



March 8, 2022

Mr. Rob Dal Farra, Vice President
Sespe Consulting, Inc.
374 Poli Street, Suite 200
Ventura, CA 93001

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Jhecht@sespeconsulting.com
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Subject: Determination of Environmental Document
Modification of Conditional Use Permit (CUP) No. LU06-0011
Wastewater Treatment Facility
RI-NU Services, Inc.
Case No. PL15-0106
815 Mission Rock Road, Santa Paula
Assessor's Parcel Number 099-0-060-565

Dear Mr. Dal Farra:

In accordance with section 15063 of the California Environmental Quality Act (CEQA) Guidelines (Guidelines), the Ventura County Planning Division, in consultation with other public agencies, prepared an Initial Study dated October 11, 2021, and determined that the proposed project could have a significant environmental impact with respect to land use incompatibility with adjacent agricultural operations (Section 5B of the Initial Study) and the handling, storage, and transportation of hazardous materials (Section 20a of the Initial Study). The Initial Study identified mitigation measures that would clearly reduce these impacts to a less-than-significant level and the applicant subsequently accepted these mitigation measures. Staff then prepared a draft Mitigated Negative Declaration (MND) in accordance with CEQA Guidelines section 15070(b)(1) and (2).

The draft MND was circulated for public review for a 45-day time period starting on October 14, 2021 and concluding on November 30, 2021. Staff received approximately 100 separate public comment letters, some of which contained over 20 distinct comments within them. Staff thoroughly evaluated each comment, reviewed the currently proposed project description, and further researched applicable case law. Under CEQA, if substantial evidence supports a "fair argument" that the project may have significant adverse effects, the lead agency must prepare an environmental impact report (EIR). (See *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319.) An MND may only be used in lieu of

preparing an EIR “when the initial study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.” (Public Res. Code, § 21064.5).

As Planning Director, I have determined that there is substantial evidence in the record that demonstrates a fair argument that aspects of the project, either individually and/or cumulatively, could create a significant effect on the environment. Furthermore, it has been determined that one or more of these potential significant impacts cannot clearly be reduced to a less-than-significant level through the imposition of feasible mitigation measures. Therefore, I have determined that an EIR instead of an MND must be prepared for the proposed project.

My determination of the proper baseline setting for the project’s CEQA review has resulted in the determination that an EIR, and not an MND, is the required CEQA document. In this regard, I have determined that, contrary to the approach taken in the Initial Study and draft MND, it is not appropriate to use the facility’s prior operations, existing as of 2014 when the facility was last open, as the baseline environmental setting for evaluating whether the current proposal’s operational impacts would be significant under CEQA. In response to the numerous public comments on this issue, Planning Division staff closely examined the relevant law and the applicant’s evolving project description to determine whether it would be appropriate to use the facility’s prior operations as the baseline conditions.

Section 15125 of the Guidelines states that the purpose of a project’s baseline environmental setting is for the lead agency to provide the public and decision makers with “the most accurate and understandable picture practically possible of the project’s likely near-term and long-term impacts.” (CEQA Guidelines, § 15125(a).) The baseline “delineate[s] environmental conditions prevailing absent the project” and it is these conditions “against which predicted effects can be described and quantified.” (*Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439, 447.) More specifically, a project’s potential physical changes to the environment generally are “identified by comparing *existing* physical conditions (i.e., the baseline) with the physical conditions that are predicted to exist at a later point in time, after the proposed activity has been implemented.” (*Association of Irrigated Residents v. Kern County Bd. of Supervisors* (2017) 17 Cal.App.5th 708, 724.) “The difference between these two sets of physical conditions is the relevant physical change to the environment, part of which may be allocated to the project and part of which may be allocated to other causes.” (*Ibid.*)

The Guidelines state that a lead agency should normally use the conditions as they exist at the time of the notice of preparation or when the environmental analysis commences. (CEQA Guidelines, § 15125(a)(1).) The Guidelines do, however, allow for the use of “historic conditions” as an environmental baseline setting where “existing conditions change or fluctuate over time, and where necessary to provide the most accurate picture practically possible of the project’s impacts.” (*Ibid.*) The California Supreme Court has noted that neither CEQA nor the Guidelines “mandates a uniform, inflexible rule for determination of the existing conditions baseline,” but that the lead agency enjoys the discretion to decide that based on substantial evidence. (*Communities for a Better Environment, supra*, 48 Cal.4th at p. 328.)

Courts have generally required the project applicant to establish that historic conditions are legally entitled to continue, without further discretionary governmental action or approval, in order for the lead agency to utilize those historic conditions as the CEQA baseline in lieu of the existing physical setting. (See *North County Advocates v. City of Carlsbad* (2015) 241 Cal.App.4th 94, 97, 105-106, fn. 7 [upholding baseline determination of historic use of shopping center retail space where determination was based on actual historic use and party’s right to fully occupy the retail space “without further discretionary approvals”]; see also *Cherry Valley Pass Acres Neighbors v. City of Beaumont* (2010) 190 Cal.App.4th 316, 337-338 [upholding baseline determination of historic water usage based on actual historic use and current entitlement to that historic use]; see also *Association of Irrigated Residents, supra*, 17 Cal.App.5th at 728-729 [upholding baseline determination of historic use of an oil refinery based on actual historic use, that there were “permits or other entitlements that are still in effect,” and that the refinery operations “could begin again without the approval of the project currently being proposed”].)

Here, in contrast to the above-cited cases, the subject wastewater facility, which has not operated since its explosion incident in 2014, requires new discretionary governmental action and approval in order to resume the proposed operations. Moreover, the facility’s proposed operational model is fundamentally different than that authorized under the site’s existing discretionary Conditional Use Permit (CUP). In particular, the facility could only engage in the project’s currently proposed operations if and to the extent authorized by a County-granted discretionary CUP modification, and only if the Ventura County Local Agency Formation Commission approves an out of area service agreement. These new discretionary approvals are required, in large part, because the proposed project is fundamentally different than the facility’s previous operation: while a predominant portion of the facility’s wastewater was previously discharged to the City of Oxnard’s wastewater treatment facility via pipeline, the use of the pipeline is no longer a part of the proposed project. Instead, all of the facility’s wastewater would be transported via truck to one or more facilities located outside of Ventura County for ultimate disposal. The applicant changed its project description in this regard on

October 15, 2020, after the County had been processing the previous proposal since July 2015.

Thus, the currently proposed project would not merely resume or continue previously entitled operations (after a nearly eight-year pause in operations), but rather would commence a fundamentally different wastewater operation that requires new discretionary approval and authorization. Consequently, deviating from the site's existing physical setting, which does not include any wastewater operations at present or over the past approximately eight years, and instead utilizing the historic conditions of the facility's 2014 pre-explosion incident pipeline-based operations, would not provide the public and the decision-makers "the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts."

As such, I have determined that the proposed project's environmental baseline will be based on the site's existing physical setting (i.e., "zero baseline") at the time CEQA review commenced for the pending application which does not include any wastewater or other operations at the site. As a result of this baseline, the project's potential impacts in the following initial study issue areas are significant, and the Planning Division has not identified feasible mitigation that, if implemented, would clearly reduce the impacts to less-than-significant. Consequently, the following potential environmental impacts require the preparation of an EIR:

- (1) Transportation & Circulation – Vehicle Miles Traveled (VMT) – The initial study explained that the proposed project was evaluated using the screening criteria, established in Section D.1 of the County's August 6, 2021 VMT Administrative Guidance (attached), to determine whether the project's impacts would be less-than-significant if it met any one of five screening criteria, one of which is not exceeding 110 trips per day. (VMT Administrative Guidance, section D.1(a)(i).) When using the historic conditions as the environmental baseline, the proposed project would not generate an additional 110 trips per day and therefore, the project's impacts would be less-than-significant. However, when analyzing the proposed project's environmental baseline based on the site's existing physical setting ("zero baseline"), the project would generate 280 trips per day (200 truck trips and 80 employee trips), which well exceeds the 110 or more trips per day threshold. Because the proposed project would not meet the screening criteria for an impact determination of less-than-significant impact, a VMT impact analysis, prepared by a registered civil engineer or registered traffic engineer who is qualified to perform traffic engineering studies, assessing the amount of vehicle travel the project will induce,¹ is required and shall be prepared as part of the EIR process.

¹ The VMT impact analysis shall be prepared in accordance with the methodology in Section E of the VMT Administrative Guidance.

The Planning Division has not identified feasible mitigation that, if implemented, would clearly reduce this impact to less-than-significant. If feasible mitigation measures are not available, the decision-making body would need to adopt a statement of overriding considerations pursuant to CEQA in order to approve the project if it believes that the benefits of the project outweigh the unavoidable adverse environmental impacts of the project.

- (2) Agricultural Resources (Land Use Incompatibility) – The proposed project was evaluated by the Agricultural Commissioner’s Office (ACO) as a “continuing” industrial use directly adjacent to agricultural land. The ACO determined that the project qualified under the Waiver and Deviation Criteria of section 5b.D.3.k of the County’s Initial Study Assessment Guidelines (“ISAGs”), which applies when “[t]he non-agricultural use is a continuing Industrial use with no substantial changes in existing land use incompatibility.” Based on this waiver criteria, the project’s impacts would be less than significant with implementation of feasible mitigation measures. However, when analyzing the project’s impacts on compatibility with agricultural resources at zero baseline, the project does not qualify under the waiver and deviation criteria because it would not be considered a “continuing” industrial operation, but rather a new operation that is located closer than the distances set forth in the ISAGs. New non-agricultural operations that are located closer than the distances set forth in the ISAGs are considered to have a significant impact on agricultural resources. As of now, the Planning Division has not identified feasible mitigation that, if implemented, would clearly reduce this impact to less than significant. Therefore, further analysis through the EIR process is required in order to review the effectiveness of the existing identified mitigation measures and possibly identify new feasible mitigation measures to reduce the significant impact to a level of less-than-significant. If feasible mitigation measures are not available, the decision-making body would need to adopt a statement of overriding considerations pursuant to CEQA in order to approve the project if it believes that the benefits of the project outweigh the unavoidable adverse environmental impacts of the project.

Advisory

- (1) Housing – The initial study explained that the proposed project included a total of 40 employees: 12 existing employees and 28 new employees. However, analyzing the project at zero baseline means that there are 40 new employees. The ISAGs, Item 26 (Housing) and the County’s General Plan Policy LU-4.5 (Jobs-Housing Balance) require evaluation of employment-generating discretionary development resulting in 30 or more new full-time and full-time equivalent employees to assess the project’s impacts on lower-income housing demand within the community in which the project is located or within a 15-minute commute distance of the project. The applicant shall provide the County an evaluation to determine how many of the new full-time and full-time equivalent employees would be deemed lower-income. This information may be ascertained by obtaining prospective wages/salaries for the respective job

positions. If 30 or more of the new employees are lower-income employees, as defined in the ISAGs (ISAGs, p. 145), a significant project-related and cumulative impact on the demand for housing would exist. If this is the case, a housing and affordability gap analysis, prepared by a qualified consultant specializing in housing development/finance issues, shall be provided to the County that identifies appropriate mitigation to reduce the significant impacts to less-than-significant.

- (2) Air Quality – The initial study explained that the regional air quality impacts are derived using a statewide emissions estimating computer model, CalEEMod, which calculates ozone precursor pollutants based on direct emissions from construction and operations. In order to estimate the level of emissions counting toward the significance threshold, the baseline emissions must first be quantified. The baseline emissions estimate was calculated using the former facility's most recent operational data from 2014, and since the applicant did not provide the amount of vehicle travel the project would induce, the Air Pollution Control District (APCD) staff used the default inputs of 9 miles/day for trucks and 7 miles/day for employees. Based on this analysis, there was a less-than-significant impact on air quality because the operational ozone precursor emissions were below the threshold of 25 pounds per day. However, when the applicant prepares a VMT analysis, as required in item 1 above, the amount of vehicle travel the project will induce will be better known and will be used in determining the actual operational ozone precursor emissions of the project, and will likely significantly exceed the default inputs previously used. For illustration, analyzing the proposed project's operational ozone precursor emissions at zero baseline and using, conservatively (but more accurately), the regional (unincorporated) average VMT of 24.33 miles/day, reveals that the project's nitrogen oxide (NOx) emissions would be 32.7 pounds per day, which exceeds the applicable threshold of 25 pounds per day and therefore, would be a significant impact on air quality. Further analysis through the EIR process is thus required in order to determine whether there are feasible mitigation measures to reduce the significant impact to a level of less-than-significant.

The full cost for consultant fees and staff coordination for preparation of the EIR must be borne by the applicant. In order to proceed, you must notify the Planning Division in writing that you agree to proceed with the preparation of the EIR. Upon receipt of your authorization, staff will develop a Scope-of-Work (SOW) for preparation of the EIR; a Request-for-Proposal (RFP); and prepare a contract with a private consulting firm, which includes a time and cost estimate. After your review and acceptance of the SOW and time and cost estimate, you will be required to deposit the total estimated consultant costs for the EIR into a trust account with the Resource Management Agency. The deposit must be received prior to commencement of work on the EIR.

If you disagree with the environmental document determination for this project, you may appeal this decision to the Planning Commission by submitting an appeal form, appeal reimbursement agreement form, and a \$1,000 deposit to the Planning Division by 4:00 p.m. on March 18, 2022 (i.e., within 10 calendar days from the date of this letter). The

appeal form and reimbursement agreement may be accessed at the Planning Division website at: <https://vcrma.org/appeals>.

If you have any questions about this letter, please contact the case planner, Ms. Franca A. Rosengren, at (805) 654-2045 or Franca.Rosengren@ventura.org.

Sincerely,



Dave Ward, AICP, Director
Ventura County Planning Division

Encl.: Ventura County VMT Administrative Guidance

- c: RI-NU Services, LLC, c/o Timothy Koziol, 15218 Summit Avenue, Suite 300 #601, Fontana, CA 92336 and via email
Santa Clara Waste Water Company, c/o George Flack, 18439 Victoria Bay Drive, Cornelius, NC 28031
C3 Capital Partners II, c/o Lewis Brisbois, 4600 Madison Avenue, Ste. 700, Kansas City, MO 64112
Ventura Local Agency Formation Commission (LAFCo), Andrea Ozdy, Deputy Executive Officer, via email
Daniel R. Tormey, Ph.D., P.G., Catalyst Environmental Solutions, via email
Mission Rock Road Property Owners Association, c/o EKAM, Inc., P.O. Box 1209, Ventura, CA 93002
Ventura Agricultural Commissioner's Office, Korinne Bell, Chief Deputy Agricultural Commissioner, and Alec Thille, Agricultural Land Use Planner, via email
Ventura County Air Pollution Control District, Nicole Collazo, Air Quality Specialist, via email
PWA, Roads and Transportation, Glenn Derossett, Manager and Darren Arrieta, Engineer, via email
City of Santa Paula, Community and Economic Development Department, James Mason, Director, P.O. Box 569, Santa Paula, CA 93061 and via email
City of Oxnard, Community Development Department, Scott Kolwitz, Planning & Environmental Services Manager, 214 S. C Street, Oxnard, CA 93030 and via email
County of Ventura, Resource Management Agency, Kim Prillhart, Director, via email
County of Ventura Board of Supervisors (all districts), via email

Transportation & Circulation – Vehicle Miles Traveled (VMT)

A. Definition of Issue

Vehicle Miles Traveled (VMT) refers to the amount and distance of automobile travel attributable to a project. The VMT metric integrates land use and multimodal transportation choices, and encourages alternative transportation, greater efficiency, and reduced Greenhouse Gas (GHG) emissions. The VMT metric was established by the Governor’s Office of Planning and Research (OPR) as an alternative to vehicle delay as a new methodology for evaluating transportation impacts under the California Environmental Quality Act (CEQA) following the State Legislature’s passage of Senate Bill 743. VMT analysis in CEQA documents became required statewide on July 1, 2020.

B. Definition of Technical Terms

Local Serving Retail – The Governor’s Office of Planning and Research (OPR) guidance on VMT allows a local agency to specify what businesses constitute local serving retail. For purposes of this section, a local serving retail project consists of a retail business with a combined gross floor area of less than 10,000 square feet or generates less than 500 average daily trips (ADT).

Transit Priority Area – As defined by the Southern California Association of Governments (SCAG), a Transit Priority Area (TPA) is an area that is located within one-half mile of an existing or planned major transit stop. A “major transit stop” refers to a site containing an existing rail transit station or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. To qualify as a TPA, a planned major transit stop must be scheduled for completion within the planning horizon included in the adopted Federal Transportation Improvement Program (FTIP) or Regional Transportation Plan (RTP). A TPA is a subset of the High Quality Transit Areas (HQTA) described in SCAG’s Regional Transportation Plan/ Sustainable Communities Strategy, excluding the one-half-mile buffer area along the high-quality transit corridors which are corridors with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

Transportation or Traffic Analysis Zone (TAZ) - the unit of geography used in transportation planning models dividing a planning region into relatively similar areas of land use or land activity and constructed by census block information of socio-economic data.

Vehicle Miles Traveled (VMT) - A measure of the amount of travel for all vehicles in a geographic region over a given period of time, typically a one-year period. The term “vehicle” typically refers to on-road passenger vehicles, specifically cars and light trucks. However, special consideration of other vehicle types (e.g., heavy duty trucks) may be warranted for certain projects as determined by the County Road Commissioner during review of the project description and for incorporation into the traffic study scope of work if required. Regardless, for an apples-to-apples comparison, vehicle types considered should be consistent across project assessment, significance thresholds, and mitigation.

Ventura County Transportation Commission (VCTC) Ventura County Transportation Model (VCTM) – A county-wide model consistent with regional and subregional models, including the baseyear and forecast year land-use projections and transportation networks. The VCTM was developed to address the Ventura County General Plan Update, transportation impact assessments, VMT forecasts for CEQA analysis, and air quality greenhouse gas (GHG) emissions applications.

C. Applicable General Plan Goals and Policies

The following policies from the General Plan's Circulation, Transportation, and Mobility Element are applicable to this section.

- Policy CTM-1.1: Vehicle Miles Traveled (VMT) Standards and CEQA Evaluation. The County shall require evaluation of County General Plan land use designation changes, zone changes, and discretionary development for their individual (i.e., project-specific) and cumulative transportation impacts based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) pursuant to the methodology and thresholds of significance criteria set forth in the County Initial Study Assessment Guidelines.
- Policy CTM-1.2: Projects with Significant Transportation Impacts. County General Plan land use designation changes, zone changes, and discretionary development that would cause an individual (i.e., project-specific) or cumulative significant transportation impact based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) shall be prohibited unless:
 1. There are no feasible mitigation measures available that would reduce the impact to a less than significant level; and
 2. The County's decision-making body, after balancing, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the project against its unavoidable transportation impact and any other environmental risks, determines that the benefits of the project outweigh the unavoidable adverse environmental impacts and adopts a statement of overriding considerations pursuant to CEQA.

D. Thresholds of Significance

VCTC Model Traffic Analysis Zone (TAZ) - is the unit of Ventura County geography used in the VCTM. The VCTC Base Year 2016 by TAZ, located at [Ventura County Transportation Model - Ventura County Transportation Commission \(goventura.org\)](http://www.goventura.org), currently breaks Ventura County into 663 unique TAZs. Development within TAZs can generally be expected to generate similar VMT metrics as the baseline metrics. The TAZ's can therefore be utilized to screen projects with less than significant VMT impacts unless the development has unique land uses or operating characteristics significantly differing from current uses as determined by the PWA Roads & Transportation (PWA-RT) Department.

VCTM 2012 Baseline Model and 2040 Ventura County General Plan Land Use Model – VCTC's current travel demand models. An earlier version of the VCTC 2012 Baseline Model was utilized in preparation of the General Plan Draft Environmental Impact Report (EIR), Appendix F Vehicle Miles Traveled Estimation (January 2020).

VCTM 2016 Base Year (2016 SB 743 Spreadsheet or VCTM_16BY_SB743_20210521) and VCTM 2040 Baseline (2040 SB743 Spreadsheet or VCTM_40BL_SB743_20210521) – VCTC's most recent travel demand output reports as of May 21, 2021, available in spreadsheet format, include Home-based VMT/Capita, Work-based VMT/Employee, total VMT/Service Population and total VMT for various areas.

Projects that meet the applicable screening criteria in section D.1. below have a less-than-significant impact, and no further analysis is required upon approval of the screening criteria determination by PWA-RT. Projects not meeting the screening criteria require VMT analysis based on criteria identified in section D. 2. VMT analysis must use the methodology in section E.

The significance assessment required by Section D.1 or D.2 must be conducted under the responsible charge of a registered civil or traffic engineer familiar with Ventura County, qualified to perform traffic engineering studies. Such studies must utilize methodology identified in Section E and be provided to the County for review.

1. Screening Criteria

a. Land Use Project Screening Criteria

If a proposed land use project is consistent with Policies CTM-1.1 and CTM-1.2 of the General Plan and the Regional Transportation Plan/Sustainable Communities Strategy (SCS) regionally adopted by SCAG, it is presumed to have a less-than-significant impact on VMT if the project meets any of the following criteria:

- i. Generates or attracts fewer than 110 trips per day;
- ii. Consists of 100 percent affordable housing residential development. If a project contains affordable housing along with other land uses, the non-affordable housing uses need to meet at least one of the other screening criteria presented in this section to avoid further VMT analysis;
- iii. Local Serving Retail;
- iv. Is located within a TPA;
- v. Is located in a Residential, Office or Industrial land use within a low VMT generating area. A low VMT generating area is defined as a TAZ with the applicable development VMT metric at least 15% below the regional (unincorporated) average as modeled by the VCTM.

b. Transportation/Roadway Improvement Project Screening Criteria

If a proposed roadway improvement project is currently programmed in the Public Works Agency Capital Improvement Projects Five-Year Plan and is consistent with Policies CTM-1.1 and CTM-1.2 of the General Plan, it is presumed to have a less-than-significant impact on VMT.

In addition, CEQA Guidelines section 15064.3(b) states: "Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact." Furthermore, the OPR Technical Advisory on evaluating transportation impacts indicates that transportation projects that promote active transportation, such as transit, bicycle, and pedestrian facilities, are presumed to reduce VMT and can be screened from further analysis. Also, projects that improve safety or traffic operations at current bottlenecks, such as installing a new traffic signal or widening an intersection to provide new turn lanes, are not expected to increase VMT. Based on the foregoing, the following transportation projects listed in the OPR Technical Advisory are not

likely to lead to a substantial or measurable increase in VMT; these projects may be screened from further VMT analysis:

- i. Rehabilitation, maintenance, replacement, safety, and repair projects designed to improve the condition of existing transportation assets (e.g., highways; roadways; bridges; culverts; Transportation Management System field elements such as cameras, message signs, detection, or signals; tunnels; transit systems; and assets that serve bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity.
- ii. Roadside safety devices or hardware installation such as median barriers and guardrails.
- iii. Roadway shoulder enhancements to provide “breakdown space,” dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes.
- iv. Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety.
- v. Installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, two-way left turn lanes, or emergency breakdown lanes that are not utilized as through lanes.
- vi. Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit.
- vii. Conversion of existing general-purpose lanes (including ramps) to managed lanes or transit lanes or changing lane management in a manner that would not substantially increase vehicle travel.
- viii. Addition of a new lane that is permanently restricted to use only by transit vehicles.
- ix. Reduction in number of through lanes.
- x. Grade separation to separate vehicles from rail, transit, pedestrians or bicycles, or to replace a lane in order to separate preferential vehicles (e.g., HOV, HOT, or trucks) from general vehicles.
- xi. Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority (TSP) features.
- xii. Installation of traffic metering systems, detection systems, cameras, changeable message signs and other electronics designed to optimize vehicle, bicycle, or pedestrian flow.
- xiii. Timing of signals to optimize vehicle, bicycle, or pedestrian flow.
- xiv. Installation of roundabouts or traffic circles.
- xv. Installation or reconfiguration of traffic calming devices.
- xvi. Addition of tolled lanes, where tolls are sufficient to mitigate VMT increase.
- xvii. Initiation of new transit service.

- xviii. Conversion of streets from one-way to two-way operation with no net increase in number of traffic lanes.
- xix. Removal or relocation of off-street or on-street parking spaces.

2. Significance Criteria

If a proposed project does not meet a screening criterion stated above, an analysis assessing the amount of vehicle travel the project will induce shall be completed pursuant to the methodology stated in Section E below. The following VMT significance thresholds that have been developed pursuant to OPR's recommendations shall be used to evaluate a project's potential VMT impact.

a. Residential Land Uses

OPR recommends a VMT per capita threshold set at 15 percent below baseline levels. Based on the VCTM 2016 Base Year reports, the average regional (unincorporated) Home-based VMT/Capita is 19.84 miles. Applying the 15 percent reduction yields a VMT threshold of 16.87 miles, which is the threshold of significance for residential land use projects.¹

b. Office and Industrial Land Uses

OPR recommends a VMT per employee threshold set at 15 percent below baseline levels. Based on the VCTM 2016 Base Year report, the average regional (unincorporated) VMT/Employee for Work-based trips is 24.33 miles. Applying the 15 percent reduction yields a VMT threshold of 20.68 miles, which is the threshold of significance for office and industrial land uses.¹

c. Retail Land Uses

Retail land uses attract many kinds of trip types (i.e., home-based and non-home-based trips). Generally, new retail uses result in a redistribution of existing retail trips rather than the creation of new trips. For this reason, as recommended by OPR, the VMT threshold for retail land uses is no net change in either project VMT or regional (unincorporated) Total VMT, currently 3,820,802 miles in the County Traffic Model (VCTM) 2016 Base Year report.¹

d. Mixed Land Uses

For proposed projects that include a combination of residential, retail and/or office uses, as recommended by OPR, the threshold applicable to each land use type shall apply. The project VMT impact is significant if any of the project land uses exceed the VMT threshold for that particular land use, after providing credit for internal project VMT capture through project design and/or mitigation that reduces VMT generated by any or all of the project land uses.

e. Agricultural Land Uses

Given that the predominant land use in unincorporated Ventura County is agricultural, and most agricultural activities are seasonal and employees often move from one agricultural site to another, agricultural projects are unique. A threshold of no net change in either project VMT or regional (unincorporated) Total VMT, currently 3,820,802 miles in the VCTM 2016 Base Year (VCTM_16BY_SB743_20210521) shall be maintained for agricultural land use projects.¹

f. Roadway Improvement Projects

As recommended by OPR, a threshold of no net change in either project VMT or regional (unincorporated) Total VMT, currently 3,820,802 miles in the VCTM) 2016 Base Year (VCTM_16BY_SB743_20210521) shall be maintained for roadway improvement projects.¹

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1. Numeric VMT thresholds and metrics shall be based on the latest publicly released VCTC Base Year VCTM report. [Ventura County Transportation Model - Ventura County Transportation Commission \(goventura.org\)](http://goventura.org).

E. Methodology

The evaluation of VMT transportation impacts and development of mitigation measures is a complex task. The VMT impact analysis must be performed under the responsible charge of a registered civil engineer or registered traffic engineer who is qualified to perform traffic engineering studies and is familiar with Ventura County. The project applicant shall obtain a Transportation Impact Study (TIS) which shall be stamped and signed by the responsible engineer. Prior to preparation of the TIS, a draft scope of work must be submitted to PWA Roads & Transportation (PWA-RT) for review and approval. PWA-RT will also provide guidance on timing and later review of Draft TIS. Preparation of the VMT analysis shall be done in concert with the level of service (LOS) analysis required for the project pursuant to the General Plan.

The County relies on the VCTC VCTM in its transportation analysis and planning activities. Where modeling is required to prepare VMT impact analysis for the proposed project, the VCTC VCTM should be utilized. A full copy of the traffic model, documentation, request form and usage agreement is available through VCTC at [Ventura County Transportation Model - Ventura County Transportation Commission \(goventura.org\)](http://goventura.org). An engineer may revise model estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate VMT and any revisions to model outputs must be documented and explained in the transportation impact study.

Cumulative analysis is required according to CEQA Guidelines section 15130. Cumulative analysis represents past, present, and reasonably foreseeable action regarding land use development and the transportation network. Land use development and infrastructure projects consistent with Policies CTM-1.1 and CTM-1.2 of the General Plan may rely on cumulative traffic analysis and conclusions from the General Plan Environmental Impact Report (EIR) and its applicable mitigation measures.

Where a VMT impact analysis finds that a proposed project will exceed the applicable significance threshold stated in Section D above, potential mitigation measures to reduce VMT must be evaluated and, where appropriate, incorporated into the project. Potential VMT reduction measures include, but are not limited to:

- Improving or increasing access to transit.
- Increasing access to common goods and services (e.g., groceries, daycare).
- Incorporating affordable housing into the project.
- Incorporating neighborhood electric vehicle network.
- Orienting the project design toward transit, bicycle and pedestrian facilities.
- Improving pedestrian or bicycle networks, or transit service.

- Providing traffic calming.
- Providing bicycle parking.
- Implementing or providing access to a commute reduction program.
- Providing car-sharing, bike sharing, and ride-sharing programs.
- Providing transit passes.
- Providing telework options.
- Providing incentives or subsidies that increase the use of mobility modes other than single-occupancy vehicle.
- Providing on-site amenities at places of work, such as priority parking for carpools and vanpools, secure bike parking, and showers and locker rooms.
- Providing a guaranteed ride home service to users of non-auto modes.

Where VMT reduction measures are proposed, VMT calculations shall include the effect of all measures, approximate cost, and tentative scheduled timing of each proposed mitigation measure.

If it is not feasible to incorporate mitigation measures or otherwise modify a proposed project so that its VMT is reduced/mitigated to a level below the applicable threshold of significance, CEQA requires, among other things, preparation of an Environmental Impact Report and Statement of Overriding Considerations.