standard.

The primary objective of the 2022 AQMP is to provide continuous air pollutant emission reductions over time, with the goal of attaining the federal and state standards for ozone. Ventura County has been designated a moderate nonattainment area for the 8-hour ozone standard. On February 14, 2007, the VCAPCD and CARB requested that the County be redesignated a "serious" nonattainment area in order to receive a new attainment date of June 15, 2013. Although serious nonattainment areas are required to implement more stringent control measures than a moderate nonattainment area, the 2022 AQMP has been prepared to satisfy the CAA planning requirements for serious federal 8-hour nonattainment areas. Control programs to achieve the federal 8-hour ozone standard described in the 2022 AQMP focus on mobile sources, consumer products, and pesticides.

Local

2005 Ventura General Plan

Adopted on August 8, 2005, the City of Ventura General Plan (General Plan) is a guide for the future of the City to build on existing cultural, natural, and economic assets, emphasize and encourage connections within the community, and work proactively and collaboratively to achieve the community's shared vision. The General Plan provides policies and actions in order to achieve City goals. The following are relevant air quality policies and actions to the Project:

Policy 7D: Minimize exposure to air pollution and hazardous substances

- **Action 7.20:** Require air pollution point sources to be located at safe distances from sensitive sites such as homes and schools.

- **Action 7.21:** Require an analysis of individual development projects in accordance with the most current version of the Ventura County Air Pollution Control District Air Quality Assessment Guidelines and, when significant impacts are identified, require implementation of air pollutant mitigation measures determined to be feasible at the time of project approval.

- **Action 7:22:** In accordance with Ordinance 93-37, require payment of fees to fund regional transportation demand management (TDM) programs for all projects generating emissions in excess of Ventura County Air Pollution Control District adopted levels.

- **Action 7.23:** Require individual contractors to implement the construction mitigation measures included in the most recent version of the Ventura County Air Pollution Control District Air Quality Assessment Guidelines.

Ventura County 2040 General Plan/Climate Action Plan

In 2020, the County adopted the Ventura County 2040 General Plan (General Plan); the County developed an integrated approach to addressing climate change in the General Plan by incorporating related policies and programs throughout the General Plan, such that the General Plan will also serve as the County's Climate Action Plan (CAP).[22] The General Plan serves as a long-range plan to guide decision-making, establish rules and standards for development and County improvements, and helps to inform residents, developers, and decision makers; it reflects the County's vision for the future and provides direction through the year 2040 on growth and development. The General Plan contains multiple elements, including a Hazards and Safety Element that has a section dedicated to air quality. Applicable goals and policies as they relate to air quality are listed below:

Goal HAZ-10 To promote a high level of air quality in order to protect public health, safety, and welfare, and mitigate any adverse air quality impacts to the maximum extent feasible.

Objective HAZ-10.2 **Air Quality Management Plan Consistency.** The County shall prohibit discretionary development that is inconsistent with the most recent adopted Air Quality Management Plan (AQMP), unless the Board of Supervisors adopts a statement of overriding considerations.

Objective HAZ-10.3 **Air Pollution Control District Rule and Permit Compliance.** The County shall ensure that discretionary development subject to Ventura County Air Pollution Control District (VCAPCD) permit authority complies with all applicable APCD rules and permit requirements, including the use of

22 County of Ventura, *Ventura County 2040 General Plan*, 2020. Available online at: https://docs.vcrma.org/images/pdf/planning/plans/Final_2040_General_Plan_docs/Ventura_County_2040_General_Plan_web_link.pdf, accessed March 13, 2025.

Best Available Control Technology (BACT) as determined by the VCAPCD.

Objective HAZ-10.5 **Air Pollution Impact Mitigation Measures for Discretionary Development.** The County shall work with applicants for discretionary development projects to incorporate bike facilities, solar water heating, solar space heating, incorporation of electric appliances and equipment, and the use of zero and/or near zero emission vehicles and other measures to reduce air pollution impacts and reduce greenhouse gas (GHG) emissions.

Objective HAZ-10.11 **Air Quality Assessment Guidelines.** In evaluating air quality impacts, the County shall consider total emissions from both stationary and mobile sources, as required by the California Environmental Quality Act. The County shall evaluate discretionary development for air quality impacts using the Air Quality Assessment Guidelines as adopted by the VCAPCD except that emissions from APCD-permitted sources shall also be included in the analysis. The County shall revise the Initial Study Assessment Guides to implement this policy.

Objective HAZ-10.12 **Conditions for Air Quality Impacts.** The County shall require that discretionary development that would have a significant adverse air quality impact shall only be approved if it is conditioned with all feasible mitigation measures to avoid, minimize or compensate (offset) for the air quality impact. The use of innovative methods and technologies to minimize air pollution impacts shall be encourage in project design.

Objective HAZ-10.13 **Construction Best Management Practices.** Discretionary development projects that will generate construction-related air emissions shall be required by the County to incorporate best management practices (BMPs) to reduce emissions. These BMPs shall include the measures recommended by VCAPCD in its Air Quality Assessment Guidelines or otherwise to the extent applicable to the project.

Objective HAZ-10.14 **Fugitive Dust Best Management Practices.** The County shall ensure that discretionary development which will generate fugitive dust emissions during construction activities will, to the extent feasible, incorporate

appropriate BMPs to reduce emissions to be less than applicable thresholds.

2045 Port Hueneme General Plan

Adopted in October 2022, the Port's 2045 General Plan creates a framework for the Port of Hueneme that depicts the community's vision and desires through the year 2045.[23] The General Plan provides modern and comprehensive policies for air quality, circulation, climate action, conservation and open space, economic development, housing, land use, local coastal program, noise, public safety and facilities, and social equity. Applicable goals and policies as they relate to air quality are listed below:

Land Use Goal 5: Protection of the City's interests by continuing collaboration efforts with adjacent and regional jurisdictions to address common issues, including air quality, transportation, water quality and supply, solid disposal, and natural hazards (e.g., sea level rise).

Policy LU 5-1 Consider the environmental impacts of development decisions

Air Quality Goal 2: Minimization of exposure to air pollutants, including toxic air contaminants.

Policy AQ 2-4 Work cooperatively with the Port of Hueneme to minimize local exposure to air pollution from oceangoing vessels and heavy trucks.

Policy AQ 2-8 Support VCAPCD requirements to minimize fugitive dust emissions from construction and maintenance activities.

Thresholds and Methodology

Thresholds of Significance

CEQA Significance Thresholds

The impact analysis provided below is based on the application of the following *California Environmental Quality Act (CEQA) Guidelines* Appendix G, which indicates that a Project would have a significant impact on air quality if it would:

- Conflict with or obstruct implementation of any applicable air quality plan.

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23 City of Port Hueneme, *2045 Port Hueneme General Plan*. Available online at: https://www.ci.port-hueneme.ca.us/DocumentCenter/View/6128/2045-Port-Hueneme-General-Plan?bidId=, accessed April 18, 2025.

- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.
- Expose sensitive receptors to substantial pollutant concentrations.
- Result in other emissions (such as those leading to odors), adversely affecting a substantial number of people.

The *State CEQA Guidelines* (Section 15064.7) provide that, when available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make determinations of significance. The potential air quality impacts of the Project are, therefore, evaluated according to thresholds developed by the VCAPCD in its *Ventura County Air Quality Assessment Guidelines (VCAPCD Guidelines)* and subsequent guidance, which are listed below. While the VCAPCD *Ventura County Air Quality Assessment Guidelines* contains significance thresholds for lead using the California and the federal government ambient air quality standards and thresholds as noted above in **Table 4** and **5**, construction and operation of the Project will not exceed these established thresholds. Furthermore, as discussed near the beginning of this section, the region is below the state and federal ambient air quality standards for lead. Therefore, lead emissions from the Project will not cause an air quality violation and will not be analyzed further.

Project-level Air Quality Significance Thresholds

Ozone Precursors

The VCAPCD has issued thresholds for determining the level of significance for project-specific developments within Ventura County. Projects exceeding any of the criteria in the long term are considered to have significant impacts. For projects located outside of the Ojai Planning Area, the following are ROC and NO_x thresholds that the VCAPCD has determined will individually and cumulatively jeopardize attainment of the federal ozone standard, which will result in a significant adverse impact on air quality in Ventura County:

- Reactive Organic Compounds (ROC): 25 pounds per day.
- Nitrogen Oxides (NO_x): 25 pounds per day.
- A project which may cause an ambient air quality standard (state or federal) to be exceeded, or makes a substantial contribution to an already existing air quality standard. Substantial is defined as making measurably worse an existing or federal ambient air quality standard that is exceeded.

Toxic Air Contaminants

The *VCAPCD Guidelines* include significance thresholds for evaluating the health effects of TACs. The VCAPCD suggests the following thresholds in determining the significance of TACs from the construction and operation of proposed projects:

- If the proposed project would result in a lifetime probability of contracting cancer that is greater than 10 in 1 million (10×10^{-6}); and;
- If the proposed project would cause a Health Hazard Index of 1 or greater when evaluating for non-carcinogenic effects of TACs.

Odors

The VCAPCD Guidelines recommend that a proposed project include an assessment of the potential to cause a public nuisance by subjecting surrounding land uses to objectionable odors. A public nuisance is defined by VCAPCD Rule 51 (Nuisance) as "…such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or to the public, or which cause, or have a natural tendency to cause, injury or damage to business or property."[24] The assessment also should evaluate the potential for a proposed project to be impacted by objectionable odors from nearby existing or proposed land uses. Any project that has the potential to create a public nuisance by subjecting members of the public to objectionable odors should be deemed to have a significant odor impact.

Valley Fever

San Joaquin Valley Fever (formally known as Coccidioidomycosis) is an infectious disease caused by the fungus *Coccidioides immitis*. Infection is caused by inhalation of *Coccidioides immitis* spores that have become airborne when dry, dusty soil or dirt is disturbed by wind, construction, farming, or other activities. The Valley Fever fungus tends to be found at the base of hillsides, in virgin, undisturbed soil and is found in the southwestern United States. In its primary form, symptoms appear as a mild upper respiratory infection, acute bronchitis, or pneumonia. The most common symptoms are fatigue, cough, chest pain, fever, rash, headache, and joint aches, although 60 percent of people infected are asymptomatic and do not seek medical attention. In the remaining 40 percent, symptoms range from mild to severe.

24 Ventura County Air Pollution Control District, *Ventura County Air Quality Assessment Guidelines*, (2003) 6-10.

There is no recommended threshold for a significant San Joaquin Valley Fever impact. However, the following factors may indicate a project's potential to create significant Valley Fever impacts:

- Disturbance of the topsoil of undeveloped land (to a depth of about 12 inches);
- Dry, alkaline, sandy soils;
- Virgin, undisturbed, non-urban areas;
- Windy areas;
- Archaeological resources probable or known to exist in the area (Native American midden sites);
- Special events (fairs, concerts) and motorized activities (motocross track, All Terrain Vehicle activities) on unvegetated soil (non-grass); and,
- Non-native population (i.e., out-of-area construction workers).

The lead agency should consider the factors above that are applicable to the project or the Project site. The likelihood that the Valley Fever fungus may be present and impact nearby land uses (or the project itself) increases with the number of the above factors applicable to the project or the Project site. Based on these or other factors, if a lead agency determines that project activities may create a significant Valley Fever impact, the VCAPCD recommends that the lead agency consider the Valley Fever mitigation measures listed in the VCAPCD Guidelines. These mitigation measures focus on fugitive dust control to minimize fungal spore entrainment, as well as minimizing worker exposure.

Cumulative-level Air Quality Significance Thresholds

The *VCAPCD Guidelines* recommend the following thresholds for determining the level of significance for cumulative long-term impacts within Ventura County:

- Any individual general development project located outside the Ojai Valley Planning Area and Ventura 1 Non-Growth area capable of emissions of 25 pounds per day of ROC and NO_x both individually and cumulatively have a significant impact on air quality in the County.
- Any cumulative project group which may cause an ambient air quality standard (state or federal) to be exceeded, or makes a substantial contribution to an already exceeded air quality standard.
- Any individual project with emissions greater than two pounds per day of ROC or two pounds per day of NO_x that is found to be inconsistent with the AQMP will have a significant cumulative air

quality impact. A project with emissions below two pounds per day of ROC, and below two pounds per day of NO_x, is not required to assess consistency with the AQMP.

- Any General Plan Amendment or revision which would provide directly or indirectly for increased population growth above that forecasted in the most recently adopted AQMP will have a significant air quality impact.

Methodology

This analysis focuses on the nature and magnitude of the change in the air quality environment due to implementation of the Project. Air pollutant emissions associated with the Project would result from Project operations and from Project-related traffic volumes. Construction activities would also generate air pollutant emissions at both sites and on roadways resulting from construction-related traffic. The net increase in emissions generated by these activities and other secondary sources have been quantitatively estimated and compared to thresholds of significance recommended by the VCAPCD.

Construction Emissions

The regional construction emissions associated with the Project were calculated using the California Emissions Estimator Model (CalEEMod). CalEEMod was developed in collaboration with the air districts of California as a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions associated with both construction and operations from a variety of land use projects.

Construction activities associated with demolition (parking lot removal), grading, and building construction (including finishing and paving) would generate pollutant emissions. Specifically, these construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. These construction emissions were compared to the thresholds established by the VCAPCD.

Operational Emissions

Operational emissions associated with the Project were also calculated using CalEEMod. Operational emissions associated with the Project would be comprised of mobile source emissions, energy demand, and other area source emissions. Mobile source emissions are generated by motor vehicle trips to and from the Project Site associated with operation of the Project. Area source emissions are generated by natural gas consumption for space and water heating, and landscape maintenance equipment. To determine if a

regional air quality impact would occur, the increase in emissions is compared to the VCAPCD's recommended regional thresholds for operational emissions.

Impacts

a) Less than significant impact. The primary objective of the Ventura County AQMP is to provide continuous air pollutant emission reductions over time, with the goal of attaining the federal and state standards. The VCAPCD's most recent AQMP was adopted in 2022 and establishes a comprehensive air pollution control program leading to the attainment of state and federal air quality standards in the Basin, which is in non-attainment for ozone (O_3) and particulate matter (PM10). The AQMP also addresses the requirements set forth in the state and federal Clean Air Acts. As discussed below, the Project's air quality emissions would be below the VCAPCD operational significance thresholds and mitigation measures have been identified where appropriate consistent with VCAPCD recommendations.

As stated in the Ventura County Air Quality Assessment Guidelines, project consistency with the AQMP can be determined by comparing the actual population growth in the County with the projected growth rates used in the AQMP. The projected growth rate in population is used as an indicator of future emissions from population-related emission categories in the AQMP. These emission estimates are used, in part, to project the date by which Ventura County will attain the federal ozone standard. Therefore, a demonstration of consistency with the population forecasts used in the most recently adopted AQMP should be used for assessing project consistency with the AQMP.

The Project would demolish the existing squid processing facility at Port of Hueneme and would demolish and construct new squid processing facilities at Ventura Harbor. Improvements at Ventura Harbor would include a new commercial fish building located closer to the waterfront, installation of ice making equipment and storage capabilities for the fishery operators, and storage areas for offloading/sorting equipment. The truck bays would be reoriented to increase efficiency and the number of trucks serviced. The squid pumps would be relocated under the new building and the sorting machinery will be relocated to be able to load trucks directly. A shelter and water capture system will be constructed over the squid sorting area. Since the Project is not proposing any uses that would result in an increase in population, and the Project is consistent with its land use and zoning designation, the Project would not have the potential to be in conflict with local or regional planning efforts or population estimates.

As such, because the Project would not increase population figures over those that have been planned for the area, it would not jeopardize attainment of state and federal ambient air quality standards. For

these reasons, the Project would not conflict with or obstruct implementation of the applicable AQMP and this impact would be less than significant.

b) Less than significant impact.

Construction

Construction emissions were calculated using CalEEMod. CalEEMod is the preferred model for projects within the VCAPCD.[25] For purposes of this analysis, it is estimated that the Project would be constructed in four phases (see **Table 9, Project Construction Phases**) with construction beginning in 2027 and all components of the Project being operational in 2029.

Table 9
Project Construction Phases

Phase	Proposed Actions	Timeline
Phase 1	Construction of southeast 7-bay offloading facility at the Ventura Harbor site.	Commencing as early as 2027 and to be completed within 6 months of the start date.
Phase 2	Demolition of existing commercial fishing building at the Ventura Harbor site.	Demolition expected to take approximately one month to complete.
Phase 3	• Construction of remaining 7-bay offloading facility at the Ventura Harbor site • Construction of the 4,900 square foot commercial fish building, the 1,200 square feet of restrooms, and 1,344 square feet of expanded restaurant space at the Ventura Harbor site.	• Both construction activities proposed to take place simultaneously • Offloading facility: approximately 10 months to complete. • Commercial fish building, restrooms, and restaurant: site preparation/grading to take place over the course of five months, with interior and exterior finishing anticipated to take approximately 12 months.
Phase 4	Demolition of the existing 5,500 square foot squid offloading facility in the Port Hueneme.	Anticipated to commence as early as 2028 and to be completed within 12 months of the start date.

With the use of CalEEMod, emissions throughout Project construction were calculated from off-road equipment usage, hauling vehicles, delivery trips, and worker trips to and from the site. **Table 6, Construction-Related Criteria Pollutant and Precursor Emissions – Maximum Pounds per Day,** identifies predicted maximum daily construction-generated emissions for the Project. The analysis assumes that the construction equipment and activities would operate for 1- to 8-hours each day and that some construction activities (e.g., grading, physical construction, architectural coatings, and asphalt paving) could overlap. As indicated in **Table 9,** Phase 3 contains multiple construction activities

25 VCAPCD. "Air Quality Assessment for CEQA." Available online at: http://www.vcapcd.org/environmental-review.htm, accessed April 4, 2025.

that may be happening concurrently at various levels of intensity and demolition at the Port of Hueneme under Phase 4 may occur during periods of Phase 3 activity. Therefore, the emissions shown in Table **10** represent a worst-case scenario for construction activities that may overlap on peak days.

Table 10
Construction-Related Criteria Pollutant and Precursor Emissions – Maximum Pounds per Day

Construction Phase (Peak Day)	ROC/ROG	NOx	CO	SO_2	PM10	PM2.5
Phase 1 (2/1/27 to 8/3/27)	**2.04**	**11.50**	**17.10**	**0.03**	**2.76**	**1.48**
Recommended Threshold	25	25	-	-	-	-
Phase 1 Exceed?	*No*	*No*	*No*	*No*	*No*	*No*
Phase 2 (8/4/27 to 9/2/27)	**0.46**	**4.21**	**6.16**	**0.01**	**0.45**	**0.18**
Recommended Threshold	25	25	-	-	-	-
Phase 2 Exceed?	*No*	*No*	*No*	*No*	*No*	*No*
Phase 3.1 (9/3/27 to 2/7/29)	**3.00**	**12.10**	**19.0**	**0.03**	**0.63**	**0.41**
Recommended Threshold	25	25	-	-	-	-
Phase 3.1 Exceed?	*No*	*No*	*No*	*No*	*No*	*No*
Phase 3.2 (9/3/27 to 7/6/28)	**2.19**	**12.40**	**19.1**	**0.03**	**2.79**	**1.49**
Recommended Threshold	25	25	-	-	-	-
Phase 3.2 Exceed?	*No*	*No*	*No*	*No*	*No*	*No*
Phase 4 (7/7/28 to 7/11/29)	**0.45**	**3.90**	**6.07**	**0.01**	**0.26**	**0.13**
Recommended Threshold	25	25	-	-	-	-
Phase 4 Exceed?	*No*	*No*	*No*	*No*	*No*	*No*
Peak Day Overlap (Phases 3.1 & 3.2)	**5.19**	**24.50**	**38.10**	**0.06**	**3.42**	**1.90**
Peak Day Overlap (Phases 3.1 & 4)	**3.45**	**16.00**	**25.07**	**0.04**	**0.89**	**0.54**
Recommended Threshold	25	25	-	-	-	-
Peak Day Overlap Exceed?	*No*	*No*	*No*	*No*	*No*	*No*

*Source: Impact Sciences, April 2025. See **Appendix A** to this report.*
Note: CalEEMod was prepared for each of the proposed phases for the Project.

It should be noted that the VCAPCD states that construction-related emissions are not directly evaluated against any numeric threshold for significance, since such emissions are temporary and would cease after Project completion. Rather, the VCAPD recommends the implementation of emission and dust control requirements for all construction projects with ROC/ROG or NOx emissions over 25 pounds per day, including VCAPD Rule 55. As shown in **Table 10**, each phase of construction would not exceed 25 pounds per day of ROC/ROG or NOx emissions. Furthermore, under conservative scenarios for peak day overlaps, construction would also not exceed 25 pounds per day of ROC/ROG or NOx emissions. As such, impacts would be less than significant and no mitigation would be required.

Valley Fever

Some health problems, particularly those of the eye and respiratory tract may be aggravated by fugitive dust. Such health problems include Coccidioidomycosis (also known by its common name, Valley Fever). Valley fever is contracted through breathing spores that become airborne through disturbance of the soil. However, Ventura County is not recognized as an area where Coccidioidomycosis is highly endemic.[26] According to the Center of Disease Control (CDC), the average number of cases of Valley Fever in Ventura County residents from 2011 to 2017 was 6.0 to 20.9 cases per 100,000 people.[27] The only large-scale outbreak in the County occurred in Simi Valley between January 24 and March 15, 1994, following the Northridge earthquake due to uncontrolled dust clouds created by landslides.[28,29] Grading associated with the Project would not result in fugitive dust emissions on the level of the Northridge earthquake. While construction of the Project will result in the disturbance of topsoil, the Project Site is located on previously disturbed soil in a developed area. As a result, the Project is expected to have a less than significant impact with respect to Valley Fever.

Operation

Area/Stationary and Mobile Source Emissions

Project-generated emissions would be associated with motor vehicle use, energy use, and area sources, such as the use of natural-gas-fired appliances, landscape maintenance equipment, consumer cleaning products, and architectural coatings. The operational emissions from the Project were calculated with CalEEMod and were compared against VCAPCD thresholds. Long-term operational emissions attributable to the Project are summarized in **Table 11, Operational Criteria Pollutant and Precursor Emissions - Maximum Pounds per Day**. As shown, the operational emissions generated by the Project would not exceed significance thresholds for ROC/ROG or NOx.

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26 Eileen Schneider and others, "A Coccidioidomycosis Outbreak Following the Northridge, Calif. Earthquake," *Journal of American Medicine* Vol. 277, No. 11 (March 19, 1997): 904.

27 Centers for Disease Control and Prevention, "Valley Fever Maps." Available online at: https://www.cdc.gov/fungal/diseases/coccidioidomycosis/maps.html, accessed September 15, 2022.

28 Schneider and others, "A Coccidioidomycosis Outbreak Following the Northridge, Calif. Earthquake," *Journal of American Medicine* Vol. 277, No. 11 (March 19, 1997): 904.

29 *Ibid*.

Table 11
Estimated Project Daily Emissions at Buildout

	Emissions in Pounds per Day					
Emissions Source	**ROC/ROG**	**NOx**	**CO**	**SOx**	**PM10**	**PM2.5**
Mobile Source	4.52	3.84	36.70	0.10	9.55	2.47
Area Source	0.39	<0.01	0.57	<0.01	<0.01	<0.01
Energy Source	0.01	0.10	0.08	<0.01	0.01	0.01
Emissions Totals	4.92	3.85	37.35	0.12	9.57	2.49
Recommended Threshold	25	25	—	—	—	—
Exceeds Threshold?	**No**	**No**	—	—	—	—

Source: Impact Sciences 2025. Emissions calculations are provided in ***Appendix A****.*
Totals in table may not appear to add exactly due to rounding in CalEEMod.
Note: Trips represented in this analysis do not conflict with the VMT Analysis prepared by CR Associates. The VMT Analysis only considers the employee trips from the relocation from Port of Hueneme to the Ventura Harbor. This is a conservative estimate that does not include existing trips.

With respect to truck trips, the total number of truck trips associated with squid processing would remain the same under the Project as existing conditions. Through locating squid processing and all associated trucking at the Ventura Harbor, implementation of the Project would improve overall goods movement in Southern California as the travel distance from Ventura Harbor to US-101 is shorter than the distance from Port of Hueneme to US-101, resulting in fewer vehicle miles traveled (VMT).

Presently, truck access to the facilities in the Port (i.e., existing commercial squid offloading facilities) is limited, and trucks can be queued in the vicinity of the offloading facility within the Port complex during adjacent container cargo operations. This increases the idling time for trucks to enter and dwell within the Port Hueneme, load the commercial squid, and then exit efficiently. By relocating squid offloading to the Ventura Harbor, the Port of Hueneme can continue to refine its focus on goods movement. While the total number of truck trips associated with squid processing would remain the same with the Project, the relocation serves to benefit the larger Southern California region by increasing overall good movement efficiency. The Ventura Harbor is located less than two miles from US-101 and is more accessible to regional highways. In addition, many of the fish operators who currently offload at the Port berth at Ventura Harbor. Relocating the Port's squid facilities to Ventura Harbor would have the dual benefit of reducing truck trip lengths as a result of the shorter distance to US-101 from Ventura Harbor and also reducing boat trip lengths by keeping out and back boat trips at Ventura Harbor where many of the boats currently berth. Therefore, because operational emissions generated by the Project would not exceed significance thresholds for ROC/ROG or NOx, and because the Project will improve operational efficiency, impacts would be less than significant.

Carbon Monoxide Hotspots

Motor vehicles are a primary source of pollutants within the project vicinity. Traffic congested roadways and intersections have the potential to generate localized levels of carbon monoxide (CO). Localized areas where ambient concentrations exceed state and/or federal standards are termed CO "hotspots." CO is produced in greatest quantities from vehicle combustion and is usually concentrated at or near ground level because it does not readily disperse into the atmosphere. As a result, potential air quality impacts to sensitive receptors are assessed through an analysis of localized CO concentrations. Areas of vehicle congestion have the potential to create CO hotspots that exceed the state ambient air quality 1-hour standard of 20 ppm or the 8-hour standard of 9 ppm. The federal levels are less stringent than the state standards and are based on 1- and 8-hour standards of 35 and 9 ppm, respectively. Thus, an exceedance condition would occur, based on the state standards prior to exceedance of the federal standard.

In 2004, Ventura County stopped monitoring ambient CO, with the approval of the U.S. EPA because CO background concentrations in El Rio, Simi Valley, and Ojai were much lower than the State Ambient Air Quality Standard. Therefore, no CO hotspots are expected to occur anywhere in Ventura County and additional CO modeling analysis with the LOS comparison is not warranted. In addition, with over 80% of the CO in urban areas emitted by motor vehicles, and with stricter, cleaner emission standards to the mobile fleet, CO ambient concentrations should remain at or lower than the most recent CO monitoring data available for Ventura County.

Long-term operations of the Project would not result in exceedances of CO air quality standards at roadways in the area. This is due to three key factors. First, CO hotspots are extremely rare and only occur in the presence of unusual atmospheric conditions and extremely cold conditions, neither of which applies to the Project area. Second, auto-related emissions of CO continue to decline because of advances in fuel combustion technology in the vehicle fleet. Finally, the Project would not contribute to the levels of congestion that would be needed to produce the amount of emissions needed to trigger a potential CO hotspot.

Screening analysis guidelines for localized CO hotspot analyses from Caltrans recommend that projects in CO attainment areas focus on emissions from traffic intersections where air quality may get worse.[30] Specifically, projects that significantly increase the percentage of vehicles operating in cold start mode, significantly increase traffic volumes, or worsen traffic flow should be considered for more rigorous CO modeling. The Project is not anticipated to significantly increase traffic volumes or worsen traffic

30 Caltrans, *Transportation Project-Level Carbon Monoxide Protocol, updated October 13, 2010.*

flow. In addition, the Project would not significantly increase the percentage of vehicles operating in cold start mode or substantially worsen traffic flow. As a result, no significant impacts would occur relative to future carbon monoxide concentrations. The impact would be less than significant, and no further analysis is required.

c) ***Less than significant impact.*** As defined in the Ventura County Air Quality Assessment Guidelines, sensitive receptors are facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals, and daycare centers. In addition, recreational areas are considered moderately sensitive to poor air quality because vigorous exercise associated with recreation places a high demand on human respiratory function. The closest air quality sensitive receptors to the Port of Hueneme site include: residences northwest of the Project Site (1,746 feet) and residences east of the Project Site 3,111 feet); the closest air quality sensitive receptors to the Ventura Harbor include: the Ventura Isle Marina liveaboard residences to the east of the Project Site (400 feet), the Ventura West Marina II liveaboard residences to the northwest of the Project Site (1,939 feet) and the Portside Ventura Harbor Residences to the northeast of the Project Site (2,064 feet).

Construction of the Project would include demolition, site clearance and grading, placement of utilities, building construction, paving, application of architectural coatings, and interior finishing. Construction equipment and associated heavy-duty truck trips generate exhaust which contains diesel particulate matter (DPM), known as a toxic air contaminant (TAC).

The Project would not include the operations of any land uses routinely involving the use, storage, or processing of carcinogenic or non-carcinogenic toxic air contaminants. Thus, no appreciable operational-related toxic airborne emissions would result from Project implementation. With respect to construction, the construction activities associated with the Project would be typical of other similar land use development projects in the region and would be subject to the regulations and laws relating to toxic air pollutants at the regional, state, and federal level that would protect sensitive receptors from substantial concentrations of these emissions.

Operational emissions associated with the development and operation of the Project would result primarily from vehicular trips from trucks as well as employee personal vehicles to and from the site. While the total number of truck trips associated with squid processing would remain the same with the project, the relocation serves to benefit the larger Southern California region by increasing overall good movement efficiency. As previously discussed, relocating the Port's squid facilities to Ventura Harbor would reduce truck trip lengths as a result of the shorter distance to US-101 from Ventura Harbor and also reduce boat trip lengths by keeping out and back boat trips at Ventura Harbor where

many of the boats currently berth. Therefore, impacts associated with the release of toxic air contaminants would be less than significant.

Diesel Particulate Matter

Construction would result in the generation of DPM emissions from the use of off-road diesel equipment required for grading and excavation, building construction, and other construction activities. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

In March 2015, the Office of Environmental Health Hazard Assessment (OEHHA) adopted revised guidelines that update previous guidance by incorporating advances in risk assessment with consideration of infants and children using Age Sensitivity Factors (ASF). The intent of the OEHHA 2015 guidance is to provide HRA procedures for use in the Air Toxics Hot Spots Program or for the permitting of existing, new, or modified stationary sources. As the Project is not part of the Air Toxics Hot Spots Program and is considered a residential development consisting primarily of mobile and area sources (i.e., non-stationary sources), the OEHHA 2015 guidance is not directly applicable.

The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment dissipates rapidly. Current methodology for conducting health risk assessments is associated with long term exposure periods (9, 30, and 70 years). Therefore, short-term construction activities would not be expected to generate a significant health risk. Furthermore, the Ventura Harbor site is 2.9 acres and the Port of Hueneme site is 2 acres. Generally, construction for projects contained in a site of such size represent less than significant health risks due to limitations of the off-road diesel equipment able to operate and thus a reduced amount of generated DPM, reduced amount of dust-generating ground-disturbance possible compared to larger construction sites, and reduced duration of construction activities compared to the development of larger sites. Furthermore, construction would be subject to and would comply with California regulations limiting the idling of heavy-duty construction equipment to no more than five (5) minutes, which would further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions.[31] For these reasons, DPM generated by construction activities would not be

31 California Air Resources Board, *Frequently Asked Questions Regulation for In-Use Off-Road Diesel-Fueled (Off-Road Regulation)*, 2015. Available online at: https://ww3.arb.ca.gov/msprog/ordiesel/faq/idlepolicyfaq.pdf.

expected to expose sensitive receptors to substantial amounts of air toxics and these impacts would be less than significant.

With respect to operational truck trips and associated DPM emissions, the total number of regional truck trips associated with squid processing would remain the same under the Project as existing conditions. Through locating squid processing and all associated trucking at the Ventura Harbor, implementation of the Project would improve overall goods movement in Southern California as the travel distance from Ventura Harbor to US 101 is shorter than the distance from Port of Hueneme to US-101, resulting in fewer vehicle miles traveled (VMT). However, as a result of locating squid processing and all associated trucking at the Ventura Harbor, localized areas along Spinnaker Drive and near the loading docks would experience an increase in truck trips, truck idling, and queueing. Specifically, truck trips currently occurring at the Port of Hueneme would be relocated to the Ventura Harbor. Based on data provided by the Ventura Port District and Port of Hueneme, the highest number of total squid truck trips at the Port of Hueneme in the last seven years was 1,883 during the year 2022.[32] This equates to an approximate daily average of 5 to 6 truck trips per day. Additionally, the maximum reported squid truck trips per day at the Port of Hueneme was 60; as squid catch varies by season, 60 squid trucks in a day is uncommon. As such, it is reasonably foreseeable that Ventura Harbor would experience an increase of approximately 5 to a maximum of 60 truck trips per day, depending on the time of year. Based on guidance from CARB, distribution centers or warehouses facilities that serve as a distribution point for the transfer of goods that generate less than 100 truck trips per day would generally not have the potential generate significant health risks at off-site receptors.[33] Furthermore, Project operations would be required to comply with CARB's anti-idling regulations which restricts idling for 10,000 pound or greater trucks to no more than five minutes. To ensure compliance with these regulations, the Project will place legible, durable, weather-proof signs at truck access/queueing locations, loading docks, and truck parking areas that identify applicable CARB anti-idling regulations. Each sign will include: (1) instructions for truck drivers to shut off engines when not in use; (2) instructions for drivers of diesel trucks to restrict idling to no more than 5 minutes once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged; and (3) telephone numbers of the building facilities manager and CARB to report violations. For these reasons, impacts with respect to operational truck trips and associated DPM emissions would be less than significant.

d) Less than significant impact. For impacts associated with odors, the VCAPCD considers specific land uses primarily associated with odor complaints such as wastewater treatment plants, landfills,

32 Ventura Port District, *California Market Squid: Ventura and Port of Hueneme Landings,* March 2025.

33 CARB, *Air Quality and Land Use Handbook: A Community Health Perspective*, April 2005.

composting operations, petroleum operations, food and byproduct processes, factories, and agricultural activities, such as livestock operations. While the Project will be increasing the amount of squid being processed in the Ventura Port District, the Project's existing fishing operations already generate odors. The emissions and odors from the existing uses would be consistent with the proposed uses. The Project would comply with VCAPCD regulations regarding odor nuisances. Any Project generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations which would prevent substantial nuisance odors from being perceived off the Project Site. Therefore, potential odor impacts associated with construction and operation of the Project would be less than significant.

4. BIOLOGICAL RESOURCES

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) 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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) 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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) 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?	☐	☐	☒	☐
e) Conflict with any applicable policies protecting biological resources?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other applicable habitat conservation plan?	☐	☐	☐	☒

Regulatory Setting

Federal

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) protects rare and declining plant and animal species. It is jointly administered by the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS), with NMFS focusing on marine species. FESA classifies species as endangered, threatened, proposed for listing, or candidate species based on their risk of extinction. Endangered species face extinction across all or much of their range, while threatened species are likely to become endangered soon. Candidate species have enough scientific data to warrant listing but are delayed due to higher-priority cases. FESA prohibits the "take" of listed species, which includes harming or killing them or destroying their habitat, unless permitted under specific conditions. Section 10(a) allows incidental take if a Habitat Conservation Plan (HCP) is approved and a permit is issued. Section 7 requires federal agencies to consult with the USFWS if their projects might affect listed species, especially if federal funding or jurisdiction is involved. FESA also mandates the designation of critical habitats, which are protected areas essential for species recovery and are finalized through a public review and federal publication process.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act of 1918 (MBTA) protects certain bird species, along with their eggs, parts, and nests. It regulates the taking, killing, possession, transportation, and importation of these birds. The MBTA applies to species listed under four international treaties and allows limited taking for educational, scientific, or recreational purposes. Harvest levels must be managed to prevent overuse of protected bird populations. Any unauthorized taking, possession, sale, or transport of these birds or their parts is prohibited without a valid permit.

Clean Water Act of the United States

The regulatory framework for aquatic resources is based on current legislation and case law, particularly Section 404 of the Clean Water Act (CWA), which authorizes the U.S. Army Corps of Engineers (USACE) to regulate discharges of dredged or fill materials into “waters of the U.S.” These waters include navigable waters, tributaries, lakes, ponds, wetlands, and other water bodies connected to interstate or foreign commerce. Certain ecologically valuable areas, known as “special aquatic sites,” receive additional consideration during the permitting process. A 2023 Supreme Court decision (*Sackett v. EPA*) narrowed the definition of jurisdictional wetlands to only those with a continuous surface connection to recognized

waters. Depending on the scope and impact of a project, the USACE may issue either a nationwide permit for minor activities or an individual permit for more significant ones.

State

California Endangered Species Act

The California Endangered Species Act (CESA) prohibits the take of species listed as threatened or endangered under state law. The California Department of Fish and Wildlife (CDFW) manages these listings and must be consulted by state agencies during CEQA document preparation. CDFW also tracks candidate species, species of special concern (SSC), and fully protected species, with candidate species under review for listing and SSCs monitored due to their sensitivity. CDFW may authorize incidental take through permits if impacts are minimized and mitigated, either under federal compliance or through Section 2080 of the California Fish and Game Code.

California Fish and Game Codes

Section 1600- Lake and Streambed Alteration Agreement: Section 1600 of the California Fish and Game Code protects riparian systems, including the beds, banks, and habitats of lakes, streams, and rivers. It requires applicants to notify the CDFW if their project will alter the natural flow or physical features of these water bodies. If such impacts are expected, a Lake and Streambed Alteration Agreement (LSAA) must be obtained from CDFW.

Section 2050 – California Endangered Species Act: The CESA prohibits the take of listed species and requires state agencies to avoid approving projects that would jeopardize these species if reasonable alternatives exist, with take authorized through specific permits.

Sections 3503, 3503.5, 3505, 3513 — Birds: Sections 3503, 3503.5, and 3513 of the California Fish and Game Code protect all naturally occurring birds in the state, including birds of prey and nongame migratory birds, as well as their eggs and nests. Section 3503 makes it illegal to take, possess, or needlessly destroy the nests or eggs of any bird unless otherwise permitted by law. Section 3503.5 specifically prohibits the take, possession, or destruction of birds of prey or their nests and eggs. Section 3513 aligns with the MBTA, making it unlawful to take or possess migratory nongame birds or their parts without proper federal authorization.

California Native Plant Protection Act

The California Native Plant Protection Act of 1977 allows the CDFW n to designate native plants as endangered or rare and protect them from being taken. The California Native Plant Society (CNPS)

maintains the California Rare Plant Rank (CRPR) system to categorize the sensitivity of native plant species. CRPR categories range from 1A (presumed extirpated in California) to 4 (plants of limited distribution), with sub-ranks indicating the level of threat (0.1 for seriously threatened, 0.2 for moderately threatened, and 0.3 for not very threatened). Plants ranked 1 and 2 are considered to meet the criteria for protection under CEQA. CNPS also recommends evaluating CRPR 3 and 4 plants, even though they are not officially listed, due to their potential conservation importance.

State Wetland Definition

The State Water Resources Control Board (SWRCB) adopted the State Wetland Definition and Procedures for Discharges or Fill Material to Waters of the State in 2019 and completed revisions to this set of procedures in 2021. The SWRCB defines a wetland as: "An area that, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration such saturation is sufficient to cause anaerobic conditions in the upper substrate; and 3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation."

Local

City of Ventura Municipal Code

Chapter 20.150 (Street Trees) of the City's *Municipal Code* details the City's policies regarding tree protection and removal of publicly owned street trees. Chapter 20.150 also details the permitting process for tree removal and replacement of street trees.

Existing Setting

Ventura Harbor Site

A biological resource study was prepared for the Ventura Harbor site (*Biological Resources Technical Report Port of Hueneme's Squid Relocation to Ventura Port District's Commercial Fishing Modernization Project City of Ventura, Ventura County, California)* and is provided in **Appendix B**. Seven vegetation communities and land cover types were identified on the Ventura Harbor site including Annual Grassland, Barren, Developed, Disturbed, Ice plant mats, Urban, and Open water.

A records search within the CDFW's California Natural Diversity Database (CNDDB) and the CNPS' Inventory of Rare and Endangered Plants of the regional area that the Ventura Harbor were conducted as part of the study. The records searches did not find any riparian habitat or special-status sensitive natural communities on-site. However, the searches did find eight special-status plant species and 15 special-status wildlife species that had been documented as occurring within the Ventura Harbor's regional area. These

species are listed below in **Table 12**, **Potentially Occurring Special-Status Species**. As shown in **Table 12**, these species include the Santa Ana sucker (*Catostomus santaanae*), arroyo chub (*Gila orcutti*), tidewater goby (*Eucyclogobius newberryi*), western pond turtle (*Emys marmorata*), and the Southwestern willow flycatcher (*Empidonax traillii extimus*). The records search also found multiple special status plant species that have been documented as occurring within the Ventura Harbor's regional area. These species are listed below in **Table 12**, **Potentially Occurring Special-Status Species** and include, but are not limited to, Coulter's goldfields (*Lasthenia glabratassp. coulteri*), Ventura Marsh milk-vetch (*Astragalus pycnostachyus var.lanosissimus*), and Coulter's saltbush (*Atriplex coulteri*). The results of a site field investigation conducted on-site is also incorporated into **Table 12** to determine each species' potential occurrence and the site's habitat suitability for each species.

Table 12
Potentially Occurring Special-Status Species

Element Type	Scientific Name	Common Name	Federal Status	State Status	Potential to Occur
Fauna					
	Coccyzus americanu soccidentalis	Western, yellow-billed cuckoo	Threatened	Endangered	Presumed Absent
	Sternula antillarum browni	California least tern	None	None	Not Expected
	Athene cunicularia	burrowing owl	None	None	Not Expected
	Empidonax traillii extimus	Southwestern willow flycatcher	Endangered	Endangered	Presumed Absent:
	Vireo bellii pusillus	least Bell's vireo	Endangered	Endangered	Presumed Absent
	Catostomus santaanae	Santa Ana sucker	Threatened	None	Presumed Absent:
	Eucyclogobius newberryi	Tidewater goby	Endangered	None	Presumed Absent:
	Bombus crotchii	Crotch bumble bee	None	None	Not Expected
	Danaus plexippus plexippus	monarch butterfly	Candidate	None	Presumed Absent.
	Gymnogyps californianus	California Condor	Endangered	Protected	Presumed Absent.
	Empidonaxtraillii extimus	Southwestern Willow Flycatcher	Endangered	Endangered	Presumed Absent.
	Coccyzus americanus	Yellow-billed Cuckoo	Threatened	None	Presumed Absent.
	Rana boylii	Foothill Yellowlegged Frog	Endangered	Endangered	Presumed Absent.
	Spea hammondii	Western Spadefoot	Proposed	Threatened	Presumed Absent.

Element Type	Scientific Name	Common Name	Federal Status	State Status	Potential to Occur
	Streptocephalu s wootton	*Riverside Fairy Shrimp*	Endangered	None	Presumed Absent.
Flora					
	Lasthenia glabratassp. coulteri	Coulter'sgoldfields	N/A	CRPR 1B.1	Presumed Absent.
	Pseudognaphalium leucocephalum	white rabbit-tobacco	N/A	CRPR 1B.1	Presumed Absent.
	Atriplex serenanavar. davidsonii	Davidson's saltscale	N/A	CRPR 1B.2	Presumed Absent.
	Astragalus pycnostachyus var.lanosissimus	Ventura Marsh milk-vetch	N/A	CRPR 1B.1	Presumed Absent.
	Chloropyron maritimum ssp. maritimum	salt marsh bird's-beak	N/A	CRPR 1B.2	Presumed Absent.
	Atriplex coulteri	Coulter's saltbush	N/A	CRPR 1B.2	Presumed Absent.
	Orcuttia californica	California Orcutt Grass	N/A	CRPR 1B.1	Presumed Absent.
	Navarretia fossalis	Spreading Navarretia	N/A	CRPR 1B.1	Presumed Absent.

Notes:
CRPR Categories:
1B.1- Plants Rare, Threatened, or Endangered in California and Elsewhere (Seriously Threatened in California
1B.2- Plants Rare, Threatened, or Endangered in California and Elsewhere (Moderately Threatened in California)
Occurrence Potential:
***Not Expected:** Species with no known recorded occurrence(s) within or near the Study Area. No suitable habitat present on-site; or habitat is within the Project Site, but habitat on-site is substantially disturbed, fragmented, or is small in extent such that is very unlikely to support the species.*
***Presumed Absent:** There are no records of the species occurring within or near the Study Area, the Project Site is not within the known geographic range for the species, and/or suitable habitat (e.g., soil, vegetation, elevational range, etc.) was not found during the field surveys conducted for the Project. The species is detectable year-round and would have been detected during surveys, but was not detected, or focused surveys were conducted for the species and the species was not detected.*
*Source: Biological Resources Technical Report Port Hueneme's Squid Relocation to Ventura Port District's Commercial Fishing Modernization Project City of Ventura, Ventura County, California, Bargas Environmental Consulting, April 2025 (See **Appendix B)***

As documented in the biological resources study, the site does not serve as a regional wildlife corridor or support the nearby habitat linkage due to its small size. The Project marginally supports localized use and connectivity for wildlife movement. Specifically, the harborside of the site may provide support for marine life, and the existing trees on-site may support migratory bird species.

The open water located on-site within the Ventura Harbor is considered essential fish habitat (EFH) for Groundfish, Finfish, and Coastal Pelagic Species.[34] This open water is also recognized by the United States

[34] Bargas Environmental Consulting, *Biological Resources Technical Report Port Hueneme's Squid Relocation to Ventura Port District's Commercial Fishing Modernization Project City of Ventura, Ventura County, California, Bargas Environmental Consulting*, April 2025 (see **Appendix B**).

Army Corps of Engineers (USACE) as a water feature subject Section 404 of the CWA and waters of the State.

Port of Hueneme Site

The Port of Hueneme and its adjacent uses are predominantly urbanized and paved with no viable habitats for existing species, vegetations communities, or any other biological resources. Therefore, the discussion of impacts in this section is limited to Ventura Harbor.

Impacts

a,b) Less than Significant Impact. No special-status vegetation communities were identified within the Ventura Harbor site. As shown in **Table 12**, the special status wildlife species and plant species identified in the Ventura Harbor region were determined to be Presumed Absent or Not Expected to be on-site in Ventura Harbor. No special-status wildlife species and plant species were determined to have moderate or higher potential to occur on-site. However, common and managed fish species may occur, including Blue rockfish, California Scorpionfish, Pacific Sardine, and a few Pacific coast groundfish species.[35] Implementation of the Project includes the implementation of appropriate Best Management Practices (BMPs) during construction to protect water quality (see **Hydrology** section). Furthermore, given that the improvements are designed to fully avoid open water, the implementation of the Project is not expected to impact EFH. Thus, Project implementation would not adversely affect any special-status species. As such, less than significant impacts would occur.

c.) Less than Significant Impact. As stated, the open waters within the ***V***entura Harbor site would be subject to Section 404 of the CWA. However, the proposed Project would be designed and sited to be set-back and away from the open water of Ventura Harbor; no substantive waterside improvements are proposed as part of the Project. Thus, impacts to open water of the Ventura Harbor would be avoided. As such, less than significant impacts would occur.

d) Less than Significant Impact. The Project does not serve as a regional wildlife corridor or support the nearby habitat linkage due to its small size. The Ventura Harbor site marginally supports localized use and connectivity for wildlife movement. Specifically, the harborside of the Project may provide support for marine life, and the existing trees on-site may support migratory bird species.[36] Additionally, although the southwestern corner of the Ventura Harbor site marginally overlaps the outer boundary

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35 *Ibid.*

36 Bargas Environmental Consulting, *Biological Resources Technical Report Port Hueneme's Squid Relocation to Ventura Port District's Commercial Fishing Modernization Project City of Ventura, Ventura County, California, Bargas Environmental Consulting*, April 2025 (see **Appendix A**)

of the Santa Monica Sierra Madre Connection, the site currently does not contain native natural habitat to facilitate wildlife movement.[37]

The open water within Ventura Harbor is considered EFH for Pacific groundfish and coastal pelagic species. However, the proposed Project footprint was purposefully designed and sited to be set-back and away from the open water of Ventura Harbor. Because no substantive in-water activity is associated with the Project, resident fish species would be avoided.

The Ventura Harbor site does contain suitable nesting and foraging habitat for common urban bird species.[38] Implementation of the Project would partially modify some habitats present on-site and may reduce (temporarily during construction) the attractiveness of the site to birds moving about. Noise generated from construction activities may also temporarily deter movement from the adjacent vacant lots and off-site habitat south of the site. However, the site is already subject to a degree of commercial-industrial related noises including the processing of squid, unloading / loading of trucks, and restaurant uses; thus, implementation of the Project is not anticipated to substantially increase noise at the site (see **Noise**) Furthermore, construction would be limited to daylight hours and wildlife would not be disturbed during the times they typically travel (i.e., dawn, dusk, and night). Although impacts to wildlife movement or nursery sites are not expected, the Project could result in impacts to nesting birds, particularly common urban-adapted bird species. The bird species may also be protected under MBTA. Mitigation Measure BIO-1 would ensure compliance with the MBTA .

By implementing **Mitigation Measure MM BIO-1**, the potential impacts to the movement of native resident or migratory fish or wildlife species would be less than significant.

e) ***Less than Significant Impact***. The Project would remove existing trees located along Spinnaker Drive as well as the landscaped islands on the site. Thus, the Project must demonstrate compliance with Chapter 20.150 (Street Trees) of the City's Municipal Code by obtaining a permit for the removal of the existing on-site trees located along Spinnaker Drive. Project compliance with these regulations would ensure that impacts would be less than significant.

f) ***No Impact.*** The Project is not located in an area subject to an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved conservation plans. Therefore, no impact would occur.

37 *Ibid.*

38 *Ibid.*

Mitigation Measures

MM BIO-1 Nesting Bird Survey If Project work is to occur during the typical nesting season (between February 1 and September 31), a nesting bird survey shall be conducted by a biologist prior to the commencement of construction activities at the Ventura Harbor site. Surveys should occur within the Project Site and a 300- foot buffer, as accessible, prior to commencing construction work for the Project. The nesting bird survey must be completed no more than five days prior to work. If work does not begin within five days of the survey date, a subsequent survey must be conducted. If an active nest is discovered, the biologist shall establish an avoidance buffer around the nest until the young have fledged.

Nest Avoidance Buffer: If nesting birds are identified during the surveys, the biologist shall determine an appropriate disturbance-free (i.e., no-work-zone) buffer (typically between 100 and 500 feet) depending on the species and Project activities. Buffer zones should be clearly demarcated in the field for avoidance by construction activities. The size of an established buffer may be altered if the biologist conducts behavioral observations and determines the nesting birds would not be affected by the Project activities. If this occurs, the biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/harassment to the nesting birds. If the buffer is reduced, the biologist shall remain on site to monitor the behavior of the nesting birds during construction in order to ensure that the reduced buffer does not result in take of eggs or nestlings. No construction or earth-moving activity shall occur within the established buffer until it is determined by the biologist that the young have fledged (are no longer dependent on the nest or the adults for feeding) and have attained sufficient flight skills to avoid project construction zones. If a biologist is not hired to monitor the nest, then the full buffer(s) shall be maintained in place from February 1 to September 31. The buffer may be removed, and work may proceed as otherwise planned within the buffer on October 1.

5. CULTURAL RESOURCES

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966 (as amended) is the primary federal law dealing with historic preservation. Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to consult with the Advisory Council on Historic Preservation to consider the effects of their undertakings on historic properties. The historic significance of a building, structure, object, site, or district for listing is assessed based upon the criteria in the National Register of Historic Places (NRHP). A resource is considered eligible for the NRHP if the quality of significance in American history, architecture, archaeology, engineering, and culture is present and if the resource includes integrity of location, design, setting, materials, workmanship, feeling, and association and:

- Is associated with events that have made a significant contribution to the broad pattern of our history;
- Is associated with the lives of persons significant to our past;
- Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possessed high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

State

Section 15064.5 of the *State CEQA Guidelines* defines a historical resource as (1) a resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; (2) a resource listed in a local register of historical resources or identified as significant in an historical resource survey meeting certain state guidelines; or (3) an object, building, structure, site, area, place, record or manuscript that a lead agency determines to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided that the lead agency's determination is supported by substantial evidence in light of the whole record.

State California Register of Historical Resources

The California Register of Historic Resources (CRHR) is administered by the State Office of Historic Preservation and encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes, determines eligibility for state historic preservation grant funding, and affords protections under CEQA. A historic resource listed in, or formally determined to be eligible for listing in the NRHP is, by definition, included in the CRHR (Public Resources Code Section 5024.1[d][1]).

For a historical resource to be eligible for listing on the CRHR, it must be significant under one or more of the following criteria:

- It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- It is associated with the lives of persons important to local, California, or national history;
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
- It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

Archaeological Resources and Human Remains

Archaeological and historical sites are protected by several state policies and regulations under the California Public Resources Code, California Code of Regulations (Title 14 Section 1427), and California Health and Safety Code. California Public Resources Code Sections 5097.9-5097.991 require notification of

discoveries of Native American remains and provides for the treatment and disposition of human remains and associated grave goods.

Native American Heritage Commission

The National American Heritage Commission (NAHC) was created by statute in 1976, is a nine-member body appointed by the Governor to identify and catalog cultural resources (i.e., places of special religious or social significance to Native Americans and known graves and cemeteries of Native Americans on private lands) in California. The Commission is responsible for preserving and ensuring accessibility of sacred sites and burials, the disposition of Native American human remains and burial items, maintaining an inventory of Native American sacred sites located on public lands, and reviewing current administrative and statutory protections related to these sacred sites.

California Assembly Bill 52 (2014)

On July 1, 2015, Assembly Bill (AB 52) (2014) went into effect and established a new category of CEQA resources for "tribal cultural resources" (Public Resources Code §21074). The intent of AB 52 was to provide a process and scope that clarifies California tribal government's involvement in the CEQA process, including specific requirements and timing for lead agencies to consult with tribes on avoiding or mitigating impacts to tribal cultural resources. AB 52 also created a process for consultation with California Native American Tribes in the CEQA process.

Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project. The Public Resources Code requires avoiding damage to tribal cultural resources, if feasible.

California Public Resources Code

The discovery of Native American burial sites is regulated in accordance with Section 5097.98 California Public Resources Code, which states the following:

> *"(a) Whenever the commission receives notification of a discovery of Native American human remains from a county coroner…it shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may… inspect the site of the discovery of the Native American remains and may recommend to the owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American*

Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials."

California Health and Safety Code

The discovery of human remains is regulated in accordance with California Health and Safety Code Section 7050.5, which states the following:

"In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation…until the coroner…has determined…that the remains are not subject to…provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible…. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and…has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission."

Local

General Plan Policies

The City's *General Plan* policies applicable to cultural resources include, but are not limited to, the following:

Policy 9D Ensure proper treatment of archeological and historic resources.

City of Ventura Municipal Code

Chapter 24.455 (Historic Preservation) of the City's *Municipal Code* establishes the procedures for identifying, designating, and preserving historic landmarks or points of interest. Chapter 24.455 prohibits the defacing, altering, or reconstruction of, or the construction of additions to, or any other changes to, the exterior of a designated historic landmark or property that has been identified as eligible in a historic resources survey adopted by the City of Ventura City Council. The City Council may also make any reasonable arrangements to preserve these identified landmarks.

Existing Setting

Because no groundwork would occur outside of demolition at the Port of Hueneme site, discussion of impacts in this section is limited to Ventura Harbor. The City of Ventura General Plan identifies sites and resources within the City that are locally recognized as a historic or cultural site. Based on Table 9-1 and

Figure 9-1 of the General Plan, there are no historical or cultural sites on-site or adjacent to the Ventura Harbor site. The nearest historical or cultural site to the Project Site is Olivas Adobe Park, located approximately 1.1 miles to the northeast.

Impacts

a) ***Less than Significant Impact.*** The Project involves the demolition of an existing squid transit facility at the Port of Hueneme and the demolition of the existing commercial fish building, reconstruction of a new building (that will provide public fish markets, office space, restrooms, and kitchen space for Andria's Seafood) , and two new truck loading platforms Neither project site is listed on the CRHR or the NRHP.[39] According to the Cultural Resources Inventory Memorandum prepared for the Project (see **Appendix C**)**,** there are no identifiable historical resources as defined under CEQA at either site. Therefore, the Project would not impact any historical resource pursuant to in §15064.5. Impacts would be less than significant.

b) ***Less than Significant Impact with Mitigation Incorporated.*** The Project includes minor expansion of fish offloading facilities at the Ventura Harbor and demolition of the existing squid offloading facilities at Port Hueneme. As such, minor excavation activities and ground disturbing activities would occur primarily as a result of the reconstructed truck bays. These activities could potentially result in the discovery of previously of undiscovered archaeological resources, which would be considered a significant impact. In the event that previously unidentified cultural (archaeological) resources are encountered during grading activities, the Project would be required to comply with **Mitigation Measure MM CUL-1**. **Mitigation Measure MM CUL-1** would ensure that work in the immediate area of the find is halted until an archaeologist evaluates the find and determines appropriate subsequent procedures. Compliance with **Mitigation Measure MM CUL-1** would reduce impacts to less than significant.

Mitigation Measures

MM CUL-1: In the event that previously unidentified cultural resources are encountered during ground disturbing activities, work in the immediate area must halt and a qualified archaeologist (in accordance with City of Ventura standards) must be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, the qualified archaeologist shall expeditiously prepare and implement a research design and archaeological data recovery plan that captures those categories

39 ASM Affiliates. *Cultural Resource Inventory for the Ventura Harbor Modernization Project, Ventura County, California*. March 2025 (see **Appendix C**, **Cultural Resource Inventory Memorandum**)

of data for which the site is significant in accordance with Section 15064.5 of the *CEQA Guidelines*.

c) Less than Significant Impact. No dedicated cemetery exists on either Project Site. As both sites have been subject to past subsurface disturbance associated with grading and foundations; it is not anticipated that intact human remains would be encountered during construction activities. However, in the event that human remains are encountered, the Project would adhere to the required procedures outlined in the State of California Health and Safety Code Section 7050.5 and Section 5097.98 of the California Public Resources Code. Specifically, in the event that remains are discovered, all construction activities must cease immediately, and the Ventura County Coroner and a qualified archaeologist must be notified. The Coroner will examine the remains and determine the next appropriate action based her findings. If the coroner determines the remains to be of Native American origin, she will notify the NAHC. The NAHC will then identify the most likely descendants (MLD) to be consulted regarding treatment and/or reburial of the remains. If an MLD cannot be identified, or the MLD fails to make a recommendation regarding the treatment of the remains within 48 hours after gaining access to the remains, the property owner shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

6. ENERGY

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Regulatory Setting

State

Title 24

Title 24, Part 6, of the California Code of Regulations contains the CEC's Energy Efficiency Standards for Residential and Nonresidential Buildings. Title 24 was first established in 1978, in response to a legislative mandate to reduce California's energy consumption. Since that time, Title 24 has been updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods.

On April 23, 2008, the CEC adopted the 2008 standards, which applied to projects that submitted an application for a building permit on or after January 1, 2010. The CEC adopted the 2008 standards for a number of reasons: (1) to provide California with an adequate, reasonably priced, and environmentally sound supply of energy; (2) to respond to Assembly Bill 32 (AB 32; the Global Warming Solutions Act of 2006), which requires California to reduce its greenhouse gas emissions to 1990 levels by 2020; (3) to pursue the statewide policy that energy efficiency is the resource of choice for meeting California's energy needs; (4) to act on the findings of California's Integrated Energy Policy Report, which indicate that the 2008 Standards are the most cost-effective means to achieve energy efficiency, reduce the energy demand associated with water supply, and reduce greenhouse gas emissions; (5) to meet the West Coast Governors' Global Warming Initiative commitment to include aggressive energy efficiency measures in the update of all state building codes; and (6) to meet the Executive Order in the Green Building Initiative to improve the energy efficiency of nonresidential buildings through aggressive standards. The most recently adopted

updates to the standards are known as the 2022 Building Energy Efficiency Standards, which go into effect on January 1, 2023.[40]

The California Green Building Standards Code (CalGreen Code), which is Part 11 of the Title 24 Building Standards Code, is commonly referred to as the CALGreen Code. The 2008 edition was the first edition of the CALGreen Code and contained only voluntary standards. The 2022 CalGreen Code includes mandatory requirements for new residential and nonresidential buildings (including buildings for retail, office, public schools, and hospitals) throughout California beginning on January 1, 2023. The 2022 CalGreen Code contains regulations for energy efficiency, water efficiency and conservation, material conservation and resource efficiency, environmental quality, and more.

City of Ventura

Section 12.135.020 (Adoption of the California Green Building Standards Code, 2022 Edition), adopts the 2022 CalGreen Code by reference and requires new development to comply with its regulations, as applicable.

Impacts

a) Less than Significant Impact.

Construction

Construction activities associated with the Project would consume electricity on a limited basis to power lighting and electrical equipment. The electricity demand at any given time would vary throughout the construction period based on the construction and demolition activities being performed and would cease upon completion. Electricity use from construction activities would be short-term, limited to working hours, and used for necessary construction-related activities.

Typically, construction activities do not involve the consumption of natural gas. As such, natural gas would not be supplied to support Project construction activities and there would be no expected demand generated by construction of the Project. If natural gas is used during construction, it would be in limited amounts and on a temporary basis and would specifically be used to replace or offset diesel-fueled equipment and as such would not result in substantial on-going demand.

40 California Energy Commission, "2022 Building Energy Efficiency Standards." Available online at: https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency, accessed April 16, 2025.

Construction activities associated with the Project would use gasoline and/or diesel-powered equipment and/or vehicles for hauling activities. The Lead Agency would use fuel-efficient equipment consistent with State and federal regulations, such as the fuel efficiency regulations outlined in Title 24, Assembly Bill 32 (AB 32), which regulates energy resources and fuel consumption and California Code of Regulations, Title 13, sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by shutting it off when not in use or by reducing the time of idling to no more than five minutes. Construction equipment would be maintained to applicable standards, and construction activities and associated fuel consumption and energy use would be temporary and typical of construction sites. It is also reasonable to assume contractors would avoid wasteful, inefficient, and unnecessary fuel consumption during construction to reduce construction costs. The Project would be constructed to comply with the mandatory requirements set forth in the CALGreen Green Code related to energy efficiency, water efficiency and conservation, and material conservation and resource efficiency for new non-residential buildings. Therefore, construction activities associated with the Project would not involve the inefficient, wasteful, and unnecessary use of energy during construction, and the construction-phase impact related to energy consumption would be less than significant.

Operation

At the Ventura Harbor, Project operations would use energy in the form of electricity, natural gas and diesel fuel. The Project would construct a new commercial fish building on-site and minimally increase its size. The project will also construct two fish sorting and truck loading facilities. The proposed structures would be designed in compliance with the most current state statutes under Title 24. Specifically, the Project's compliance with the most current California Energy Code (Title 24, Part 6 of the CCR) and CALGreen (Code Title 24 Part 11 of the CCR), would ensure that energy usage at the new facility would be more efficient than it is currently. Although the Ventura Harbor site would have increased electricity usage due to the relocation of squid offloading from the Port of Hueneme, the reduction in activity at the Port of Hueneme would offset the increase. Compliance with state-mandated regulations and standards would ensure the Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation and impacts would be less than significant.

b) Less than Significant Impact. The Project would be designed in a manner that is consistent with relevant energy conservation plans designed to encourage development that results in the efficient use of energy resources, such as the California Energy Code and the CALGreen Code. With adherence to the California Energy Code, energy efficiency would be maximized in all areas for the Project, such as in its space-conditioning systems, water heating, lighting, and in the design of the building itself. As

such, the Project would not conflict or obstruct any local or state plans for renewable energy or energy efficiency. For these reasons, this impact would be less than significant.

7. GEOLOGY & SOILS

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause 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 for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) (California Building Code), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Regulatory Setting

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The Act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

Staff geologists in the Seismic Hazard Zonation Program gather existing geological, geophysical, and geotechnical data from numerous sources to produce the Seismic Hazard Zone Maps. They integrate and interpret these data regionally to evaluate the severity of the seismic hazards and designate as Zones of Required Investigation (ZORI) those areas prone to liquefaction and earthquake-induced landslides. Cities and counties are then required to use the Seismic Hazard Zone Maps in their land use planning and building permit processes.

The Seismic Hazards Mapping Act requires that site-specific geotechnical investigations be conducted within the ZORI to identify and evaluate seismic hazards (i.e., liquefaction and earthquake induced landslides) and formulate mitigation measures prior to permitting most developments designed for human occupancy.

California Building Code

The 2019 California Building Standards Code (CBC) was published July 1, 2019, with an effective date of January 1, 2020. The CBC, which applies to all applications for building permits, consists of 11 parts that contain administrative regulations for the California Building Standards Commission and for all State agencies that implement or enforce building standards. Local agencies must ensure development complies with the CBC guidelines. Cities and counties can adopt additional building standards beyond the CBC. Part 2 of the CBC is based upon the 2019 International Building Code.

Soil Investigation Requirements

California Health and Safety Code Sections 17953–17955 and in Section 1802 of the CBC identify requirements for soils investigations for subdivisions requiring tentative and final maps, and for other specified types of structures. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness.

Standard Urban Storm Water Mitigation Plan

On June 7 and 8, 2000, the Los Angeles Regional Water Quality Control Board (LAWQCB), in coherence with the National Pollutant Discharge Elimination System (NPDES), implemented the Standard Urban Storm Water Mitigation Plan (SUSMP) as part of the municipal stormwater program to address storm water pollution from new development and redevelopment within incorporated cities. The SUSMP contains a list of the minimum required BMPs that must be used for a designated project. Additional BMPs may be required by ordinance or code adopted by the permittee and applied generally or on a case-by-case basis. The permittees are required to adopt the requirements set herein in their own SUSMP. Developers must incorporate appropriate SUSMP requirements into their project plans. Each permittee will approve the project plan as part of the development plan approval process and prior to issuing building and grading permits for the projects covered by the SUSMP requirements.

City of Ventura General Plan Policies

The City of Ventura's *General Plan* includes policies related to geologic hazards and paleontological resources. These policies include, but are not limited to, the following:

Policy 7B Minimize risks from geologic and flood hazards.

City of Port Hueneme General Plan Policies

The City of Port Hueneme's *General Plan* includes policies related to geologic hazards and paleontological resources. These policies include, but are not limited to, the following:

Policy PSF 1-4 Incorporate guidelines and recommendations from the California Building Code into all new developments and ensure adequate review and inspection.

Policy PSF 1-8 Ensure that existing critical and semi-critical structures throughout the City meet seismic safety standards and that new facilities are developed in accordance with updated standards and standard of service studies.

City of Ventura Municipal Code

Chapter 12.115 (Building Standards) of the City's *Municipal Code* amends the CBC to include additional regulations regarding expansive soils. Special foundation considerations and soils analyses requirements must be in place to provide a reasonable degree of structural integrity for buildings constructed in these areas. Several earthquake faults run through the city that, when active, will impose unique lateral loads on structures in the city. Special lateral structural design criteria are needed to resist these lateral loads imposed by active earthquake faults in the city.

Chapter 12.220 (Grading Regulations) of the City's *Municipal Code* outlines the regulatory requirements for grading activities that occur within the City. Specifically, Section 215.020 (Requirements) of the *Municipal Code* requires all new development to submit all plans and specifications to City Engineer in accordance with the current City submittal checklist for grading plans. If applicable, a developer may be required to submit an Engineering Geological Report or a Soils Engineering Report, if applicable. Section 12.220.070 (Areas Subject to Geologically Hazardous Conditions) of the *Municipal Code* specifies the grading requirements and prerequisites for grading activities that would occur within areas subject to existing or potential liquefaction hazards, landslides, unstable soil, or geologic hazards.

City of Port Hueneme Municipal Code

Article VI (Public Works Standards, Permitting, and Public Streets), specifically Chapter 3 (Floodplain Management) of the City's Municipal Code outlines the City's stormwater management requirements. Specifically, it requires development projects to implement measures to control erosion, sedimentation, and the discharge of pollutants into the stormwater system.

Existing Setting

Ventura Harbor and Port of Hueneme Site

Both Ventura Harbor and Port Hueneme, are located in the seismically active Southern California region. Several active faults are located in proximity to the two sites. **Table 13**, **Major Fault Zones** lists the major seismically active fault zones, their proximity to both sites, their interval between major ruptures, and their probable magnitudes. As shown in **Table 13**, the Oak Ridge Fault is the closest fault to both the Ventura Harbor and the Port Hueneme, located 0.33 and 7.45 miles north, respectively. The Oak Ridge Fault has a probable magnitude that ranges between 6.5 to 7.5 Mw. Additionally, the Ventura Harbor is located within close proximity to the Ventura Fault, which has a probable magnitude that ranges between 6.0 to 6.8 Mw. The Newport-Inglewood Fault Zone and the San Andreas Fault zone are regionally major fault zones within proximity to both sites. Due to the close proximities and their probable magnitudes, both sites would be subject to strong ground shaking in the event of a large magnitude earthquake on any of the local faults or regional fault systems.

Table 13
Major Fault Zones Within Close Proximity to the Project Site

Fault Name	Distance to Ventura Harbor site (miles/direction)[1,2]	Distance to Port of Hueneme site (miles/direction)[1,2]	Probable Magnitudes (Mw)[3]
Oak Ridge Fault	0.33 miles north	7.45 miles north	6.5 - 7.5
Ventura Fault	3.1 miles north	11.1 miles north	6.0 - 6.8
Santa Monica Fault	45.1 miles south	41.61 miles south	6.0 - 7.0
San Andreas Fault	48.4 miles east	45.2 miles east	6.8 - 8.0
Newport-Inglewood Fault Zone	61.9 miles south	57.8 miles south	6.0 - 7.4

Notes: Mw=Magnitude
Sources:
1. *United States Geological Survey, Quaternary Fault and Fold Database of the United States, https://www.usgs.gov/programs/earthquake-hazards/faults, accessed February 23, 2025.*
2. *California Department of Conservation, Fault Activity Map of California, https://maps.conservation.ca.gov/cgs/fam/, accessed February 23, 2025.*
3. *Southern California Earthquake Data Center, Earthquake Information, accessed February 23, 2025*

The topography of the Ventura Harbor and the Port of Hueneme sites are relatively flat and neither are located within a designated landslide zone.[41,42]The Ventura Harbor site is also designated as a low expansive soil zone.[43] However, at the Ventura Harbor, the site is located within a liquefaction hazard zone.[44] Both locations are developed, with minimal soil exposure.

Impacts

a)

i) No Impact. The Port of Hueneme site does not propose any new improvements, therefore there is no risk of the Project exacerbating an existing geologic hazard. The Ventura Harbor site includes the demolition of the existing commercial fish building, reconstruction of a new building (that will provide public fish markets, office space, restrooms, and kitchen space for Andria's Seafood), two new truck loading platforms. However, this site is not located on or near any known active or potentially active Alquist-Priolo Earthquake Fault Zone.[45] Therefore, the Project would not expose people or structures to the risk of loss, injury, death involving rupture of a known earthquake fault. No impact would occur.

ii) Less than Significant Impact. Both the Ventura Harbor and the Port of Hueneme sites are located in Southern California, which has several active seismic faults that subject people and structures to potential earthquake and seismic-related hazards. The Oak Ridge Fault is located less than one mile north of Ventura Harbor. As such, all habitable structures proposed under the Project would be constructed in accordance with the 2022 California Building Code (CBC), which specifies the regulatory requirements for commercial, recreational, and industrial buildings related to resiliency to strong seismic ground shaking. However, despite the distance to the fault line and its potential

41 City of Ventura, *City of Ventura 2005 General Plan Final Environmental Impact Report.* Available online at: https://www.cityofventura.ca.gov/DocumentCenter/View/2303/Final-EIR-for-the-2005-General-Plan-PDF?bidId=, accessed February 23, 2025.

42 City of Port Hueneme, *City of Port Hueneme General Plan Update EIR*. Available online at: https://www.ci.port-hueneme.ca.us/DocumentCenter/View/4549/City-of-Port-Hueneme-General-Plan-Update-EIR-FEIR-September-2021?bidId=, accessed February 23, 2025.

43 City of Ventura, *City of Ventura 2005 General Plan Final Environmental Impact Report*. Available online at: https://www.cityofventura.ca.gov/DocumentCenter/View/2303/Final-EIR-for-the-2005-General-Plan-PDF?bidId=, accessed February 23, 2025..

44 California Department of Conservation, *CGS Seismic Hazards Program: Liquefaction Zones*, https://maps-cnra-cadoc.opendata.arcgis.com/datasets/cadoc::cgs-seismic-hazards-program-liquefaction-zones/explore?location=34.260052%2C-119.294639%2C13.62, accessed February 23, 2025.

45 California Department of Conservation. CGS Seismic Hazards Program: Alquist-Priolo Fault Hazard Zones. Available online at: https://maps-cnra-cadoc.opendata.arcgis.com/datasets/cadoc::cgs-seismic-hazards-program-alquist-priolo-fault-hazard-zones/explore?location=34.255877%2C-119.223235%2C12.71, accessed March 19, 2025.

to produce strong seismic activity, the Project would not introduce a use that would have the potential to exacerbate seismic ground shaking beyond a level that currently exists. Since the Project would adhere to all requirements of the CBC, there is little potential for the Project to expose people or structures to the risk of loss, injury, or death from strong seismic ground shaking. Additionally, to ensure that the proposed structures of the Project would not impose as a risk to life and property, building construction would comply with Chapter 12.220 of the City' Municipal Code which requires a geotechnical investigation and compliance with any recommendations. As discussed above, no new structures would be built at the Port of Hueneme site. Thus, Project impacts would be less than significant.

iii*) *Less than Significant Impact. Liquefaction is a seismic phenomenon in which loose, saturated, fine-grained granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: (1) shallow groundwater; (2) low-density, fine, clean sandy soils; and (3) high intensity ground motion. Ventura Harbor is located within a liquefaction zone. Per Chapter 12.220 of the City's Municipal Code, a geotechnical investigation would be prepared prior to obtaining a City Permit. Adherence to these local and state regulations would ensure that the Project would not directly or indirectly cause potential substantial effects such as risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. As stated above, no new structures would be built at the Port of Hueneme site, and as such, there is no risk associated with liquefaction. Therefore, less than significant impacts would occur.

iv) No Impact. Landslides and other types of slope failures, such as lateral spreading, can result in areas with varying topography in the event of an earthquake. Neither site includes steeps slopes. Thus, the Project would not result in potential adverse effects involving landslides. No impact would occur.

b) Less than Significant Impact. At the Ventura Harbor, construction activities associated with the Project would result in ground surface disruption during site clearance and excavation, which would temporarily expose soils, allowing for possible soil erosion into the City of Ventura's stormwater system. The Project would be required to comply with federal, regional, and local regulations pertaining to soil erosion related-construction activity. Under City's grading permit regulations, the Project Applicant is required to comply with the Los Angeles Regional Water Quality Control Board (LARWQCB) requirements and prepare a Stormwater Pollution Prevention Plan (SWPPP) to mitigate the potential effects of soil erosion. As part of the SWPPP, the Project would incorporate structural and non-structural Best Management Practices (BMPs) during construction that would prevent pollutants (i.e., topsoil) from running off-site and entering the City's stormwater system. These BMPs are

identified in **Section 10, Hydrology and Water Quality**. At the Port Hueneme, construction activities, would be required to comply with Chapter 3 (Floodplain Management) of the City of Port Hueneme's Municipal Code and implement BMPs to control erosion and sedimentation occurring from the site. Compliance with these regional and local requirements will ensure impacts would remain less than significant.

c,d) Less than Significant Impact. Lateral spreading is a phenomenon in which surficial soil displaces along a shear zone that has formed within an underlying liquefied layer. The surficial blocks are transported downslope or in the direction of a free face, by earthquake and gravitational forces. As stated above, both sites are relatively flat and does not include a free-facing slope. Therefore, the potential for lateral spreading is considered very low.

Subsidence occurs when large amounts of groundwater have been withdrawn from certain types of rocks, such as fine-grained sediments. In California, large areas of land subsidence were first documented by U.S. Geological Survey (USGS) scientists in the first half of the 20th century. Most of this subsidence was a result of excessive groundwater pumping and oil extractions. Both sites, are located within a subsidence area according to the USGS.[46] However, the Project would not involve any groundwater or oil extraction which would exacerbate subsidence issues. Therefore, the potential for subsidence related impacts is low.

As discussed previously, per Chapter 12.220 of the City's Municipal Code, a geotechnical investigation would be prepared prior to obtaining a City Permit. Adherence to these local and state regulations would ensure that the Project would not directly or indirectly cause potential substantial effects such as risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. As stated above, no new structures would be built at the Port of Hueneme site, and as such, there is no risk associated with liquefaction. Therefore, less than significant impacts would occur.

e) No Impact. Project implementation would not require the use of septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur.

f) Less than Significant Impact with Mitigation Incorporated. Paleontological resources include fossil remains or traces of past life forms, including both vertebrate and invertebrate species, as well as plants. Paleontological resources are generally found within sedimentary rock formations.

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46 U.S. Geological Survey. *Areas of Land Subsidence in California*. Available at: https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html, accessed February 23, 2025.

As discussed above, both sites are currently developed and disturbed. However, additional ground disturbing activities during construction could potentially impact undiscovered paleontological resources, which would be considered a significant impact. **Mitigation Measure MM GEO-1** would require all construction activities to halt in the event that a paleontological resource is encountered and require a qualified paleontologist to monitor construction activities and prepare a Paleontological Resource Mitigation Plan to address assessment and recovery of the resource. With the implementation of **Mitigation Measure MM GEO-1**, impacts related to paleontological resources would be reduced to less than significant levels.

Mitigation Measures

MM GEO-1 In the event paleontological resources are discovered during construction or grading, all work shall be halted within 50 feet of the discovery and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with either the Ventura Port District of the Port of Hueneme (depending on location of the find), and a copy of the report shall be provided to the City of Ventura or the City of Port Hueneme, as applicable.

8. GREENHOUSE GAS EMISSIONS

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Environmental Setting

Global Climate Change Background

Global climate change refers to any significant change in climate measurements, such as temperature, precipitation, or wind, that lasts for an extended period (i.e., decades or longer).[47] Climate change may result from:

- Natural factors, such as changes in the sun's intensity or slow changes in the Earth's orbit around the sun;
- Natural processes within the climate system (e.g., changes in ocean circulation, reduction in sunlight from the addition of GHG and other gases to the atmosphere from volcanic eruptions); and
- Human activities that change the atmosphere's composition (e.g., through burning fossil fuels) and the land surface (e.g., deforestation, reforestation, urbanization, desertification).

The third bullet is the focus of climate change legislation. The natural process through which heat is retained in the troposphere[48] is called the "greenhouse effect." The greenhouse effect traps heat in the troposphere through a three-fold process as follows: (1) short-wave radiation in the form of visible light

47 U.S. Environmental Protection Agency, "Glossary of Climate Change Terms." Available online at: https://19january2017snapshot.epa.gov/climatechange/glossary-climate-change-terms_.html, accessed March 10, 2025.

48 The troposphere is the bottom layer of the atmosphere, which varies in height from the Earth's surface to 10 to 12 kilometers.

emitted by the Sun is absorbed by the Earth as heat; (2) long-wave radiation is re-emitted by the Earth; and (3) GHGs in the atmosphere absorb or trap the long-wave radiation and re-emit it back towards the Earth and into space.

While water vapor and carbon dioxide (CO_2) are the most abundant GHGs, other trace GHGs have a greater ability to absorb and re-radiate long-wave radiation. To gauge the potency of GHGs, scientists have established a Global Warming Potential (GWP) for each GHG based on its ability to absorb and re-emit long-wave radiation over a specific period. The GWP of a gas is determined using CO_2 as the reference gas with a GWP of 1 over 100 years. For example, a gas with a GWP of 10 is 10 times more potent than CO_2 over 100 years. The use of GWP allows GHG emissions to be reported using CO_2 as a baseline. The sum of each GHG multiplied by its associated GWP is referred to as carbon dioxide equivalents (CO_2e). This essentially means that 1 metric ton of a GHG with a GWP of 10 has the same climate change impacts as 10 metric tons of CO_2.

Greenhouse Gas Emissions and Climate Change

Earth's natural warming process is known as the "greenhouse effect." The greenhouse effect compares the Earth and the atmosphere surrounding it to a greenhouse with glass panes. The glass panes in a greenhouse let heat from sunlight in and reduce the amount of heat that escapes. Certain atmospheric gases, known as GHGs, act as an insulating blanket for solar energy to keep the global average temperature in a suitable range for life support. These GHGs keep the average surface temperature of the Earth close to 60 degrees Fahrenheit (°F). Without the natural greenhouse effect, the Earth's surface would be about 61°F cooler.[49] It is normal for Earth's temperature to fluctuate over extended periods of time. Over the past one hundred years, Earth's average global temperature has generally increased by 1°F. In some regions of the world, the increase has been as much as 4°F.

Scientists studying the particularly rapid rise in global temperatures during the late 20th century believe that natural variability alone does not account for that rise. Rather, human activity spawned by the industrial revolution has likely resulted in increased emissions of carbon dioxide (CO_2) and other forms of GHGs, primarily from the burning of fossil fuels (i.e., during motorized transport, electricity generation, consumption of natural gas, industrial activity, manufacturing, etc.) and deforestation, as well as agricultural activity and the decomposition of solid waste.[50]

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49 California Environmental Protection Agency, *Climate Action Team Report to Governor Schwarzenegger and the Legislature*, 2006.

50 Center for Climate and Energy Solutions, *Climate Change 101*, 2011.

Greenhouse Gas Pollutants and Effects

The California Global Warming Solutions Act of 2006 (discussed in the following pages) defined GHGs to include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFC), perfluorocarbons (PFC), sulfur hexafluoride (SF_6), and nitrogen trifluoride. Black carbon also contributes to global warming, but it is a solid particle or aerosol, not a gas. A general description of each GHG discussed in this section is provided in **Table 14, Description of Greenhouse Gases**. CO_2 is the most abundant GHG. Other GHGs are less abundant but have higher global warming potential (discussed below) than CO_2. Thus, emissions of other GHGs are frequently expressed in the equivalent mass of CO_2, referred to as CO_2 equivalents and denoted as CO_2e. Forest fires, decomposition of organic material, industrial processes, landfills, and consumption of fossil fuels for power generation, transportation, heating, and cooking are the primary sources of GHG emissions.

Table 14
Description of Greenhouse Gases

Pollutant	General Description
Carbon Dioxide (CO_2)	CO_2 is an odorless, colorless GHG, which has both natural and man-made sources. Natural sources include the following: decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing; manmade sources of CO_2 are burning coal, oil, natural gas, and wood.
Methane (CH_4)	CH_4 is a flammable gas and is the main component of natural gas. When one molecule of CH_4 is burned in the presence of oxygen, one molecule of CO_2 and two molecules of water are released. There are no ill health effects from CH_4. A natural source of CH_4 is the anaerobic decay of organic matter. Geological deposits, known as natural gas fields, also contain CH_4, which is extracted for fuel. Other sources are from landfills, fermentation of manure, and cattle.
Nitrous Oxide (N_2O)	N_2O is a colorless GHG. High concentrations can cause dizziness, euphoria, and sometimes slight hallucinations. N_2O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is used in rocket engines, racecars, and as an aerosol spray propellant.
Hydrofluorocarbons (HFCs)	HFCs are synthetic man-made chemicals that are used as a substitute for chlorofluorocarbons (CFCs) for automobile air conditioners and refrigerants. CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at Earth's surface). CFCs were first synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. Because they destroy stratospheric ozone, the production of CFCs was stopped as required by the Montreal Protocol in 1987.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface are able to destroy the compounds. PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane and hexafluoroethane. The two main sources of PFCs are primary aluminum production and semiconductor manufacture.

Pollutant	General Description
Sulfur Hexafluoride (SF_6)	SF_6 is an inorganic, odorless, colorless, non-toxic, and nonflammable gas. SF_6 is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.
Black Carbon /a/	Black Carbon. Black carbon is the most strongly light-absorbing component of particulate matter emitted from burning fuels such as coal, diesel, and biomass.

Source: Association of Environment Professionals, Alternative Approaches to Analyze Greenhouse Gas Emissions and Global Climate Change in CEQA Documents, 2007.
/a/ Black carbon contributes to global warming, but it is a solid particle or aerosol, not a gas.

Global Warming Potential

Global Warming Potential (GWP) is one type of simplified index based upon radiative properties that is used to estimate the potential future impacts of emissions of different gases upon the climate system in a relative sense. GWP is based on a number of factors, including the radiative efficiency (heat-absorbing ability) of each gas relative to that of CO_2, as well as the decay rate of each gas (the amount removed from the atmosphere over a given number of years) relative to that of CO_2. A summary of the atmospheric lifetime and GWP of selected gases is presented in **Table 15, Atmospheric Lifetimes and Global Warming Potential for Greenhouse Gases**.

Table 15
Atmospheric Lifetimes and Global Warming Potential for Greenhouse Gases

Greenhouse Gas	Lifetime (Years)	Global Warming Potential Factor (20-Year)	Global Warming Potential Factor (100-Year)
Carbon Dioxide	100	1	1
Nitrous Oxide	121	264	298
Nitrogen Trifluoride	500	12,800	16,100
Sulfur Hexafluoride	3,200	17,500	23,500
Perfluorocarbons	3,000-50,000	5,000-8,000	7,000-11,000
Black Carbon	days to weeks	270-6,200	100-1,700
Methane	12	84	25
Hydrofluorocarbons	Uncertain	100-11,000	100-12,000

Source: CARB, Climate Change Scoping Plan First Update, 2013.
Note: "Global Warming Potential" is a relative measure of how much heat a GHG traps in the atmosphere, as compared to CO_2.

Effects of Global Climate Change

Globally, climate change has the potential to affect numerous environmental resources though potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during

the 21st century than were observed during the 20th century. Long-term trends have found that each of the past three decades has been warmer than all the previous decades in the instrumental record, and the decade from 2000 through 2010 has been the warmest. The observed global mean surface temperature for the decade from 2006 to 2015 was approximately 0.87 °C (0.75°C to 0.99°C) higher than the average over the period from 1850 to 1900. Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature obtained from station observations are in agreement that air and sea surface temperatures have increased. Due to past and current activities, anthropogenic GHG emissions are increasing global mean surface temperature at a rate of 0.2°C per decade. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades.[51,52]

According to California's Fourth Climate Change Assessment, statewide temperatures from 1986 to 2016 were approximately 1°F to 2°F higher than those recorded from 1901 to 1960. Potential impacts of climate change in California may include loss in water supply from snowpack, sea level rise, more extreme heat days per year, more large forest fires, and more drought years. While there is growing scientific consensus about the possible effects of climate change at a global and statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. In addition to statewide projections, California's Fourth Climate Change Assessment includes regional reports that summarize climate impacts and adaptation solutions for nine regions of the state as well as regionally specific climate change case studies.[53] Below is a summary of some of the potential effects that could be experienced in California as a result of climate change.

Air Quality. Higher temperatures, which are conducive to air pollution formation, could worsen air quality in California. Climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. As temperatures have increased in recent years, the areas burned by wildfires throughout the state has increased, and wildfires have been occurring at higher elevations in the Sierra Nevada Mountains.[54] If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality would worsen. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution and reduce the incidence of large wildfires, thereby ameliorating the pollution associated with wildfires. Additionally, severe heat accompanied by drier conditions and poor

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51 IPCC, *5th Assessment Report*, 2014, available online at: https://archive.ipcc.ch/publications_and_data/publications_and_data.shtml, accessed March 10, 2025.

52 IPCC, *Special Report on the Impacts of Global Warming*, 2018.

53 State of California, *California's Fourth Climate Change Assessment Statewide Summary Report*, 2018.

54 *Ibid*.

air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state.[55]

Water Supply. Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. This uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. However, the average early spring snowpack in the western United States, including the Sierra Nevada Mountains, decreased by about 23 percent from 1955 to 2022.[56] Severe storms in the 2022-2023 season led to a snowpack's snow water equivalent of 61.1 inches, or 237 percent of average for April in California.[57] The Sierra snowpack provides the majority of California's water supply by accumulating snow during the state's wet winters and releasing it slowly during the state's dry springs and summers. While the 2023 winter provided an increase to the snowpack, a warmer climate in future years is predicted to reduce the fraction of precipitation falling as snow and result in less snowfall at lower elevations, thereby reducing the total snowpack.[58,59] Notwithstanding the 2023 snowpack, the State of California projects that average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historical average by 2050.[60]

Hydrology and Sea Level Rise. As discussed above, climate change could potentially affect the amount of snowfall, rainfall, and snowpack; the intensity and frequency of storms; flood hydrographs (flash floods, rain or snow events, coincidental high tide, and high runoff events); sea level rise and coastal flooding; coastal erosion; and the potential for saltwater intrusion. Climate change has the potential to induce substantial sea level rise in the coming century.[61] The rising sea level increases the likelihood and risk of flooding. The rate of increase of global mean sea levels over the 2001-2010 decade, as observed by satellites, ocean buoys and land gauges, was approximately 3.2 millimeter per year, which is double the observed

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55 California Natural Resources Agency, *California Climate Adaptation Strategy*, 2009.

56 U.S. EPA, *Climate Change Indicators: Snowpack*, 2022. Available online at: https://www.epa.gov/climate-indicators/climate-change-indicators-snowpack, March 10, 2025.

57 California Department of Water Resources, *California's Snowpack is Now One of the Largest Ever, Bringing Drought Relief, Flooding Concerns,* April 2023.

58 California Department of Water Resources, *Managing an Uncertain Future: Climate Change Adaption Strategies for California's Water*, 2008.

59 State of California, *California's Fourth Climate Change Assessment Statewide Summary Report*, 2018.

60 *Ibid.*

61 *Ibid.*

20th century trend of 1.6 millimeter per year.[62] As a result, global mean sea levels averaged over the last decade were about 8 inches higher than those of 1880.[63]

Sea levels are rising faster now than in the previous two millennia, and the rise is expected to accelerate, even with robust GHG emission control measures. The most recent Intergovernmental Report on Climate Change (IPCC) report predicts a mean sea–level rise of 10 to 37 inches by 2100.[64] A rise in sea levels could completely erode 31 to 67 percent of southern California beaches, result in flooding of approximately 370 miles of coastal highways during 100-year storm events, jeopardize California's water supply due to salt water intrusion, and induce groundwater flooding and/or exposure of buried infrastructure.[65] In addition, increased CO_2 emissions can cause oceans to acidify due to the carbonic acid it forms. Increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

Agriculture. California has a $50 billion annual agricultural industry that produces over a third of the country's vegetables and two-thirds of the country's fruits and nuts.[66] Higher CO_2 levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent; water demand could increase as hotter conditions lead to the loss of soil moisture; crop-yield could be threatened by water-induced stress and extreme heat waves; and plants may be susceptible to new and changing pest and disease outbreaks.[67] In addition, temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality.[68]

Ecosystems and Wildlife. Climate change and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists project that the annual average maximum daily temperatures in California could rise by 4.4 to 5.8°F in the next 50 years and by 5.6 to 8.8°F in the next century.[69] Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals related to (1) timing of ecological

62 World Meteorological Organization, *A Summary of Current and Climate Change Findings and Figures: A WMO Information Note*, 2013.

63 *Ibid.*

64 IPCC, *Special Report on the Impacts of Global Warming*, 2018.

65 State of California, *California's Fourth Climate Change Assessment Statewide Summary Report*, 2018.

66 California Department of Food and Agriculture, *California Agricultural Production Statistics*, 2018.

67 State of California, *California's Fourth Climate Change Assessment Statewide Summary Report*, 2018.

68 California Climate Change Center, *Climate Scenarios for California*, 2006.

69 State of California, *California's Fourth Climate Change Assessment Statewide Summary Report*, 2018.

events; (2) geographic distribution and range; (3) species' composition and the incidence of nonnative species within communities; and (4) ecosystem processes, such as carbon cycling and storage.[70,71]

Statewide GHG Emissions

The California Air Resources Board (CARB) compiles GHG inventories for the State of California. According to CARB's 2024 emission inventory,[72] 2022 emissions from GHG emitting activities statewide were 371.1 million metric tons of carbon dioxide equivalent ($MMTCO_2e$), 9.3 $MMTCO_2e$ lower than 2021 levels and 59.9 $MMTCO_2e$ below the 2020 GHG limit of 431 $MMTCO_2e$ established through AB 32 and CARB's subsequent Scoping Plans. The 2019 to 2020 decrease in emissions is likely due in large part to the impacts of the COVID-19 pandemic.[73] Economic recovery from the pandemic may result in emissions increases over the next few years. As such, the total 2020 reported emissions are likely an anomaly, and any near-term increases in annual emissions should be considered in the context of the pandemic. The most notable highlights in the 2024 edition inventory include:

- The transportation sector showed the largest decline in emissions of 5.2 $MMTCO_2e$ (3.6 percent) compared to 2021. The decrease in on-road transportation was due in large part to reduced use of fossil distillate (17.6 percent) and fossil gasoline (1.7 percent).

- Industrial sector emissions decreased by 1.5 $MMTCO_2e$ (2 percent) compared to 2021. The oil and gas production and processing sub-sector accounted for most of the decrease, with emissions decreasing by 0.9 $MMTCO_2e$ (7 percent).

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70 Parmesan, C. August, *Ecological and Evolutionary Responses to Recent Climate Change*, 2006.

71 State of California, *California's Fourth Climate Change Assessment Statewide Summary Report*, 2018.

72 CARB, *California Greenhouse Gas Emissions for 2000 to 2022, Trends of Emissions and Other Indicators*, released September 20, 2024. Available online at: https://ww2.arb.ca.gov/sites/default/files/2024-09/nc-2000_2022_ghg_inventory_trends.pdf. Accessed November 20, 2024.

73 CARB's 2022 Sustainable Communities Progress Report shows that prior to the pandemic in 2019 no Metropolitan Planning Organization (except Tahoe) was on-track to meet 2020 SB 375 targets for reductions in light duty vehicle emissions as compared to 2005. (SCAG is the MPO that includes the City of Los Angeles.) CARB determined that if the state's 18 MPOs' all met the SB 375 GHG cars and light-duty trucks emission reduction targets set by CARB in 2018, an 18 percent reduction in per capita VMT (from cars and light- duty trucks) would be achieved by 2035. In the target re-setting report, CARB indicated that to meet the statewide reduction goals set forth by SB 32 and the 2017 Scoping Plan, the state would need to reduce per capita GHG emissions from cars and light-duty trucks by 25 percent by 2035, resulting in a 7 percent gap between the 18 percent emissions reductions targets set for the regions (averaged for the 18 MPOs and compared to a baseline year of 2005). The 2022 Scoping Plan does not update SB 375 GHG reduction targets, but it does set aggressive VMT reduction targets for the years 2030 (25 percent as compared to 2019) and 2045 (30 percent as compared to 2019).

- Electricity sector emissions decreased by 2.6 MMTCO2e (4.1 percent) compared to 2021. Total electricity generation increased by 8.5 TWh (2.7 percent) while the carbon intensity of generation decreased by 6.7 percent. Solar power generation increased by 8.8 TWh (14.5 percent) and wind power generation increased by 1.4 TWh (5.5 percent), incentivized by California's clean energy policies. Hydropower generation had a modest increase of 1.8 TWh (4.2 percent) as drought continued to impact hydropower generation. As a result, fossil gas-powered electricity generation decreased by 2.7 TWh (2.5 percent)

Table 16, GHG Emissions in California, provides a summary of GHG emissions reported in California in 2000 and 2022 separated by categories defined by the United Nations Intergovernmental Panel on Climate Change (IPCC).

Table 16
GHG Emissions in California

Source Category	2000 ($MMTCO_2e$)	Percent of Total	2021 ($MMTCO_2e$)	Percent of Total
Energy	**405.8**	**87.7%**	**297.7**	**80.2%**
Energy Industries	158.3	--	97.1	--
Manufacturing Industries & Construction	17.3	--	12.7	--
Transport	178.1	--	140.9	--
Other Sectors (Residential/Commercial/Institutional)	44.8	--	38.9	--
Fugitive Emissions from Solid Fuels	0.0	--	0.0	--
Fugitive Emissions from Oil & Natural Gas	6.1	--	7.4	--
Fugitive Emissions from Geothermal Energy Production	1.1	--	0.8	--
Pollution Control Devices	0.0	--	0.0	--
Industrial Processes & Product Use	**19.6**	**4.2%**	**34.2**	**9.2%**
Mineral Industry	5.6	--	4.6	--
Chemical Industry	0.1	--	0.0	--
Metal Industry	0.1		0.0	
Non-Energy Products from Fuels & Solvent Use	2.5	--	2.0	--
Electronics Industry	0.5	--	0.3	--
Substitutes for Ozone Depleting Substances	5.6	--	20.9	--
Other Product Manufacture and Use	1.5	--	1.1	--
Other	3.7	--	5.2	--
Agriculture, Forestry, & Other Land Use	**28.4**	**6.1%**	**29.1**	**7.8%**
Livestock	19.1	--	20.9	--
Aggregate Sources & Non-CO_2 Sources on Land	9.3	--	8.2	--
Waste	**8.9**	**1.9%**	**10.1**	**2.7%**
Solid Waste Disposal	6.6	--	7.9	--
Biological Treatment of Solid Waste	0.1	--	0.3	--
Wastewater Treatment & Discharge	2.1	--	2.0	--

Source Category	2000 ($MMTCO_2e$)	Percent of Total	2021 ($MMTCO_2e$)	Percent of Total
Emissions Summary				
Gross California Emissions	**462.9**		**371.1**	

Sources:

[1] *CARB, California Greenhouse Gas Inventory for 2000-2022 - by IPCC Category. Last updated September 20, 2024. Available online at https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fww2.arb.ca.gov%2Fsites%2Fdefault%2Ffiles%2F2024-09%2Fnc-ghg_inventory_ipcc_sum_00-22.xlsx&wdOrigin=BROWSELINK, accessed March 21, 2025. 2022 is the most recent year of available data and the comparison to the year 2000 is intended to illustrate the changes in GHG emissions over a 22-year period.*

Regulatory Framework

Federal Clean Air Act. The United States Environmental Protection Agency (U.S. EPA) is responsible for implementing federal policy to address GHGs. The United States Supreme Court (Supreme Court) ruled in *Massachusetts v. Environmental Protection Agency*, 127 S.Ct. 1438 (2007), that CO_2 and other GHGs are pollutants under the federal Clean Air Act (CAA), which the U.S. EPA must regulate if it determines they pose an endangerment to public health or welfare. In December 2009, U.S. EPA issued an endangerment finding for GHGs under the Clean Air Act, setting the stage for future regulation.

The Federal Government administers a wide array of public-private partnerships to reduce the GHG intensity generated in the United States. These programs focus on energy efficiency, renewable energy, methane and other non-CO_2 gases, agricultural practices, and implementation of technologies to achieve GHG reductions. U.S. EPA implements numerous voluntary programs that contribute to the reduction of GHG emissions. These programs (e.g., the ENERGY STAR labeling system for energy-efficient products) play a significant role in encouraging voluntary reductions from large corporations, consumers, industrial and commercial buildings, and many major industrial sectors.

Corporate Average Fuel Economy (CAFE) Standards. In response to the *Massachusetts v. Environmental Protection Agency* ruling, President George W. Bush issued Executive Order 13432 in 2007, directing the U.S. EPA, the United States Department of Transportation (U.S. DOT), and the United States Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. The National Highway Traffic Safety Administration (NHTSA) subsequently issued multiple final rules regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011 and later for model years 2012-2016, and 2017-2021. In March 2020, the U.S. DOT and the U.S. EPA issued the final Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule, which amends existing CAFE standards and tailpipe carbon dioxide emissions standards for passenger cars and light trucks and

establishes new standards covering model years 2021 through 2026.[74] These standards set a combined fleet wide average of 36.9 to 37 for the model years affected.[75]

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011 the U.S. EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO_2 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 U.S. EPA, this regulatory program would reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines. Building on the first phase of standards, in August 2016, the U.S. EPA 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_2 emissions by approximately 1.1 billion metric tons.[76]

Energy Independence and Security Act. The Energy Independence and Security Act of 2007 (EISA) facilitates the reduction of national GHG emissions by requiring the following:

- Increasing the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard (RFS) that requires fuel producers to use at least 36 billion gallons of biofuel in 2022;

- Prescribing or revising standards affecting regional efficiency for heating and cooling products, procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances;

- Requiring approximately 25 percent greater efficiency for light bulbs by phasing out incandescent light bulbs between 2012 and 2014; requiring approximately 200 percent greater efficiency for light bulbs, or similar energy savings, by 2020; and

- While superseded by the U.S. EPA and NHTSA actions described above, (i) establishing miles per gallon targets for cars and light trucks and (ii) directing the NHTSA to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for trucks.

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74 U.S. Environmental Protection Agency, *Final Rule for Model Year 2021 - 2026 Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards*, April 30, 2020.

75 National Highway Traffic Safety Administration (NHTSA), *Corporate Average Fuel Economy standards.*

76 U.S. EPA, *EPA and NHTSA Adopt Standards to Reduce GHG and Improve Fuel Efficiency of Medium- and Heavy-Duty Vehicles for Model Year 2018 and Beyond,* August 2016.

Additional provisions of EISA address energy savings in government and public institutions, promote research for alternative energy, additional research in carbon capture, international energy programs, and the creation of "green jobs."[77]

Global Change Research Act (1990). In 1990, Congress passed—and President George H.W. Bush signed—Public Law 101-606, the Global Change Research Act.[78] The purpose of the legislation was: "...to require the establishment of a United States Global Change Research Program aimed at understanding and responding to global change, including the cumulative effects of human activities and natural processes on the environment, to promote discussions towards international protocols in global change research, and for other purposes." To that end, the Global Change Research Information Office was established in 1991 to serve as a clearinghouse of information. The Act requires a report to Congress every four years on the environmental, economic, health and safety consequences of climate change; however, the first and only one of these reports to date, the National Assessment on Climate Change, was not published until 2000. In February 2004, operational responsibility for GCRIO shifted to the U.S. Climate Change Science Program.

National Fuel Efficiency Policy. On May 19, 2009, President Obama announced a new National Fuel Efficiency Policy aimed at increasing fuel economy and reducing GHG pollution. This policy is expected to increase fuel economy by more than five percent by requiring a fleet-wide average of 35.5 miles per gallon by 2016 starting with model year 2012.

Fuel Economy Standards. On September 15, 2009, the U.S. EPA and the NHTSA issued a joint proposal to establish a national program consisting of new standards for model year 2012 through 2016 light-duty vehicles that will reduce GHG emissions and improve fuel economy. The proposed standards were to be phased in and require passenger cars and light-duty trucks to comply with a declining emissions standard. In 2012, passenger cars and light-duty trucks were required to meet an average emissions standard of 295 grams of CO_2 per mile and 30.1 miles per gallon. By 2016, the vehicles were required to meet an average standard of 250 grams of CO_2 per mile and 35.5 miles per gallon. The final standards were adopted on April 1, 2010.

On December 7, 2009, the U.S. EPA Administrator signed two distinct findings regarding GHGs under Section 202(a) of the CAA (42 United States Code Section 7521):

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77 A green job, as defined by the United States Department of Labor, is a job in business that produces goods or provides services that benefit the environment or conserve natural resources.

78 Global Change Research Act (Public Law 101-606, 104 Stat. 3096-3104). 1990, available online at: https://www.govinfo.gov/content/pkg/STATUTE-104/pdf/STATUTE-104-Pg3096.pdf, accessed March 10, 2025.

Endangerment Finding: The Administrator found that the current and projected concentrations of the six key well-mixed GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) in the atmosphere threaten the public health and welfare of current and future generations.

Cause or Contribute Finding: The Administrator found that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution that threatens public health and welfare.

While these findings do not impose additional requirements on industry or other entities, this action is a prerequisite to finalizing the U.S. EPA's proposed GHG emissions standards for light-duty vehicles, which were jointly proposed by the U.S. EPA and the NHTSA. On April 1, 2010, the U.S. EPA and the NHTSA issued final rules requiring that by the 2016 model-year, manufacturers must achieve a combined average vehicle emission level of 250 grams CO_2 per mile, which is equivalent to 35.5 miles per gallon as measured by U.S. EPA standards.

On November 16, 2011, U.S. EPA and NHTSA issued a joint proposal to extend the national program of harmonized GHG and fuel economy standards to model year (MY) 2017 through 2025 passenger vehicles. In August 2012, President Barack Obama finalized standards that will increase fuel economy to the equivalent of 54.5 mpg for cars and light-duty trucks by MY 2025.

On January 12, 2017, the U.S. EPA Administrator Gina McCarthy signed her determination to maintain the GHG emissions standards for model year MY 2022-2025 vehicles. Her final determination found that automakers are well positioned to meet the standards at lower costs than previously estimated.[79]

On March 15, 2017, U.S. EPA Administrator Scott Pruitt (preceded by McCarthy) and Department of Transportation Secretary Elaine Chao announced that the U.S. EPA intended to reconsider the final determination, issued on January 12, 2017, that recommended no change to the greenhouse gas standards for light duty vehicles for model years 2022- 2025.[80]

On April 2, 2018, the Administrator Pruitt signed the Mid-term Evaluation Final Determination which finds that the model year 2022-2025 greenhouse gas standards are not appropriate in light of the record before U.S. EPA and, therefore, should be revised.[81]

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79 U.S. Environmental Protection Agency. *Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas Emissions Standards for Model Years 2022-2025*, available online at: https://www.epa.gov/regulations-emissions-vehicles-and-engines/midterm-evaluation-light-duty-vehicle-greenhouse-gas, accessed March 10, 2025.

80 *Ibid.*

81 *Ibid.*

On September 19, 2019, under the Safer, Affordable, Fuel-Efficient (SAFE) Vehicles Rule, the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHSTA) and the U.S. EPA issued the final "One National Program Rule." The rule states that federal law preempts state and local laws regarding tailpipe GHG emissions standards, zero emissions vehicle mandates, and fuel economy for automobiles and light duty trucks. The rule revokes California's Clean Air Act waiver and preempts California's Advanced Clean Car Regulations and may potentially impact SCAG's Connect SoCal and transportation projects in the SCAG region.[82,83]

On September 20, 2019, a lawsuit was filed by California and a coalition of 22 other states, and the cities of Los Angeles, New York and Washington, D.C., in the United States District Court for the District of Columbia (Case 1:19-cv-02826) challenging the SAFE Rule and arguing that EPA lacks the legal authority to withdraw the California waiver. In April 2021, the U.S. EPA announced it would reconsider its previous withdrawal and grant California permission to set more stringent climate requirements for cars and SUVs. On March 9, 2022, the U.S. EPA restored California's 2013 waiver to full force, including both its GHG standards and zero-emissions vehicles sales requirements.

Executive Order 13693. Issued on June 10, 2015, Executive Order 13693 — Planning for Federal Sustainability in the Next Decade. The goal of Executive Order 13693 is to maintain federal leadership in sustainability and GHG emission reductions. This Executive Order outlines forward-looking goals for federal agencies in the area of energy, climate change, water use, vehicle fleets, construction, and acquisition. Federal agencies shall, where life-cycle cost-effective, beginning in 2016:

- Reduce agency building energy intensity as measured in British Thermal Units per square foot by 2.5 percent annually through 2025;
- Improve data center energy efficiency at agency buildings;
- Ensure a minimum percentage of total building electric and thermal energy shall be from clean energy sources;
- Improve agency water use efficiency and management (including storm water management); and

82 U.S. Department of Transportation and U.S. EPA, *One National Program Rule on Federal Preemption of State Fuel Economy Standards*, 2019, available online at: https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P100XI4W.pdf, accessed March 10, 2025.

83 Southern California Association of Governments, *Final Federal Safer, Affordable, Fuel-Efficient Vehicles Rule Part I (Supplemental Report),* 2019, available online at: https://scag.ca.gov/sites/main/files/file-attachments/eec_item8_rc_item10_supplemental_report.pdf?1604641275, accessed March 10, 2025.

- Improve agency fleet and vehicle efficiency and management by achieving minimum percentage GHG emission reductions.

Executive Order 13783. Issued on March 28, 2017, Executive Order 13783 — Promoting Energy Independence and Economic Growth — revokes multiple prior Executive Orders and memoranda including Executive Order 13653, the Power Sector Carbon Pollution Standards, Presidential Memorandum – Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment, and Presidential Memorandum – Climate Change and National Security, as well as other federal reports and provisions. Executive Order 13783 represents a reversal on federal climate policy relative to the work of previous administrations and its objective is to reduce the regulatory framework applicable to GHG emissions to spur fossil fuel production. This Executive Order "established a national policy to promote the clean and safe development of our energy resources while reducing unnecessary regulatory burdens" (Federal Register 2017).[84] The order also "directs the U.S. EPA to review existing regulations, orders, guidance documents and policies that potentially burden the development or use of domestically produced energy resources." As of April 2020, the Council on Environmental Quality (CEQ) is considering updating its National Environmental Policy (NEPA) implementing regulations and has issued a Notice of Proposed Rulemaking that incorporates Executive Order 13783.[85] How these proposed rule changes will affect GHG emissions cannot be predicted at this time.

Executive Order 13795. Issued on April 28, 2017, Executive Order 13795 — Implementing an America-First Offshore Energy Strategy — directs the "policy of the United States to encourage energy exploration and production, including on the Outer Continental Shelf, in order to maintain the Nation's position as a global energy leader and foster energy security and resilience for the benefit of the American people, while ensuring that any such activity is safe and environmental responsible."[86] The objective of the order is to expand the opportunity for offshore energy development by removing restrictions on resource exploration and extraction. This Executive Order prioritizes the development of offshore energy resources over the protection of National Marine Sanctuaries and authorizes the review and potential revision or withdrawal of the Bureau of Ocean Energy Management's Proposed Rule entitled "Air Quality Control, Reporting, and Compliance," 81 Federal Register 19718 and any other related rules and guidance. The implications of implementing Executive Order 13795 with regards to the national GHG emissions inventory cannot be reasonably determined at this time.

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84 Federal Register, *Executive Order 13783 of March 28, 2017: Promoting Energy Independence and Economic Growth, Vol. 82, No. 61*, March 21, 2017.

85 Council on Environmental Quality, *CEQ NEPA Regulations*, 2020.

86 Federal Register, *Executive Order 13783 of March 28, 2017: Promoting Energy Independence and Economic Growth, Vol. 82, No. 61*, March 21, 2017.

Presidential Executive Order 13990. President Joe Biden signed Executive Order 13990 – Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis — on January 20, 2021. The order directs all executive departments and agencies to immediately review and, as appropriate and consistent with applicable law, take action to address the promulgation of Federal regulations and other actions during the 2017–2021 executive tenure that conflict with the following national objectives: to improve public health and protect the environment; to ensure access to clean air and water; to limit exposure to dangerous chemicals and pesticides; to hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; to reduce GHG emissions; to bolster resilience to the impacts of climate change; to restore and expand our national treasures and monuments; and to prioritize both environmental justice and the creation of the well-paying union jobs necessary to deliver these goals.[87]

Presidential Executive Order 14008. President Biden signed Executive Order 14008 – Tackling the Climate Crisis At Home and Abroad — on January 27, 2021. The order affirmed the United States as rejoining the Paris Agreement and expressed its commitment to exercising leadership in promoting global climate ambition to meet the climate challenge.[88]

State Regulations

California Air Resources Board. The California Air Resources Board (CARB), a part of the California Environmental Protection Agency (CalEPA), is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, CARB conducts research, sets the California Ambient Air Quality Standards (CAAQS), compiles emission inventories, develops suggested control measures, and provides oversight of local programs. CARB establishes emissions standards for motor vehicles sold in California, consumer products (such as hairspray, aerosol paints, and barbecue lighter fluid), and various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions. CARB has primary responsibility for the development of California's State Implementation Plan (SIP), for which it works closely with the Federal Government and the local air districts. The SIP is required for the state to take over implementation of the Federal Clean Air Act. CARB also has primary responsibility for adopting regulations to meet the state's goal of reducing GHG emissions. The state has met its goals to reduce GHG emissions to 1990 levels by 2020. Subsequent

87 Federal Register, *Executive Order 13990 of January 20, 2021: Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, Vol. 86, No. 14*, January 25, 2021.

88 Federal Register, *Executive Order 14008 of January 27, 2021: Tackling the Climate Crisis at Home and Abroad, Vol. 86, No. 19*, February 1, 2021.

state goals include reducing GHG emissions to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050.

Statewide GHG Reduction Targets. Executive Order S-3-05, Assembly Bill 32, Senate Bill 32, Assembly Bill 1279, Executive Order B-55-18, Cap-and-Trade Program, Senate Bill 350, Senate Bill 1383, Senate Bill 97, Senate Bill 375, Emission Performance Standards, Renewable Portfolio Standards (SB 1078, SB 107, SB X 1-2, and SB 100), Assembly Bill 1493, Low Carbon Fuel Standard (Executive Order S-01-07), Advanced Clean Cars Program, Senate Bill 743, California Integrated Waste Management Act (AB 341), California Appliance Efficiency Regulations, California Green Building Code (California Code of Regulations Title 24).

Executive Order S-3-05. Executive Order S-3-05, issued in June 2005, established GHG emissions targets for the state, as well as a process to ensure the targets are met. The order directed the Secretary for the CalEPA to report every two years on the state's progress toward meeting the Governor's GHG emission reduction targets. As a result of this executive order, the California Climate Action Team (CCAT), led by the Secretary of the CalEPA, was formed. The CCAT is made up of representatives from a number of state agencies and was formed to implement global warming emission reduction programs and reporting on the progress made toward meeting statewide targets established under the Executive Order. The CCAT reported several recommendations and strategies for reducing GHG emissions and reaching the targets established in the Executive Order (CalEPA 2006). The statewide GHG targets are as follows:

- By 2010, reduce to 2000 emission levels;
- By 2020, reduce to 1990 emission levels; and
- By 2050, reduce to 80% below 1990 levels.

However, with the adoption of the California Global Warming Solutions Act of 2006 (also known as Assembly Bill [AB] 32), discussed below, the Legislature did not adopt the 2050 horizon-year goal from Executive Order No. S-3-05. In the last legislative session, the Legislature rejected legislation to enact the Executive Order's 2050 goal.[89]

The original mandate for the CCAT was to develop proposed measures to meet the emission reduction targets set forth in E.O. S-3-05. The CCAT has since expanded and currently has members from 18 state

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89 The original version of SB 32 as introduced in the Legislature contained a commitment to the 2050 goal, but this commitment was not included in the final version of the bill.
See: *https://leginfo.legislature.ca.gov/faces/billVersionsCompareClient.xhtml?bill_id=201520160SB32&cversion=20150SB3299INT*. In addition, the Supreme Court recently held in *Cleveland National Forest Foundation et al. v San Diego Association of Governments* (SANDAG) (S223603, July 13, 2017) that SANDAG did not abuse its discretion in declining to adopt the 2050 goal as a measure of significance in an analysis of the consistency of projected 2050 GHG emissions with the goals in Executive Order S-3-05.

agencies and departments. The CCAT also has ten working groups, which coordinate policies among their members. The working groups and their major areas of focus are:

- **Agriculture:** Focusing on opportunities for agriculture to reduce GHG emissions through efficiency improvements and alternative energy projects, while adapting agricultural systems to climate change;
- **Biodiversity:** Designing policies to protect species and natural habitats from the effects of climate change;
- **Energy:** Reducing GHG emissions through extensive energy efficiency policies and renewable energy generation;
- **Forestry:** Coupling GHG mitigation efforts with climate change adaptation related to forest preservation and resilience, waste to energy programs and forest offset protocols;
- **Land Use and Infrastructure:** Linking land use and infrastructure planning to efforts to reduce GHG from vehicles and adaptation to changing climatic conditions;
- **Oceans and Coastal:** Evaluating the effects of sea level rise and changes in coastal storm patterns on human and natural systems in California;
- **Public Health:** Evaluating the effects of GHG mitigation policies on public health and adapting public health systems to cope with changing climatic conditions;
- **Research:** Coordinating research concerning impacts of and responses to climate change in California;
- **State Government:** Evaluating and implementing strategies to reduce GHG emissions resulting from state government operations; and
- **Water:** Reducing GHG impacts associated with the state's water.

The CCAT stated that smart land use is an umbrella term for strategies that integrate transportation and land-use decisions. Such strategies generally encourage jobs/housing proximity, transit-oriented development, and high-density residential/commercial development along transit corridors. These strategies develop more efficient land-use patterns within each jurisdiction or region to match population growth and workforce and socioeconomic needs for the full spectrum of the population. "Intelligent transportation systems" involve the application of advanced technology systems and management

strategies to improve operational efficiency of transportation systems and the movement of people, goods, and service.[90]

Assembly Bill 32. The California Global Warming Solutions Act of 2006 (AB 32) was signed into law in September 2006 after considerable study and expert testimony before the Legislature. The law instructs CARB to develop and enforce regulations for the reporting and verifying of statewide GHG emissions. AB 32 directed CARB to set a GHG emission limit based on 1990 levels to be achieved by 2020. AB 32 set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.[91] See the **Climate Change Scoping Plan** subsection below.

The heart of AB 32 is the requirement to reduce statewide GHG emissions to 1990 levels by 2020. AB 32 required CARB to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective GHG reductions. CARB accomplished the key milestones set forth in AB 32, including the following:

- June 30, 2007. Identification of discrete early action GHG emissions reduction measures. On June 21, 2007, CARB satisfied this requirement by approving three early action measures.[92] These were later supplemented by adding six other discrete early action measures.[93]

- January 1, 2008. Identification of the 1990 baseline GHG emissions level and approval of a statewide limit equivalent to that level and adoption of reporting and verification requirements concerning GHG emissions. On December 6, 2007, CARB approved a statewide limit on GHG emissions levels for the year 2020 consistent with the determined 1990 baseline.[94]

- January 1, 2009. Adoption of a scoping plan for achieving GHG emission reductions. On December 11, 2008, CARB adopted Climate Change Scoping Plan: A Framework for Change (Scoping Plan).[95]

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90 California Environmental Protection Agency, *Climate Action Team Report to Governor Schwarzenegger and the Legislature*, 2006.

91 Office of Legislative Counsel of California, *The California Global Warming Solutions Act of 2006 (AB 32)*, 2006.

92 CARB, *Consideration of Recommendations for Discrete Early Actions for Climate Change Mitigation in California*, 2007.

93 CARB, *Public Meeting to Consider Approval of Additions to the List of Early Action Measures to Reduce Greenhouse Gas Emissions under the California Global Warming Solutions Act of 2006 and to Discuss Concepts for Promoting and Recognizing Voluntary Early Actions*, 2007.

94 CARB, *California 1990 Greenhouse Gas Emissions Level and 2020 Emissions Limit*, 2007.

95 CARB, *Climate Change Scoping Plan*, 2008.

- January 1, 2010. Adoption and enforcement of regulations to implement the "discrete" actions. Several early action measures have been adopted and became effective on January 1, 2010.[96,97]

- January 1, 2011. Adoption of GHG emissions limits and reduction measures by regulation. On October 28, 2010, CARB released its proposed cap-and-trade regulations, which would cover sources of approximately 85% of California's GHG emissions.[98] CARB's Board ordered its Executive Director to prepare a final regulatory package for cap-and-trade on December 16, 2010.[99]

- January 1, 2012. GHG emissions limits and reduction measures adopted in 2011 became enforceable.

Executive Order B-30-15. On April 29, 2015, Governor Brown issued Executive Order B-30-15. Therein, the Governor directed the following:

- Established a new interim statewide reduction target to reduce GHG emissions to 40% below 1990 levels by 2030.

- Ordered all state agencies with jurisdiction over sources of GHG emissions to implement measures to achieve reductions of GHG emissions to meet the 2030 and 2050 reduction targets.

- Directed CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent.

Senate Bill 32. In 2016, the Legislature passed Senate Bill (SB) 32 with the companion bill AB 197, which further requires California to reduce GHG emissions to 40% below 1990 levels by 2030. The bill targets reductions from the leading GHG emitters in the state. Transportation is the largest sector of GHG emissions in California and will be a primary subject for reductions. Through advances in technology and improved public transportation, the state plans to reduce GHG emissions from transportation sources to assist in meeting the 2030 reduction goal. AB 197, signed September 8, 2016, is a bill linked to SB 32 and signed on September 8, 2016, prioritizes efforts to cut GHG emissions in low-income or minority communities. AB 197 requires CARB to make available, and update at least annually, on its website the emissions of GHGs, criteria pollutants, and toxic air contaminants for each facility that reports to CARB and air districts. In addition, AB 197 adds two Members of the Legislature to the CARB board as ex officio,

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96 CARB, *Consideration of Recommendations for Discrete Early Actions for Climate Change Mitigation in California*, 2007.

97 CARB, *Public Meeting to Consider Approval of Additions to the List of Early Action Measures to Reduce Greenhouse Gas Emissions under the California Global Warming Solutions Act of 2006 and to Discuss Concepts for Promoting and Recognizing Voluntary Early Actions*, 2007.

98 CARB, *Cap and Trade 2010,* 2011.

99 CARB, *California Cap-and-Trade Program, Resolution 10-42,* 2010.

non- voting members and creates the Joint Legislative Committee on Climate Change Policies to ascertain facts and make recommendations to the Legislature and the houses of the Legislature concerning the state's programs, policies, and investments related to climate change.

Executive Order B-55-18. On September 10, 2018, the governor issued Executive Order B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

AB 1279. On September 16, 2022, California signed into law AB 1279 (The California Climate Crisis Act) which establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045; to maintain net negative GHG emissions thereafter; and to ensure that by 2045 statewide anthropogenic GHG emissions are reduced at least 85% below 1990 levels. The bill requires CARB to ensure that Scoping Plan updates (see below) identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable CO_2 removal solutions and carbon capture, utilization, and storage (CCUS) technologies.

Cap-and-Trade Program. As mentioned above, the Scoping Plan identifies a cap-and-trade program as one of the strategies the State will employ to reduce GHG emissions that cause climate change. The cap-and-trade program is implemented by CARB and "caps" GHG emissions from the industrial, utility, and transportation fuels sections, which account for roughly 85% of the state's GHG emissions. The program works by establishing a hard cap on about 85% of total statewide GHG emissions. The cap starts at expected business-as-usual emissions levels in 2012 and declines 2% to 3% per year. Originally with a planning horizon of 2020, the approval of AB 398 in July 2017 extended the program until 2030.

With the passage of AB 1279, the State has a statutory target to achieve carbon neutrality no later than 2045. The 2022 Scoping Plan demonstrates that planning on a longer time frame for the new carbon neutrality target means we must accelerate our near-term ambition for 2030 in order to be on track to achieve our longer-term target. CARB will use the modeling from the 2022 Scoping Plan to assess what changes may be warranted to the Cap-and-Trade or other programs to ensure we are on track to achieve an accelerated 2030 target. Since the original adoption of the Cap-and-Trade regulation, the program has been amended eight times through a robust public process. Moreover, then-California Environmental Protection Agency Secretary Jared Blumenfeld testified at a Senate hearing in 2022 that CARB will report back to the Legislature by the end of 2023 on the status of the allowance supply with any suggestions on legislative changes to ensure the number of allowances is appropriate to help the state achieve its 2030 target of at least 40% below 1990 levels. As part of that status update, CARB will also provide information on any

potential program changes that may be needed to allowance supply to help achieve an accelerated target for 2030 identified in the 2022 Scoping Plan as necessary to achieve carbon neutrality no later than 2045.

Senate Bill 350. Adopted on October 7, 2015, SB 350 supports the reduction of GHG emissions from the electricity sector through a number of measures, including requiring electricity providers to achieve a 50% renewables portfolio standard by 2030, a cumulative doubling of statewide energy efficiency savings in electricity and natural gas by retail customers by 2030.

Senate Bill 1383. Approved by the governor in September 2016, SB 1383 requires the CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. The bill requires the strategy to achieve the following reduction targets by 2030:

- Methane – 40% below 2013 levels
- Hydrofluorocarbons – 40% below 2013 levels
- Anthropogenic black carbon – 50% below 2013 levels

The bill also requires the California Department of Resources Recycling and Recovery (CalRecycle), in consultation with the state board, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

Senate Bill 97. Per SB 97, which was signed into law in 2007, the California Natural Resources Agency adopted amendments to the *State CEQA Guidelines*, which address the specific obligations of public agencies when analyzing GHG emissions under CEQA to determine a project's effects on the environment (codified as Public Resources Code [PRC] 21083.05). Specifically, PRC 21083.05 states, "[t]he Office of Land Use and Climate Innovation and the Natural Resources Agency shall periodically update the guidelines for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions."

Sustainable Communities and Climate Protection Act (Senate Bill 375). The Sustainable Communities and Climate Protection Act of 2008, or SB 375 (Chapter 728, Statutes of 2008), which establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions, was adopted by the State on September 30, 2008. SB 375 finds that the "transportation sector is the single largest contributor of greenhouse gases of any sector."[100] Under SB 375, CARB is required, in consultation with the Metropolitan Planning Organizations, to set regional GHG reduction targets for the passenger vehicle and light-duty truck sector for 2020 and 2035. SCAG is the Metropolitan Planning Organization in which the City of Santa Clarita is located in. CARB set targets for 2020 and 2035 for each of the 18 metropolitan

[100] State of California, *Senate Bill No. 375*, September 30, 2008.

planning organization regions in 2010, and updated them in 2018.[101] In March 2018, CARB updated the SB 375 targets for the SCAG region to require an 8 percent reduction by 2020 and a 19 percent reduction by 2035 in per capita passenger vehicle GHG emissions.[102] As discussed further below, SCAG has adopted an updated Regional Transportation Plan / Sustainable Community Strategies (RTP/SCS) subsequent to the update of the emission targets. The 2020–2045 RTP/SCS is expected to reduce per capita transportation emissions by 19 percent by 2035, which is consistent with SB 375 compliance with respect to meeting the State's GHG emission reduction goals.[103]

Under SB 375, the target must be incorporated within that region's Regional Transportation Plan (RTP), which is used for long-term transportation planning, in a Sustainable Communities Strategy (SCS). Certain transportation planning and programming activities would then need to be consistent with the SCS; however, SB 375 expressly provides that the SCS does not regulate the use of land, and further provides that local land use plans and policies (e.g., general plans) are not required to be consistent with either the RTP or SCS.

Emission Performance Standards. SB 1368, signed September 29, 2006, is a companion bill to AB 32, which requires the California Public Utilities Commission and the California Energy Commission (CEC) to establish GHG emission performance standards for the generation of electricity. These standards also generally apply to power that is generated outside of California and imported into the state. SB 1368 provides a mechanism for reducing the emissions of electricity providers, thereby assisting CARB to meet its mandate under AB 32.

Renewable Portfolio Standards (SB 1078, SB 107, SB X 1-2, and SB 100). Established in 2002 under SB 1078, and accelerated in 2006 under SB 107, in 2011 under SB X 1-2, and again in 2018 under SB 100, California's Renewable Portfolio Standards (RPS) require retail sellers of electric services to increase procurement from eligible renewable energy resources to 33% of total retail sales by 2020, 44% by 2024, 52% by 2027, and 60% in 2030.[104,105] Additionally, the state has made a commitment that renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity by 2045.[106] Initially, the

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101 CARB, "Sustainable Communities & Climate Protection Program – About," available online at: https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-climate-protection-program/about, accessed March 10, 2025.

102 CARB, "SB 375 Regional Greenhouse Gas Emissions Reduction Targets," available online at: https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/sb-375-regional-targets, accessed March 10, 2025.

103 SCAG, Final 2020–2045 RTP/SCS, Chapter 0: Making Connections, p. 5, May 7, 2020.

104 Office of Legislative Counsel of California, *Senate Bill 1078*, 2002.

105 Office of Legislative Counsel of California, *Senate Bill 1368*, 2006.

106 Office of Legislative Counsel of California, *Clean Car Standards – Pavley, Assembly Bill 1493*, 2018.

RPS provisions applied to investor-owned utilities, community choice aggregators, and electric service providers. SB X 1-2 added, for the first time, publicly owned utilities to the entities subject to RPS.

Assembly Bill 1493. Mobile Source Reductions Assembly Bill 1493, the "Pavley Standard," required CARB to adopt regulations by January 1, 2005, to reduce GHG emissions from non-commercial passenger vehicles and light-duty trucks of model year 2009 through 2016. The bill also required the California Climate Action Registry to develop and adopt protocols for the reporting and certification of GHG emissions reductions from mobile sources for use by CARB in granting emission reduction credits. The bill authorizes CARB to grant emission reduction credits for reductions of GHG emissions prior to the date of enforcement of regulations, using model year 2000 as the baseline for reduction.[107] In 2004, CARB applied to the U.S. Environmental Protection Agency (U.S. EPA) for a waiver under the federal Clean Air Act to authorize implementation of these regulations. On June 30, 2009, the U.S. EPA granted the waiver with the following provision: CARB may not hold a manufacturer liable or responsible for any noncompliance caused by emission debits generated by a manufacturer for the 2009 model year. CARB has adopted a new approach to passenger vehicles (cars and light trucks), by combining the control of smog-causing pollutants and GHG emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California.

Low Carbon Fuel Standard (Executive Order S-01-07). Executive Order S-01-07 (January 18, 2007) requires a 10% or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by CARB. CARB identified the Low Carbon Fuel Standard (LCFS) as a Discrete Early Action item under AB 32, and the final resolution (09-31) was issued on April 23, 2009.[108] In 2009, CARB approved for adoption the LCFS regulation, which became fully effective in April 2010 and is codified at Title 17, California Code of Regulations (CCR), Sections 95480-95490. The LCFS reduced GHG emissions by reducing the carbon intensity of transportation fuels used in California by 10% between 2011 and 2020. In 2018, CARB approved amendments to LCFS regulations, which included strengthening and smoothing the carbon intensity benchmarks through 2030 in-line with California's 2030 GHG emission reduction target enacted through SB 32, adding new crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector.

Advanced Clean Cars Program. In 2012, CARB approved the Advanced Clean Cars Program, a new emissions-control program for model year 2017 through 2025. The program combines the control of smog,

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107 CARB, *Clean Car Standards – Pavley, Assembly Bill 1493*, 2017.

108 CARB, *Initial Statement of Reasons for Proposed Regulation for the Management of High Global Warming Potential Refrigerants for Stationary Sources*, 2009.

soot, and GHGs with requirements for greater numbers of zero-emission vehicles. By 2025, when the rules will be fully implemented, the new automobiles will emit 34% fewer global warming gases and 75% fewer smog-forming emissions.

Senate Bill 743 (SB 743). SB 743, adopted September 27, 2013, encourages land use and transportation planning decisions and investments that reduce vehicle miles traveled (VMT), which contribute to GHG emissions, as required by AB 32. Key provisions of SB 743 include reforming aesthetics and parking CEQA analysis for certain urban infill projects and eliminating the measurement of auto delay, including level of service (LOS), as a metric that can be used for measuring traffic impacts in transit priority areas. SB 743 requires the Governor's Office of Land Use and Climate Innovation (LUCI) to develop revisions to the *State CEQA Guidelines* establishing criteria for determining the significance of transportation impacts of projects within transit priority areas that promote the "…reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses." It also allows LUCI to develop alternative metrics outside of transit priority areas. In December 2018, the Natural Resources Agency updated the *State CEQA Guidelines* and provided guidance for implementing SB 743.

California Integrated Waste Management Act (AB 341). The California Integrated Waste Management Act of 1989, as modified by AB 341, requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows: diversion of 25% of all solid waste by January 1, 1995, through source reduction, recycling, and composting activities; diversion of 50% of all solid waste on and after January 1, 2000; and diversion of 75% of all solid waste by 2020, and annually thereafter.

California Appliance Efficiency Regulations. The Appliance Efficiency Regulations (Title 20, Sections 1601 through 1608), adopted by the CEC, include standards for new appliances (e.g., refrigerators) and lighting, if they are sold or offered for sale in California. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

California Green Building Code (California Code of Regulations Title 24). Although not originally aimed at reducing GHG emissions, CCR Title 24 Part 6: *California's Energy Efficiency Standards for Residential and Nonresidential Buildings* (Title 24), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. Since then, Title 24 has been amended to recognize that energy-efficient buildings require less electricity and reduce fuel consumption, which subsequently reduces GHG emissions. The current 2022 Title 24 standards were adopted, among other reasons, to respond to the requirements of AB 32. Specifically, new development projects constructed within California after January 1, 2023, are subject to the mandatory planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and environmental quality measures of the

California Green Building Standards (CalGreen) Code (CCR Title 24, Part 11). Title 24 standards are updated triennially; the next update is scheduled to be adopted in 2025 and will take effect on January 1, 2026.

CEQA Guidelines. In August 2007, the California State Legislature adopted Senate Bill 97 (SB 97) (Chapter 185, Statutes of 2007), requiring LUCI to prepare and transmit new *State CEQA Guidelines* for the mitigation of GHG emissions or the effects of GHG emissions to the Resources Agency by July 1, 2009. In response to SB 97, LUCI adopted *State CEQA Guidelines* that became effective on March 18, 2010.

However, neither a threshold of significance nor any specific mitigation measures are included or provided in the guidelines.[109] The guidelines require a lead agency to make a good-faith effort, based on the extent possible on scientific and factual data, to describe, calculate, or estimate the amount of GHG emissions resulting from a project. Discretion is given to the lead agency whether to: (1) use a model or methodology to quantify GHG emissions resulting from a project, and which model or methodology to use; or (2) rely on a qualitative analysis or performance-based standards. Furthermore, three factors are identified that should be considered in the evaluation of the significance of GHG emissions:

1. The extent to which a project may increase or reduce GHG emissions as compared to the existing environmental setting;

2. Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and

3. The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.[110]

The administrative record for the Guidelines Amendments also clarifies "that the effects of greenhouse gas emissions are cumulative and should be analyzed in the context of California Environmental Quality Act's requirements for cumulative impact analysis."[111]

Senate Bill 1 (SB 1) and Senate Bill 1017 (SB 1017) (Million Solar Roofs). SB 1 and SB 1017, enacted in August 2006, set a goal to install 3,000 megawatts of new solar capacity by 2017 with a stated intent to move the state toward a cleaner energy future and help lower the cost of solar systems for consumers. The Million

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109 See 14 Cal. Code Regs. §§ 15064.7 (generally giving discretion to lead agencies to develop and publish thresholds of significance for use in the determination of the significance of environmental effects), 15064.4 (giving discretion to lead agencies to determine the significance of impacts from GHGs).

110 14 Cal. Code Regs. § 15064.4(b).

111 Letter from Cynthia Bryant, Director of the Governor's Office of Land Use and Climate Innovation to Mike Chrisman, California Secretary for Natural Resources, dated April 13, 2009.

Solar Roofs Program is a ratepayer-financed incentive program aimed at transforming the market for rooftop solar systems by driving down costs over time. It provides up to $3.3 billion in financial incentives that decline over time.

GHG Emissions Standards for Baseload Generation. SB 1368, which was signed into law on September 29, 2006, prohibits any retail seller of electricity in California from entering into a long-term financial commitment for baseload generation if the GHG emissions are higher than those from a combined-cycle natural gas power plant. This performance standard (i.e., reducing long-term GHG emissions as a result of electrical baseload generation) applies to electricity generated both within and outside of California, and to publicly owned, as well as investor-owned, electric utilities.

Senate Bill 350 (SB 350). Adopted on October 7, 2015, SB 350 supports the reduction of GHG emissions from the electricity sector through a number of measures, including requiring electricity providers to achieve a 50% renewable portfolio standard by 2030, a cumulative doubling of statewide energy efficiency savings in electricity and natural gas by retail customers by 2030.

Climate Change Scoping Plan. The Scoping Plan is a GHG reduction roadmap developed and updated by CARB at least once every five years, as initially required by AB 32. It lays out the transformations needed across various sectors to reduce GHG emissions and reach the State's climate targets. CARB adopted the Final 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan Update) in December 2022 as the third update to the initial plan that was adopted in 2008. The initial 2008 Scoping Plan laid out a path to achieve the AB 32 target of returning to 1990 levels of GHG emissions by 2020, a reduction of approximately 15% below business-as-usual activities.[112] The 2008 Scoping Plan included a mix of incentives, regulations, and carbon pricing, laying out the portfolio approach to addressing climate change and clearly making the case for using multiple tools to meet California's GHG targets. The 2013 Scoping Plan Update (adopted in 2014) assessed progress toward achieving the 2020 target and made the case for addressing short-lived climate pollutants (SLCPs).[113] The 2017 Scoping Plan Update,[114] shifted focus to the newer SB 32 goal of a 40% reduction below 1990 levels by 2030 by laying out a detailed cost-effective and technologically feasible path to this target, and also assessed progress towards achieving the AB 32 goal of returning to 1990 GHG levels by 2020. The 2020 goal was ultimately reached in 2016, four years ahead of the schedule called for under AB 32.

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112 CARB, *Climate Change Scoping Plan*, 2008.

113 CARB, *First Update to the Climate Change Scoping Plan*, 2014.

114 CARB, *California's 2017 Climate Change Scoping Plan*, 2017. Available online at: https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping_plan_2017.pdf. accessed March 10, 2025.

The 2022 Scoping Plan Update is the most comprehensive and far-reaching Scoping Plan developed to date.[115] It identifies a technologically feasible, cost-effective, and equity-focused path to achieve new targets for carbon neutrality by 2045 and to reduce anthropogenic GHG emissions to at least 85% below 1990 levels, while also assessing the progress California is making toward reducing its GHG emissions by at least 40% below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Scoping Plan.[116] The 2030 target is an interim but important stepping stone along the critical path to the broader goal of deep decarbonization by 2045. The relatively longer path assessed in the 2022 Scoping Plan Update incorporates, coordinates, and leverages many existing and ongoing efforts to reduce GHGs and air pollution, while identifying new clean technologies and energy. Given the focus on carbon neutrality, the 2022 Scoping Plan Update also includes discussion for the first time of the natural and working lands sectors as sources for both sequestration and carbon storage, and as sources of emissions as a result of wildfires. See **Table 17, Estimated Statewide Greenhouse Gas Emissions Reductions in the 2022 Scoping Plan**, below.

Table 17
Estimated Statewide Greenhouse Gas Emissions Reductions in the 2022 Scoping Plan

Emissions Scenario	GHG Emissions ($MMTCO_2e$)
2019	
2019 State GHG Emissions	404
2030	
2030 BAU Forecast	312
2030 GHG Emissions without Carbon Removal and Capture	233
2030 GHG Emissions with Carbon Removal and Capture	226
2030 Emissions Target Set by AB 32 (i.e., 1990 level by 2030)	260
Reduction below Business-As-Usual necessary to achieve 1990 levels by 2030	52 (16.7%) [a]
2045	
2045 BAU Forecast	266
2045 GHG Emissions without Carbon Removal and Capture	72
2045 GHG Emissions with Carbon Removal and Capture	(3)

Note: $MMTCO_2e$ = million metric tons of carbon dioxide equivalents; parenthetical numbers represent negative values.
[a] 312 – 260 = 52. 52 / 312 = 16.7%
Source: CARB, November 2022, Final 2022 Climate Change Scoping Plan.

115 CARB, *2022 Scoping Plan for Achieving Carbon Neutrality*, 2022. Available online at: https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp_1.pdf, accessed March 10, 2025.

116 CARB, *California's 2017 Climate Change Scoping Plan*, 2017. Available online at: https://ww2.arb.ca.gov/sites/default/files/classic/cc/scopingplan/scoping_plan_2017.pdf. accessed March 10, 2025

The 2022 Scoping Plan Update reflects existing and recent direction in the Governor's Executive Orders and State Statutes, which identify policies, strategies, and regulations in support of and implementation of the Scoping Plan. Among these include Executive Order B-55-18 and AB 1279 (The California Climate Crisis Act), which identify the 2045 carbon neutrality and GHG reduction targets required for the Scoping Plan. **Table 18** below provides a summary of major climate legislation and executive orders issued since the adoption of the 2017 Scoping Plan.

Table 18
Major Climate Legislation and Executive Orders Enacted Since the 2017 Scoping Plan

Bill/Executive Order	Summary
Assembly Bill 1279 (AB 1279) (Muratsuchi, Chapter 337, Statutes of 2022) *The California Climate Crisis Act*	AB 1279 establishes the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045; to maintain net negative GHG emissions thereafter; and to ensure that by 2045 statewide anthropogenic GHG emissions are reduced at least 85 percent below 1990 levels. The bill requires CARB to ensure that the Scoping Plan updates identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable CO_2 removal solutions and carbon capture, utilization, and storage (CCUS) technologies. This bill is reflected directly in the 2022 Scoping Plan Update.
Senate Bill 905 (SB 905) (Caballero, Chapter 359, Statutes of 2022) *Carbon Capture, Removal, Utilization, and Storage Program*	SB 905 requires CARB to create the Carbon Capture, Removal, Utilization, and Storage Program to evaluate, demonstrate, and regulate CCUS and carbon dioxide removal (CDR) projects and technology. The bill requires CARB, on or before January 1, 2025, to adopt regulations creating a unified state permitting application for approval of CCUS and CDR projects. The bill also requires the Secretary of the Natural Resources Agency to publish a framework for governing agreements for two or more tracts of land overlying the same geologic storage reservoir for the purposes of a carbon sequestration project. The 2022 Scoping Plan Update modeling reflects both CCUS and CDR contributions to achieve carbon neutrality.
Senate Bill 846 (SB 846) (Dodd, Chapter 239, Statutes of 2022) *Diablo Canyon Powerplant: Extension of Operations*	SB 846 extends the Diablo Canyon Power Plant's sunset date by up to five additional years for each of its two units and seeks to make the nuclear power plant eligible for federal loans. The bill requires that the California Public Utilities Commission (CPUC) not include and disallow a load-serving entity from including in their adopted resource plan, the energy, capacity, or any attribute from the Diablo Canyon power plant. The 2022 Scoping Plan Update explains the emissions impact of this legislation.
Senate Bill 1020 (SB 1020) (Laird, Chapter 361, Statutes of 2022) *Clean Energy, Jobs, and Affordability Act of 2022*	SB 1020 adds interim renewable energy and zero carbon energy retail sales of electricity targets to California end-use customers set at 90 percent in 2035 and 95 percent in 2040. It accelerates the timeline required to have 100 percent renewable energy and zero carbon energy procured to serve state agencies from the original target year of 2045 to 2035. This bill requires each state agency to individually achieve the 100 percent goal by 2035 with specified requirements. This bill requires the CPUC, California Energy Commission (CEC), and CARB, on or before December 1, 2023, and annually thereafter, to issue a joint reliability progress report that reviews system and local reliability. The bill also modifies the requirement for CARB to hold a portion of its Scoping Plan workshops in regions of the state with the most significant exposure to air pollutants by further specifying that this includes communities with minority populations or low-income communities in areas designated as being in extreme federal non-attainment. The 2022 Scoping Plan Update describes the implications of this legislation on emissions.

Bill/Executive Order	Summary
Senate Bill 1137 (SB 1137) (Gonzales, Chapter 365, Statutes of 2022) *Oil & Gas Operations: Location Restrictions: Notice of Intention: Health protection zone: Sensitive receptors*	SB 1137 prohibits the development of new oil and gas wells or infrastructure in health protection zones, as defined, except for purposes of public health and safety or other limited exceptions. The bill requires operators of existing oil and gas wells or infrastructure within health protection zones to undertake specified monitoring, public notice, and nuisance requirements. The bill requires CARB to consult and concur with the California Geologic Energy Management Division (CalGEM) on leak detection and repair plans for these facilities, adopt regulations as necessary to implement emission detection system standards, and collaborate with CalGEM on public access to emissions detection data.
Senate Bill 1075 (SB 1075) (Skinner, Chapter 363, Statutes of 2022) *Hydrogen: Green Hydrogen: Emissions of Greenhouse Gases*	SB 1075 requires CARB, by June 1, 2024, to prepare an evaluation that includes: policy recommendations regarding the use of hydrogen, and specifically the use of green hydrogen, in California; a description of strategies supporting hydrogen infrastructure, including identifying policies that promote the reduction of GHGs and short-lived climate pollutants; a description of other forms of hydrogen to achieve emission reductions; an analysis of curtailed electricity; an estimate of GHG and emission reductions that could be achieved through deployment of green hydrogen through a variety of scenarios; an analysis of the potential for opportunities to integrate hydrogen production and applications with drinking water supply treatment needs; policy recommendations for regulatory and permitting processes associated with transmitting and distributing hydrogen from production sites to end uses; an analysis of the life-cycle GHG emissions from various forms of hydrogen production; and an analysis of air pollution and other environmental impacts from hydrogen distribution and end uses. This bill would inform the production of hydrogen at the scale called for in the 2022 Scoping Plan Update.
Assembly Bill 1757 (AB 1757) (Garcia, Chapter 341, Statutes of 2022) *California Global Warming Solutions Act of 2006: Climate Goal: Natural and Working Lands*	AB 1757 requires the California Natural Resources Agency (CNRA), in collaboration with CARB, other state agencies, and an expert advisory committee, to determine a range of targets for natural carbon sequestration, and for nature-based climate solutions, which reduce GHG emissions in 2030, 2038, and 2045 by January 1, 2024. These targets must support state goals to achieve carbon neutrality and foster climate adaptation and resilience. This bill also requires CARB to develop standard methods for state agencies to consistently track GHG emissions and reductions, carbon sequestration, and additional benefits from natural and working lands over time. These methods will account for GHG emissions reductions of CO_2, methane, and nitrous oxide related to natural and working lands and the potential impacts of climate change on the ability to reduce GHG emissions and sequester carbon from natural and working lands, where feasible. This 2022 Scoping Plan Update describes the next steps and implications of this legislation for the natural and working lands sector.
Senate Bill 1206 (SB 1206) (Skinner, Chapter 884, Statutes of 2022) *Hydrofluorocarbon gases: sale or distribution*	SB 1206 mandates a stepped sales prohibition on newly produced high- global warming potential (GWP) HFCs to transition California's economy toward recycled and reclaimed HFCs for servicing existing HFC-based equipment. Additionally, SB 1206 also requires CARB to develop regulations to increase the adoption of very low-, i.e., GWP < 10, and no-GWP technologies in sectors that currently rely on higher-GWP HFCs.
Senate Bill 27 (SB 27) (Skinner, Chapter 237, Statutes of 2021) *Carbon Sequestration: State Goals: Natural and Working Lands: Registry of Projects*	SB 27 requires CNRA, in coordination with other state agencies, to establish the Natural and Working Lands Climate Smart Strategy by July 1, 2023. This bill also requires CARB to establish specified CO2 removal targets for 2030 and beyond as part of its Scoping Plan. Under SB 27, CNRA is to establish and maintain a registry to identify projects in the state that drive climate action on natural and working lands and are seeking funding. CNRA also must track carbon removal and GHG emission reduction benefits derived from projects funded through the registry. This bill is reflected directly in the 2022 Scoping Plan Update as CO_2 removal targets for 2030 and 2045 in support of carbon neutrality.

Bill/Executive Order	Summary
Senate Bill 596 (SB 596) (Becker, Chapter 246, Statutes of 2021) *Greenhouse Gases: Cement Sector: Net-zero Emissions Strategy*	SB 596 requires CARB, by July 1, 2023, to develop a comprehensive strategy for the state's cement sector to achieve net-zero-emissions of GHGs associated with cement used within the state as soon as possible, but no later than December 31, 2045. The bill establishes an interim target of 40 percent below the 2019 average GHG intensity of cement by December 31, 2035. Under SB 596, CARB must: ● Define a metric for GHG intensity and establish a baseline from which to measure GHG intensity reductions. ● Evaluate the feasibility of the 2035 interim target (40 percent reduction in GHG intensity) by July 1, 2028. ● Coordinate and consult with other state agencies. ● Prioritize actions that leverage state and federal incentives. ● Evaluate measures to support market demand and financial incentives to encourage the production and use of cement with low GHG intensity. The 2022 Scoping Plan Update modeling is designed to achieve these outcomes.
Executive Order N-82-20	Governor Newsom signed Executive Order N-82-20 in October 2020 to combat the climate and biodiversity crises by setting a statewide goal to conserve at least 30 percent of California's land and coastal waters by 2030. The Executive Order also instructed the CNRA, in consultation with other state agencies, to develop a Natural and Working Lands Climate Smart Strategy that serves as a framework to advance the state's carbon neutrality goal and build climate resilience. In addition to setting a statewide conservation goal, the Executive Order directed CARB to update the target for natural and working lands in support of carbon neutrality as part of this Scoping Plan, and to take into consideration the NWL Climate Smart Strategy. Executive Order N-82-20 also calls on the CNRA, in consultation with other state agencies, to establish the California Biodiversity Collaborative (Collaborative). The Collaborative shall be made up of governmental partners, California Native American tribes, experts, business and community leaders, and other stakeholders from across the state. State agencies will consult the Collaborative on efforts to: ● Establish a baseline assessment of California's biodiversity that builds upon existing data and can be updated over time. ● Analyze and project the impact of climate change and other stressors in California's biodiversity. ● Inventory current biodiversity efforts across all sectors and highlight opportunities for additional action to preserve and enhance biodiversity. CNRA is also tasked with advancing efforts to conserve biodiversity through various actions, such as streamlining the state's process to approve and facilitate projects related to environmental restoration and land management. The California Department of Food and Agriculture (CDFA) is directed to advance efforts to conserve biodiversity through measures such as reinvigorating populations of pollinator insects, which restore biodiversity and improve agricultural production. The Natural and Working Lands Climate Smart Strategy informs the 2022 Scoping Plan Update.
Executive Order N-79-20	Governor Newsom signed Executive Order N-79-20 in September 2020 to establish targets for the transportation sector to support the state in its goal to achieve carbon neutrality by 2045. The targets established in this Executive Order are: ● 100 percent of in-state sales of new passenger cars and trucks will be zero-emission by 2035. ● 100 percent of medium- and heavy-duty vehicles will be zero-emission by 2045 for all operations where feasible, and by 2035 for drayage trucks. ● 100 percent of off-road vehicles and equipment will be zero-emission by 2035 where feasible. The Executive Order also tasked CARB to develop and propose regulations that require increasing volumes of zero- electric passenger vehicles, medium- and heavy-duty vehicles,

Bill/Executive Order	Summary
	drayage trucks, and off-road vehicles toward their corresponding targets of 100 percent zero-emission by 2035 or 2045, as listed above. The 2022 Scoping Plan Update modeling reflects achieving these targets.
Executive Order N-19-19	Governor Newsom signed Executive Order N-19-19 in September 2019 to direct state government to redouble its efforts to reduce GHG emissions and mitigate the impacts of climate change while building a sustainable, inclusive economy. This Executive Order instructs the Department of Finance to create a Climate Investment Framework that: ● Includes a proactive strategy for the state's pension funds that reflects the increased risks to the economy and physical environment due to climate change. ● Provides a timeline and criteria to shift investments to companies and industry sectors with greater growth potential based on their focus of reducing carbon emissions and adapting to the impacts of climate change. ● Aligns with the fiduciary responsibilities of the California Public Employees' Retirement System, California State Teachers' Retirement System, and the University of California Retirement Program. Executive Order N-19-19 directs the State Transportation Agency to leverage more than $5 billion in annual state transportation spending to help reverse the trend of increased fuel consumption and reduce GHG emissions associated with the transportation sector. It also calls on the Department of General Services to leverage its management and ownership of the state's 19 million square feet in managed buildings, 51,000 vehicles, and other physical assets and goods to minimize state government's carbon footprint. Finally, it tasks CARB with accelerating progress toward California's goal of five million ZEV sales by 2030 by: ● Developing new criteria for clean vehicle incentive programs to encourage manufacturers to produce clean, affordable cars. ● Proposing new strategies to increase demand in the primary and secondary markets for ZEVs. ● Considering strengthening existing regulations or adopting new ones to achieve the necessary GHG reductions from within the transportation sector. The 2022 Scoping Plan Update modeling reflects efforts to accelerate ZEV deployment.
Senate Bill 576 (SB 576) (Umberg, Chapter 374, Statutes of 2019) *Coastal Resources: Climate Ready Program and Coastal Climate Change Adaptation, Infrastructure and Readiness Program*	Sea level rise, combined with storm-driven waves, poses a direct risk to the state's coastal resources, including public and private real property and infrastructure. Rising marine waters threaten sensitive coastal areas, habitats, the survival of threatened and endangered species, beaches, other recreation areas, and urban waterfronts. SB 576 mandates that the Ocean Protection Council develop and implement a coastal climate adaptation, infrastructure, and readiness program to improve the climate change resiliency of California's coastal communities, infrastructure, and habitat. This bill also instructs the State Coastal Conservancy to administer the Climate Ready Program, which addresses the impacts and potential impacts of climate change on resources within the conservancy's jurisdiction.
Assembly Bill 65 (AB 65) (Petrie-Norris, Chapter 347, Statutes of 2019) *Coastal Protection: Climate Adaption: Project Prioritization: Natural Infrastructure: Local General Plans*	This bill requires the State Coastal Conservancy, when it allocates any funding appropriated pursuant to the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, to prioritize projects that use natural infrastructure in coastal communities to help adapt to climate change. The bill requires the conservancy to provide information to the Office of Land Use and Climate Innovation on any projects funded pursuant to the above provision to be considered for inclusion into the clearinghouse for climate adaptation information. The bill authorizes the conservancy to provide technical assistance to coastal communities to better assist them with their projects that use natural infrastructure.

Bill/Executive Order	Summary
Executive Order B-55-18	Governor Brown signed Executive Order B-55-18 in September 2018 to establish a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and to achieve and maintain net negative emissions thereafter. Policies and programs undertaken to achieve this goal shall: ● Seek to improve air quality and support the health and economic resiliency of urban and rural communities, particularly low-income and disadvantaged communities. ● Be implemented in a manner that supports climate adaptation and biodiversity, including protection of the state's water supply, water quality, and native plants and animals. This Executive Order also calls for CARB to: ● Develop a framework for implementation and accounting that tracks progress toward this goal. ● Ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal. The 2022 Scoping Plan Update is designed to achieve carbon neutrality no later than 2045 and the modeling includes technology and fuel transitions to achieve that outcome.
Senate Bill 100 (SB 100) (De León, Chapter 312, Statutes of 2018) *California Renewables Portfolio Standard Program: emissions of greenhouse gases*	Under SB 100, the CPUC, CEC, and CARB shall use programs under existing laws to achieve 100 percent clean electricity. The statute requires these agencies to issue a joint policy report on SB 100 every four years. The first of these reports was issued in 2021. The 2022 Scoping Plan Update reflects the SB 100 Core Scenario resource mix with a few minor updates.
Assembly Bill 2127 (AB 2127) (Ting, Chapter 365, Statutes of 2018) *Electric Vehicle Charging Infrastructure: Assessment*	This bill requires the CEC, working with CARB and the CPUC, to prepare and biennially update a statewide assessment of the electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption required for the state to meet its goals of putting at least 5 million zero-emission vehicles on California roads by 2030 and of reducing emissions of GHGs to 40 percent below 1990 levels by 2030. The bill requires the CEC to regularly seek data and input from stakeholders relating to electric vehicle charging infrastructure. This bill supports the deployment of ZEVs as modeled in the 2022 Scoping Plan Update.
Senate Bill 30 (SB 30) (Lara, Chapter 614, Statutes of 2018) *Insurance: Climate Change*	This bill requires the Insurance Commissioner to convene a working group to identify, assess, and recommend risk transfer market mechanisms that, among other things, promote investment in natural infrastructure to reduce the risks of climate change related to catastrophic events, create incentives for investment in natural infrastructure to reduce risks to communities, and provide mitigation incentives for private investment in natural lands to lessen exposure and reduce climate risks to public safety, property, utilities, and infrastructure. The bill requires the policies recommended to address specified questions.
Assembly Bill 2061 (AB 2061) (Frazier, Chapter 580, Statutes of 2018) *Near-zero-emission and Zero-emission Vehicles*	Existing state and federal law set specified limits on the total gross weight imposed on the highway by a vehicle with any group of two or more consecutive axles. Under existing federal law, the maximum gross vehicle weight of that vehicle may not exceed 82,000 pounds. AB 2061 authorizes a near-zero- emission vehicle or a zero-emission vehicle to exceed the weight limits on the power unit by up to 2,000 pounds. This bill supports the deployment of cleaner trucks as modeled in this 2022 Scoping Plan Update.

The 2022 Scoping Plan Scenario identifies the need to accelerate AB32's 2030 target, from 40 percent to 48 percent below 1990 levels. Cap-and-Trade regulation continues to play a large factor in the reduction of near-term emissions for meeting the 2030 reduction target. Every sector of the economy will need to begin to transition in this decade to meet these GHG reduction goals and achieve carbon neutrality no later than

2045. The 2022 Scoping Plan Update approaches decarbonization from two perspectives, managing a phasedown of existing energy sources and technologies, as well as increasing, developing, and deploying alternative clean energy sources and technology. The Scoping Plan Scenario is summarized in Table 2-1 starting on page 72 of the Scoping Plan. It includes references to relevant statutes and Executive Orders (see also **Table 18**, **Major Climate Legislation and Executive Orders Enacted Since the 2017 Scoping Plan,** above), although it is not comprehensive of all existing new authorities for directing or supporting the actions described. Table 2-1 in the 2022 Scoping Plan Update identifies actions related to a variety of sectors such as: smart growth and reductions in vehicle miles traveled (VMT); light-duty vehicles (LDV) and zero-emission vehicles (ZEV); truck ZEVs; reduce fossil energy, emissions, and GHGs for aviation ocean-going vessels, port operations, freight and passenger rail, oil and gas extraction; and petroleum refining; improvements in electricity generation; electrical appliances in new and existing residential and commercial buildings; electrification and emission reductions across industries such as the for food products, construction equipment, chemicals and allied products, pulp and paper, stone/clay/glass/cement, other industrial manufacturing, and agriculture; retiring of combined heat and power facilities; low carbon fuels for transportation, business, and industry; improvements in non-combustion methane emissions, and introduction of low GWP refrigerants.

Achieving the targets described in the 2022 Scoping Plan Update will require continued commitment to and successful implementation of existing policies and programs, and identification of new policy tools and technical solutions to go further, faster. California's Legislature and state agencies will continue to collaborate to achieve the state's climate, clean air, equity, and broader economic and environmental protection goals. It will be necessary to maintain and strengthen this collaborative effort, and to draw upon the assistance of the federal government, regional and local governments, tribes, communities, academic institutions, and the private sector to achieve the state's near-term and longer-term emission reduction goals and a more equitable future for all Californians. The Scoping Plan acknowledges that the path forward is not dependent on one agency, one state, or even one country. However, the State can lead by engaging Californians and demonstrating how actions at the state, regional, and local levels of governments, as well as action at community and individual levels, can contribute to addressing the challenge.

Aligning local jurisdiction action with state-level priorities to tackle climate change and the outcomes called for in the 2022 Scoping Plan Update is identified as critical to achieving the statutory targets for 2030 and 2045. The 2022 Scoping Plan Update discusses the role of local governments in meeting the State's GHG reductions goals.[117] Local governments have the primary authority to plan, zone, approve, and permit

117 CARB, *2022 Scoping Plan for Achieving Carbon Neutrality*, 2022. Available online at: https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp_1.pdf, accessed March 10, 2025.

how and where land is developed to accommodate population growth, economic growth, and the changing needs of their jurisdictions. They also make critical decisions on how and when to deploy transportation infrastructure, and can choose to support transit, walking, bicycling, and neighborhoods that do not force people into cars. Local governments also have the option to adopt building ordinances that exceed statewide building code requirements and play a critical role in facilitating the rollout of ZEV infrastructure. As a result, local government decisions play a critical role in supporting state-level measures to contain the growth of GHG emissions associated with the transportation system and the built environment—the two largest GHG emissions sectors over which local governments have authority. The 2022 Scoping Plan Update also identifies multiple legal tools open to local jurisdictions to support statewide priorities, including development of a climate action plan (CAP), sustainability plan, or inclusion of a plan for reduction of GHG emissions and climate actions within a jurisdiction's general plan.

Jobs and Economic Improvement through Environmental Leadership Act of 2011. The Jobs and Economic Improvement through Environmental Leadership Act of 2021 (SB 7), codified in PRC Sections 21178 through 21189.3, is intended to encourage California's economic recovery by providing a streamlined process for judicial review of compliance with CEQA for development projects that qualify as an Environmental Leadership Development Project (ELDP). In order to be certified as an ELDP, the Governor of California must determine that the project would result in a minimum investment of $100 million, would create high-wage jobs, and would not result in net additional GHG emissions, as determined by CARB. Further, the project must be located on an infill site, achieve the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Gold certification, be consistent with the relevant regional SCS, and exceed the transportation efficiency for comparable projects by at least 15 percent.

Regional

SCAG Regional Transportation Plan/Sustainable Communities Strategy

On April 4, 2024, the SCAG Regional Council unanimously voted to approve and fully adopt Connect SoCal 2024 Regional Transportation Plan / Sustainable Communities Strategy (Connect SoCal 2024 RTP/SCS).[118]

Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. It charts a path toward a more mobile, sustainable and prosperous region by

[118] Southern California Association of Governments, *Connect SoCal 2024 RTP/SCS*, 2024. Available online at: https://scag.ca.gov/sites/main/files/file-attachments/23-2987-connect-socal-2024-final-complete-040424.pdf?1714175547, accessed March 10, 2025.

making connections between transportation networks, between planning strategies and between the people whole collaboration can improve the quality of life for Southern Californians. In addition, Connect SoCal is supported by a combination of transportation and land use strategies that outline how the region can achieve California's greenhouse gas emission reduction goals and federal CAA requirements. The Connect SoCal 2024 outlines a vision for a more resilient and equitable future, with investment, policies and strategies for achieving the region's shared goals of health, prosperity, accessibility, and connectedness through 2050, with a particular focus on system management, revitalization, and reuse, such as infill development and repurposing underutilized properties. The plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries and more efficient use of resources.

Local Regulations

Ventura County 2040 General Plan/Climate Action Plan

In 2020, the County adopted the Ventura County 2040 General Plan (General Plan); the County developed an integrated approach to addressing climate change in the General Plan by incorporating related policies and programs throughout the General Plan, such that the General Plan will also serve as the County's Climate Action Plan (CAP).[119] Applicable goals and policies as they relate to reducing greenhouse gas emissions in the County from the General Plan are listed below:

Goal LU-11 To promote the development of mixed-use, commercial, and industrial uses in the areas that are appropriate for these uses.

Objective LU-11.3 **Design.** The County shall require new commercial and industrial developments to be designed to be generally compact, grouped and consolidated into functional units providing for sufficient off-street parking and loading facilities, maximize pedestrian and vehicle safety, reduce vehicle miles traveled (VMT), encourage electric vehicle charging, and minimize the land use conflicts and traffic congestion. The County shall require that commercial and industrial discretionary development be designed to provide adequate buffering (e.g., walls, landscaping, setbacks) and operational conditions (e.g., hours of operation, and

119 County of Ventura, *Ventura County 2040 General Plan*, 2020. Available online at: https://docs.vcrma.org/images/pdf/planning/plans/Final_2040_General_Plan_docs/Ventura_County_2040_General_Plan_web_link.pdf, accessed March 13, 2025.

scheduling of deliveries) to minimize adverse impacts (e.g., noise, glare, and odors) on adjoining and adjacent residential areas.

Goal COS-10 To improve the long-term sustainability of the community through local efforts to reduce GHG emissions.

Objective COS-10.2 **Community Greenhouse Gas Emissions Reduction Target for 2030.** The County shall work toward achieving a community-wide GHG emissions reduction target of 41 percent below 2015 levels by 2030.

Objective COS-10.3 **Community Greenhouse Gas Emissions Reduction Goals for 2040 and 2050.** The County shall work toward achieving longer-term, post-2030 community-wide GHG emissions reduction goals, as follows:

- 61 percent below 2015 levels by 2040, and
- 80 percent below 2015 levels by 2050.

Objective COS-10.4 **Greenhouse Gas Reductions in Existing and New Development.** The County shall reduce GHG emissions in both existing and new development through a combination of measures included in the GHG Strategy, which includes new and modified regulations, financing, and incentive-based programs, community outreach and education programs, partnerships with local or regional agencies, and other related actions.

City of Ventura Climate Action and Resilience Plan

In 2023, the City of Ventura adopted the Climate Action and Resilience Plan (CARP).[120] The CARP establishes a shared vision for climate action. It is a short-range implementation focused plan that outlines the strategies, policies, actions, and programs that the City and community need to implement to reduce greenhouse gas emissions in line with State goals, and to build resilience to the impacts of climate change.

120 City of Ventura, *Climate Action and Resilience Plan*, 2023. Available online at: https://static1.squarespace.com/static/5f34bf7ddc1cd21c88c0c407/t/67b678fe43ffbe11ab86585d/1740011804052/VenturaCARP_FinalDraft_2025_0219.pdf, accessed March 13, 2025.

2045 Port Hueneme General Plan/Climate Action Plan

Adopted in October 2022, Port Hueneme's 2045 General Plan creates a framework for the City of Port Hueneme that depicts the community's vision and desires through the year 2045.[121] The General Plan provides modern and comprehensive policies for air quality, circulation, climate action, conservation and open space, economic development, housing, land use, local coastal program, noise, public safety and facilities, and social equity. The General Plan also serves as the City's Climate Action Plan (CAP), qualifying as a GHG reduction strategy by meeting the requirements of *State CEQA Guidelines* § 15183.5(b). Applicable goals policies as they relate to greenhouse gas reduction are listed below:

CAP Goal 1: Reduced greenhouse gas emissions from energy use in buildings.

CAP Goal 2: Reduced greenhouse gas emissions from transportation

Analysis Guidelines

The majority of the strategies and actions proposed in the CARP are directed towards the City to implement and enforce, and are not relevant to the Project.

The impact analysis provided below is based on the application of Appendix G of the *State CEQA Guidelines*, which indicates that a proposed project would have a significant impact on GHG emissions if it would:

1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

2) Conflict with an applicable plan, policy or regulations adopted for the purpose of reducing the emissions of greenhouse gas emissions.

Methodology

State CEQA Guidelines Section 15064.4 was amended in 2019 to incorporate the holding in the Center for Biological Diversity case[122] as well as others. The Court acknowledged that the scope of global climate change and the fact that GHGs, once released into the atmosphere, are not contained in the local area of their emission means that the impacts to be evaluated are global, rather than local. For many air pollutants,

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121 City of Port Hueneme, *2045 Port Hueneme General Plan*. Available online at: https://www.ci.port-hueneme.ca.us/DocumentCenter/View/6128/2045-Port-Hueneme-General-Plan?bidId=, accessed April 18, 2025.

122 California Supreme Court, *Center for Biological Diversity et al. vs. California Department of Fish and Wildlife*, November 30, 2015.

the significance of their environmental impact may depend greatly on where they are emitted; for GHG, it does not. For projects that are designed to accommodate long-term growth in California's population and economic activity in a sustainable manner, such as the Project, this fact gives rise to an argument that a certain amount of GHG emissions is as inevitable as population growth. Under this view, a significance criterion framed in terms of efficiency and conservation in land use (as compared to a business-as-usual [BAU] pattern of growth) is superior to a simple numerical threshold because CEQA is not intended as a population control measure.

This consideration favors consistency with statewide goals (i.e., AB 32, SB 32, and AB 1279) as a permissible significance criterion for project GHG emissions. Meeting statewide reduction goals does not preclude all new development. Rather, the Scoping Plan, the State's roadmap for meeting Statewide target, assumes continued growth and depends on increased efficiency and conservation in land use and transportation from all Californians. To the extent a project incorporates efficiency and conservation measures sufficient to contribute its portion of the overall GHG reductions necessary for the entire State, one can reasonably argue that its impact is not cumulatively considerable, because it would be helping to solve the cumulative problem of GHG emissions as envisioned by California law. Given the reality of growth, some GHG emissions from new development are inevitable. The critical CEQA question is the cumulative significance of a project's GHG emissions and, as discussed previously, from a climate change point of view, it does not matter where in the State those emissions are produced. Under these circumstances, evaluating the significance of a project's GHG emissions with respect to their effect on the State's efforts to meet its long-term goals is a reasonable threshold. As such, the impact analysis contained herein is cumulative and qualitative in nature.

Based on the above legal standards, and in the absence of any numeric threshold of significance adopted by the VCAPCD or CARB, this analysis evaluates the significance of the Project GHG emissions in a cumulative context based on its consistency with the state's laws and programs to address climate change. To that end, this analysis assesses the significance of the Project's potential environmental impacts associated with its GHG emissions qualitatively, based on the Project's consistency with AB 32, SB 32, and AB 1279 (through demonstration of conformance with 2022 Scoping Plan); SB 375 (through demonstration of conformance with Connect SoCal 2024); and particularly through the relevant components of the County's CAP. Therefore, the quantitative estimate of the Project's GHG emissions is provided below for informational purposes only to comply with CEQA's disclosure requirements.

Regarding assessing the significance of a project's GHG emissions through consistency with statewide, regional and local plans, Appendix D, Local Actions, of the 2022 Scoping Plan Update contains guidance

for local governments reviewing new land use development projects, including through environmental review under CEQA" (Page 4 of Appendix D).[123]

Impacts

a) Less than Significant Impact. *State CEQA Guidelines* Section 15064.4(a) states a lead agency shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe and estimate the amount of greenhouse gas emissions resulting from a project. *State CEQA Guidelines* Section 15064.4(c) states a lead agency may use a model or methodology to estimate greenhouse gas emissions resulting from the project and that the lead agency has the discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change. Based upon this guidance, GHG emissions were quantified for the Project using CalEEMod, which is the model recommended by the VCAPCD (see **Appendix A**, **CalEEMod Results**). Operational emissions include both direct and indirect sources including mobile sources, water use, solid waste, area sources, natural gas, and electricity use emissions. CalEEMod is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. The model is considered by the VCAPCD to be an accurate and comprehensive tool for quantifying air quality and GHG impacts from land use projects throughout California. Again, this analysis is not performed to measure the project's GHG impacts against a numerical threshold. The City and County do not have or use a numerical threshold for GHG emissions or a methodology that relies on a quantitative analysis in order to determine the significance of a project's GHG emissions. Instead, the Project's GHG emissions are quantified and provided to comply with *State CEQA Guidelines*, Section 15064.4(a).

Construction Emissions

For purposes of this analysis, it is estimated that the Project would be constructed in four phases (see **Table 9, Project Construction Phases**) with construction beginning in 2027 and all components of the Project being operational in 2029. With the use of CalEEMod, GHG emissions throughout Project construction were calculated from off-road equipment usage, hauling vehicles, delivery trips, and worker trips to and from the site. The total GHG construction emissions across all phases of the Project would be approximately 735 metric tons of carbon dioxide equivalent (MT CO2e).

123 CARB, *2022 Scoping Plan for Achieving Carbon Neutrality – Appendix D: Local Actions*, 2022. Available online at: https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf, accessed March 13, 2025.

Operational Emissions

Operational emissions associated with the development and continued operation of the Project would result primarily from vehicular trips from trucks as well as employee personal vehicles to and from the site. The trips generated from the Project would be representative of a more efficient operation. Presently, truck access to the facilities in the Port (i.e., existing commercial squid offloading facilities) is limited, as several trucks are queued most days to enter the main entrance to the Port of Hueneme and also queued in the vicinity of the offloading facility within the Port complex. This increases the idling time for trucks to enter and dwell within the Port Hueneme, load the commercial squid, and then exit sufficiently. The Port exports to fisheries located in Oxnard, Watsonville, San Pedro, and Salinas. By relocating squid offloading to the Ventura Harbor, the Port of Hueneme can continue to refine its focus on goods movement. While the total number of truck trips associated with squid processing would remain the same with the project, the relocation serves to benefit the larger Southern California region by increasing overall good movement efficiency.

The Ventura Harbor is located less than two miles from US-101 and is more accessible to regional highways. In addition, many of the fish operators who currently offload at the Port, berth their vessels at Ventura Harbor. Relocating the Port's squid facilities to Ventura Harbor would have multiple benefits, including reducing truck trip lengths as a result of the shorter distance to US-101 from Ventura Harbor and also reducing boat trip lengths by keeping out and back boat trips at Ventura Harbor where many of the boats currently berth but also the reduction in operational GHGs from the reduced truck and boat trip lengths. Emissions of operational GHGs are shown in **Table 19**, **Project Greenhouse Gas Emissions**. As shown, the GHG emissions generated by the Project would be approximately 556.84 CO2e MTY.

Table 19
Proposed Project Greenhouse Gas Emissions

Emissions Source	Metric Tons of Carbon Dioxide Equivalent (per year)
Mobile Sources	725
Area Sources	0.19
Energy Sources	76.9
Water Sources	7.79
Waste Sources	15.6
Refrigerants	169
Total GHG Emissions	**995**

Emissions Source	Metric Tons of Carbon Dioxide Equivalent (per year)

*Source: Impact Sciences, Inc. See **Appendix A** for CalEEMod data.*

This quantified illustration of the Project's scope of GHG emissions is provided for informational purposes, and significance under CEQA is based on the Project's consistency with statewide and regional policies and plans to meet the state reduction goals (see below). Based on the discussion under GHG Checklist Question b, the Project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, and this impact is less than significant.

b) Less than Significant Impact.

Consistency With AB 32, SB 32, AB 1279 (Per 2022 Scoping Plan)

The Project is generally consistent with the goals of AB 32, SB 32, AB 1279, and the associated CARB Scoping Plans, which call for strategies to reduce Statewide GHG emissions. As discussed previously, Appendix D, Local Actions, of the 2022 Scoping Plan Update recommends that jurisdictions that want to take meaningful climate action aligned with the State's climate goals should look to the following three priority areas:

- transportation electrification,
- VMT reduction, and
- building decarbonization.

While the Project will not be including aspects relating to transportation electrification and building decarbonization, the Project will be reducing VMT and ensuring that new construction is built efficiently and consistent with the most current California Green Building Standards Code. The Project will ensure GHG emissions from these priority areas are reduced to the maximum extent applicable and feasible.

VMT Reduction. As discussed in **Section 17, Transportation/Traffic,** under CEQA, per guidelines issued by the Governor's Office of Planning and Research (OPR), a VMT analysis only covers passenger vehicle trips and excludes freight or heavy-duty truck travel. As stated in OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018): "Agencies should not analyze VMT resulting from goods movement (e.g., heavy-duty truck trips) as part of the transportation impact analysis." Therefore, and as demonstrated in Section 17, Transportation/Traffic, the Project's change in VMT from passenger cars would be limited to the relocation of employees from Port of Hueneme to Ventura Harbor. As a result, the Project's VMT would be neutral.

However, it is also important to note the larger context of the Project as it relates to efficiently moving goods throughout the region, which is a method of reducing overall vehicle miles traveled and related GHGs. The relocation of squid processing to Ventura Harbor allows for more landing capacity to remedy existing inefficiency in offloading. Currently, truck access to the facilities in the Port (i.e., existing commercial squid offloading facilities) is limited, as several trucks are queued most days to enter the main entrance to the Port of Hueneme and also queued in the vicinity of the offloading facility within the Port complex. This increases the idling time for trucks to enter and dwell within the Port Hueneme, load the commercial squid, and then exit sufficiently. By relocating squid offloading to the Ventura Harbor, the Port of Hueneme can continue to refine its focus on goods movement, providing a regional benefit. The Ventura Harbor is located less than two miles from US-101, while the Port of Hueneme is located approximately 9 miles from US 101 and is less accessible to regional highways. In addition, many of the fish operators who currently offload at the Port berth at Ventura Harbor. Relocating the Port's squid facilities to Ventura Harbor would have the dual benefit of reducing truck trip lengths as a result of the shorter distance to US-101 from Ventura Harbor and also reducing boat trip lengths by keeping out and back boat trips at Ventura Harbor where many of the boats currently berth. The Project would be consistent with this Scoping Plan strategy.

Consistency with SB 375 (Per Connect SoCal 2024 RTP/SCS)

As discussed above, the State of California has adopted plans and policies designed to reduce regional and local GHG emissions. SB 375 requires that each MPO prepare an SCS in the RTP that demonstrates how the region will meet greenhouse gas emissions targets. SB 375 establishes a collaborative relationship between MPOs and CARB to establish GHG emissions targets for each region in the state. Under the guidance of the goals and objectives adopted by SCAG's Regional Council, the RTP/SCS was developed to provide a blueprint to integrate land use and transportation strategies to help achieve a coordinated and balanced regional transportation system. The RTP/SCS represents the culmination of several years of work involving dozens of public agencies, 191 cities, hundreds of local, county, regional and state officials, the business community, environmental groups, as well as various nonprofit organizations. Adoption of the Connect SoCal 2024 RTP/SCS substantiated that the growth forecasts for the SCAG region, taking into account efforts to reduce climate change impacts from GHG emissions, were consistent with the goals of SB 375.

The primary goal of the RTP/SCS is to provide a vision for future growth in southern California that will decrease per capita GHG emissions from passenger vehicles. However, the strategies contained in the RTP/SCS will produce benefits for the region far beyond simply reducing GHG emissions. The RTP/SCS integrates the transportation network and related strategies with an overall land use pattern

that responds to projected growth, housing needs, changing demographics, and transportation demands.

While the RTP/SCS is focused largely on reducing GHG emissions from passenger vehicles, the Project achieves reduced truck trip lengths and boat trip lengths.

According to the VMT Analysis provided by CR Associates, with the relocation to the Ventura Port District, the employees traveling to the Project Site would generate 52 average daily trips (ADT). It is important to note that these trips are not entirely new. The average daily trips being "generated" by the Project are already taking place; the Project only changes these trips arriving at the Ventura Harbor. The total number of trips from the relocated employees would be less than the 110 average daily trips threshold for small projects established in the Office of Planning and Research's *Technical Advisory on Evaluating Transportation Impacts in CEQA*. Thus, the squid processing facility portion of the Project would result in less than significant impacts related to passenger vehicle VMT. Additionally, the reduction in travel from the Port of Hueneme to the Ventura Port District will lead to regional GHG reductions from boat travel and reduced truck trip lengths. Accordingly, the Project would be consistent with the assumptions and objectives identified in SCAG's Connect SoCal 2024 RTP/SCS.

Consistency with Local Actions

The 2022 Scoping Plan Update discusses the important role that local governments have in meeting the State's GHG reductions goals because local governments have jurisdiction and land use authority related to: community-scale planning and permitting processes, local codes and actions, outreach and education programs, and municipal operations.[124] Furthermore, local governments have the ability to incentivize renewable energy, energy efficiency, and water efficiency measures. As discussed in detail in Appendix D (Local Actions) of the 2022 Scoping Plan, local jurisdictions can do much to enable statewide priorities, such as taking local action to help the state develop the housing, transport systems, and other tools we all need. Indeed, state tools—such as the Cap-and-Trade Program or zero-emission vehicle programs—do not substitute for these local efforts. Multiple legal tools are open to local jurisdictions to support this approach, including development of a climate action plan (CAP), sustainability plan, or inclusion of a plan for reduction of GHG emissions and climate actions within a jurisdiction's general plan. Any of these can help to align zoning, permitting, and other local tools with climate action. This analysis relies on Project consistency with policies in the Ventura County 2040 General Plan/Climate Action Plan and the Port Hueneme 2045 General Plan/Climate Action Plan aimed

124 CARB. *2022 Scoping Plan for Achieving Carbon Neutrality*, 2022. Available online at: https://ww2.arb.ca.gov/sites/default/files/2022-12/2022-sp_1.pdf, accessed March 27, 2024.

at reducing greenhouse gas emissions. As shown in **Table 20, Project Consistency with Local Actions**, the Project would be consistent with goals and objectives related to reducing greenhouse gas emissions.

Table 20
Project Consistency with Local Actions

Goals, Objectives, and Policies	Consistency Analysis
Ventura County 2040 General Plan/Climate Action Plan	
Goal LU-11: To promote the development of mixed-use, commercial, and industrial uses in the areas that are appropriate for these uses.	
Objective LU-11.3: Design. The County shall require new commercial and industrial developments to be designed to be generally compact, grouped and consolidated into functional units providing for sufficient off-street parking and loading facilities, maximize pedestrian and vehicle safety, reduce vehicle miles traveled (VMT), encourage electric vehicle charging, and minimize the land use conflicts and traffic congestion. The County shall require that commercial and industrial discretionary development be designed to provide adequate buffering (e.g., walls, landscaping, setbacks) and operational conditions (e.g., hours of operation, and scheduling of deliveries) to minimize adverse impacts (e.g., noise, glare, and odors) on adjoining and adjacent residential areas.	**No Conflict.** All development for the Project will be designed to be consistent with Title 24, Part 6 of the California Code of Regulations as well as the most current CALGreen Code to ensure that the Project is designed to operate as efficiently as possible. Additionally, the Project will be reducing truck trips lengths as a result of the shorter distance to US-101 from Ventura Harbor and also reducing boat trip lengths by keeping out and back boat trips at Ventura Harbor where many of the boats currently berth.
Goal COS-10: To improve the long-term sustainability of the community through local efforts to reduce GHG emissions.	
Objective COS-10.2: Community Greenhouse Gas Emissions Reduction Target for 2030. The County shall work toward achieving a community-wide GHG emissions reduction target of 41 percent below 2015 levels by 2030.	**Consistent.** The Project will be designed and built to meet Title 24, Part 6 of the California Code of Regulations and CALGreen standards, resulting in more efficiently operated buildings. The Project contributes to the community-wide effort of achieving GHG emissions reduction by reducing the amount of truck and boat trip lengths.
Objective COS-10.3: Community Greenhouse Gas Emissions Reduction Goals for 2040 and 2050. The County shall work toward achieving longer-term, post-2030 community-wide GHG emissions reduction goals, as follows: • 61 percent below 2015 levels by 2040; and • 80 percent below 2015 levels by 2050.	
Objective COS-10.4: Greenhouse Gas Reductions in Existing and New Development. The County shall reduce GHG emissions in both existing and new development through a combination of measures included in the GHG Strategy, which includes new and modified regulations, financing, and incentive-based programs, community outreach and education programs, partnerships with local or regional agencies, and other related actions	
Port Hueneme 2045 General Plan / Climate Action Plan	
CAP Goal 1: Reduced greenhouse gas emissions from energy use in buildings.	**Consistent:** The Project will be designed and built to meet Title 24, Part 6 of the California Code of Regulations and the most current CALGreen standards, resulting in more efficiently operated buildings.
CAP Goal 2: Reduced greenhouse gas emissions from transportation.	**Consistent:** the Project will be reducing truck trips lengths as a result of the shorter distance to US-101 from Ventura Harbor and also reducing boat trip lengths by keeping out and back boat trips at Ventura Harbor where many of the boats currently berth. These reduction in trips would contribute to regional efforts to reduce greenhouse gas emissions from transportation.

Goals, Objectives, and Policies	Consistency Analysis

Source: County of Ventura, Ventura County 2040 General Plan/Climate Action Plan, 2020. Available online at: https://docs.vcrma.org/images/pdf/planning/plans/Final_2040_General_Plan_docs/Ventura_County_2040_General_Plan_web_link.pdf, accessed March 13, 2025

Summary of Consistency Analyses

As discussed above, the Project would be consistent with AB 32, SB 32, and AB 1279 (through demonstration of conformance with 2022 Scoping Plan), SB 375 (through demonstration of conformance with Connect SoCal 2024 RTP/SCS), and relevant components of the Ventura County 2040 General Plan/Climate Action Plan and the Port Hueneme 2045 General Plan/Climate Action Plan. Therefore, project-level and cumulative impacts with respect to GHG emissions would be less than significant.

9. HAZARDS & HAZARDOUS MATERIALS

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) 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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) 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?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

Regulatory Setting

Federal

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and Santa Clara County.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of property. Facilities that are required to participate in the CalARP program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The City of Santa Clara Fire Department reviews CalARP risk management plans as the Certified Unified Program Agency (CUPA).

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

State

California Coastal Commission Strategic Plan

The California Coastal Commission Final Strategic Plan (Strategic Plan) was prepared by the California Coastal Commission and adopted on November 6, 2020, for the year 2021 to 2025 period. The Strategic Plan balances the statewide and local interests and protects the state's coastal communities/municipalities by implementing a framework of goals and objectives that are expected to be met by the end of the 2021 to 2025 period. These goals and objectives of the Strategic Plan are intended to prioritize and guide

performance, and set agency direction. The Strategic Plan discusses all items that the Commission intends to complete within the next five years.

Hazardous Materials Release Notification Regulations

There are multiple state statutes and regulations that require the notification of a release involving hazardous materials. These statutes and regulation include, but are not limited to, the following:

- California Health and Safety Codes Sections 25270.8, and 25507;
- Vehicle Code Section 23112.5;
- Public Utilities Code Section 7673, (PUC General Orders #22-B, 161);
- Government Code Sections 51018, 8670.25.5 (a);
- Water Codes Sections 13271, 13272; and
- California Labor Code Section 6409.1 (b)10.

California Fire Code

The 2019 California Fire Code (CFC) (Title 24, Part 9 of the California Code of Regulations) is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. This includes regulations in the event of transport, use, and accidental release hazardous materials. Chapter 50 of the CFC outlines the general safety precautions for handling and transporting hazardous materials. Chapter 50 of the CFC also provides coordination standards between the development applicant and the regional/municipal/local fire protection agency.

Local

City of Ventura Emergency Operations Plan

The City of Ventura Emergency Operations Plan (EOP), provides the regulatory framework for the City's response to emergencies associated with natural disasters, including wildland fires. The EOP provides an overview of operational concepts, identifies components of the City's emergency management organization within the Standardized Emergency Management System (SEMS), National Incident Management System (NIMS), and describes the overall responsibilities of the federal, state, local entities

for protecting life and property and assuring the overall wellbeing of the population.[125] Additionally, the City of Ventura Police Department has established emergency evacuation routes for the City.[126]

City of Ventura General Plan Policies

The City of Ventura's General Plan includes policies that address the use and exposure of hazardous materials. These policies include, but are not limited to, the following:

Policy 7D: Minimize exposure to air pollution and hazardous substances.

City of Port Hueneme General Plan Policies

The City of Ventura's General Plan includes policies that address the use and exposure of hazardous materials. These policies include, but are not limited to, the following:

PSF 2-2: Ensure that new facilities involved with handling hazardous materials are located at a safe distance from other land uses that may be adversely affected by this activity, based on the fire code, California EPA regulations and other means.

City of Ventura Municipal Code

Chapter 12.115 (Building Standards) of the City of Ventura Municipal Code adopts the 2022 CBC by reference and amends the Code to require safety assessments for all new buildings. These safety assessments would be conducted by the City Engineer and Chief Building Official prior to operations to ensure structural integrity and safety.

Section 14.050.660, (Liability Unauthorized Release) of the City's Municipal Code requires that person responsible for work with the City and the City of Ventura Fire Department remediate effects of an unauthorized release.

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125 City of Ventura, *Emergency Operations Plan*, 2021. Available online at: https://www.cityofventura.ca.gov/DocumentCenter/View/26922/City-of-Ventura---Emergency-Operations-Plan---Public-Version-5-18-2021?bidId=, accessed February 23, 2025.

126 City of Ventura Police Department, *Emergency Evacuation Plan*. Available online at: https://www.cityofventura.ca.gov/2562/Emergency-Evacuation-Plan, accessed February 23, 2025.

City of Port Hueneme Municipal Code

Chapter 2 (California Building Code) the City of Port Hueneme Municipal Code adopts the 2022 CBC and states that all regulations related to building demolition under the 2022 CBC are applicable within the City's jurisdiction.

Existing Setting

Ventura Harbor and Port of Hueneme Site

Ventura Harbor and Port of Hueneme are located 4.1 miles north and 3.5 miles south, respectively from Oxnard Airport located at 2889 West 5th Street. Per CALFIRE's Fire Hazard Severity Zone (FHSZ) map. Additionally, the Ventura Harbor and Port of Hueneme locations are not located in a FHSZ.[127,128] At the Ventura Harbor, there are existing underground storage tanks located west of the existing Department of Interior Building.

Impacts

a) ***Less than Significant Impact.*** Construction activities would involve demolition only at Port Hueneme, and demolition, excavation, and building construction at Ventura Harbor. All hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with Section 1532.1, Title 8 of the CCR. Debris from demolition activities would be removed and transported to appropriate off-site landfills that are permitted to receive such waste. At the Ventura Harbor, all hazardous materials would be handled and stored in compliance with Section 14.050.660 of the City of Ventura's Municipal Code. In the event of a release of hazardous material the appropriate entity (either the Ventura Port District or the Oxnard Harbor District) would be required to notify the following State agencies under the following State statutes, respectively:

- Department of the California Highway Patrol: California Vehicle Code Section 23112.5;
- Office of Emergency Services and the California Public Utilities Commission: Public Utilities Code Section 7673, (PUC General Orders #22-B, 161);
- State Fire Marshal: Government Code Sections 51018
- Office Emergency Services: Water Codes Sections 13271, 13272; and

127 California Department of Forestry and Fire Protection, *Fire Hazard Severity Zones in SRA, Ventura County*, November 7, 2007.

128 California Department of Forestry and Fire Protection, *Very High Fire Severity Zone in LRA*, Ventura, October 6, 2010.

- Division of Occupational Safety and Health (Cal/OSHA): California Labor Code Section 6409.1 (b)10.
- Compliance with these regulations would reduce construction impacts to less than significant levels.

At the Ventura Harbor, the Project would minimally expand the existing commercial squid processing, facility by increasing the number of loading platforms and bays, therefore increasing the number of trucks that can be present on-site. However, trucks would be limited to the transport of squid, ice and, empty tote bins, none of which are considered hazardous materials. As no new operations would occur at the Port of Hueneme site, there is no potential for hazardous materials release at the Port of Hueneme location.

In addition, the Project would be subject to compliance with existing regulations, standards, and guidelines established by the U.S. Environmental Protection Agency (EPA), State, and the Ventura County related to the transport, use, and disposal of hazardous materials. The Project is subject to compliance with the existing hazardous materials regulations, which are codified in California Code of Regulations Titles 8, 22, and 26, and their enabling legislations set forth in Health and Safety Code Chapter 6.95 as well as California Code of Regulations Title 49. Both the Federal and State governments require any business, where the transport, use, or disposal of a regulated substance exceeds the specified threshold quantity, to register with the County and prepare a Risk Management Plan. The Risk Management Plan must contain an off-site consequence analysis, a five-year accident history, an accident prevention program, an emergency response program, and a certification of the truth and accuracy of the submitted information. These businesses would be required to submit their plans to the Certified Unified Program Agency (CUPA) (County of Ventura Resource Management Agency) which would make the plans available to emergency response personnel.[129] Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. Impacts regarding the routine transport, use, or disposal of hazardous materials would be less than significant.

b) Less than Significant Impact. Construction equipment utilized during construction activities associated with the Project could result in accidental release of hazardous substances such as petroleum-based fuels or hydraulic fluid used for construction equipment. However, the level of risk

129 County of Ventura Resource Management Agency, Certified Unified Program Agency. Available online at: https://vcrma.org/divisions/environmental-health/cupa-certified-unified-program-agency/

associated with this type of accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction.

According to the State Water Resources Control Board (SWRCB), at Ventura Harbor, one leaking underground storage tank (LUST) case occurred, contaminating the shallow groundwater.[130] The LUST was located on-site, just southwest of the existing Department of Interior building.[131] However, the level of this impact was reported to be minimal and remedial action was taken.[132] The LUST was subsequently plugged from further function, and the case was closed in September of 2009. Furthermore, the Project would not involve any ground disturbing activities within or near the location of the LUST. As such, an accidental release of hazardous materials during Project construction is not anticipated. Ventura Harbor also maintains underground fuel storage tanks and connecting pipelines to the fuel pier. While the tanks are within the project site, they are not located in the proposed construction area.

The Project aims to improve the efficiency of the offloading and processing of squid catch by constructing additional support services, such as upgraded pipelines, aboveground tanks for squid water, and dewatering stations. Similar to existing conditions, the Project requires the handling of stick water which is considered a hazardous substance due to high levels of ammonia. After squid are offloaded onshore, the stick water and other leftover wastewater from offloading are stored in a boat's hull. Proper disposal of the wastewater requires that it be released at least three nautical miles offshore. Accordingly, Ventura Harbor would continue to follow the best practices and standards for the proper handling of stick water that are used during existing operations.

The Project would also involve the demolition of the existing commercial fish building, reconstruction of a new building (that will provide public fish markets, office space, restrooms, and kitchen space for Andria's Seafood) , two new truck loading platforms that would increase truck access, processing capacity, and speed loading times.. These uses would not directly use hazardous materials and long-term operations of the Project are not likely to result in an accidental release of hazardous materials. Further, the Project would implement standard practices to ensure accidents do not occur. These practices include compliance with Section 14.050.660 of the City's *Municipal Code*, best practices implemented by the Ventura Port District, and compliance with the CBC. All hazardous materials

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130 State Water Resources Control Board, *Geotracker.* Available online at: h https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0611193027, accessed January 8, 2025.

131 *Ibid.*

132 Ventura County Resource Management Agency. Remedial Action Completion Certificate. Available online at: https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/7006016373/09-dbw-00004.clo.pdf, accessed March 11, 2025.

would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations and would not pose significant hazards to the public or the environment. Therefore, accidents involving the release of hazardous materials impacts related to the transport, use, or disposal of hazardous materials use would be less than significant.

c) ***No Impact***. 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. At the Ventura Harbor, the closest school is Pierpont Elementary School, located approximately 1.31 miles northwest of the Project Site. At Port Hueneme, the closest school to the site is the Richard Bard Elementary, located approximately 1.15 miles northeast. Additionally, there are no planned public schools within a 0.25-mile distance from either site.[133] As such, no impact would occur.

d) ***Less than Significant Impact***. Government Code §65962.5 requires the Department of Toxic Substances Control (DTSC), the State Department of Health Services, the SWRCB, and the California Integrated Waste Management Board to compile and annually update lists of hazardous waste sites and land designated as hazardous waste property throughout the state. At the Port of Hueneme site, the Project Site is not listed pursuant to Government Code §65962.5.[134] At the Ventura Harbor, the Project Site was identified by the SWRCB to have one reported incident of a leaking underground storage tank (LUST) that closed in September of 2009. However, DTSC confirmed that the case is closed.[135] As such, impacts would be less than significant.

e) ***No Impact***. Neither site is located within an airport land use plan and there are no public or private airports or airstrips within two miles of either Ventura Harbor or Port Hueneme. The closest airport to either site is the Oxnard Airport, located approximately 4.1 miles south of Ventura Harbor and 3.5 miles north of Port Hueneme. Therefore, no impacts would occur.

f) ***Less than Significant Impact.*** The Project would involve the demolition of an existing structure at the Port of Hueneme and the demolition of the existing commercial fish building, reconstruction of a new building, two new truck loading platforms at Ventura Harbor Project improvements are limited to

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133 Ventura Unified School District, *2023-24 Local Control and Accountability Plan*, Available online at: https://oycr.ca.gov/wp-content/uploads/sites/346/2024/07/Ventura-LCFF-Budget-Overview-for-Parents-.pdf, accessed March 11, 2025.

134 Department of Toxic Substances Control, Envirostor. Available online at: https://www.envirostor.dtsc.ca.gov/public/map/?global_id=60003038, accessed March 11, 2025.

135 State of Water Resources Control Board. Geotracker- 1431 Spinnaker Dr Ventura, CA 93001. Available online at: https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0611193027, accessed March 11, 2025.

landside. The Project is not located within close proximity to an existing evacuation route as designated by the EOP. At the Port of Hueneme, the closest evacuation routes to the site are North Ventura Road northbound, located approximately one mile northeast, and East Pleasant Vallery Road eastbound, located approximately 1.9 miles northeast.[136] Construction activities would not block existing driveways and emergency routes. As such, construction activities would not conflict with the planned emergency operations outlined in the EOP and Port of Hueneme 2020 Strategic Plan. Therefore, the Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant.

g) No Impact. Neither Ventura Harbor nor Port of Hueneme is located in a wildland fire hazard zone.[137] Both sites are highly urbanized and operate as port related facilities. Thus, the Project would not expose persons or structures to wildfire hazard risks. No impact would occur, and no further analysis is necessary.

136 City of Port Hueneme, Tsunami-How to Survive the Hazards on the California Coast. Available online at: https://www.ci.port-hueneme.ca.us/DocumentCenter/View/1200/tsunami-1?bidId=#:~:text=People%20in%20the%20Port%20of,Hueneme%20Road%20to%20Wood%20Road.&text=%E2%80%A2-,Turn%20left%20and%20proceed%20on%20Wood%20Road.,Valley%20Road%20and%20turn%20left, accessed April 21, 2025.

137 California Department of Forestry and Fire Protection, Very High Fire Severity Zone in LRA, Ventura, October 6, 2010

10. HYDROLOGY & WATER QUALITY

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	☐
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☒	☐	☒	☐

Regulatory Setting

Federal

Clean Water Act

The Clean Water Act (CWA) is the principal law governing pollution of the nation's surface waters. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations. Section 401 of the CWA requires states to certify that any activity subject to a permit issued by a federal agency, such as the United States Army Corps of Engineers (USACE), meets all state water quality standards. Section 402 of the CWA details the acceptable permits for activities that form the discharge of pollutants on an industry basis. The CWA also provides the regulatory and legal framework for several water quality regulations: including the National Pollutant Discharge Elimination System (NPDES). Section 404 of the CWA regulates navigable waters where fill material (discharge) is proposed below the ordinary high water mark Section 404 prohibits the discharge of dredged or fill materials into Waters of the United States or adjacent wetlands without a permit from the USACE.

National Pollutant Discharge Elimination System

NPDES is the federal permitting program for discharge of pollutants into surface waters of the United States under CWA Section 402. Industrial and point source discharges must obtain NPDES permits from the Regional Water Quality Control Board of its jurisdiction. Proposed NPDES stormwater regulations expand this existing national program to smaller municipalities with populations of 10,000 persons or more and construction sites that disturb more than one acre.

Rivers and Harbors Act

The Rivers and Harbor Act is the initial authority for the USACE regulatory permit program to protect navigable waters in the development of harbors and other construction and excavation. Section 10 of the Rivers and Harbor Act requires all harbor waterways to be subject to USACE jurisdiction.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify

Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

Coastal Zone Management Act

The Coastal Zone Management Act (CZMA) of 1972 is a federal law that encourages coastal states to develop and implement coastal zone management programs to preserve, protect, develop, and, where possible, restore the resources of the coastal zone. It is administered by the National Oceanic and Atmospheric Administration (NOAA) through its Office for Coastal Management. Participation by states is voluntary, but those that do participate must create a management plan that balances environmental protection with economic development. The act promotes coordination between federal, state, and local governments to manage land and water use in coastal areas. Within the designated Coastal Zone Boundary, future development must comply with the approved state coastal management program, which often includes policies to protect natural resources, minimize environmental impacts, and address public access. Federal activities that affect the coastal zone must be consistent with the enforceable policies of the state's approved plan. Additionally, states may review and regulate private development projects within the zone to ensure they align with long-term conservation and development goals.

Ocean Dumping Act

The Ocean Dumping Act (formally part of the Marine Protection, Research, and Sanctuaries Act) regulates the disposal of materials into ocean waters to prevent marine pollution. It requires individuals or entities to obtain a permit from the EPA (or the Army Corps of Engineers for dredged materials) before dumping any material, including industrial waste, into U.S. ocean waters. Permits must specify the type, amount, and location of materials, include conditions to protect the environment, and are valid for up to 7 years. Permits for industrial waste dumping must meet strict environmental criteria and may be denied if the material poses a threat to human health or the marine ecosystem. The EPA may issue general permits for materials with minimal environmental impact, but industrial waste typically requires a specific permit with detailed review. Permit holders must follow reporting and monitoring requirements, and all permit decisions and related information are publicly available. Permits can be revised, revoked, or denied based on environmental monitoring, and a copy must be displayed on the vessel conducting the dumping.

State

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI)

and Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction. The CGP includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges. Additionally, the CGP requires the installation and maintenance of BMPs to protect water quality until the site is stabilized. As such, the Project will disturb more than one acre of soil and would be subject to the CGP.

California Building Code

The 2022 California Building Code outlines development requirements for tsunami loads, ensuring structures can withstand forces associated with tsunami events. These provisions aim to mitigate risks and protect occupants by promoting resilient building practices in vulnerable coastal zones.

Regional and Local

Los Angeles Regional Water Quality Control Board

The City of Ventura is within the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWQCB). The LARWQCB develops and enforces water quality objectives and implementation plans that safeguard the quality of water resources in its region. Duties include "basin plans" for its hydrologic area, issuing waste discharge requirements, taking enforcement action against violators, and monitoring water quality. In this case, the LARWQCB adopted the *Basin Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan) in 2014.

On September 11, 2021, the LARWQCB adopted a new regional permit, Order R4-2021-0105 As of its effective date, September 11, 2021, the regional permit supersedes the three Orders that covered the Permittees in the region: R4-2010-0108 (Ventura County), R4-2012-0175 (Los Angeles County except for the City of Long Beach), and R4-2014-0024 (City of Long Beach). Many decisions and actions are required of the permittees in the first 30 months following the Permit effective date. Key actions among them are deciding whether to implement a Watershed Management Program, Monitoring Program coordination, and filing the corresponding Notices of Intent.[138] The regional permit also outlines the waste discharge requirements for the municipal separate storm sewer system (MS4) discharges within participating City's jurisdictional boundaries.

138 Ventura Countywide Stormwater Management Quality Program, "Our MS4 Permit." Available online at: https://www.vcstormwater.org/regulations/our-ms4-permit, accessed February 23, 2025.

Ventura County Local Coastal Program

The Ventura County Local Coastal Program (LCP) is a planning tool developed under the California Coastal Act to guide land use and development within the county's designated Coastal Zone. It consists of a Land Use Plan (LUP) and an Implementation Plan (IP), both certified by the California Coastal Commission. The LCP aims to protect coastal resources, ensure public access, preserve scenic and environmentally sensitive areas, and manage coastal hazards. Future development within the Coastal Zone must comply with the LCP's policies, including avoiding impacts to environmentally sensitive habitat areas (ESHA), maintaining public coastal access, and minimizing visual and environmental impacts.

City of Ventura Urban Water Management Plan

The *2020 Urban Water Management Plan for the City of Buenaventura* (UWMP) addresses the current and projected supply and demand for potable water in the City of Ventura. According to the *UWMP*, multiple resources are utilized for the City's water system.[139] These resources include, but are not limited to, the Mound Groundwater Basin, the Oxnard Plain Groundwater Basin, and the Santa Paula Groundwater Basin.

Port Hueneme Water Agency Urban Water Management Plan

The Port Hueneme Water Agency 2020 Urban Water Management Plan (PHWA Plan) addresses the current and projected supply and demand for potable water in the City of Port Hueneme. According to the PHWA Plan, multiple resources are utilized for the City's water system.[140] These resources include, but are not limited to, the Pleasant Valley Groundwater Basin, the Oxnard Plain Groundwater Basin, and the Calleguas Municipal Water District (CMWD).

Port of Hueneme 2020 Strategic Plan

The Port of Hueneme 2020 Strategic Plan highlights environmental stewardship as a core priority, with a strong focus on preventing water pollution. It promotes the use of best management practices (BMPs) to minimize runoff and contaminants entering the harbor waters. The Plan emphasizes infrastructure upgrades such as improved stormwater systems and containment measures to reduce the risk of pollutants from cargo operations, vessels, and surrounding facilities. It supports regular environmental monitoring

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139 City of Ventura Water, *2020 Urban Water Management Plan for the City of Buenaventura.* Available online at: https://www.cityofventura.ca.gov/DocumentCenter/View/27446/2020-Draft-Urban-Water-Management-Plan-Main-Text, accessed February 23, 2025.

140 Port Hueneme Water Agency, *Port Hueneme Water Agency 2020 Urban Water Management Plan*. Available online at: https://www.ci.port-hueneme.ca.us/DocumentCenter/View/4259/MKN-Port-Hueneme-Water-Agency-UWMP-2020-Final?bidId=, accessed February 23, 2025.

and compliance with state and federal water quality regulations to ensure accountability. The Port also partners with environmental agencies and local stakeholders to implement innovative pollution prevention strategies. Educational outreach and training for port tenants and employees are key components to maintaining clean water practices. Overall, the Strategic Plan integrates water pollution prevention into its broader sustainability goals, aiming to protect marine ecosystems while supporting economic growth.

City of Ventura Municipal Code

Chapter 8.6 (Stormwater Quality Management) of the City's *Municipal Code* establishes stormwater management practices or technical requirements for existing and/or new development within the City. The Chapter requires that all construction activity including clearing, grading or excavation that requires a grading permit will be undertaken in accordance with regional, state, and federal regulatory requirements (i.e., LARWQCB, NPDES).

Chapter 24.320 (Floodplain Overlay Zone) of the City's Municipal Code requires all development projects located within the City's and County's Floodplain Overlay zone to obtain a floodplain overlay zone development permit from the City's Public Works Department prior to construction.

City of Port Hueneme Municipal Code

Chapter 6 (Stormwater Quality Management) of the City of Port Hueneme's Municipal Code implements the CWA, Sections 1251—1387 and the California Water Code by prohibiting the discharge of any pollutant in the City to waters of the United States from a point source unless the discharge is authorized by a permit issued pursuant to the NPDES required by the CWA. Section 7453 (Control of pollutants from sites of industrial and construction activity) outlines the requirements for construction activities at industrial sites that may result in runoff that violates local, regional, and federal water quality standards.

Article VI (Public Works Standards, Permitting, and Public Streets), specifically Chapter 3 (Floodplain Management) of the City's Municipal Code outlines the City's stormwater management requirements. Specifically, it requires development projects impacting less than one acre of land to implement measures to control erosion, sedimentation, and the discharge of pollutants into the stormwater system.

Existing Setting

The Ventura Harbor is situated in Pierpont Bay, just north of the mouth of the Santa Clara River and within the Santa Clara Valley Mound Groundwater Basin.[141] No groundwater monitoring wells are on-site or

[141] California Department of Water Resources, *SGMA Basin Prioritization Dashboard*, Available online at: https://gis.water.ca.gov/app/bp-dashboard/final/, accessed February 23, 2025.

within 0.5-mile radius from the Ventura Harbor site.[142] According to the FEMA's Flood Map, Ventura Harbor is located within FEMA flood panel 06111C0882F which is outside of a 100 year flood.[143] The Ventura Harbor is located within the potential dam inundation area for the Bouquet Dam.[144]

The Port of Hueneme Harbor is located between Point Mugu and the mouth of the Santa Clara River. According to FEMA's Flood Map the Port of Hueneme site is located outside of a 100-year flood.[145] The Port of Hueneme site is also located within a tsunami inundation area.[146]

Both the Ventura Harbor and Port of Hueneme site are located within the County's Floodplain Overlay Zona and Coastal Protection Overlay Zone.[147] [148]Additionally, both locations are located within a Tsunami Risk Area.[149]

Impacts

a) Less than Significant Impact. Both Ventura Harbor and Port of Hueneme are currently developed with the existing facilities. At the Port Hueneme, the Project would demolish the existing facility and involve nominal grading and paving activities, no future uses are planned at this time. Demolition activities would result in stormwater runoff of contaminants that commonly impact the Port, such as sediments,

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142 United States Geological Survey, *National Water Information System*. Available online at: https://maps.waterdata.usgs.gov/mapper/index.html, accessed February 23, 2025.

143 Federal Emergency Management Agency, *Flood Map Service Center*. Available online at: https://msc.fema.gov/arcgis/rest/directories/arcgisjobs/nfhl_print/mscprintb_gpserver/j0ac0fe8890594262bcc95f0469a0d04c/scratch/FIRMETTE_c4d4cae2-f89a-4426-be3c-9a7c4e91adda.pdf, accessed February 23, 2025.

144 City of Ventura, *2005 General Plan EIR.* Available online at: https://www.cityofventura.ca.gov/DocumentCenter/View/2303/Final-EIR-for-the-2005-General-Plan-PDF?bidId=, accessed February 23, 2025.

145 Federal Emergency Management Agency, *Flood Zones*, Available online at: https://www.fema.gov/glossary/flood-zones, accessed February 23, 2025.

146 City of Port Hueneme, *City of Port Hueneme General Plan Environmental Impact Report*, September 2021. Available online at: https://www.ci.port-hueneme.ca.us/DocumentCenter/View/4549/City-of-Port-Hueneme-General-Plan-Update-EIR-FEIR-September-2021?bidId=, accessed March 31, 2025.

147 Ventura County Resource Management Agency. Ventura County Coastal Zone Boundary. Available online at: https://rma.venturacounty.gov/wp-content/uploads/2024/03/ventura-county-coastal-zone-boundary.pdf, accessed April 14, 2025.

148 Ventura County Public Works, "Be Flood Ready- How are Flood Hazard Zones determined?" Available online at: https://floodinfo.venturacounty.gov/be-flood-ready/, accessed April 14, 2025.

149 California Department of Conservation. "Tsunami Hazard Area Map." Available online at: https://maps.conservation.ca.gov/cgs/informationwarehouse/ts_evacuation/?extent=-13303277.1474%2C4018728.3473%2C-13239834.4139%2C4088744.6652%2C102100&utm_source=cgs+active&utm_content=ventura#data_s=id%3AdataSource_3-1918f9f263a-layer-15%3A28, accessed April 14, 2025.

nutrients (nitrates and phosphates), and toxic substances (heavy metals).[150] As a special district, the Port of Hueneme maintains coverage under a California General Permit for stormwater. As the site is less than one acre, the Project would be subject to the requirements of the Port's Stormwater Pollution Prevention Plan (SWPPP) which outlines BMPs to minimize potential water quality impacts from demolition debris. These BMPs could include, but are not limited to:

- Silt fences;
- Site sweeping; and
- Solid waste management practices

The Project would also be compliant with Chapter 3 (Floodplain Management) of the City's Municipal Code.

At the Ventura Harbor, the Project would involve the demolition of the existing commercial fish building, as well as excavation and grading activities on-site. The Project would also include addition and replacement of landside pipelines and vacuum pumps. Because the Project would disturb more than one acre, the Project Applicant would be required to comply with NPDES and LARWQCB requirements and apply for a CGP. The Project would also prepare a Stormwater Pollution Prevention Plan (SWPPP) to mitigate the potential effects of erosion and the potential for sedimentation and other pollutants entering the stormwater system during construction. In accordance with the CGP requirements, the Project would incorporate structural and non-structural BMPs (e.g., filtration devices), that intercept stormwater and prevent pollutants from discharging into the storm drain system. The Project Applicant would accordingly be subject to the requirements of the Ventura County MS4 permit, which establishes limits for the concentration of contaminants entering the storm drain system and requires BMPs to be implemented to further reduce stormwater pollution and runoff from construction activities. Applicable BMPs for the Project may include the following:

- No debris, soil, construction materials, concrete wash water, fluids, etc. shall be placed where they may be washed by rainfall or runoff into the Harbor.

- Litter shall be picked up and removed from the site daily. Trash receptacles should be fully covered and emptied regularly.

- Harbor water may not be used for any construction activity (e.g., dust control and concrete mix).

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150 Oxnard Harbor District, *Port of Hueneme Environmental Management Framework Strategic Implementation Plans*, 2013. Available online at: https://www.portofhueneme.org/wp-content/uploads/2024/02/POH_E2_Framework_2015.pdf, accessed March 19, 2025.

- Stationary equipment (motors, pumps, generators, welders) located adjacent to the Harbor must be positioned over drip pans.
- Oil absorbent pads must be onsite at all times in case of a spill. Spills shall be cleaned up immediately.
- Equipment and vehicles should be regularly checked and properly maintained to prevent leaks.
- Staging, storage, fueling, and maintenance of equipment/vehicles shall occur as far away as possible from the Harbor water.
- Stockpiles must be covered during construction.

The Project would also continue to collect and discharge stick water into the Pacific Ocean, a minimum of three nautical miles offshore. As is the case in current conditions, any discharges require adherence to Section 1414b of Ocean Dumping Act, appropriate permits from the EPA are required for industrial discharge into the Pacific Ocean.

The Project would result in an increase in trucks at the Ventura Harbor site as such, long-term operations would have the potential for impacting drainage systems due to an increase in pollutants in stormwater runoff (heavy metals, nutrients, and refuse). As such, the Project would comply with Order R4-2021-0105 and prepare a project-specific Water Quality Management Plan (WQMP). The WQMP would identify structural and non-structural BMPs to minimize potential water quality issues related to low impact development (LID), hydromodification, identification of receiving waters, which would include but not be limited to, revegetation to stabilize disturbed soils, grading design that increases stormwater retention and infiltration, and maintenance programs to remove trash, debris, and waste. The proposed BMPs identified would also comply with all applicable requirements outlined in Chapter 8.6 (Stormwater Quality Management) of the City's Municipal Code. Compliance with applicable laws and regulations, including preparation of a project-specific WQMP, and implementation of recommended BMPs, would ensure long-term water quality impacts would be less than significant.

b) Less the Significant Impact. As discussed above, Ventura Harbor is located above a groundwater basin. However, the Project would not install any groundwater wells, nor would it require the use of groundwater and would not otherwise directly withdraw any groundwater. Similar to existing conditions, the Project would include dewatering stations to process "stick water" as squid are offloaded. However, groundwater would not be used for these activities. Because activities at the Port of Hueneme site would be limited to demolition, there would be no need for groundwater use. Thus,

the Project would not substantially deplete groundwater supply, nor would the Project interfere with groundwater recharge. Impacts would be less than significant.

c)

i) Less than Significant Impact. Construction activities within the Ventura Harbor would involve soil disturbance as a result of excavating, grading, and trenching. This would result in soil exposure which could lead to mobilization by rainfall/runoff and/or wind. Thus, Project-related construction activities could increase on-site erosion and siltation.

As discussed above, the Project would comply with the regulations outlined by the LARWQCB's CGP and the County's MS4 pertaining to impacts to the water quality surface waters. Specifically, the Project would prepare a SWPPP and select and implement BMPs to adequately offset the increase in erosion and sedimentation caused by the Project. BMPs would be included based on Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT). Adherence to these regulations at both locations, would reduce erosion and siltation impacts to less than significant levels.

ii, iii, iv) Less than Significant Impact. Both the Port of Hueneme and Ventura Harbor are generally flat and are located within urbanized areas. According to FEMA, both the Port of Hueneme site and Ventura Harbor are subject to inundation by a 100-year flood. Additionally, the Ventura Harbor site is located within a dam inundation area and the Port of Hueneme site is located in a tsunami inundation area.

As discussed, Project-related construction activities would contribute to the existing stormwater runoff on-site and off-site. Contribution to existing runoff at the Port of Hueneme would be limited to demolition of already impervious surfaces, no material change in runoff is anticipated. Any temporary change the existing drainage patterns on site that could result in on or off-site flooding would be addressed through implementation of the applicable BMPs suggested in the SWPPP to minimize runoff.

At Ventura Harbor, construction activities would have the potential to the increase runoff due to more intense activities and its location within a inundation area. However, none of the proposed improvements would change the existing drainage patterns on site that could result in on or off site flooding. Any increase in runoff would be temporary in nature and cease upon completion of construction activities. The Project would also comply with NPDES and LARWQCB requirements and apply for a CGP permit and apply applicable BMPs (i.e., biofiltration retentions) that would reduce the amount of run-off generated. Additionally, the Project would be required to adhere to

Chapter 24.320 and obtain a floodplain overlay zone development permit from the City's Public Works Department prior to construction. The Project would also require zoning approval from the City's Planning Department. Therefore, the Project would not 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 on- or off-site. Less than significant impacts would occur.

d) Less than Significant Impact. The topography of the Ventura Harbor site and Port of Hueneme site are relatively flat and would not be susceptible to mudslides or mudflows. However, due to its location, both sites are at risk for tsunami and dam inundation. Therefore, Project activities at both the Ventura Harbor site and Port of Hueneme site could release pollutants due to inundation. The Project would comply with federal, state and regional regulation pertaining to pollution control, such as obtaining a CGP and the preparation of an SWPPP that addresses stormwater pollution risks as a result of tsunami and dam inundation. At the Port of Hueneme site, the Project would also comply with the PSWPP and implement BMPs to minimize pollution from demolition debris. Adherence to these regulations would reduce the Project's impact to inundation to less than significant levels.

e) Less than Significant Impact. As discussed above, the project would comply with all applicable NPDES and RWQCB requirements. Accordingly, the Project is not anticipated to substantially contribute to water quality impairments that could conflict with the Basin Plan. The Project does not include the direct use of groundwater. Therefore, the Project would not conflict with or obstruct implementation of water quality plan or groundwater management plan. Less than significant impacts would occur.

11. LAND USE AND PLANNING

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Regulatory Setting

State

California Coastal Act

The California Coastal Act of 1976 (Coastal Act) was created to: (1) protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; (2) assure orderly, balanced utilization and conservation of coastal zone resources taking into account social and economic needs; (3) maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners; (4) assure priority for coastal-dependent and coastal-related development over other development on the coast; and (5) encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone. The Coastal Act requires all cities located within the Coastal Zone to adopt a Local Coastal Program (LCP). The LCP is used by cities to regulate local land uses and development in a manner that is consistent with the goals of the Coastal Act. Specifically, LCPs identify the location, type, densities, and other land use policies for future development within the Coastal Zone of a City or jurisdiction.

California Coastal Commission

The California Coastal Commission was established by voter initiative in 1972 (Proposition 20) and later made permanent by the Legislature through adoption of the Coastal Act. The mission of the Coastal Commission is to protect, conserve, restore, and enhance environmental and human-based resources of the

California coast and ocean for environmentally sustainable and prudent use by current and future generations.

In coordination with coastal cities and counties, the Coastal Commission plans and regulates the use of land and water within the "Coastal Zone." The Coastal Zone includes all offshore islands and extends approximately three miles offshore. Development activities that generally require a coastal permit from either the Coastal Commission or the local government include the proposed construction of buildings, division of land, and activities that propose to change either the intensity of a land use or public access to coastal waters.

Local

Ventura General Plan Policies

The City of Ventura's *General Plan* includes policies pertaining to land use that are applicable to the Project. These policies include, but are not the following:

Policy 3A: Sustain and complement cherished community characteristics.

Policy 3E: Ensure the appropriateness of urban form through modified development review.

Port Hueneme General Plan Policies

The City of Port Hueneme's *General Plan* includes policies pertaining to land use that are applicable to the Project. These policies include, but are not the following:

Policy LU1-1: Encourage development of new uses that complement, rather than compete, with existing uses.

City of Ventura Municipal Code-Zoning Designation

The Ventura Harbor site is zoned-Harbor Commercial (H-C). According to Chapter 24.238 (H-C Harbor Commercial) of the City's *Municipal Code*, the Harbor Commercial zoning is primarily designed to provide an area in which coastal dependent, coastal-related, recreational, visitor serving, recreational boating, and commercial fishing facilities are emphasized and located to function safely, efficiently, and harmoniously. Uses under the Harbor Commercial Zone are also intended to provide visitor and recreational facilities serving low and moderate-income persons. Permitted uses include, but are not limited to, community meeting, dining establishments, and boating and harbor activities (i.e., boat building or repair, commercial boating, and boat slips). Sections 24.238.060 (Standards-Height), and 24.238.070 (Standards Density), and

24.238.080 (Standards-Setbacks) regulate the building height and front/rear/yard setbacks, respectively, for H-C zones.

City of Port Hueneme Municipal Code-Zoning Designation

The Port of Hueneme site is zoned Port-Related Uses by the City of Port Hueneme. According to Chapter 4 (Zoning Classification) the City's *Municipal Code*, the Port-Related Uses zone is intended for property contiguous to the Port Hueneme. Permitted uses are limited to coastal-related/coastal-dependent development.

Existing Setting

Ventura Harbor Site

At Ventura Harbor the site is located within Parcels 3A3, 3A, and B and contains multiple separate buildings and structures. The site primarily consists of the existing commercial fishing facility associated harbor docks, associated surface parking spaces, and a building owned by the U.S. Department of Interior (US DOI). The site is located within the Coastal Zone for the City of Ventura and is designated Commerce and zoned Harbor Commercial. The Commerce land use designation and the Harbor Commercial zoning continue to the east and west comprising the entire Marina. Land uses to the south , across Spinnaker Drive are designated by the General Plan as Park and Open Spaces and zoned by the City as Parks and are in use as a recreational trail.

Port of Hueneme Site

The Port of Hueneme site is located within the southwest corner of the Port. The site is limited to the existing open-structured squid offloading and carrying deck, as well as an icehouse. Surrounding uses to the north, east, and south are primarily supporting facilities for the Port. The Pacific Ocean is located west of the site.

Impacts

a) ***No Impact.*** The proposed Project would not result in impacts related to the division of an established community. Rather, the Project would serve the community and the region overall by consolidating offloading and transporting process of commercial squid in Port of Hueneme to the Ventura Harbor. The Project would not introduce any new uses that could physically divide an established community, such as constructing a major highways/roadway, storm channel, bridge, or utility transmissions. Therefore, no impact would occur.

b) Less than Significant Impact. Listed below are all applicable land use plans, policies, and regulations for the Project.

City of Ventura

In the Ventura Harbor, the Project would demolish the existing truck loading platform used to offload squid catch and construct two new truck loading platforms that would increase the capacity for squid processing at the site. The Project would reconstruct the existing commercial fish building on-site with the same uses as the existing building (i.e., fish market, restaurant). The Project would not introduce new land uses or alter the existing character of the site, as it would be a continuation of existing uses. In addition, the Project would be required to meet the City's development and design standards. Accordingly, the Project would be consistent with Policies 3A and 3E of the City's General Plan. Additionally, per Chapter 24.238 of the *Municipal Code*, the proposed improvements are permitted uses for Harbor Commercial zones. The Project would also be consistent with the relevant development standards outlined in Sections 24.238.060 through Sections 24.238.080 of the City's Municipal Code.

City of Port Hueneme

The Project would not alter the existing land uses on-site, nor would the Project introduce new land uses on-site. At Port Hueneme, the Project would demolish an existing offloading facility, once demolished, the site would be paved. No other changes would occur and no new construction would take place. As such, the Project would be consistent with the Policy LU1-1: of the Port Hueneme General Plan, as it would not introduce new development that would not complement its surrounding uses.

California Coastal Act

As discussed below, both sites are located within the coastal zone. The Port Hueneme Local Coastal Program outlines the same policies as the California Coastal Act. Accordingly, **Table 21**, **Project Consistency with the Applicable California Coastal Act Policies,** details the Project's consistency with applicable policies of the Coastal Act for the purpose of avoiding and/or mitigating an environmental impact.

Table 21
Project Consistency with the Applicable California Coastal Act Policies

California Coastal Act Component	Project Consistency Analysis
Article 2, Public Access: Article 2 coastal access policies include, but are not limited to, the following: (1) Access must be provided to coastal resources (Section 30210); (2) New development shall not interfere with existing public access to coastal resources (Section 30211); and (3) Public access shall be provided in specific situations involving new development between the nearest public roadway and the shoreline (Section 30212).	**Consistent.** The Project would preserve the existing driveways located along Spinnaker Drive. The Project would not limit or interfere with existing public access to coastal resources or waterside recreational facilities.
Article 4, Marine Environment: Article 4 of the Coastal Act is designed to maintain, enhance, and restore marine resources. More specifically, Article 4 includes, but is not limited to, policies intended to achieve the following: (1) Maintenance of the biological productivity and quality of coastal waters, streams, wetlands, estuaries, and lakes (Section 30231); and (2) Protection of commercial fishing and recreational boating facilities (Section 30234).	**Consistent.** The purpose of the Project is to increase the efficiency of the commercial fishing in Ventura County by consolidating squid offloading at the Ventura Harbor. Therefore, the Project would be consistent with this policy.
Article 5, Land Resources, Development, and Industrial **Development:** Article 5 of the Coastal Act applies to development and local regulatory actions that involve environmentally sensitive habitat (Section 30240), the maintenance or conversion of agricultural lands (Section 30241-30243), and archaeological or paleontological resources (Section 30244).	**Consistent.** The Project would not involve the conversion of agricultural land (see **Agricultural and Forest Resources** section). While on-site open-waters at the Ventura Harbor are considered an essential fish habitat (EFH) for certain fish species proposed Project footprint was purposefully designed and sited to be set-back and away from the open water of Ventura Harbor. Because no substantive in-water work is associated with the Project, resident fish species on-site would be avoided. ,The Project would also implement **Mitigation Measures MM CUL-1** and **MM GEO-1** in the event that an archaeological or paleontological resource is discovered on-site during construction activities.

Source: California Coastal Commission

In conclusion, The Project would be consistent with all applicable state, regional, and local land use plans, policies, and regulations. Thus, impacts would be less than significant.

12. MINERAL RESOURCES

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	☐	☒
b) 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?	☐	☐	☐	☒

Existing Setting

Ventura Harbor and Port of Hueneme Site

The Project Site is located within the Ventura Harbor and the Port Hueneme. According to the California Geological Survey (CGS), both locations are categorized as Mineral Resource Zone (MRZ) 3a.[151] MRZ 3a zones could contain aggregate resources suited for use in Portland Cement Concrete.

Impacts

a, b) No Impact. At both locations are within an MRZ-3a zone. However, both sites are currently developed as and are not in use for mineral resource extraction and are not know to include mineral resources of value to the region, state or mineral resources that are locally important. Both sites are in use for marina/port related activities and have been since their founding. They are unlikely to be used for any mineral extraction activities. As such, no impacts would occur.

151 California Geological Survey, *Mineral Land Classification of Ventura County Part I*, 1981.

13. NOISE

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Regulatory Setting

Noise

City of Port Hueneme General Plan Noise Element

The 2045 Port Hueneme General Plan outlines an overarching goal to protect the public from excessive noise and vibration from both stationary and mobile sources. The following policy applies to this project:

Policy N 1-6 Minimize exposure of sensitive receivers to construction noise and vibration through methods such as restricting construction to daytime hours, use of sound barriers and/or other methods to dampen noise from construction equipment, and public notification prior to construction activities

City of Port Hueneme Municipal Code

Chapter 5 "Noise Control" of the Port Hueneme Municipal Code (PHMC) contains regulations that would pertain to the Project's temporary construction activities.

Sec 5.3439 – Construction of Buildings and Structures

Between the hours of seven p.m. of one day and seven a.m. of the next, Monday through Saturday, and no earlier than 9 a.m. or later than 6 p.m. on Sunday and federal holidays, no person adjacent to or within any residential zone in the city shall operate power construction equipment or tools or perform any outside construction or repair work on buildings or structures, or operate any pile driver, steam shovel, pneumatic hammer, steam or electric hoist, or other construction device so as to create any noise which exceeds the noise level limits of the PHMC.

2005 Ventura General Plan Noise Element

The City of Ventura General Plan contains a Noise Element providing guidance for the control of noise to protect residents, workers, and visitors from potentially adverse noise impacts. Its primary goal is to control long-term noise impacts to preserve acceptable noise environments for all types of land uses. For this, the Element contains goals and policies designed to guide City decision-making. However, the Noise Element's goals and policies address issues that would have little to no relevance to the Project at hand, such as noise levels for residences, highway sound walls, updates to the City's Noise Ordinance, etc.

San Buenaventura Municipal Code

Chapter 10.650 "Noise Control" of the San Buenaventura Municipal Code (SBMC) contains a number of regulations that would pertain to the Project's temporary construction activities and long-term operations.

Sec. 10.650.130. – Designated Noise Zones

Section 10.650.130 outlines designated noise zones, as well as exterior and interior noise level limits for these zones.

Assignment of noise zones

Receiving properties are assigned to designated noise zones as follows:

- Designated noise zone I: Noise sensitive properties.
- Designated noise zone II: Residential properties.
- Designated noise zone III: Commercial properties.
- Designated noise zone IV: Industrial and agricultural properties.

Exterior noise levels

- **Noise zone exterior noise levels.** The following exterior noise levels, unless otherwise specifically indicated, shall apply to all receiving properties within a designated noise zone for the purpose of establishing noise level limits in **Table 22, Noise Zone Exterior Noise Levels.**

Table 22
Noise Zone Exterior Noise Levels

	Designated Zone	Time Interval	Exterior Noise Levels (dBA)
Zone I	Noise sensitive properties	7 A.M. – 10 P.M.	50
		10 P.M. – 7 A.M.	45
Zone II	Residential properties	7 A.M. – 10 P.M.	50
		10 P.M. – 7 A.M.	45
Zone III	Commercial properties	7 A.M. – 10 P.M.	60
		10 P.M. – 7 A.M.	55
Zone IV	Industrial and agricultural	Anytime	70

Source: Sec. 10.650.130. B.1, SBMC

- **Noise level limits.** Unless otherwise provided in this article, no person shall operate or cause to be operated any source of sound at any location within the city, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person which causes the noise level when measured on any receiving property to exceed the following noise level limits:

  – The exterior noise levels for that land use, as specified above, for a total period of more than 30 minutes in any consecutive 60 minutes;

  – The exterior noise levels plus five dB for a total period of more than 15 minutes in any consecutive 60 minutes;

  – The exterior noise levels plus ten dB for a total period of more than five minutes in any consecutive 60 minutes; or

  – The exterior noise levels plus 15 dB for a total period of more than one minute in any consecutive 60 minutes; or

  – The exterior noise levels plus 20 dB for any period of time.

- **Ambient noise level in excess of noise level limit.** If the ambient noise level exceeds that permissible for any of the noise level limits above, the noise level limit shall be increased in five dB increments as appropriate to encompass or reflect said ambient noise level. In the event the ambient noise level exceeds the noise level limit above, this limit shall be increased to the maximum ambient noise level.

- **Boundary between different zones.** If the measurement location is on a boundary between two different designated noise zones, the lower noise level limit applicable to the two zones shall apply.

- **Content of intrusive noise.** In the event the intrusive noise is judged by the enforcing officer to contain a steady, audible, pure tone such as a whine, screech or hum, or is an impulsive noise, or is a repetitive noise exceeding one second in duration or contains music or speech, the noise level limits set forth above shall be reduced by five dB.

Sec. 10.650.150. – Special Noise Sources

Section 10.650.150. prohibits noise-generating construction activities located within or adjacent to any residential zone from occurring between the hours of 8:00 P.M. one day and 7:00 A.M. of the next.

Construction of buildings and structures

- Between the hours of 8:00 P.M. of one day and 7:00 A.M. of the next, no person adjacent to or within any residential zone in the city shall operate power construction equipment or tools or perform any outside construction or repair work on buildings or structures, or operate any pile driver, steam shovel, pneumatic hammer, steam or electric hoist or other construction device so as to create any noise which exceeds the noise level limits of this article. These specified construction activities are permitted between the hours of 7:00 A.M. and 8:00 P.M. The performance of emergency work is exempt from the provisions of this section.

- Home repairs and routine maintenance of personal property such as automobiles or boats is not considered construction.

Vibration

Federal Transit Administration Vibration Standards

There are no federal vibration standards or regulations adopted by any agency that are applicable to evaluating vibration impacts from activities associated with the Project. However, the Federal Transit Administration (FTA) has adopted vibration criteria for use in evaluating vibration impacts from

construction activities. The vibration damage criteria adopted by the FTA are shown in **Table 23, Construction Vibration Damage Criteria.**

Table 23
Construction Vibration Damage Criteria

Building Category	PPV (in/sec)
I. Reinforced-concrete, steel, or timber (no plaster)	0.5
II. Engineered concrete and masonry (no plaster)	0.3
III. Non-engineered timber and masonry buildings	0.2
IV. Buildings extremely susceptible to vibration damage	0.12

Source: FTA, Transit Noise and Vibration Impact Assessment Manual, 2018.

The FTA has also adopted standards associated with human annoyance for determining the groundborne vibration and noise impacts from ground-borne noise on the following three off-site land-use categories: Vibration Category 1 – High Sensitivity, Vibration Category 2 – Residential, and Vibration Category 3 – Institutional.[152] The FTA defines Category 1 as buildings where vibration would interfere with operations within the building, including vibration-sensitive research and manufacturing facilities, hospitals with vibration-sensitive equipment, and university research operations. Vibration-sensitive equipment includes, but is not limited to, electron microscopes, high-resolution lithographic equipment, and normal optical microscopes. Category 2 refers to all residential land uses and any buildings where people sleep, such as hotels and hospitals. Category 3 refers to institutional land uses such as schools, churches, other institutions, and quiet offices that do not have vibration-sensitive equipment but that still potentially involve activities that could be disturbed by vibration. The vibration thresholds associated with human annoyance for these three land-use categories are shown in **Table 24, Groundborne Vibration and Groundborne Noise Impact Criteria for General Assessment**. No thresholds have been adopted or recommended for commercial or office use.

152 Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, Table 6-1, page 124, 2018.

Table 24
Groundborne Vibration and Groundborne Noise Impact Criteria for General Assessment

Land Use Category	Frequent Events[a]	Occasional Events[b]	Infrequent Events[c]
Category 1: Buildings where vibration would interfere with interior operations.	65 VdB[d]	65 VdB[d]	65 VdB[d]
Category 2: Residences and buildings where people normally sleep.	72 VdB	75 VdB	80 VdB
Category 3: Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB

a "Frequent Events" is defined as more than 70 vibration events of the same source per day.
b "Occasional Events" is defined as between 30 and 70 vibration events of the same source per day.
c "Infrequent Events" is defined as fewer than 30 vibration events of the same kind per day.
d This criterion is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes.
Source: FTA, Transit Noise and Vibration Impact Assessment Manual, 2018.

Caltrans Vibration/Groundborne Noise Standards

The State of California has not adopted Statewide standards or regulations for evaluating vibration or groundborne noise impacts from land use development projects. Although the State has not adopted any vibration standard, Caltrans recommends the following vibration thresholds that are more practical than those provided by the FTA.[153]

The state noise and vibration guidelines are to be used as guidance with respect to planning for noise, not standards and/or regulations to which the City must adhere.

153 Caltrans, Transportation and Construction Vibration Guidance Manual, 2020.

Table 25
Guideline Vibration Damage Potential Threshold Criteria

Structure and Condition	Maximum PPV (inch/sec)	
	Transient Sources[1]	Continuous/Frequent Intermittent Sources[2]
Extremely fragile historic buildings, ruins, ancient monuments	0.12	0.08
Fragile buildings	0.20	0.10
Historic and some old buildings	0.50	0.25
Older residential structures	0.50	0.30
New residential structures	1.00	0.50
Modern industrial/commercial buildings	2.00	0.50

Source: Table 19, Transportation and Construction Vibration Guidance Manual (Caltrans 2020).
1 Transient sources create a single, isolated vibration event, such as blasting or drop balls.
2 Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.

Existing Setting

Noise Sensitive Receptors

Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as parks, historic sites, cemeteries, and recreation areas are considered sensitive to increases in exterior noise levels. Schools, churches, hotels, libraries, and other places where low interior noise levels are essential are also considered noise-sensitive land uses.

The closest noise-sensitive receptors to the Port of Hueneme demolition site are: 1) residences to the northwest (1,746 feet) and 2) residences to the east (3,111 feet). The closest noise-sensitive receptors to the Ventura Harbor Project Site are: 1) Live aboard boats to the north at Ventura Isle Marina (431 feet); 2) Live aboard boats to the northwest at Ventura West Marina II (1,939 feet); and

3) Multi-family residences to the north at Portside Ventura Harbor (2,064 feet). See **Figure 8, Noise Monitoring and Sensitive Receptor Location Map.**

Areas zoned residential in the vicinity of the Project Site, include the Portside Ventura Residences northeast of the Project Site. The Portside residence as well as the following receptors and monitoring locations were chosen specifically for detailed construction noise impact analysis given their potential sensitivities to noise and their proximity to the Project Site.

Ventura Isle Marina

The Ventura Isle Marina is designated and zoned as Harbor Commercial by the City. However, this receptor consists of vessels moored in the Ventura Isle Marina that are occupied by individuals as long-term residences (also known as 'liveaboards'). As these vessels are more or less residential in nature, this analysis conservatively applies the noise limits respective to Zone II residential properties as set forth by the SBMC.

Ventura West Marina II[154]

The Ventura West Marina is designated and zoned as Harbor Commercial by the City. However, this receptor consists of vessels moored in the Ventura West Marina that are occupied by individuals as long-term residences (also known as 'liveaboards'). As these vessels are more or less residential in nature, this analysis conservatively applies the noise limits respective to Zone II residential properties as set forth by the SBMC.

Portside Ventura Harbor Residences

This receptor consists of townhomes and apartments approximately 2,064 feet from the Project Site. As this area is residential it is classified as Zone II "Residential Properties" and therefore subject to the noise limits respective to Zone II properties as set forth by the SBMC.

154 Although the SBMC does not specifically state liveaboard vessels as residential land uses, these vessels are considered sensitive receptors for purposes of CEQA.

SOURCE: Esri, 2025

FIGURE **8**

IMPACT SCIENCES

Noise Monitoring & Sensitive Receptor Location Map

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Measured Ambient Noise Levels

To establish baseline noise conditions, existing noise levels were monitored at three locations at and in the vicinity of the Project Site. The locations of where the noise measurements were taken are depicted in **Figure 8, Noise Monitoring and Sensitive Receptor Location Map**. The noise survey was conducted in August 2023 using the Larson Davis SoundTrack LxT (Type 1) sound level meter, which conforms to industry standards set forth in ANSI S1.4-1983 (R2006) – Specification for Sound Level Meters/Type 1. This instrument was calibrated and operated according to the manufacturer's written specifications. At the measurement sites, the microphone was placed at a height of approximately five feet above grade. The results of the measurements are summarized in **Table 26, Existing Noise Levels in the Vicinity of the Project Site**. As shown in **Table 3**, the ambient noise levels ranged from 53.8 dBA Leq to 63.8 dBA Leq in the vicinity the Project Site.

Table 26
Existing Noise Levels in the Vicinity of the Project Site

Noise Monitoring Locations	Primary Noise Sources	Noise Levels (dBA)		
		Leq	Lmin	Lmax
1. Live aboard boats to the north at Ventura Isle Marina	Vehicle Traffic, Harbor Activity, Boat Activity	61.7	46.0	72.6
2. Live aboard boats to the northwest at Ventura West Marina II	Vehicle Traffic, Harbor Activity, Boat Activity	63.8	46.7	77.8
3. Multi-family residences to the north at Portside Ventura Harbor	Vehicle Traffic, Neighborhood Activity, Harbor Activity	53.8	47.1	71.9

Impacts

a) Less than Significant Impact

Construction

Port of Hueneme

Demolition at Port of Hueneme would require the use of heavy equipment. Demolition activities could also involve the use of smaller power tools, generators, and other sources of noise. Several types of equipment could operate concurrently, and noise levels would vary based on the amount of equipment in operation and the location of the activity. The FHWA RCNM has compiled data regarding the noise-generating characteristics of specific types of construction equipment and typical construction activities.

With the use of the RCNM, as shown in **Appendix D, Noise Data,** to this ISMND,[155] the construction noise levels forecasted for the sensitive receptors are presented in **Table 27, Estimated Demolition Noise at Port of Hueneme Sensitive Receptors.** Noise levels would diminish notably with distance from the construction site at a rate of 6 dB(A) per doubling of distance (noise from stationary or point sources is reduced by about 6 dB(A) for every doubling of distance at acoustically hard locations). For example, a noise level of 86 dB(A) Leq measured at 50 feet from the noise source to the receptor would decline to 80 dB(A) Leq at 100 feet from the source to the receptor and fall by another 6 dB(A) Leq to 74 dB(A) Leq at 200 feet from the source to the receptor. These noise attenuation rates assume a flat and unobstructed distance between the noise generator and the receptor. Intervening structures and vegetation would further attenuate (reduce) the noise. Furthermore, it should be noted that increases in noise levels at sensitive receptors during construction would be intermittent and temporary and would not generate continuously high noise levels.

Table 27
Estimated Demolition Noise at Port of Hueneme Sensitive Receptors

Sensitive Receptors	Distance to Project Site (feet)	Estimated Peak Construction Noise Levels [dB(A)Leq]
1. Residences to the Northwest	1,746 feet	55.6
2. Residences to the East	3,111 feet	50.6

Source: Impact Sciences, Inc., April 2025. See Appendix D.

While the sensitive receptors located in proximity to the Port of Hueneme may experience an increase in construction-related noise levels, the City does not have specific limitations on construction noise levels. Instead, construction noise is regulated by limiting construction activity to the less noise-sensitive daytime hours. Specifically, Project construction, including pile driving and other noise-generating activities would occur at the Project Site between the hours of 7:00 AM and 7:00 PM in accordance with the City's Noise Ordinance (Section 5.3439 of the PHMC). As the City permits construction related noise to occur during these hours, the Project's construction related noise impacts would be less than significant when they occur between 7:00 AM and 7:00 PM. It is also worth noting that **Table 27** demonstrates the Project's construction activities would not exceed the FTA's general construction noise criteria of 90 dB(A) Leq (1-hour) at any sensitive receptors.[156] Therefore, the Project

155 Project construction noise levels were calculated based on the Project's anticipated mix of construction equipment with the FHWA RCNM Version 1.1.

156 Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, Table 7-2 (General Assessment Construction Noise Criteria), September 2018.

would comply with the City's Noise Ordinance and impacts with respect to construction noise would be less than significant.

Ventura Harbor

Construction of the Project at Ventura Harbor would require the use of heavy equipment to demolish a portion of the existing commercial fish building, truck loading platform, and select landscaping islands at the current commercial fishing facilities in Ventura Harbor. The Project also would require the use of heavy construction equipment to construct the new facilities, pipes and truck loading areas. Construction activities could also involve the use of smaller power tools, generators, and other sources of noise. During each stage of construction, several types of equipment potentially could be operating concurrently, and noise levels would vary based on the amount of equipment in operation and the location of the activity. The FHWA RCNM has compiled data regarding the noise-generating characteristics of specific types of construction equipment and typical construction activities.

With the use of the RCNM, as shown in **Appendix D, Noise Data,** to this IS/MND,[157] the construction noise levels forecasted for the sensitive receptors are presented in **Table 28, Estimated Construction Noise at Ventura Harbor Sensitive Receptors.** As stated above, noise levels would diminish notably with distance from the construction site at a rate of 6 dB(A) per doubling of distance (noise from stationary or point sources is reduced by about 6 dB(A) for every doubling of distance at acoustically hard locations). Furthermore, it should be noted that increases in noise levels at sensitive receptors during construction would be intermittent and temporary and would not generate continuously high noise levels.

The Project's peak noise levels during construction are shown in **Table 28, Estimated Exterior Construction Noise at Ventura Harbor**.

157 Project construction noise levels were calculated based on the Project's anticipated mix of construction equipment with the FHWA RCNM Version 1.1.

Table 28
Estimated Exterior Construction Noise at Ventura Harbor

Sensitive Receptors	Distance to Project Site (feet)	Estimated Peak Construction Noise Levels [dB(A)]
1. Live aboard boats to the north at Ventura Isle Marina.	431 feet	68.0
2. Live aboard boats to the northwest at Ventura West Marina II	1,939 feet	54.9
3. Multi-family residences to the north at Portside Ventura Harbor	2,064 feet	54.4

[a] *See **Figure 8, Noise Monitoring and Sensitive Receptor Location Map.***
*Source: Impact Sciences, Inc., April 2025. See **Appendix D** to this ISMND.*

While the sensitive receptors located in proximity to the Project Site would experience an increase in construction-related noise levels, the City does not have specific limitations on construction noise levels. Instead, construction noise is regulated by limiting construction activity to the less noise-sensitive daytime hours. Specifically, Project construction would occur at the Project Site between the hours of 7:00 AM and 8:00 PM in accordance with the City's Noise Ordinance (Section 10.650.150(D) of the SBMC). As the City permits construction related noise to occur during these hours, the Project's construction related noise impacts would be less than significant when they occur between 7:00 AM and 8:00 PM. It is also worth noting that **Table 28** demonstrates the Project's construction activities would not exceed the FTA's general construction noise criteria of 90 dB(A) Leq (1-hour) at any sensitive receptors.[158] Therefore, the Project would comply with the City's Noise Ordinance and impacts with respect to construction noise would be less than significant.

Operational Noise

Port of Hueneme

The Project would demolish the existing squid offloading carrying deck and icehouse within the Port of Hueneme. The existing icehouse would be preserved. The area would be paved, and no future uses have been identified at this time. Therefore, there would be a decrease in local noise levels from on-site operations and local traffic to and from the Port of Hueneme. For these reasons, operational noise levels

158 Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, Table 7-2 (General Assessment Construction Noise Criteria), September 2018.

at the Port of Hueneme would be no greater than existing conditions, and operational noise impacts at the Port of Hueneme would be less than significant.

Ventura Harbor

Ventura Harbor is developed with a fully operating commercial fishing facility, located just west of the intersection of Spinnaker Drive and Angler Drive. The site includes two concrete piers for incoming vessels to berth while offloading. A two-story commercial fishing building anchors the site with the squid processing facility located just north of the building and providing access through the building to the truck bays to the south. The building also hosts two fish market facilities, one that operates on Saturdays and the other as part of Andria's Seafood. A one-story, 2,000-square-foot building houses the rest of Andria's Seafood. The remainder of the site is paved and consists of parking. Seven truck bays are located on the south side of the building connected by an offloading deck. Three to four additional portable truck ramps are typically used just east of the building for truck loading from another squid sorting machine located about 130 feet to the east at the Ventura Harbor Boatyard.

During the squid season, squid operations at the Ventura Harbor can be 24 hours a day, five days a week. Two piers within the harbor are used for offloading commercial fish. The existing building includes the loadout area for the squid and is also used for storage of tote bins that are used to pack squid on trucks. Ice storage containers are dispersed on-site and a fuel tank for semi-trailer trucks is located in the southeastern corner of the facility.

Currently, vessels that are carrying squid berth at one of the two piers on-site. Using one vacuum pump, the unloading process of the squid can offload an average of 35 tons per hour. The squid is then transported from the pier to the land via 10" pipeline. Once on land, the squid is then transported to the squid station, the squid is dewatered, weighed, and then loaded into storage tote bins, which are mixed with ice and saltwater for preservation. Once processed, the squid is then unloaded onto semi-trailer trucks that are parked at the existing truck loading platform. Water from the squid dewatering process (i.e., "stick" water) is then stored in aboveground tanks and then pumped back into the berthed vessel using 4" pipelines at the end of the unloading process.

At the Ventur Harbor, the Project would increase the site's squid landing capacity by implementing changes to the exiting squid processing facility and doubling the number of truck bays to fourteen. The two piers where offloading take place will remain in operation as will the existing pumps. Two additional pumps may be added to increase capacity. The existing 26 employees contracted at the Port of Hueneme to offload and process squid would be relocated to work at the Ventura Harbor. Squid offloading operations at the Ventura Harbor would continue to be 24 hours a day, five days a week. To

separate the existing restaurant patio from fishing activities on-site, a six- to eight-foot masonry wall would be constructed. Thus, the Project's activities would not substantively increase the ambient noise levels in the immediate vicinity. Furthermore, the nearest noise sensitive receptors (live aboard boats to the north at Ventura Isle Marina) are located more than 750 feet from the truck bays and more than 1,000 feet from the truck access point along Spinnaker Drive to the south of the Project Site. While on-site activities would increase under the Project, due to these distances, noise levels experienced by off-site sensitive receptors would be substantially similar to existing conditions. Therefore, operational noise impacts related to on-site activity would be less than significant.

Traffic Noise. At the Ventura Harbor**,** employees and customers of the proposed commercial fish building would continue to use the existing driveways located along Spinnaker Drive. It is anticipated that trucks would continue to use the existing driveway along Spinnaker Drive in the southwestern portion of the site for both ingress and egress. Once the commercial squid is loaded, trucks would then travel off-site to transport the squid to fisheries in cities throughout the state, such as Oxnard, Watsonville, San Pedro, and Salinas.

While the total number of truck trips associated with squid processing would remain the same with the project, implementation of the Project would improve overall goods movement in Southern California as the travel distance from Ventura Harbor to US 101 is shorter than the distance from Port of Hueneme to US-101, resulting in fewer vehicle miles traveled and generally less roadway activity capable of generating traffic-related noise. As such, operational traffic noise impacts at the regional level would be less than significant.

With respect to local roadway noise levels near the Ventura Harbor, it is estimated that the Project would add a maximum of approximately 1,074 daily passenger vehicle trips.[159] In addition, a daily maximum of 60 trucks that currently access the Port of Hueneme site would now circulate to Ventura Harbor, for a total increase of approximately 1,134 trips in the vicinity of the Ventura Harbor. According to County Of Ventura Public Ventura County Works Public Works Agency traffic counts for the intersection of Olivas Park Drive and Victoria Avenue (the nearest major intersection to the Project Site with available data), Olivas Park Drive accommodates 11,400 vehicles per day.[160] Since it would take a doubling (i.e., a 100% increase) of roadway traffic volume in the vicinity of Ventura Harbor to increase local noise levels by 3 dBA, the Project's addition of 1,134 daily trips would not

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159 See CalEEMod data sheets for proposed operations at the Ventura Harbor. It should be noted that these trip estimates do not conflict with trips presented in the Project's VMT Analysis prepared by CR Associates, which appropriately only considers the employee trips from the relocation from Port of Hueneme to the Ventura Harbor.

160 County Of Ventura Public Ventura County Works Public Works Agency, 2023 Traffic Volumes Of Ventura County Roadways, available at: https://s29422.pcdn.co/wp-content/uploads/2022/02/2023-Traffic-Volume-Booklet.pdf

increase traffic to levels capable of producing a 3 dBA ambient noise increase. As such, operational traffic noise impacts in the vicinity of Ventura Harbor would be less than significant.

b) Less than Significant Impacts

Based on the assumptions described previously for construction and demolition noise impacts, vibration levels associated with Project construction were estimated for the nearby sensitive receptors and are shown below in **Table 29, Vibration Levels at Off-Site Sensitive Uses from Project Construction at Port of Hueneme,** and **Table 7, Vibration Levels at Sensitive Uses from Project Construction at Ventura Harbor.**

Table 29
Vibration Levels at Sensitive Uses from Project Construction at Port of Hueneme

Sensitive Uses Off-Site[a]	Distance to Project Site (ft.)	Receptor Significance Threshold RMS (VdB)	Estimated RMS (VdB)
1. Residences to the Northwest	1,746 feet	72	17
2. Residences to the East	3,111 feet	72	9

Sources:
*Impact Sciences, Inc., April 2025. See **Appendix D** to this report.*
Caltrans, Transportation and Construction Vibration Guidance Manual, 2020.

Table 30
Vibration Levels at Sensitive Uses from Project Construction at Ventura Harbor

Sensitive Uses Off-Site[a]	Distance to Project Site (ft.)	Receptor Significance Threshold RMS (VdB)	Estimated RMS (VdB)
1. Live aboard boats to the north at Ventura Isle Marina.	431 feet	72	35
2. Live aboard boats to the northwest at Ventura West Marina II	1,939 feet	72	15
3. Multi-family residences to the north at Portside Ventura Harbor	2,064 feet	72	14

*Sources: Impact Sciences, Inc., April 2025. See **Appendix D** to this report. Caltrans, Transportation and Construction Vibration Guidance Manual, 2020.*

With respect to vibration impacts associated with human annoyance, as shown in Tables 6 and 7, the Project's construction activities would generate maximum vibration levels of 35 VdB at sensitive receptors, which would be below the FTA threshold of 72 VdB at residences and buildings where people normally sleep. As such, the Project would not have the potential to generate vibration levels that would result in human annoyance and these impacts would be less than significant.

With respect to vibration impacts associated with building damage, there are no existing buildings susceptible to vibration damages in proximity to either Project Site. The nearest off-site building is the harbor village commercial building located 132 feet east of the Ventura Harbor site. The building appears to best fit the description of the modern industrial/commercial building classification identified in Caltrans' *Transportation and Construction Vibration Guidance Manual, 2020* (see **Table 24**). As shown in **Appendix D**, the applicable threshold for this type of structure is 0.50 PPV (in/sec). At a distance of 132 feet, the Project's construction activities would generate maximum vibration levels of 0.016 PPV. As such, the Project would not have the potential to generate vibration levels that would result in building damage and these impacts would be less than significant.

c) Less than Significant Impact

The Project Site is not located within the vicinity of a private airstrip or an airport land use plan and is not located within 2 miles of a public airport or public-use airport. The nearest airport is Oxnard Airport, which is 4.2 miles from the Project Site. Therefore, no impacts with respect to airstrip or airport related noise would occur and no further analysis is required.

14. POPULATION AND HOUSING

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the Project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing units, necessitating the construction of replacement housing?	☐	☐	☐	☒

Regulatory Setting

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is the responsible agency for developing and adopting regional housing, population, and employment growth forecasts for local governments from Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties.

Existing Setting

Both sites are in use for commercial activities and do not contain housing. Commercial activity at the sites is generally limited to the processing/offloading of squid. Three squid fisheries—Del Mar Seafoods, Silver Bay Seafoods, and J DeLuca Fish Co. are currently operational in Ventura, handling catches from around 34 fishing vessels daily during the season. At Port Hueneme, three companies employ up to 26 people to process/offload squid.

Impacts

a) Less than Significant Impact. The Project involves the demolition of the existing squid offloading and processing facilities at the Port Hueneme. The Project would also demolish and reconstruct the squid processing facilities at Ventura Harbor to accommodate the anticipated increase in squid offloading. . Once the Project is complete, squid that is currently offloaded at Port of Hueneme would be offloaded and processed at Ventura Harbor. Accordingly, the existing employees that currently work at the Port of Hueneme would continue to offload and process squid at the Ventura Harbor during squid season.

The Ventura Harbor would retain the same number of employees under the proposed Project. The distance between the two sites is approximately eight miles. Although the Project does not contain a residential component, it is reasonable to assume the existing employees at the Port of Hueneme facility would continue to work at the Ventura Harbor site. While the change in commute of eight miles is unlikely to result in a need to relocate, it is possible some employees may choose to relocate to the City of Ventura to be closer to the Harbor. Estimating the number of future Port of Hueneme squid facility employees who may choose to relocate to reside in the City of Ventura would be highly speculative, since many factors influence personal housing location decisions (e.g., family income levels and the cost and availability of suitable housing in the local area). Nevertheless, in an effort to present a worst-case population growth scenario, this analysis assumes all 26 Port of Hueneme squid facility employees relocate to reside in the City of Ventura.

Based on the City of Ventura's average household size of 3 persons, the Project could result in a maximum population increase of approximately 78 persons.[161] As of 2024, the City has an estimated population of 107,569 persons. The SCAG growth forecasts estimate the City's population to reach 109,500 persons by the year 2050, representing a total increase of 1,931 persons.[162] The Project's potential maximum increase of 78 persons would represent approximately one percent of the City's projected increase in population between the years 2024 and 2050. Thus, the potential increase in population resulting from the Project would be nominal. Therefore, the Project would not induce substantial unplanned population growth in an area, either directly or indirectly, and impacts would be less than significant.

b) No Impact. Neither site includes housing. Therefore, the Project would not displace existing people or housing, and no impacts would occur.

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161 California Department of Finance, Demographic Research Unit, "E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-2024, with 2024 Benchmark." March 2024.

162 Southern California Associations of Governments. Connect SoCal 2024 Southern California Demographic Workshop. Available online at: https://scag.ca.gov/sites/main/files/file-attachments/03_scag_drtp24_citytier2taz_092523.xlsx?1695685277, accessed March 20, 2025.

15. PUBLIC SERVICES

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☒	☐
b) Police protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

Regulatory Setting

State

California Fire Code

The 20 California Fire Code (CFC) (Title 24, Part 9 of the California Code of Regulations) is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. It establishes regulations to safeguard against the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The CFC also establishes requirements intended to provide safety for and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The CFC includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas.

California Building Code

The 2022 edition of the California Building Code (CBC) (California Code of Regulations [CCR], Title 24, Part 2) is a compilation of building standards, including general fire safety standards for new buildings. California Building Code standards are based on building standards that have been adopted by state agencies without change from a national model code; building standards based on a national model code that have been changed to address particular California conditions; and building standards authorized by the California legislature but not covered by the national model code. The building standards in the California Building Code apply to all locations in California, except where more stringent standards have been adopted by state agencies and local governing bodies.

Local

City of Ventura General Plan Policies

The City's General Plan policies related to public services and facilities include, are not limited to, the following:

Policy 7C: Optimize firefighting and emergency response capabilities.

Policy 7D: Improve community safety through enhanced police service.

Policy 8C: Reshape public libraries as 21st Century learning centers.

City of Port Hueneme General Plan Policies

The City's General Plan policies related to public services and facilities include, are not limited to, the following:

PSF 2-5: Ensure that appropriate fire and hazardous material safety measures are included in new developments.

PSF 3-1: Ensure that measures to facilitate crime prevention and response are incorporated into new development projects.

City of Ventura Municipal Code

Chapter 12.115 (Building Standards) of the City of Ventura Municipal Code adopts the 2022 CBC and amends the Code to require safety assessments for all new buildings. These safety assessments would be

conducted by the City Engineer and Chief Building Official prior to operations to ensure structural integrity and safety.

Chapter 14.10 (Fire Regulations) of the City of Ventura Municipal Code adopts the 2022 CFC and amends the Code to outline the requirements for signages and exit signages for vehicles in a new development. As an amendment, the City also requires a fire watch for building demolition activities that could result in hazards.

City of Port Hueneme Municipal Code

Chapter 2 (California Building Code) the City of Port Hueneme Municipal Code adopts the 2022 CBC and states that all regulations related to building demolition under the 2022 CBC are applicable within the City's jurisdiction.

Existing Setting

Fire Protection

The Ventura Harbor is served by the Ventura City Fire Department (VCFD). The VCFD generally provides fire suppression services. The closest VCFD station to Ventura Harbor is Fire Station 5, located 2.1 miles northeast at 4225 East Main Street. According to the City's General Plan, VCFD's target response times to emergencies is under five minutes.

The Port Hueneme is served by the Ventura County Fire Division (VCoFD). The VCoFD generally provides fire suppression and emergency services. The closest VCoFD station to the Port Hueneme is Fire Station #56, located 8.7 miles northeast at 165 Durley Avenue in the City of Camarillo.

Police Protection

Ventura Harbor is served by Ventura Harbor Patrol (VHP). The VHP enforces boating laws and local ordinances and provides rescue, and emergency medical services, and provides both land and waterside services within the Ventura Harbor.[163] The VHP station is located approximately 0.4 miles south of the site at 1603 Anchors Way. The site is also served by the Ventura Police Department (VPD) for land-side police protection services. The VPD is composed of more than 250 police officers, public safety dispatchers, cadets,

[163] Ventura Port District, *Harbor Patrol*. Available online at: https://venturaharbor.com/harbor-patrol/, accessed February 26, 2025.

and volunteers.[164] The VPD headquarters are located approximately 2.5 miles northeast of the site at 1425 Dowell Drive.

The Port of Hueneme is served by the Port Hueneme Police Department (PHPD), the Ventura County Sheriff's Department (VCSD), and the Oxnard Police Department (OPD). The PHPD is located 0.84 miles northeast at 250 North Ventura Road. The closest VCSD office is located 7.8 miles north at 2101 East Olsen Road in the City of Thousand Oaks.

School Services

Ventura Harbor is located within the Ventura Unified School District (VUSD) boundaries.[165] The VUSD is currently experiencing a decline in overall enrollment.[166] The closest school under VUSD is Pierpont Elementary School, located approximately 1.31 miles northwest of the site.

Port of Hueneme site is located within the Hueneme School District (HSD)and the Oxnard Union High School District (OUHSD). The closest HSD school is Richard Bard Elementary School, located 1.15 miles northeast at 622 East Pleasant Valley Road. The closest OUHSD school is Hueneme High School, located approximately 1.80 miles northeast of the site at 500 West Bard Road in the City of Oxnard.

Parks

The City of Ventura Parks and Recreation Department(VPRD) provides park and recreational services in the City of Ventura . The VPRD is responsible for maintaining and programming the various parks and recreational facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. The closest neighborhood park to the Ventura Harbor is Marina Park located approximately 0.5 miles north at 2950 Pierpont Boulevard.

The City of Port Hueneme Recreation Services (PHRS) park and recreational services in the City of Port Hueneme. The closest neighborhood park to the Port of Hueneme site is Moranda Park, located 0.9 miles east of the Port of Hueneme site at 536 Santa Cruz Circle.[167]

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164 City of Ventura Police Department, *About The VPD*, Available online at: https://www.cityofventura.ca.gov/950/About-The-VPD, accessed February 26, 2025.

165 Ventura Unified School District, *Ventura Unified School District School Locator*. Available online at: https://locator.pea.powerschool.com/?StudyID=196118, accessed February 26, 2025.

166 California Department of Education, Data-Quest: Enrollment Multi-Year Summary by Grade. Available online at https://dq.cde.ca.gov/dataquest/dqcensus/EnrGrdYears.aspx?cds=5672652&agglevel=district&year=2023-24, accessed April 16, 2025.

167 Port Hueneme Recreation Services, "Parks." Available online at: https://www.ci.port-hueneme.ca.us/553/Parks, accessed April 16, 2025.

Other Public Services

The Ventura County Library (VCL) provides public library services within Ventura County. The VCL location provides several public services, including homework centers, computer stations, color printing, copy and fax machines, and meeting rooms. The closest VCL to the Ventura Harbor is the E.P Foster Library, located approximately 2.8 miles northwest at 651 East Main Street. The closest VCL to the Port of Hueneme site is the Port Hueneme Library, located approximately 1.13 miles northeast at 510 Park Avenue,

Impacts

a) Less than Significant Impact. The Project involves the demolition of the existing offloading facility at Port of Hueneme and the demolition of the existing commercial fish building, reconstruction of a new building, two new truck loading platforms at Ventura Harbor. Demolition activities at Port of Hueneme will occur for a 12-month period and would not involve the demolition of any habitable structures. Because the Project does not include the construction of any new uses, and once demolition activities are complete, there would be no squid offloading at the Port, the Project would not require the use of new or expanded fire facilities.

As discussed in Section 14, Population and Housing, the Project would move contracted employees at Port of Hueneme to Ventura Harbor, resulting in an increase in employees within the City of Ventura and a decrease in the Port Hueneme. However, as the total number of employees in the Oxnard/Ventura area involved in the offloading of squid would be the same, these changes would not necessitate a change in fire protection services. Further, the proposed structures that would be constructed as part of the Project would adhere to the applicable development requirements outlined in the 2022 CBC and 2022 CFC. Additionally, the Project would comply with the amendments outlined in Chapter 12.110 and 14.115 of the City of Ventura Code. The Project would also adhere to all applicable regulations regarding building demolition under the 2022 CBC. Lastly, to ensure that the Project would be consistent with all State building and fire code regulations, all Project plans would be submitted to the VCFD for review and approval. Thus, impacts would be less than significant.

b) Less than Significant Impact. The Project includes the consolidation of squid offloading/processing at the Ventura Harbor site. Since no new uses would be constructed at Port Hueneme, there would be no need for expanded police protection services at that site. At Ventura Harbor, the Project would construct a new squid offloading facility to accommodate the anticipated increase in squid throughput. Overall, the same number of employees would be involved in offloading/processing squid and there would be no need to increase police protection. Further, the newly constructed uses would be a

continuation of the existing use but modernized. Similarly, since the overall uses would be the same as the Project, there would be no need for expanded police protection facilities.

c) ***Less than significant Impact***. Impacts on schools are typically associated with population increases. The proposed Project does not include a residential component, and as a result there would be no corresponding increase in population. The existing employees are expected to remain the same. The distance between the two sites is eight miles and therefore, it is unlikely that employees from the Port of Hueneme site would relocate closer to Ventura, as many likely already live nearby. However, as described above, a worst-case scenario would be for 78 employees to relocate to City of Ventura. While some of these employees may have school-age children, the increase in demand on schools would be minimal. Further, school enrollments overall have been declining resulting in existing capacity As such, the Project would not result in a substantial increase in the student population resulting in the need for new or expanded schools. Impacts would be less than significant.

d) ***No Impact***. While the Project would not result in a direct increase in population, as described above, the Project could result in an indirect increase of up to 78 employees present under a worst-case population growth scenario. However, the Project does not contain a residential component, and there is no increase in population anticipated from the Project that would substantially increase demand on local parks such that deterioration of facilities would occur. Therefore, there would be no impact to existing neighborhood and regional parks.

e) ***No Impact.*** Impacts to library services are typically associated with population increases from a project. As stated, the Project does not contain a residential component, as such it would not result in substantial growth in the City of Ventura's population. Thus, the Project would not result in an increase in demand for public library services would not occur. As such, no impact would occur.

16. RECREATION

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Existing Setting

The City of Ventura Parks and Recreation Department provides park and recreational services in the City. The Parks and Recreation Department is responsible for maintaining and programming the various parks and recreational facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. The closest neighborhood park to Ventura Harbor is Marina Park, located approximately 0.5 miles north at 2950 Pierpont Boulevard.

The City of Port of Hueneme Recreation Services (PHRS) park and recreational services in the City of Port Hueneme. A goal of the PHRS is to provide recreational spaces and experiences for residents. The closest recreational facility to the Port of Hueneme site is Moranda Park, located 0.9 miles east of the Port of Hueneme site at 536 Santa Cruz Circle.

Impacts

a) ***Less Than Significant Impact.*** As discussed in **Section 14, Population and Housing**, the Project would not directly induce population growth at either site but could result in an indirect increase in population through additional employees at the Ventura Harbor site. As deterioration of park and recreational facilities are associated with an increase in permanent population, the incremental and incidental increase of employees at the Ventura Harbor site would not be likely to increase use of nearby recreational facilities. Therefore, impacts to existing neighborhood and regional parks would be less than significant

b) ***No Impact.*** Both sites are in use as commercial fishing facilities. No recreational uses are proposed as part of the Project. Therefore, no impact would occur.

17. TRANSPORTATION/TRAFFIC

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:	1.			
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☒	☐	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Regulatory Setting

State

Senate Bill 743

Senate Bill 743 (SB 743), effective September 2013, established new criteria for determining the significance of transportation impacts that "promote the reduction of greenhouse gas (GHG) emissions, the development of multimodal transportation networks, and a diversity of land uses." Specifically, SB 743 directed the Governor's Office of Land Use and Climate Innovation (LUCI) (formerly known as the Office of Planning and Research (OPR)) to update the *State CEQA Guidelines* to replace automobile delay—as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion—with vehicle miles traveled (VMT) as the recommended metric for determining the significance of transportation impacts. OPR has approved the *CEQA Guidelines* implementing SB 743.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to use. *State CEQA Guidelines* Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant or not. Notably, projects that are located within one half mile of transit should be considered to have a less than significant transportation impact

based on OPR guidance. As of 2025, the Cities of Ventura and Port Hueneme have not adopted their own VMT metric and thresholds or established VMT analysis procedures.

Regional

Southern California of Associated Governments Connect SoCal 2024 Regional Transportation Plan/Sustainable Communities Strategy

On April 4, 2024, the SCAG Regional Council adopted the Connect SoCal: 2024 Regional Transportation Plan / Sustainable Communities Strategy (2024 Connect SoCal). The 2024 Connect SoCal presents a comprehensive framework to guide transportation planning and land use decisions through 2050. The plan sets a target to reduce per capita GHG emissions from automobiles and light-duty trucks by 19% by 2035, compared to 2005 levels. Key strategies include transportation demand management (TDM), active transportation investments, and transit enhancements.

Congestion Management Authority (CMA)

The Ventura County Transportation Commission (VCTC), as a designated Congestion Management Agency (CMA) oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. It is prepared and updated every two years to meet voluntary state congestion management regulations.

Local

City of Ventura Adopted Bicycle Master Plan

The *City of Ventura Adopted Bicycle Master Plan* (*Bicycle Master Plan*, May 2011) serves as a planning tool that represents the 20-year long-range bicycle plan for the City. The purpose of the *Bicycle Master Plan* is to recommend bicycle facility, program, and policy-oriented improvements that will best serve the community based on an assessment of existing conditions and the desires of the City's residents. The *Bicycle Master Plan* also details the City's existing bicycle network and the proposed bicycle network.

City of Port Hueneme General Plan Policies

The *General Plan* policies related to transportation and circulation applicable to the Project:

Policy CI 1-2: Continue to work closely with the Navy and the Oxnard Harbor District to ensure that circulation system improvements are implemented to the mutual benefits of the three entities.

City of Ventura General Plan Policies

The *General Plan* policies related to transportation and circulation applicable to the Project:

Policy 4A: Ensure that the transportation system is safe and easily accessible to all travelers.

Policy 4C: Increase transit efficiency and options.

Existing Setting

Roadway Facilities

To access the Port of Hueneme site, vehicles must enter the Port complex which is gated and secured. Surrounding local roadways, such as Port Hueneme Road, Ponoma Street and Market Street are the primary methods for accessing the Port. Port Hueneme Road includes two lanes with one lane in each direction. The roadway is classified by the City of Port Hueneme's General Plan as a major arterial roadway.[168] Both Ponoma Street and Market Street include two lanes with one lane in each direction and are classified by the City as Local Street.

At Ventura Harbor, Spinnaker Drive, located west of the site, provides primary access. Spinnaker Drive includes four-lanes with two lanes in each direction. The roadway is not provided roadway classification under the City of Ventura's General Plan, and the posted speed limit is 35 miles per hour (mph).

Bicycle and Pedestrian Facilities

At Ventura Harbor, there are no public pedestrian facilities or public bicycle routes on-site. According to the General Plan and the Bicycle Master Plan, Spinnaker Drive is currently designated as a Class II Bicycle Route. Class II Bicycle Routes are defined by the General Plan as corridors expressly reserved for bicycles, existing on a street or roadway in addition to any lanes for use by motorized vehicles.

According to the City of Port Hueneme's General Plan, Both Port Hueneme Road and Market Street are designated as Class II Bike Lanes. These lanes are defined as by pavement striping and signage used to allocate a portion of a roadway for exclusive or preferential bicycle travel. Class II bike lanes are one-way facilities on either side of a roadway. Motor vehicles are only permitted to use the bike lane to make turns and to park when on-street parking is not prohibited.

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168 City of Port Hueneme, *City of Port Hueneme 2045 General Plan.* Available online at: https://www.ci.port-hueneme.ca.us/DocumentCenter/View/6130/2045-Port-Hueneme-General-Plan?bidId=, accessed April 21, 2025.

Public Transit Facilities

Transit services in the City of Ventura and the City of Port Hueneme are provided by Gold Coast Transit (GCT).[169] GCT Routes 6, 10, 11, and 16 provide transit services to the City of Ventura, with a Route 11 bus stop approximately 1.6 miles northeast of the Ventura Harbor site. GCT Routes 1B and 23 provide transit services to the City Port Hueneme with a Route 1B stop located 1.8 miles northeast of the Hueneme site. The Ventura County line of the Metrolink and Pacific Surfliner Amtrak rail lines also serves both cities. The closest station platform for both train lines to the Ventura Harbor site is the East Ventura Station located approximately 2.7 miles east. The closest station platform for both train lines to the t Hueneme site is the Oxnard Station, located approximately 4.14 miles northeast.

Vehicle Trips

According to data provided by the Ventura Port District and the Port of Hueneme, the Port of Hueneme site experienced a total number of 1,400 squid truck trips and the Ventura Harbor site experienced a total number of 1,820 squid truck trips in the year 2024.[170]

Impacts

a) Less Than Significant. At the Port of Hueneme, the proposed activities under the Project are limited to demolition of the existing squid processing facility No pedestrian, bicycle, or transit facilities would be impacted. Because the squid facility would be relocated offsite, the Project would reduce the number of trucks accessing the site, As the Project would not affect local roadways, other than to reduce the number of truck trips in the area surrounding the port, the Project would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities in the City of Port Hueneme.

At Ventura Harbor, pedestrian and bicycle access along the waterfront promenade will stay open throughout Project construction and operations. Additionally, the Project would incorporate wider curb radii to accommodate turning movements for trucks to enter and exit the site. These changes would be incorporated into Project design and will be subject to review by the Ventura Port District and the City of Ventura. No transit routes would be impacted, and the proposed on-site resurfacing

169 Gold Coast Transit, *Routes and Schedules-All Routes*, Available online at: https://www.gctd.org/getting-around/routes-schedules/, accessed March 8, 2025.

170 Ventra Port District, *California Market Squid: Ventura and Port of Hueneme Landings,* March 2025.

and re-striping will improve internal circulation for all modes.[171] As such, impacts would be less than significant.

b) Less Than Significant Impact. Under CEQA, per guidelines issued by the Governor's OPR, a VMT analysis only covers passenger vehicle trips and excludes freight or heavy-duty truck travel. As stated in OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018):

> *"Agencies should not analyze VMT resulting from goods movement (e.g., heavy-duty truck trips) as part of the transportation impact analysis."*

Therefore, while this document presents truck-related information for reference, the determination as to VMT impacts is based on passenger vehicle trips.

The *Ventura Commercial Fishing Port Development – Vehicle Miles Traveled (VMT) Analysis* prepared for the Project (refer to **Appendix E, VMT Analysis Memorandum**) analyzed the Project's trip generation and uses to determine whether the Project would require a detailed CEQA VMT impact analysis, per OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018).[172] According to the OPR Technical Advisory, a project may be exempt from a detailed VMT analysis if meets at least one of the following four screening criteria:

1. **Small Project.** Projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.

2. **Map-Based Screening for Residential and Office Projects.** Residential and office projects located in areas with low VMT per capita, and that incorporate similar features (i.e., density, mix of uses, transit accessibility), will tend to exhibit similarly low VMT.

3. **Locally Serving Retail**. "locally serving" retail are small stores or restaurants below about 50,000 square feet that draw customers from the immediate neighborhood or capture trips people are already making and is presumed to shorten or redistribute travel rather than generate new regional trips. Because these uses tend to reduce or have no net effect on Vehicle Miles Traveled (VMT), lead agencies may treat them as having a less-than-significant transportation impact and may forgo a project-level VMT analysis for the retail component.

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171 Chen Ryan and Associates, *Ventura Commercial Fishing Port Development – Vehicle Miles Traveled (VMT) Analysis*. April 2025 (see **Appendix E**).

172 Office of Planning and Research, *Technical Advisory on Evaluating Transportation Impacts in CEQA*. Available online at: https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf, accessed April 15, 2025.

4. **Presumption of Less Than Significant Impact Near Transit Stations.** Certain projects (including residential, retail, and office projects, as well as projects that are a mix of these uses) proposed within ½ mile of an existing major transit stop or an existing stop along a high-quality transit corridor will have a less-than-significant impact on VMT.

5. **Presumption of Less Than Significant Impact for Affordable Residential Development**. Adding affordable housing to infill locations generally improves jobs-housing match in turn shortening commutes and reducing VMT per capita. In areas where existing jobs-housing match is closer to optimal, affordable housing nevertheless generates less VMT than market-rate housing. Therefore, a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less-than-significant impact on VMT.

Based on the criteria presented above, the proposed Project may meet one or more of the screening criteria, thus an analysis was conducted for each of the land uses.

Squid-processing facility (employment use)

The squid-processing facility functions as an employment use. Its expansion is designed to serve vessels moving from the Port of Hueneme and the extra personnel needed to run the enlarged operation. To see whether this component meets CEQA screening thresholds, CRA prepared a trip-generation estimate tied to the number of employees expected to relocate. The analysis below reflects peak-season activity for the three main operators—Cal Marine, Sun Coast Calamari, and Southern Cal Seafood.

During the peak squid season (May through January), employee activity will increase to accommodate 24/7 operations. Based on data provided by the tenants, the following number of employees are anticipated during peak season:

- Cal Marine: 8–10 employees
- Sun Coast Calamari: 8 employees
- Southern Cal Seafood: 8 employees

During non-peak periods, staffing reduces to approximately 2 employees per operator, totaling 6 employees overall. As shown in **Table 31, Project Trip Generation**, the project currently generates 52 employee daily trips during peak season.

Table 31
Project Trip Generation

Tenants	Employees	Trip Rate	ADT
Cal Marine	10	2 trips/employee	20
Sun Coast Calamari	8	2 trips/employee	16
Southern Cal Seafood	8	2 trips/employee	16
		Total ADT	**52**

Note: 1 Number of employees during peak season.
Source: CRA Associates Commercial Fishing VMT Analysis, April 2025

As shown, the total number of trips from the relocated employees would be 52 average daily trips, which is less than the 110 average daily trips under the small project threshold. Thus, the squid processing facility portion of the Project would meet the Small Project threshold, is presumed to have a less than significant impact under CEQA, and no additional analysis would be required.

Fish market (retail use)

The proposed 4,900-square-foot fish-market building squarely qualifies as "locally serving retail" under the OPR Technical Advisory on Evaluating Transportation Impacts in CEQA. The Advisory notes that adding retail close to where people already live or recreate generally shortens shopping trips and therefore "lead agencies may presume such development creates a less-than-significant transportation impact," only regionally oriented retail—typically stores larger than about 50,000 square feet—should undergo a project-level VMT study.

Because the fish market's floor area is an order of magnitude below that 50-k-square-foot benchmark and merely replaces (and slightly expands) an existing harbor fish market that already serves visitors, nearby residents, and on-site restaurant patrons, it will not attract substantial new regional trips. Instead, it is expected to capture or shorten trips that are already occurring in and around Ventura Harbor. Consistent with the Advisory's screening guidance, the fish-market component can therefore be presumed to have a less-than-significant transportation impact, and no additional VMT analysis is required for this portion of the project.

Restaurant (retail use)

The proposed 4,700-square-foot restaurant squarely meets the "locally serving retail" screen set out in the OPR Technical Advisory. The OPR Technical Advisory notes that small-format retail and dining uses typically shorten trip lengths or capture trips already occurring nearby, and therefore their

transportation effects are presumed less than significant; it further explains that retail spaces larger than about 50,000 square feet are generally the point at which a project may be considered "regional-serving" and should undergo a full VMT study.

At just 4,700 square feet—less than one-tenth of that 50,000-square-foot benchmark—the restaurant component is clearly local in scale. It replaces and modernizes the existing harbor eatery, serving patrons who are already visiting Ventura Harbor Village or the immediate neighborhood rather than attracting diners from across the region. Because it satisfies the Advisory's local-serving retail screen, the restaurant can be presumed to have a less-than-significant transportation impact, and no additional VMT analysis is required for this element of the project under CEQA.

Collectively, the three land-use components therefore comply with § 15064.3(b) and no further VMT analysis is required. The Ventura Harbor Commercial Fishing Port Development Project would not generate any transportation-related impacts that rise to a level of significance under CEQA. Impacts would be less than significant.

c) Less than Significant with Mitigation. At the Port of Hueneme Site, Project activities would be temporary and limited to the demolition of an existing squid offloading and carrying deck and pavement activities. These activities would be temporary and would not introduce geometric design feature that could substantially increase any hazards.

At Ventura Harbor, the Project would construct a new commercial fish building and two new truck loading platforms on-site. Site design replaces temporary ramps with purpose-built, code-compliant loading docks, adds clear truck maneuvering space, and separates industrial activity from visitor areas with an 8-foot masonry wall. The modest curb-radius adjustments on Spinnaker Drive eliminate potential truck encroachment without introducing sharp curves or other hazardous features. No incompatible roadway users (e.g., farm equipment) are introduced, so the project will not substantially increase design-related hazards.[173] No incompatible roadway users (e.g., farm equipment) would be introduced, as the majority of uses to the site would be similar to existing on-site uses.

The Project would increase the number of trucks entering and existing the site on a daily basis. Trucks would generally enter via a right turn on Spinnaker Drive and exit via a left turn from the site onto Spinnaker Drive to head to the US 101. Due to the increase in the number of trucks entering and exiting there is the potential for conflicts with passenger cars accessing the recreational uses at the site or with other trucks entering or exiting the site. Spinnaker Drive is owned by the City of Ventura and therefore,

173 Chen Ryan and Associates, *Ventura Commercial Fishing Port Development – Vehicle Miles Traveled (VMT) Analysis*, April 2025 (**Appendix C**).

not under the control of either Ventura Harbor or Port Hueneme, as such, the ability to make improvements to the roadway is limited. Mitigation Measure TR-1 would require Ventura Harbor and the City of Ventura to jointly evaluate the intersection and determine if additional improvements need to be made. Improvements may include but are not limited to signalization of the intersection, installation of stop signs, or restricting driveway access to right-in/right-out movements. Incorporation of MM TR-1 would ensure impacts would remain less than significant.

MM TR-1 Prior to issuance of a demolition permit at the Ventura Harbor, the Ventura Harbor in coordination with the City of Ventura and shall conduct a Level of Service analysis to evaluate the total increase in intersection traffic at the Project driveway and Spinnaker Drive. The LOS analysis shall include at a minimum:

- Analysis of up to four (4) intersections (including Project driveway) and four (4) roadway segments and truck queuing analysis (on and off site)
- Evaluation of existing and existing plus project conditions
- Analysis and documentation of traffic conditions, project impacts, and mitigation requirements for cumulative without Project and cumulative with project conditions
- Identification of any necessary transportation improvements, including determination if traffic impact mitigation fees are necessary.
- Recommendations related to truck queuing and safety, including need for idling restrictions on location and timing as well as queuing restrictions.

*d) **Less than Significant with Mitigation.*** In the City of Port Hueneme, the Project would not involve any direct impacts to any vehicle access points to the Port along Port Hueneme Road or Market Street.

At Ventura Harbor, the proposed curbside improvements would include reconstructing the existing driveways along Spinnaker Road. The reconstructed curbs would meet the City's Engineering Design Standards.[174] The Project Applicant would implement **Mitigation Measure MM TR-2**, which would require the preparation of a traffic management plan (TMP) during Project construction. This TMP would include traffic control measures (i.e., temporary signage, short term lane closures) to ensure roadway accessibility for emergency responders. The TMP would be submitted to the Ventura Port

174 City of Ventura, Public Works Department. Engineering Design Standards 2023. Available online at: https://www.cityofventura.ca.gov/DocumentCenter/View/35782/Design-Standards-2023, accessed April 15, 2025.

District, City of Ventura City Engineer, and the Ventura Fire Department for review and approval. Adherences to local regulations and the implementation of **Mitigation Measure MM TR-2** would ensure that Project impacts would be less than significant.

Mitigation Measures

MM TR-1 Prior to issuance of a demolition permit at the Ventura Harbor, the Ventura Harbor, in coordination with the City of Ventura, shall conduct a Level of Service analysis to evaluate the total increase in intersection traffic at the Project driveway and Spinnaker Drive. The LOS analysis shall include at a minimum:

- Analysis of up to four (4) intersections (including Project driveway) and four (4) roadway segments and truck queuing analysis (on and off site)
- Evaluation of existing and existing plus project conditions
- Analysis and documentation of traffic conditions, project impacts, and mitigation requirements for cumulative without Project and cumulative with project conditions
- Identification of any necessary transportation improvements, including determination if traffic impact mitigation fees are necessary.
- Recommendations related to truck queuing and safety

MM TR-2 Prior to the issuance of demolition activities, the Project Applicant shall prepare and submit a traffic management plan (TMP) for the Ventura Port District, City of Ventura City Engineer, and the Ventura Fire Department for review and approval. The TMP shall include traffic control measures that would minimize the off-site traffic circulation along Spinnaker Drive. These control measures would include, but are not limited to:

- In the event that construction activities and equipment require temporary closure of the Spinnaker Drive northbound lane, closure signs and detour signs shall be placed temporarily along the front of the site to help re-route traffic.
- Trained personnel shall be retained to serve as traffic control personnel to direct traffic safely through or around a construction zone, especially when heavy equipment is crossing to the site from the construction staging areas.

- Secure fencing shall be placed on site during construction to separate pedestrians and vehicles from construction areas.

18. TRIBAL CULTURAL RESOURCES

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
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) 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), or	☐	☐	☐	☒
b) 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.	☐	☐	☒	☐

Regulatory Setting

Assembly Bill 52 (2014)

The Native American Historic Resource Protection Act (AB 52) took effect on July 1, 2015 and incorporates tribal consultation and analysis of impacts to tribal cultural resources (TCR) into the CEQA process. AB 52 requires TCRs to be analyzed like any other CEQA topic and establishes a consultation process for lead agencies and California tribes. Projects that require a Notice of Preparation of an EIR or Notice of Intent to adopt a ND or MND are subject to AB 52. A significant impact on a TCR is considered a significant environmental impact, requiring feasible mitigation measures.

To be considered a TCR, the following characteristics must be present:

1) Sites, features, places, cultural landscapes (must be geographically defined), sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be

eligible for inclusion in the California Register of Historic Resources or included in a local register of historical resources. (PRC § 21074(a)(1))

2) The lead agency, supported by substantial evidence, chooses to treat the resource as a TCR. (PRC § 21074(a)(2)) The first category requires that the TCR qualify as a historical resource according to PRC Section 5024.1. The second category gives the lead agency discretion to qualify that resource—under the conditions that it supports its determination with substantial evidence and consider the resource's significance to a California tribe.

The following is a brief outline of the process:

1) A California Native American tribe asks agencies in the geographic area with which it is traditionally and culturally affiliated to be notified about projects. Tribes must ask in writing.

2) Within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it.

3) A tribe must respond within 30 days of receiving the notification if it wishes to engage in consultation.

4) The lead agency must initiate consultation within 30 days of receiving the request from the tribe.

5) Consultation concludes when both parties have agreed on measures to mitigate or avoid a significant effect to a TCR, OR a party, after a reasonable effort in good faith, decides that mutual agreement cannot be reached.

6) Regardless of the outcome of consultation, the CEQA document must disclose significant impacts on TCRs and if any significant impacts are identified, discuss feasible alternatives or mitigation that avoid or lessen the impact.

California Health and Safety Code, Section 7050.5

This code requires that if human remains are discovered, disturbance of the site shall halt until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and recognizes or has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Public Resources Code Sections 5097-5097.994

Native American Historic Resource Protection Act; Archaeological, Paleontological, and Historical Sites; Native American Historical, Cultural, and Sacred Sites (Public Resources Code Section 5097-5097.994) specifies the procedures to be followed in the event of the unexpected discovery of human remains on nonfederal public lands. California Public Resources Code 5097.9 states that no public agency or private party on public property shall "interfere with the free expression or exercise of Native American Religion." The code states that:

> *No such agency or party [shall] cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine… except on a clear and convincing showing that the public interest and necessity so require. County and city lands are exempt from this provision, except for parklands larger than 100 acres.*

Existing Setting

The Chumash Native American Tribe occupied Ventura County for approximately 9,000 years. The Chumash were living in a string of coastal villages when Spanish explorers arrived in 1542. Shisholop village (at the south end of present-day Figueroa Street) was a thriving Chumash provincial capital at the time of the Spanish arrival.[175]

Impacts

a) No Impact. Impacts related to historical resources are evaluated in **Section 5**, **Cultural Resources**. As discussed, there are no buildings or structures within either site not listed on the CRHR or the NRHP. Additionally, a Native American Heritage Commission (NAHC) Sacred Lands File search was requested on February 3, 2025. A response was received on that same date. Information obtained from the NAHC indicated that no known tribal cultural resources are located within either site. Therefore, impacts would be less than significant.

b) Less than Significant with Mitigation. In compliance with AB 52, the Port of Hueneme Oxnard Harbor District initiated tribal consultation by notifying each tribe that may have knowledge of cultural resources within vicinity of either site. As May 2025, no responses have been received by any Native American Tribe.

Ground disturbing activities under the Project would be limited to the Ventura Harbor. As discussed above, ground-disturbing activities could result in the discovery of previously undiscovered cultural

175 ASM Affiliates, *Cultural Resource Inventory for the Ventura Harbor Modernization Project, Ventura County, California*. March 2025 (see **Appendix C**, **Cultural Resource Inventory Memorandum**)

resources. This includes potential discovery of tribal cultural resources. Although no known Tribal Cultural Resources are indicated to be present within the Ventura Harbor site, because the Project includes the potential for development at previously undisturbed depths, the potential for discovery of previously unidentified tribal cultural resources exists. Implementation of **Mitigation Measures TCR-1 through TCR-3** would require Native American monitoring of all ground disturbing activities, the recovery and retention of tribal cultural resources, and the preservation of human remains or associated ceremonial objects, to reduce impacts to resources that are applicable under Public Resources Code Section 5024.1 to less than significant levels.

Mitigation Measures

MM TCR-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.

1. The Project Applicant/Lead Agency shall retain a Native American Monitor from or approved by the appropriate California Native American tribes. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

2. A copy of the executed monitoring agreement shall be submitted to the Lead Agency prior to the earlier commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

3. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains

and burial goods. Copies of monitor logs will be provided to the Project Applicant/Lead Agency upon written request to the Tribe.

4. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the appropriate California Native American tribes from a designated point of contact for the Project Applicant/Lead Agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the appropriate California Native American tribes to the Project Applicant/Lead Agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact the TCRs outlined in this Initial Study/Mitigated Negative Declaration.

MM TCR-2 Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the appropriate California Native American tribe monitor and/or archaeologist. The appropriate California Native American tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

MM TCR-3 Unanticipated Discovery of Human Remain and Associated Funerary or Ceremonial Objects

1. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

2. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.

3. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

4. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.

5. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

19. UTILITIES & SERVICE SYSTEMS

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Regulatory Setting

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of an UWMP, water agencies are required to evaluate and describe their water resource

supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Ventura adopted its most recent UWMP**,** the *2020 Urban Water Management Plan for the City of Buenaventura* (*2020 UWMP*) in May 2021. The Port Hueneme Water Agency adopted its most recent UWMP, the 2020 Urban Water Management Plan, in June 2021.

Assembly Bill (AB) 939

California AB 939 established the California Integrated Waste Management Board (CalRecycle), which required all California counties to prepare Integrated Waste Management Plans. In addition, AB 939 required all municipalities to divert 50 percent of their waste stream by the year 2000.

Senate Bill 1383 (2016)

SB 1383 (2016) established targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill granted CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

In January 2023, the most recent version of the California Green Building Standards Code (Cal Green) became effective. Cal Green establishes mandatory green building standards for new and remodeled structures in California. These standards include a mandatory set of guidelines and more stringent voluntary measures for new construction projects, in order to achieve specific green building performance levels as follows:

- Reduce indoor water use by 20 percent;
- Recycle and/or salvage 50 percent of nonhazardous construction and demolition debris through recycling; and
- Integrate the use of materials with recycled content, rapidly renewable resources.

Local

City of Ventura General Plan Policies

The City's General Plan policies related to utilities and service systems include, are not limited to, the following:

Policy 5B: Improve services in ways that respect and even benefit the environment.

City of Port Hueneme General Plan

The City's General Plan policies related to utilities and service systems include, are not limited to, the following:

PSF 7-2 Ensure that new development meets applicable water quality standards.

PSF 8-3 For new developments and redevelopments, encourage passive design concepts which increase energy efficiency by making use of the natural climate.

City of Ventura Municipal Code

Chapter 22.150 (Water Service Connection) of the City *Municipal Code* requires new lateral connections to the Ventura Water system to pay connection fees to the city as a method of recovering fair and proportionate share of capital costs of pumping and storage facilities and distribution lines. The numerical amount of these connection fees varies and are dependent upon meter size.

City of Ventura 2020 Urban Water Management Plan

The City of Ventura's 2020 Urban Water Management Plan (2020 UWMP) provides a comprehensive analysis of the city's water supply and demand projections under various scenarios. The plan evaluates the reliability of Ventura's local water sources—Lake Casitas, Ventura River, and groundwater basins—considering factors such as historical data, climate change impacts, and population growth. In single-year scenarios, the UWMP assesses the city's capacity to meet water demand during normal, dry, and critically dry years, identifying potential shortfalls and strategies to address them. For multi-year scenarios, the plan examines extended drought periods, analyzing cumulative effects on water supply and proposing conservation measures and infrastructure improvements to enhance resilience. The UWMP emphasizes the importance of demand management, including water use efficiency programs and public education, to mitigate the impacts of supply variability. Additionally, it outlines plans for developing new water sources to diversify and strengthen the city's water portfolio.

Port Hueneme Water Agency 2020 Urban Water Management Plan

The Port Hueneme Water Agency (PHWA) adopted its 2020 Urban Water Management Plan (PHWA UWMP) on September 2021. This plan outlines PHWA's strategies to ensure a reliable water supply through 2045, focusing on water conservation, supply diversification, and drought preparedness. PHWA's primary water sources are groundwater from the United Water Conservation District (UWCD) and

imported water from the Calleguas Municipal Water District (CMWD). The UWMP includes a Water Shortage Contingency Plan (WSCP) that details responses to various water shortage scenarios, aiming to maintain service reliability during droughts or supply disruptions. The plan also emphasizes the importance of demand management measures and infrastructure improvements to support long-term water sustainability. Overall, the UWMP serves as a comprehensive guide for PHWA's water resource planning and management.

Existing Setting

Water

According to the 2020 UWMP, Ventura Harbor and the surrounding area is serviced by the City of Ventura for potable water. The City's sources of water supply include surface water (i.e., the Ventura River), groundwater supplies, and the California State Water Project. Based on the 2020 UWMP, the water demand irrigation in the year 2020 totaled to approximately 380 acre-feet (AF). The 2020 UWMP includes an analysis of water supply reliability projected through 2045. Based on this analysis, the City would provide adequate water supply to its service area under a normal supply and demand scenario, single dry-year supply and demand scenario, and multiple dry-year supply and demand scenario through 2045.

The Port of Hueneme site and its surrounding area is serviced by the PHWA. According to the PHWA UWMP, the PHWA service area will experience a deficit supply of 506 af under normal, dry, and multiple-year scenarios by the year 2045.[176]

Wastewater

Wastewater within the City of Ventura is collected by the City and is treated by the Ventura Water Reclamation Facility (VWRF). The VRWF is a tertiary treatment plant that treats between approximately eight to nine million gallons of wastewater per day (MGD).[177] As of 2020, the VWRF has a design treatment capacity of 14 MGD.[178]

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176 Port Hueneme Water Agency, *2020 Urban Water Management Plan*. Available online at: https://www.ci.port-hueneme.ca.us/DocumentCenter/View/4259/MKN-Port-Hueneme-Water-Agency-UWMP-2020-Final?bidId=, accessed April 17, 2025.

177 City of Ventura, *Wastewater*, Available online at: https://www.cityofventura.ca.gov/503/Wastewater, accessed February 23, 2025.

178 *Ibid.*

Wastewater within the City of Port Hueneme and the Port are collected and treated by the City. The City's sewer system flows a total of approximately 2 MGD.[179]

Stormwater

Stormwater runoff generated by the Ventura Harbor is discharged into existing storm drains that are owned by the City of Ventura.

Similarly, stormwater runoff generated by the Port of Hueneme site is discharged into existing storm drains that are owned by the Port.

Dry Utility Services

Electricity and natural gas services at the Ventura Harbor are currently provided by Southern California Gas Company and Southern California Edison, respectively.[180,181]

The Southern California Edison also provides electricity services to the Port of Hueneme site.[182] However, the Port of Hueneme Site does not operate with natural gas.

Solid Waste

More than 98 percent of the solid waste collected in the City of Ventura and more the 78 percent of the solid waste collected in the City of Port Hueneme are disposed of at the Toland Road Landfill.[183] The Toland Road currently has a remaining capacity of 16,068,864 tons of solid waste and would cease operation in April of 2033.[184]

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179 City of Port Hueneme, *City of Port Hueneme-Wastewater.* Available online at: http://ci.port-hueneme.ca.us/880/Wastewater, accessed April 17, 2025.

180 City of Ventura, *Clean Power Alliance*, Available online at: https://www.cityofventura.ca.gov/1489/Clean-Power-Alliance, accessed February 23, 2025.

181 Southern California Gas, *Gas Transmission Pipeline Interactive Map – Ventura*, Available online at: https://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=12cb8fddd6184f1bafc565ed09e4f631, accessed February 23, 2025.

182 Southern California Edison, *SCE Service Territory Cities*. Available online at: https://energycenter.org/sites/default/files/docs/nav/programs/smp/20.%20SCE%20Service%20Territory%20Cities.pdf, accessed April 17, 2025.

183 CalRecycle, *Jurisdiction Disposal by Facility and Alternative Daily Cover (ADC) Tons by Facility*. Available online at: https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility, accessed February 23, 2025.

184 CalRecycle, *SWIS Facility/Site Search*. Available online: https://www2.calrecycle.ca.gov/SolidWaste/Site/Search, accessed February 23, 2025.

Impacts

a) ***Less than Significant Impact.*** The Project would not involve the use of water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities at the Port of Hueneme site. Therefore, this analysis will focus on Project impacts at Ventura Harbor.

Water

At the Ventura Harbor, the Project includes a newly constructed commercial fish building which would require the use of potable water, consistent with current use – which includes two of the three intended fish markets and a portion of the kitchen area of Andria's Seafood restaurant (the third fish market is presently located in a different building within Ventura Harbor). Water usage would be consistent with current use, and due to new construction would likely be more efficient through the use of new fixtures. The processing of squid requires the use of ice for packing. Currently, the Port of Hueneme maintains an icehouse that is used for packing squid at the Port of Hueneme site. However, as the icehouse will be removed as part of the Project, and operations will move to Ventura Harbor, additional ice would need to be sourced from the Ventura / Oxnard area. Since the total squid operation will remain the same (just relocated) the total amount of ice used will also remain generally the same as current conditions and would not impact water service systems that service Ventura County. The Project also proposes replacing existing pipelines used for pumping fish from boats to onsite processing area. These pipes would not use the City's potable water supply, as the water processed in these pipelines consist of "stick water" or ocean water that would be pumped back into the ocean.[185] Thus, the Project would not result in additional demand on water supplies. Therefore, impacts to existing water facilities would be less than significant.

Wastewater

At the Ventura Harbor, the Project proposes the use of new bathrooms which would generate a demand for wastewater treatment. However, uses that would generate wastewater in the proposed commercial building under the Project would be similar to the existing uses that generate wastewater in the existing commercial fish building and would likely be more efficient. The Project is anticipated to generate approximately 7,087 gallons per day.[186] This would represent less than one percent of the average amount of wastewater that is treated by the VWRF per day and would be similar to existing

185 "Stick water" is a byproduct of the wet process of manufacturing fish meal and fish oil.

186 Impact Sciences, April 2025. See **Appendix A** to this report.

on site wastewater usage. As such, it is anticipated that VWRF has adequate capacity to serve the Project's projected demand for wastewater treatment.

Stormwater

At the Ventura Harbor, the Project would utilize existing connections to the City of Ventura's stormwater drainage system. The stormwater system that will be built under the Project would adequately discharge on-site stormwater in accordance with the NPDES and LARWQCB requirements by implementing BMPs that would limit the amount of stormwater runoff that would enter the City's stormwater drainage system. As such, impacts would be less than significant.

Dry Utilities

At Ventura Harbor, electricity and energy demand from Project operation could incrementally increase demand on utility services as overall offloading capacity and the overall square footage of the commercial building would increase. The Project would adhere to the City's general design requirements and would be required to comply with CalGreen Code standards pertaining to energy conservation and efficiency. As such, impacts would be less than significant.

b) ***Less than Significant Impact.*** The Project would not involve the use of potable water at the Port of Hueneme Site. Therefore, this analysis will focus on Project impacts at Ventura Harbor.

According to the 2020 UWMP, the reliability of the City's water supply is expected to be adequate to meet Normal Year, Single Dry Year, and Five-Consecutive Year Drought dry year demand conditions between 2025 and 2045. The UWMP states that the City's supply portfolio will be managed to meet demand under all water year scenarios and continue to promote conservation to ensure reliability throughout the future.[187] Thus, water demand generated by the Project is within the 2020 UWMP's water demand projection for the City, and the City anticipates having sufficient water supplies available to serve the Project during normal, dry, and multiple dry years. Therefore, impacts would be less than significant.

c) ***Less than Significant Impact.*** Project activities at the Port of Hueneme Site would not require wastewater treatment . Therefore, this analysis will focus on Project impacts at Ventura Harbor.

187 City of Ventura, *2020 Urban Water Management Plan for the City of San Buenaventura*. Available online at: https://www.cityofventura.ca.gov/DocumentCenter/View/27446/2020-Draft-Urban-Water-Management-Plan-Main-Text, accessed April 8, 2025.

As discussed above, the Project would not require the relocation or construction of new or expanded wastewater treatment facilities. The Project minimal expansion of the existing squid processing facilities. As stated, the Project could result in a minimal increase in wastewater generation compared to existing conditions. However, the Project is not anticipated to be a substantial source of wastewater. Based on available data, it is anticipated that VWRF has adequate capacity to serve the Project's projected demand for wastewater treatment. [188]Therefore, the Project's impacts to wastewater treatment would be less than significant.

d, e) Less than Significant Impact. Construction activities associated with the Project would generate solid waste at both the Port of Hueneme and Ventura Harbor locations. However, the amount of solid waste (i.e., construction debris) generated at the Port of Hueneme location would be nominal and would cease upon completion of demolition activities. Project operational activities are expected to generate approximately 50 tons per year of solid waste.[189] The solid waste generated from Project operations would represent less than one percent of the maximum daily throughput of both landfills. As such, the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure. Furthermore, the Project would demonstrate compliance with the California Integrated Waste Management Act of 1989 (AB 939), which requires all California cities "reduce, recycle, and re-use solid waste generated in the State to the maximum extent feasible." AB 939 requires that at least 50 percent of waste produced is recycled, reduced, or composted. The Project would also comply with the 2022 California Green Building Standards (CALGreen) Code, which includes design and construction measures that help reduce construction-related waste through material conservation and other construction-related efficiency measures. Thus, less than significant impacts would occur.

188 City of Ventura, "Wastewater," Available online at: https://www.cityofventura.ca.gov/503/Wastewater, accessed April 17, 2025.

189 Impact Sciences, April 2025. See **Appendix A** to this report.

20. WILDFIRE

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Existing Setting

Both locations have been previously developed and are currently developed with commercial squid and fishing facilities. According to the California Department of Forestry and Fire (Cal Fire) Fire Hazard Severity Zone Viewer, neither site is located in or near a State responsibility area nor either site designated as a very high fire severity zone in a Local responsibility area.[190,191] Neither site is located within close to proximity to an existing evacuation route.

Impacts

a) No Impact. All construction activities associated with the proposed Project would be contained on-site. As stated in **Section 9, Hazards and Hazardous Materials**, the Project would not impede the current emergency response operations outlined in the City's Emergency Operations Plan. Additionally, the

190 California Department of Forestry and Fire Protection, *Fire Hazard Severity Zones in SRA, Ventura County*, November 7, 2007.

191 California Department of Forestry and Fire Protection, *Very High Fire Severity Zone in LRA, Ventura*, October 6, 2010.

Project is not expected to impede any of the existing emergency evacuation routes on- or off-site as it would be similar to existing conditions. Thus, no impact would occur.

b) ***No Impact.*** As stated, the Project is not located within or near a State responsibility area nor is either site designated as a very high fire severity zone. Accordingly, no impacts related to wildfire would occur.

c) ***Less than Significant Impact*** Project improvements would occur within the Ventura Harbor and the Port Hueneme. The Project is essentially a consolidation of an existing use and does not include any new infrastructure that could increase wildfire risk. Thus, the Project's potential to exacerbate any fire risks would be less than significant.

d) ***No Impact.*** As discussed, all structures associated with the Project would occur within the Ventura Harbor and the Port Hueneme. Additionally, the Project Site is not located within or near a State responsibility area or very high fire severity zone. Therefore, the Project would not result in wildfire risks that would expose people or structures to significant risks, including downslope or downstream flooding or landslides. No impact would occur.

21. MANDATORY FINDINGS OF SIGNIFICANCE

Issues	Potentially Significant Impact	Less than Significant with Project Mitigation	Less than Significant Impact	No Impact
The lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur. Where prior to commencement of the environmental analysis a project proponent agrees to mitigation measures or project modifications that would avoid any significant effect on the environment or would mitigate the significant environmental effect, a lead agency need not prepare an EIR solely because without mitigation the environmental effects would have been significant (per Section 15065 of the *State CEQA Guidelines*):				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion of Potential Project Impacts

a) Less than Significant Impact with Mitigation Incorporated. As discussed in the Biological Resources section, impacts to the existing fish population would be less than significant. However, implementation of **Mitigation Measures MM BIO-1**, would be required to ensure compliance with the MBTA and reduce potential impacts to migratory birds. As noted under the Cultural Resources section, the Project could potentially result in undiscovered archaeological resources on-site. However, with the implementation of **Mitigation Measure MM CUL-1**, these impacts would be reduced to less than significant levels.

b) Less than Significant Impact with Mitigation Incorporated. The Project generally would not contribute to potentially cumulatively considerable impacts. As indicated in the above analysis, with implementation of the required mitigation measures, the Project would not result in any unmitigated significant adverse impacts and/or cumulatively considerable impacts. Specifically, **Mitigation Measures MM BIO-1**, **MM CUL-1**, **MM GEO-1**, **MM TR-1** through **MM TR-2** and **MM TCR 1** through **MM TCR-3** would reduce potentially significant impacts to less than significant levels. The Project does not include any unmitigated cumulatively considerable impacts when considered in connection with the effects of past, present and probably future projects. No further analysis is necessary.

c) Less than Significant Impact with Mitigation Incorporated. As indicated in the above analysis, with implementation of the required mitigation measures, the Project would not result in any unmitigated significant adverse impacts. Thus, the Project would not have the potential to result in substantial adverse effects on human beings. No further analysis is needed.

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