



## Planning Director Staff Report: Hearing of June 3, 2021

County of Ventura • Resource Management Agency • Planning Division

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### OJAI VALLEY SANITARY DISTRICT WASTEWATER TREATMENT PLANT MODIFIED CONDITIONAL USE PERMIT CASE NO. PL21-0032

#### A. PROJECT INFORMATION

- Request:** The applicant requests that a modified Conditional Use Permit (CUP) be granted to authorize the continued operation of an existing public wastewater treatment plant for an additional 41-year period. (Case No. PL21-0032).
- Applicant:** Ojai Valley Sanitary District, 1072 Tico Road, Ojai CA 93023, (805) 646-5548
- Applicant's Representative:** Kelli Russell, 805-707-8175, [kelli.russell@ojaisan.org](mailto:kelli.russell@ojaisan.org)
- Property Owners:** City of Ventura (*Note: The Ojai Valley Sanitary District has a 99-year lease that expires on March 18, 2062.*) and Ojai Valley Sanitary District.
- Project Site Location and Parcel Number:** The project site encompasses 17.67 acres and is located at 6363 N. Ventura Avenue, Ventura CA 93001. The Assessor's Parcel Numbers (APNs) assigned to the subject property are 060-0-300-100, 063-0-040-080, and 063-0-040-090 (Exhibit 2).
- Project Description:**

The applicant requests that a modified CUP be granted to authorize the continued operation of an existing wastewater treatment plant for an additional 41-year period ending in 2062. This facility is proposed to continue to treat municipal sewage at a tertiary level, dry and dispose of sewage sludge, and discharge processed liquids (effluent) into the Ventura River. No changes in facility operations or physical changes in the existing buildings and ancillary structures are proposed.

The existing Ojai Valley Sanitary District (OVSD) treatment plant is comprised of the following components:

Operations building	Title 22 filters
Headworks and Influent pumping station	Chlorination
Odor control system	Chlorine contact tank
Grit chamber	Dechlorination

Anaerobic tanks	Overflow effluent outfall
Anoxic tanks	Aerobic digesters
Oxidation ditches	Sludge dewatering facility
Clarifiers	Ultra-violet disinfection facility
Return activated sludge pump station	Utility water pump station
Standby generator	Effluent aeration system
Equalization basin	Storm water collection and control system
Tertiary influent pump station	Assorted piping, valves, gates, metering stations, power and chemical conduits and other structures ancillary to the various plant components
Chemical building (including chemical spill containment system)	

The above-listed treatment plant components are illustrated in the approved plans for this facility (Exhibit 3).

Repair and maintenance activities, minor internal changes to existing buildings and facilities, and the use of effluent as part of the operation of the plant and the associated wastewater collection system would be authorized by the requested modified CUP. Operational changes made in response to State or Federal mandates that do not involve an increase in plant capacity or throughput would also be authorized by the requested modified CUP. The subject plant would continue to operate within the following operational limits:

- Wastewater processing limits:

<b>Weather conditions</b>	<b>Maximum average daily volume of wastewater processed</b>
Dry weather	3.0 million gallons
Wet weather	9.0 million gallons

- Sludge accumulation limit:

The maximum volume of sludge authorized to accumulate in the sludge drying bed area at any one time is 11,000 cubic yards.

Except for the effluent utilized as part of plant and collection system operations, the diversion of effluent away from the Ventura River by the operator of the subject facility would not be authorized by the requested modified CUP.

Water will continue to be supplied to the project site by the Casitas Municipal Water District. Sewer service will continue to be provided by the Ojai Valley Sanitary District.

**7. Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-5 and Section 8111-6.1.2), the Planning Director is the decision-maker for the requested minor modification of the CUP.

**8. Project Site Land Use and Zoning Designations (Exhibit 2):**

- a. Countywide General Plan Land Use Map Designation: Industrial, Open Space
- b. North Ventura Area Plan Designation: Flood Plain
- c. Zoning Designation: “M3-10,000 sq. ft.” (General Industrial, 10,000 sq. ft. minimum lot size), “M3-10,000 sq. ft./HCWC” (General Industrial, 10,000 sq. ft. minimum lot size/Habitat Connectivity and Wildlife Corridor Overlay Zone), and “OS-10 ac/HCWC” (Open Space, 10 acre minimum lot size/Habitat Connectivity and Wildlife Corridor Overlay Zone).

While the southern portion of the southern lot and the western portions of all three lots are within the OS-10 ac/HCWC zoning designations, OVSD’s structures are located within the M3-10,000 sq. ft. zoning designation.

**9. Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location	Zoning	Land Use/Development
<b>North</b>	M2-10,000 sq. ft. (Limited Industrial, 10,000 sq. ft. minimum lot size) M2-10,000 sq. ft./HCWC (Limited Industrial/Habitat Connectivity and Wildlife Corridor Overlay Zone) OS-10 ac/HCWC (Open Space, 10 acre minimum lot size/ Habitat Connectivity and Wildlife Corridor Overlay Zone)	Undeveloped Ventura River
<b>South</b>	M2-10,000 sq. ft. M2-10,000 sq. ft./HCWC AE-40 ac/HCWC (Agricultural Exclusive, 40 acres minimum lot size/Habitat Connectivity and Wildlife Corridor Overlay Zone)	Permitted contractors service and storage yard. Undeveloped Ventura River
<b>East</b>	M2-10,000 sq. ft. R-1-1ac. (City of Ventura)	City of Ventura water treatment plant Undeveloped

<b>West</b>	AE-40 ac/HCWC AE-40 ac	Ventura River Orchards
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**10. History:**

OVSD was formed in May 1985, as a result of the consolidation of the Ventura Avenue, Oak View, and Meiners Oaks Sanitary Districts, and the Sanitation Department of the City of Ojai. The existing service area of the OVSD covers virtually the entire Ojai Valley and much of the Ventura Avenue area.

The existing Wastewater Treatment Plant was originally constructed in 1963 with the granting of Conditional Use Permit 1743. At that time, this plant had a capacity to treat 1.4 million gallons per day (MGD). The plant was upgraded to its present capacity of 3.0 MGD in 1965. A major rehabilitation and upgrade project was completed in 1982 to bring effluent quality into compliance with discharge requirements established by the California Regional Water Quality Control Board, Los Angeles Region (RWQCB). At that time, sludge drying beds were added to the site, and the site boundary was expanded by 7.48 acres.

Several modifications of CUP 1743 were granted by the County of Ventura between 1963 and 1994 to authorize various upgrades of plant facilities and operations. CUP 1743-6 was granted in 1994 to authorize the facility configuration and operational limits currently in effect. That permit carries an expiration date of March 26, 2021.

**B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE**

Previous environmental review:

The OVSD, acting as the Lead Agency for the implementation of CEQA, prepared and certified a Final Environmental Impact Report (FEIR) for the 1994 upgrade of the wastewater treatment plant to tertiary treatment standards and its current configuration. This FEIR (Exhibit 5) was certified by the OVSD on January 10, 1994.

The FEIR evaluated potential impacts in 12 issue areas and identified several potentially significant impacts of the 1994 project. Only one impact (cumulative solid waste generation) was found to be significant and unavoidable. In its action to grant CUP 1743-6, the County of Ventura adopted a Statement of Overriding Considerations to address this impact. The other potentially significant impacts identified in the certified FEIR were found to be subject to feasible mitigation. Mitigation measures identified in the FEIR were augmented for clarity and consistency with County General Plan policy and incorporated into the conditions of approval of CUP 1743-6.



Most of the conditions incorporated into CUP 1743-6 to implement mitigation measures identified in the FEIR involve short-term actions related to project design and construction. These short-term conditions were satisfied long ago and are not relevant to the proposed continued operation of the existing treatment plant. They are listed below and not included in the recommended conditions of approval for the current proposal. Measures to limit peak hour truck traffic and to maintain facility landscaping remain in effect. The conditions of approval of CUP 1743-6 that involve ongoing or periodic actions are incorporated into the recommended conditions of approval (Exhibit 4) of the requested modified CUP.

**Conditions of Approval of CUP 1743-6: implementing FEIR mitigation measures that are not included in the recommended conditions of approval**

Condition of Approval #		FEIR Issue Area	Description
Agency	Condition #		
Planning	37	Geology	Requirement for a seismic safety design assessment.
Planning	43	Cultural Resources	Protection of cultural resources during construction
Public Works	1	Flooding	Installation of effluent outfall.
Public Works	2	Geology	Design requirements to address geological hazards
Public Works	3	Groundwater quality	Installation of relief valves and piezometer wells
Public Works	6	Flooding	Submittal of as-built plans
APCD	2	Air quality	Use of reformulated diesel fuel
APCD	3	Air quality	Maintenance of engines during construction
APCD	4	Air quality	Use of low sulfur fuels.
APCD	6	Air quality	Dust control during construction
APCD	7	Air quality	Dust control during construction
APCD	8	Air quality	Dust control during construction
APCD	9	Air quality	Dust control during construction
APCD	10	Air quality	Dust control during construction

Current Environmental Review:

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, Section 15000 et seq.), the proposed project is subject to environmental review.

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents.

The proposed project is eligible for an exemption from environmental review in accordance with Section 15301 of the CEQA Guidelines. This section of the Guidelines exempts the continued use or operation of existing facilities. The proposed project is comprised of the continued operation of an existing wastewater treatment plant without changes in physical facilities or operational limits.

Section 15300.2 of the State CEQA Guidelines provides exceptions to Categorical Exemptions based on location relative to mapped resources or hazards of critical concern, cumulative impacts, scenic highways, hazardous waste sites, historical resources, and where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The continued operation of an existing public wastewater treatment facility on an existing developed site will not result in a significant adverse effect on the environment, will not result in damage to scenic resources within a designated scenic highway area, and is not located on an identified hazardous waste site or historical site.

Based on the above discussion, staff recommends that the decision-maker find this project to be Categorical Exempt pursuant to Section 15301 of the State CEQA Guidelines and, that none of the exceptions set forth in Section 15300.2 of the State CEQA Guidelines apply.

### **C. CONSISTENCY WITH THE GENERAL PLAN**

The 2040 Ventura County General Plan *Goals, Policies and Programs* (2020, page 1-1) states:

*All area plans, specific plans subdivision, public works projects, and zoning decisions must be consistent with the direction provided in the County's General Plan.*

Furthermore, the Ventura County NCZO (§ 8111-1.2.1.1.a) states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County General Plan.

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan *Goals, Policies and Programs*.

***LU-6.1 Agricultural Buffers*** *The County shall require non-agricultural land uses adjacent to agricultural uses to incorporate adequate buffers (e.g., fences, setbacks) to limit conflicts with adjoining agricultural operations.*

Staff Analysis: The OVSD wastewater treatment plant is separated from the cultivated agriculture (i.e. orchards) located to the west of the project site by the Ventura River and the riparian vegetation established along the riverbanks. These existing natural features constitute an adequate buffer between the treatment plant and the nearby agricultural use.

Based on the above discussion, the proposed project is consistent with this policy.

***LU-16.1 Community Character and Quality of Life*** *The County shall encourage discretionary development to be designed to maintain the distinctive character of unincorporated communities, to ensure adequate provision of public facilities and services, and to be compatible with neighboring uses.*

Staff Analysis: The ongoing presence and use of the existing municipal wastewater treatment plant will not result in any new effect on public views from Ventura Avenue or State Highway 33 (an eligible scenic highway) or any other public viewpoint. No new effect on community character will result from the project as no physical changes in the existing facilities are proposed.

Adequate public services (water, sewer, road access) will continue to be available to serve the subject facility.

Based on the above discussion, the proposed project is consistent with this policy.

***PFS-1.7 Public Facilities, Services, and Infrastructure Availability*** *The County shall only approve discretionary development in locations where adequate public facilities, services, and infrastructure are available and functional, under physical construction, or will be available prior to occupancy.*

Staff Analysis: Adequate access and public services will continue to be available to serve the subject facility. Water will continue to be provided by the Casitas Municipal Water District. Sewer service will continue to be provided by the Ojai Valley Sanitary District. Fire suppression measures are incorporated into the design of the existing facility. The subject wastewater treatment plant is part of the essential public infrastructure that serves the residential, commercial and institutional uses located in the Ojai Valley.

Based on the above discussion, the proposed project is consistent with this policy.

***PFS-12.3 Adequate Water Supply, Access, and Response Times for Firefighting Purposes*** *The County shall prohibit discretionary development in areas that lack and*

*cannot provide adequate water supplies, access, and response times for firefighting purposes.*

**HAZ-1.1 Fire Prevention Design and Practices** *The County shall continue to require development to incorporate design measures that enhance fire protection in areas of high fire risk. This shall include but is not limited to incorporation of fire-resistant structural design, use of fire-resistant landscaping, and fuel modification around the perimeter of structures.*

Staff Analysis: The existing facility is accessed directly from Ventura Avenue. The existing accessway and the adjoining parking lot will continue to provide adequate access to the project site for fire suppression.

Water service will continue to be provided by Casitas Municipal Water District in a manner that meets the fire flow standards of the VCFPD. The project site is located less than 5 miles from the nearest fire station. Thus, the available response time will meet VCFPD requirements.

The VCFPD reviewed and approved the current design of the subject facility in 1994 when modified CUP 1743-6 was granted and the current facility constructed. No changes in the approved design are proposed.

Based on the above discussion, the proposed project is consistent with these policies.

**HAZ-9.1 Limiting Unwanted Noise** *The County shall prohibit discretionary development which would be impacted by noise or generate project-related noise which cannot be reduced to meet the standards prescribed in Policy Haz-9.2. This policy does not apply to noise generated during the construction phase of a project. (SO)*

**HAZ-9.2 Noise Compatibility Standards** *The County shall review discretionary development for noise compatibility with surrounding uses. The County shall determine noise based on the following standards:*

*4. New noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:*

*a. Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.;*

*b. Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.; and*

*c. Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.*

Staff Analysis: The proposed project involves the continued operation of an existing wastewater treatment plant. No new noise will be generated as a result of project implementation.

Based on the above discussion, the proposed project is consistent with these policies.

**WR-1.11 Adequate Water for Discretionary Development:** *The County shall require all discretionary development to demonstrate an adequate long-term supply of water.*

Staff Analysis: Water service will continue to be provided by Casitas Municipal Water District (CMWD). The CMWD purveys surface water accumulated in Lake Casitas and groundwater produced from the river gravels in the Ventura River Basin. The County considers a connection to the CMWD to constitute an adequate long-term source of water.

Based on the above discussion, the proposed project is consistent with this policy.

#### **D. CONSISTENCY WITH THE NORTH VENTURA AVENUE AREA PLAN**

The Ventura County NCZO (Section 8111-1.2.1.1.a) states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County General Plan. The North Ventura Avenue Area Plan (NVAAP) is part of the General Plan.

Evaluated below is the consistency of the proposed project with the applicable policies of the NVAAP.

##### **NV-1.1 Review Procedures**

*The County shall notify the City regarding development applications. Specific notification shall be given to the City by the County at the following points:*

- a. Pre-application meeting*
- b. Application review period*
- c. New case committee meetings (application completeness and environmental determination)*
- d. Development Advisory Committee meetings and permit hearings*
- e. Environmental document hearings*
- f. Notification of final decision*

*Project applicants shall be requested to contact both the County and the City for discussion of projects as early as possible in the design phase of the proposal.*

Staff Analysis: The County Planning Division provided notification to the City of Ventura by letter dated April 8, 2021 of the application filed by the OVSD for a modified CUP. In this letter, the City was asked to provide comments on the proposed extension of the effective term of the CUP that authorizes the subject facility. On May 11, 2021 City staff replied by email that the City has no comments. On May 20, 2021 Planning staff noticed the City about the County's June 3, 2021 public hearing for the project. As of the date of this report, Planning staff have not received any comments from the noticing.

Note that the City of Ventura is the owner of two of the parcels upon which the OVSD treatment plant is located. The OVSD holds a 99-year lease with the City for the use of the project site. Thus, the City of Ventura is essentially a co-applicant for the requested modified CUP.

Based on the above discussion, the proposed project is consistent with this policy.

#### **NV-1.2 Development Standards**

*The North Ventura Avenue Area Plan requires all ministerial projects (those requiring only a zone clearance) to meet the development standards established by the County of Ventura's Zoning Ordinance. However, discretionary projects (those requiring a Planned Development Permit, Conditional Use Permit, etc.) in the North Avenue Community, shall conform to this Plan and the County and City development standards (if there is a difference in the standards between the two jurisdictions, the more stringent of the two standards shall apply). "Standards," as used above, involve conditionally permitted uses, parking requirements, signs, building setbacks, lot coverage, landscaping and building height.*

*Facilities such as streets, bikeways, secondary drainage facilities, and water systems shall conform to the development standards of the City of Ventura as of the adoption of this plan, or as may be subsequently amended by the City and approved by the County.*

Staff Analysis: No changes to the existing OVSD municipal wastewater treatment plant are proposed. All facilities were constructed in accordance with terms and conditions of CUP 1743-6 and the building permits issued prior to plant construction. Thus, the existing facility was found to be designed in conformance with all applicable development standards at the time of construction. As no new development is proposed, the current development standards are not applicable to the proposed project. The project is limited to an extension of the effective term of the CUP.

Based on the above discussion, the proposed project is consistent with this policy.

#### **NV-1.4 New or Expansion of Existing Industrial or Oilfield Industrial Development**

*New industrial or oilfield industrial development or an expansion of existing industrial or oilfield industrial development may occur only if it can be shown through additional*

*analysis that such areas will be protected from a 100-year flood. Any flood protection measures necessary to protect existing development in the Floodplain shall minimize adverse impacts and changes to the river channel.*

Staff Analysis: The proposed project does not involve any new industrial or oilfield development. Thus, this policy does not apply to the current proposal.

Based on the above discussion, the proposed project is consistent with this policy.

### **NV-1.6 Industrial Buffering**

*New or expanded industrial development in either of the industrial designations which is adjacent to residential areas shall provide buffers to adequately protect residential areas from any intrusion or nuisance factors generated by the industrial development. Industrial uses adjacent to the Ventura River (which is an anadromous fish stream), shall be compatible with the goal of preserving the natural attributes of the River, and development should not be permitted which would result in its degradation.*

Staff Analysis: The proposed project does not involve any new industrial development. The project site is not adjacent to a residential area. Thus, this policy does not apply to the current proposal.

Based on the above discussion, the proposed project is consistent with this policy.

### **NV-1.15 Water Policy Procedures**

*Water service shall be provided by the City to the North Ventura Avenue Community (within its Sphere of Influence), subject to the provisions of the City's Water Policy (see City policy resolution No. 82-151 in Appendix). Development proposals shall receive a "Preliminary Will Serve" (water availability) letter from the City prior to the filing planning applications with the County. The provision and/or expansion of water systems shall meet the City's standards.*

*Applications which do not contain a "Preliminary Will Serve" letter will be considered incomplete. After obtaining all appropriate County approvals, applicants pursuing development will enter into a "Water Service Agreement" with the City and the City will then issue a "Final Will Serve" letter.*

Staff Analysis: The subject facility is located within the Sphere of Influence of the City of Ventura. However, water service will continue to be provided by the Casitas Municipal Water District. Service by this water district to the treatment plant pre-dates the adoption of the NVAAP. No changes in the project are proposed that require service by the City of Ventura.

In any case, the owner of two of the three subject parcels is the City of Ventura. The City is currently supplied water by the CMWD. Thus, there is no physical inconsistency with City policy regarding water service.

Based on the above discussion, the proposed project is consistent with this policy.

#### **E. GUIDELINES FOR ORDERLY DEVELOPMENT COMPLIANCE**

The Guidelines for Orderly Development currently in effect were adopted by the County Board of Supervisors, all City Councils and the Local Agency Formation Commission (LAFCO) in 1996. These Guidelines specify how individual cities and the County will coordinate in the review and permitting of discretionary urban development projects.

The project site is located within the Sphere of Influence of the City of Ventura. The applicant (the OVSD) is a City-lessee operating an existing wastewater treatment plant on City-owned land (and an Ojai Valley Sanitary District owned parcel) located in the unincorporated area of Ventura County.

Under the Guidelines, development shall be considered “urban” if it meets any one of the following criteria:

1. *It would require the establishment of new community sewer systems or the significant expansion of existing community sewer systems.*
2. *It would result in the creation of residential lots less than two (2) acres in area; or*
3. *It would result in the establishment of commercial or industrial uses which are neither agriculturally-related nor related to the production of mineral resources.*

The current proposal would not result in the establishment or expansion of a new community sewer system, the creation of any new lots, or the establishment of any commercial or industrial use. The OVSD wastewater treatment plant is an existing development that is not proposed to be expanded or otherwise altered.

Based on the above discussion, the proposal does not qualify as urban development under the above criteria. Thus, the proposed project is not subject to the Guidelines for Orderly Development.

#### **F. ZONING ORDINANCE COMPLIANCE**

The OVSD wastewater treatment plant is subject to the requirements of the Ventura County NCZO.

Pursuant to the Ventura County Non-Coastal Zoning Ordinance (§8105-5), a wastewater treatment plant is allowed in the M3 zone district with the granting of a CUP by the Board



of Supervisors. The subject facility is currently authorized to operate pursuant to the terms and conditions of CUP 1743-6. This permit was granted in 1994 by the Board and carries a March 26, 2021 expiration date. It remains in effect while the current application for a modified CUP to extend the permit period is processed.

Because the application does not involve any physical or operational changes in the permitted facility, the requested action requires only a minor modification of the previous CUP. Pursuant to Section 8111-6.1.2 of the NCZO, the decision-maker for this minor modification is the Planning Director. Upon the granting of the requested modified CUP, the Permittee will be authorized to operate this facility until 2062, or another year as determined by the ultimate decision-maker. Thus, the Permittee will remain in compliance with NCZO permit requirements.

The existing OVSD facility is located within the M3 Zone District. New development in this Zone is subject to development standards set forth in Sections 8106-1.2 and 8110-5.1 of the Ventura County Non-Coastal Zoning Ordinance. Table 1 lists the applicable development standards and a description of whether the proposed project was constructed in conformance with these standards.

**Table 1: Development Standards**

Requirement		In conformance?
Minimum Lot Area (Gross)	10,000 SF	Yes
Maximum Percentage of Building Coverage	5 percent (from General Plan)	Yes
Front Setback	10 feet	Yes, the existing structures are located more than 10 feet from the front property line.
Side Setback	As specified by permit	
Rear Setback	As specified by permit	
Maximum Building Height	As specified by permit	Yes
<u>Section 8110-5.1:</u> <b>Attached Sign:</b> No limit on number of signs. Total area of signs limited to 120 square feet.		Yes. This existing signs in use on the project site are in compliance with these requirements.
<u>Section 8110-5.1:</u> <b>Freestanding sign:</b> Limit of one sign per 500 feet of project length. Total sign area limited to the greater of 10 SF to the length of street frontage divided by 5 to a maximum of 200 SF. The maximum sign height is the lesser of 25 feet or the height of the tallest building on the site.		

In summary, the subject facility was constructed in conformance with applicable NCZO standards.

The southern portion of the southern lot and the western portions of all three lots are within the HCWC Overlay Zone. According to the Standards for the Habitat Connectivity and Wildlife Corridors Overlay Zone (NCZO Section 8109 - 4.8 et seq.), if a lot is located both inside and outside of the HCWC Overlay Zone, the standards and requirements shall only apply to the portion of the lot that is located inside the HCWC Zone. The western portion of the northernmost lot is the only area where OVSD facility structures are located within the HCWC Zone. However, the HCWC Overlay Zone standards and requirements do not apply to this portion of OVSD's facility. Outdoor lighting requirements do not apply because the facility is required to comply with State laws and requirements (Section 8109-4.8.2.2j.). Also, other HCWC development standards do not apply because the proposed project does not involve new structures or wildlife impermeable fencing or modifications to existing structures, wildlife impermeable fencing, or vegetation (Section 8109-4.8.3). Therefore, the HCWC Overlay Zone standards do not apply to the proposed project.

## **G. CUP FINDINGS AND SUPPORTING EVIDENCE**

The Planning Director must make certain findings in order to grant a modified CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO. The ability to make the required findings is evaluated below.

### **1. The proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code [Section 8111-1.2.1.1.a].**

Based on the information and analysis presented in Sections C, D and E of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County General Plan, the North Ventura Avenue Area Plan, and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code can be made.

### **2. The proposed development is compatible with the character of surrounding, legally established development [Section 8111-1.2.1.1.b].**

The proposed project is comprised of the continued operation of an existing wastewater treatment plant in the North Ventura Avenue area. No changes in the existing physical facilities or the ongoing operations are proposed. No aspect of this existing use has been identified that is incompatible with the adjacent industrial land uses or structures. No new effect on the adjoining segment of the Ventura River will occur with project implementation.

Based on the above discussion, this finding can be made.

### **3. The proposed development would not be obnoxious or harmful or impair the utility of neighboring property or uses [Section 8111-1.2.1.1.c].**

The proposed project is comprised of the continued operation of an existing wastewater treatment plant in the North Ventura Avenue area. No changes in the existing physical facilities or the ongoing operations are proposed.

All necessary public and private services are available to serve the proposed facilities. Water service will continue to be provided by Casitas Municipal Water District and sewer service will be provided by the Ojai Valley Sanitary District.

In summary, no aspect of project implementation has been identified that would be obnoxious, harmful or impair the utility of neighboring property or uses.

Based on the discussion above, this finding can be made.

**4. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [Section 8111-1.2.1.1.d].**

The proposed project will not result in any new effect on traffic congestion as no changes in the operation are proposed.

All necessary public and private services are available to serve the proposed facilities. Water service will continue to be provided by Casitas Municipal Water District and sewer service will be provided by the Ojai Valley Sanitary District.

The project site is located in an area for which emergency services are available with adequate response time.

The continued operation of the subject facility will not be detrimental to the public interest as it provides a critical public service: the safe collection, treatment and disposal of municipal sewage.

In summary, no aspect of project implementation has been identified that would be detrimental to the public interest, health, safety, convenience, or welfare.

Based on the discussion above, this finding can be made.

**5. The proposed development, if allowed by a Conditional Use Permit, is compatible with existing and potential land uses in the general area where the development is to be located [Section 8111-1.2.1.1.e].**

The proposed project is comprised of the continued operation of an existing wastewater treatment plant in the North Ventura Avenue area. No changes in the existing physical facilities or the ongoing operations are proposed. No aspect of this existing use has been identified that is incompatible with the adjacent industrial land uses or structures. No new effect on the adjoining segment of the Ventura River will occur with project implementation.

Given the nature of the existing public utility developments in the vicinity, including the OVSD wastewater treatment plant and the adjacent City of Ventura Water Treatment Plant, the M3 heavy industrial zoning of the project site, and the lack of development potential along the Ventura River, a future change in zoning, NVAAP designation or land use is not foreseeable at this time.

Based on the discussion above, this finding can be made.

**6. The proposed development will occur on a legal lot [Section 8111-1.2.1.f].**

The subject properties are owned by the City of Ventura and the Ojai Valley Sanitary District. The conveyance of property to or from a public entity is exempt from the requirement to obtain a parcel map or tract map pursuant to Section 66426.5 of the Subdivision Map Act. Thus, upon acquisition by the City of Ventura and the Ojai Valley Sanitary District, the subject properties became legal lots. Note that the 99-year lease granted to the OVSD by the City of Ventura is also exempt from subdivision map requirements.

Based on the above discussion, the finding that the proposed development will occur on a legal lot can be made.

**7. The proposed development is approved in accordance with the California Environmental Quality Act and all other applicable laws.**

As discussed in this staff report, and the entire record, the proposed project has been reviewed in compliance with CEQA and all other applicable laws.

Based on the discussion above, this finding can be made.

**H. PLANNING DIRECTOR HEARING NOTICE, PUBLIC COMMENTS, AND JURISDICTIONAL COMMENTS**

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091) and NCZO (Section 8111-3.1). On May 19, 2021, the Planning Division mailed notice to owners of 17 neighboring parcels surrounding the subject property on which the project site is located. On May 21, 2021, the Planning Division placed a legal ad in the *Ojai Valley News*. In addition, on May 24, 2021, the Planning Division placed a legal ad in the *Ventura County Star*. As of the date of this document, the Planning Division has not received any comments from this noticing.

**I. RECOMMENDED ACTIONS**

Based upon the analysis and information provided above, Planning Division Staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND** that the project is exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines;
3. **MAKE** the required findings to grant a modified CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO based on the substantial evidence presented in Section G of this staff report and the entire record;
4. **GRANT** modified CUP PL21-0032, subject to the conditions of approval (Exhibit 4); and,
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10<sup>th</sup> day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

If you have any questions concerning the information presented above, please contact Charles Anthony at (805) 654-3683 or Charles.Anthony@ventura.org.

Prepared by:



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**Charles Anthony**, Senior Planner  
Commercial and Industrial Permits  
Ventura County Planning Division

Reviewed by:



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**Mindy Fogg**, Manager  
Commercial and Industrial Permits  
Ventura County Planning Division

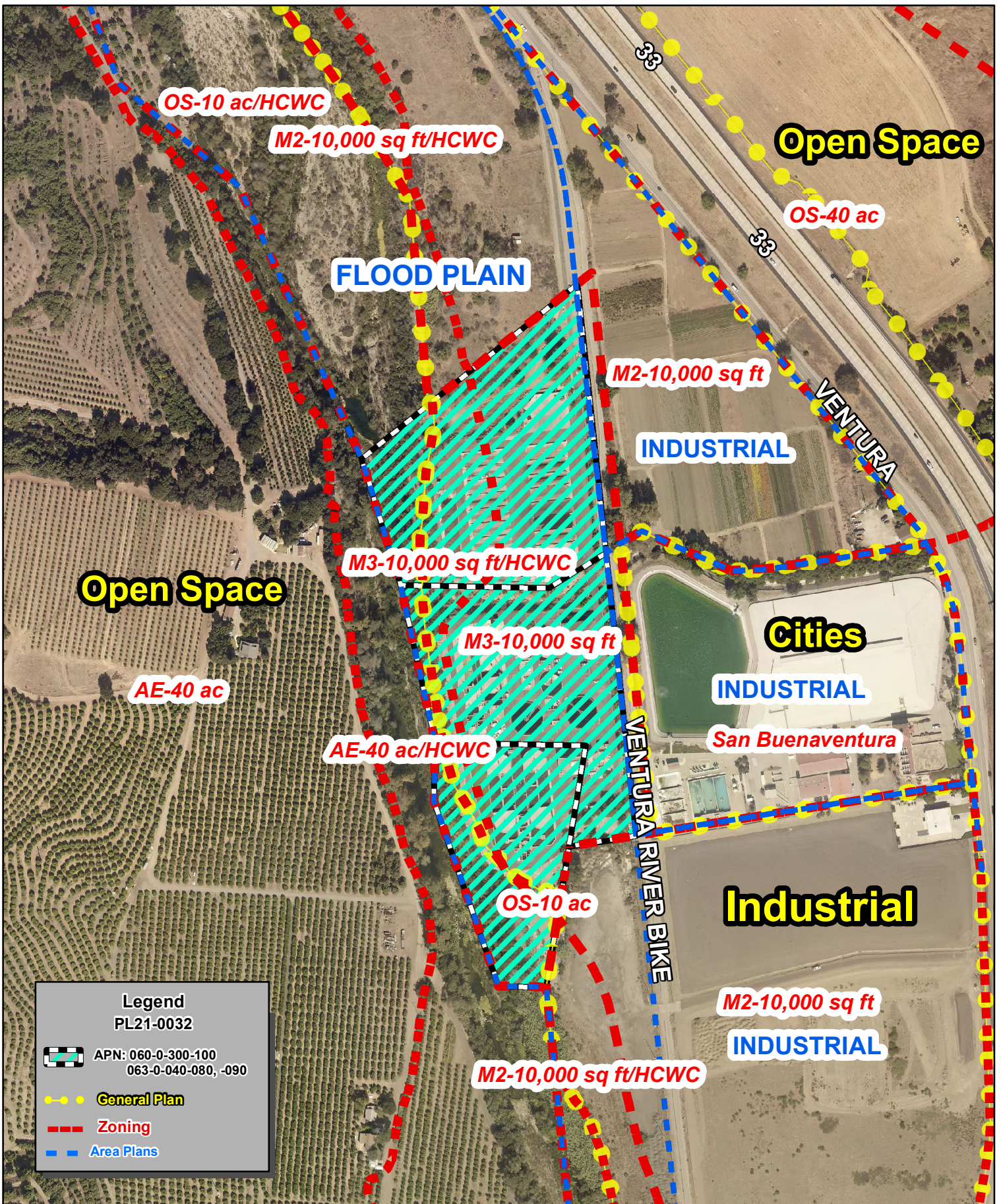
#### EXHIBITS

- |           |                           |
|-----------|---------------------------|
| Exhibit 2 | Maps                      |
| Exhibit 3 | Site Plans                |
| Exhibit 4 | Conditions of Approval    |
| Exhibit 5 | Summary of Certified FEIR |









Ventura County, California  
 Resource Management Agency  
 GIS Development & Mapping Services  
 Map Created on 05-10-2021  
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 Source: Pictometry, 2018



County of Ventura  
 Planning Director Hearing  
 Case No. PL21-0032  
 Exhibit 2 - Maps



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



RH





Ventura County, California  
Resource Management Agency  
GIS Development & Mapping Services  
Map Created on 05-10-2021  
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County of Ventura  
Planning Director Hearing  
Case No. PL21-0032  
Exhibit 2 - Maps



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**BASIS OF BEARING:**

THE BEARING OF N 89°45'00" E, BEING THE NORTHERLY LINE OF RANCHO CANADA DE SAN MIGUELITO AS SHOWN ON THE PLAT OF SAID MAP, RECORDED IN BOOK "A" OF PATENTS PAGE 311 TRANSCRIBED RECORDS FROM SANTA BARBARA COUNTY (RECORDERS MAP 1A M.R. 21), PER MONUMENTS FOUND PER VENTURA COUNTY FIELD BOOK 611 PAGE 42, WAS USED AS THE BASIS OF BEARINGS FOR THIS MAP.

OJAI VALLEY SANITATION DISTRICT  
6363 N. VENTURA AVENUE, VENTURA  
APN: 063-0-040-080/100 (CUP 1743)

**BENCHMARK 73 FMK:**

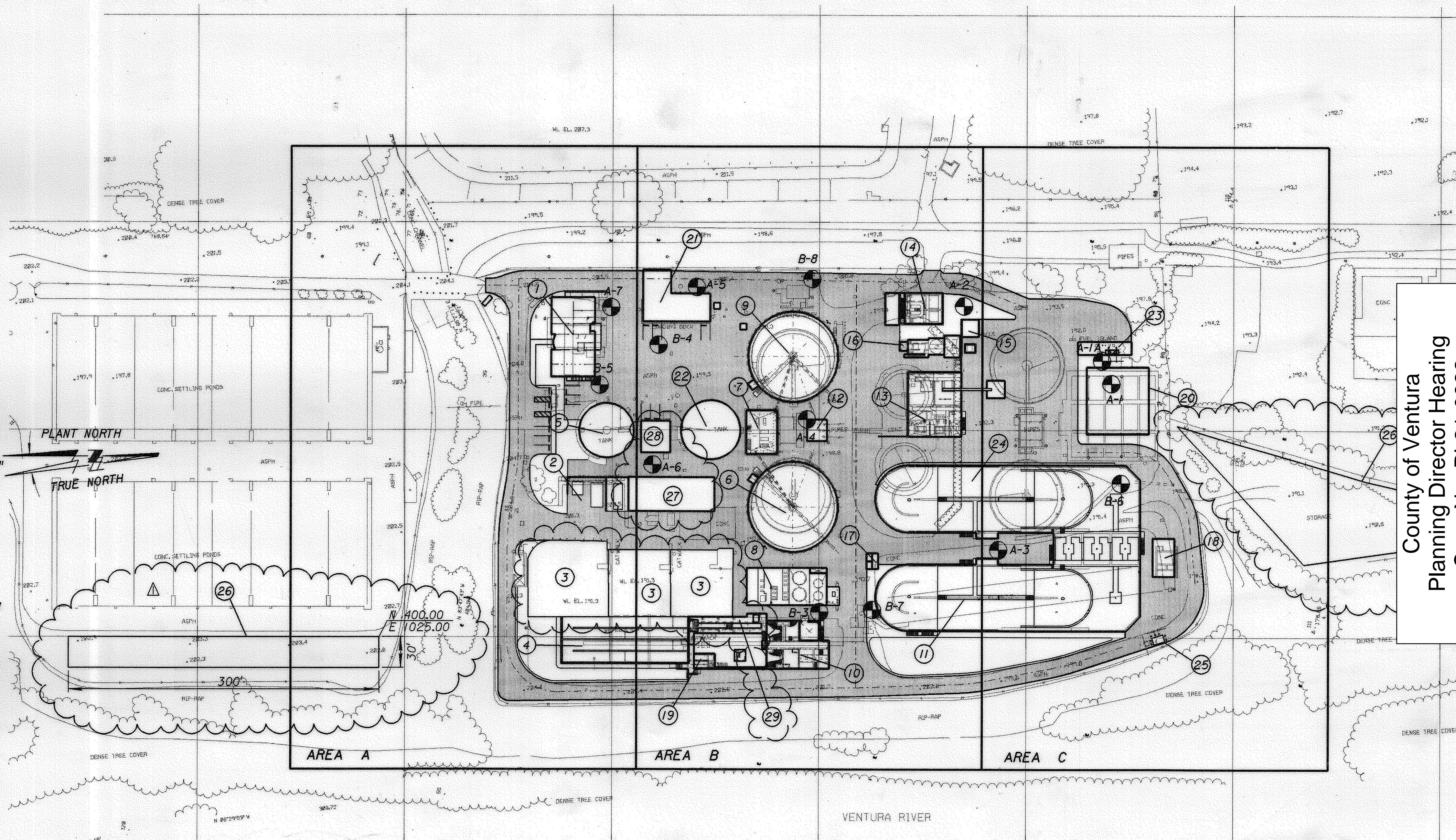
0.5 MILE WEST ALONG THE SOUTHERN PACIFIC RAILROAD FROM THE CALIFORNIA STREET CROSSING, THENCE 4.9 MILES NORTH ALONG VENTURA AVENUE, 0.2 MILE NORTH OF THE JUNCTION OF CANADA LARGA ROAD, AT THE NORTHEAST CORNER OF THE VENTURA WATER TREATMENT FACILITY, 22.4 FEET NORTH OF THE NORTHEAST CORNER OF A 6-FOOT CEMENT BLOCK WALL, 20.0 FEET WEST OF THE CENTERLINE OF THE HIGHWAY, IN THE TOP AND 0.4 FEET SOUTH OF THE NORTH END OF THE WEST HEADWALL OF BRIDGE 52-157, ABOUT LEVEL WITH HIGHWAY.

ELEVATION 214.896

**LEGEND**

- ① OPERATIONS BUILDING
- ② SWITCHGEAR/STANDBY GENERATOR
- ③ EXISTING EQUALIZATION BASINS/BLOWERS
- ④ CHLORINE CONTACT TANK
- ⑤ EXISTING DIGESTER No. 2
- ⑥ SECONDARY CLARIFIER No. 1
- ⑦ RAS/WAS PUMP STATION
- ⑧ CHEMICAL BUILDING
- ⑨ SECONDARY CLARIFIER No. 2
- ⑩ FILTERS
- ⑪ OXIDATION DITCH NO. 1
- ⑫ FILTER INFLUENT PUMP STATION (EXIST. STRUCTURE)
- ⑬ SLUDGE DEWATERING BUILDING
- ⑭ INFLUENT PUMP STATION
- ⑮ ODOR CONTROL FACILITY
- ⑯ GRIT CHAMBER
- ⑰ MIXED LIQUOR SPLITTER BOX
- ⑱ EFFLUENT REAERATION STRUCTURE/STORM DRAIN PUMP STATION
- ⑲ UTILITY WATER PUMP STATION
- ⑳ BIOFILTERS
- ㉑ MAINTENANCE BUILDING (EXISTING STRUCTURE)
- ㉒ EXISTING DIGESTER No. 1
- ㉓ FUEL STATION (EXISTING)
- ㉔ OXIDATION DITCH NO. 2
- ㉕ FINAL EFFLUENT DIVERSION STRUCTURE
- ㉖ CONTRACTOR'S STORAGE AND LAYDOWN AREA
- ㉗ EXISTING OPERATIONS BUILDING
- ㉘ EXISTING DIGESTER BUILDING
- ㉙ UV REACTOR

- B-8 ● DESIGNATION OF SOIL BORING BY DAMES & MOORE GEOTECHNICAL REPORT DATED MAY 19, 1992 WITH SUPPLEMENT DATED APRIL 19, 1993.
- A-6 ● DESIGNATION OF SOIL BORING BY DAMES & MOORE GEOTECHNICAL REPORT DATED 1979.



**NOTES FOR THE OPERATION BUILDING**

1. SOIL COMPACTION REPORT SHALL BE PROVIDED TO THE BUILDING INSPECTOR AT THE JOBSITE PRIOR TO PLACEMENT OF CONCRETE IN THE FOUNDATION.
2. A CERTIFICATION FOR 95% COMPACTION OF BACKFILL FROM A GEOTECHNICAL ENGINEER SHALL BE PROVIDED TO THE BUILDING INSPECTOR PRIOR TO FINAL SIGN OFF AND ACCEPTANCE OF RETAINING WALL.
3. SOIL ENGINEER SHALL INSPECT FOUNDATION PRIOR TO PLACEMENT OF CONCRETE IN THE FOUNDATION.

THE WORK ON SITE PLAN (SHEET C-1) AND FOUNDATION PLAN (SHEET IIS-1) IS CONSISTENT WITH THE FINDINGS OF THE GEOTECHNICAL INVESTIGATION.

ARSHUD MAHMOOD, G.E.

**RECORD DRAWING**  
These record drawings have been prepared based on information provided by others. The Engineer has not verified the accuracy of such information and shall not be responsible for any errors or omissions which may be incorporated herein as a result.



County of Ventura  
Planning Director Hearing  
Case No. PL21-0032  
Exhibit 3 - Site Plans

JOB NO. 685-0162 FILE NO. /USR3/PRJ/OJAI/civ/03C0102GN

REV	DATE	BY	DESCRIPTION
1	11-11-94	N.N.	REVISION PER COUNTY REQUIREMENTS
2	7/15	IH	ADDENDUM 1

SCALE: 1"=60'  
WARNING: IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE.

DESIGNED <i>I. Hamawi</i>	PROJECT ENGINEER	40228	6/20/94
DRAWN <i>R. Duarte</i>	RECOMMENDED	R. C. E. NO.	DATE
CHECKED <i>D.L.</i>	PROJECT ENGINEER	33699	6/20/94
	RECOMMENDED	R. C. E. NO.	DATE

**MONTGOMERY WATSON**  
Pasadena, California

DISTRICT APPROVAL ON TITLE SHEET

OJAI VALLEY SANITARY DISTRICT	SHEET
OJAI VALLEY WWTP UPGRADE	C-1
SITE PLAN	OF SHEETS



**EXHIBIT 4**

**CONDITIONS OF APPROVAL FOR  
Ojai Valley Sanitary District  
Wastewater Treatment Plant  
CONDITIONAL USE PERMIT (CUP) NO. PL21-0032  
APNs 060-0-300-10, 063-0-040-08, 063-0-040-09**

*The subject facility shall be maintained and operated in conformance with the following conditions of approval and approved project plans. Any change in the project must be reviewed by the County Planning Division for conformance with the terms of this permit. A change in the project may require a modification of this permit and additional environmental review in accordance with CEQA. A project change implemented without County approval may constitute a violation of this permit and applicable law. These conditions of approval supersede and replace all conditions included in the previously granted conditional use permits.*

**Resource Management Agency Conditions**

**Planning Division**

1. Project Description:

This permit authorizes the continued operation of an existing wastewater treatment plant for an additional 41-year period ending in 2062. This facility is authorized to treat municipal sewage at a tertiary level, dry and dispose of sewage sludge, and discharge processed liquids (effluent) into the Ventura River. No changes in existing facility operations or physical changes in the existing buildings and ancillary structures are authorized by this permit.

The authorized treatment plant will continue to be located on a 17.67-acre site and be comprised of the following components:

Operations building	Title 22 filters
Headworks and Influent pumping station	Chlorination
Odor control system	Chlorine contact tank
Grit chamber	Dechlorination
Anaerobic tanks	Overflow effluent outfall
Anoxic tanks	Aerobic digesters
Oxidation ditches	Sludge dewatering facility
Clarifiers	Ultra-violet disinfection facility
Return activated sludge pump station	Utility water pump station

County of Ventura  
Planning Director Hearing  
Case No. PL21-0032  
Exhibit 4 - Conditions of Approval

Standby generator	Effluent aeration system
Equalization basin	Storm water collection and control system
Tertiary influent pump station	Assorted piping, valves, gates, metering stations, power and chemical conduits and other structures ancillary to the various plant components
Chemical building (including chemical spill containment system)	

The above-listed treatment plant components are illustrated in the approved plans (Condition 32) for this facility.

Repair and maintenance activities, minor internal changes to existing buildings and facilities, and the use of effluent as part of the operation of the plant and the associated wastewater collection system are hereby authorized. Operational changes made in response to State or Federal mandates that do not involve an increase in plant capacity or throughput are also authorized by this permit. The subject plant shall continue to operate within the following operational limits:

- Wastewater processing limits:

<b>Weather conditions</b>	<b>Maximum average daily volume of wastewater processed</b>
Dry weather	3.0 million gallons
Wet weather	9.0 million gallons

- Sludge accumulation limit:

The maximum volume of sludge authorized to accumulate in the sludge drying bed area at any one time is 11,000 cubic yards.

Except for the effluent utilized as part of plant and collection system operations, the diversion of effluent away from the Ventura River by the operator of the subject facility is not authorized by this permit.

Water will continue to be supplied to the project site by the Casitas Municipal Water District. Sewer service will continue to be provided by the Ojai Valley Sanitation District.

(Refer to the project plans included in Condition 32.)

2. Importation of Sewage Sludge:

The routine importation of sewage sludge is not authorized by this permit. Sludge may be imported to the subject facility only for the following reasons:

- a. As is necessary for project start-up;
- b. To correct a plant upset condition;
- c. From other treatment plants to accommodate a short term, emergency upset condition at another plant;
- d. From chemical toilets and septic systems.

3. Control of Spillage on Roadways:

The Permittee shall take all necessary measures to prevent the deposition of any materials associated with this operation on public roadways. To this end, no vehicle leaving the site shall enter onto a public roadway carrying material from the site unless loaded in a manner that will prevent spillage. In addition, all vehicles leaving the site shall be cleaned as needed to prevent the track-out of material on the roadway.

4. Prevention of Accidental Spills into Surface Waters or the Groundwater Table:

The following procedures shall be followed to reduce the potential impact to surface and ground water quality from accidental spills in the permit area:

- a. Fuels, oils and any other liquids that may contaminate soils, ground water or surface water shall be stored in areas that have impervious floors and impervious sidewalls with sufficient capacity to contain accidental spills.
- b. As initially constructed, the spill containment wall adjacent to the chemical building shall be large enough to contain at least the volume of the largest chemical tank in the event of a spill.
- c. That no later than July 30, 1999, the spill containment wall adjacent to the chemical building shall be sufficient to contain the contents of the tanks enclosed by the containment wall assuming that all tanks spill their contents simultaneously. This paragraph is designed to contain spills caused by an earthquake which exceeds the seismic safety design of the tanks and associated pipe system.

In the event that a UV disinfectant system has been installed and the maximum amount of stored chemicals is less than the capacity of the tanks, the Permittee may comply with the requirements of paragraph C by

submitting a letter documenting that the tanks never contain more material than the containment structure can contain.

- d. Fueling and maintenance operations of vehicles and equipment shall be conducted in areas with impervious surfaces.

5. Light Emanation:

Light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels outside the CUP boundary. Lighting shall be kept to a minimum to maintain the normal night-time light levels in the area. The purpose of this condition is to minimize disturbance to adjacent areas, including disturbance to adjacent biological communities.

6. Signs:

No signs shall be constructed, erected, or maintained within the permit boundary except those required by law or allowed by the County Ordinance Code.

7. Mitigation of Visual Impacts:

In order to mitigate the potential visual impacts of the project, the Permittee shall undertake the following:

- A. Within 60 days prior to the final acceptance of the project by the OVSD Board of Directors, the permittee shall submit four sets of landscaping plans for the east, north and south sides of the plant. The purpose of the landscaping shall be to shield, to the extent reasonably possible, the proposed bike path from the plant. These plans shall be consistent with the Ventura County Landscaping Guidelines and shall be subject to review by the General Services Agency and the City of Ventura. Prior to submittal of the plans, the Permittee shall consult with both GSA and the City of Ventura regarding the landscape treatments to be used. Absent clear guidance from these agencies, the landscaping shall emphasize native plants to the extent possible.

Once installed, this planting, plus the existing planting around the sludge drying beds, shall be maintained to the satisfaction of the Planning Division.

- B. The project shall comply with Ventura County Zoning Ordinance Section 8109-3.4.1, which states *“metal buildings, including accessory buildings, either shall have exterior surfaces constructed or faced with stainless steel, aluminum painted, baked enamel or similarly finished surface; or shall be reasonably screened from view of any street by other buildings or by*

*appropriate walls, fencing, earth mounds or landscaping; or shall be located not less than 100 feet from the centerline.”*

- C. All permanent aboveground facilities and structures shall be colored so as to mask the facilities from the surrounding environment and uses in the area. Consideration shall also be given to such additional factors as heat buildup and designation of danger areas when using said colors. Said colors shall be approved by the Planning Director prior to painting of facilities.

The Permittee shall comply with paragraphs “B”, and “C” to the satisfaction of the Planning Director prior to issuance of Zoning clearance 2 and thereafter, at the direction of the Planning Director based on Planning Division inspections to occur from time to time.

8. Acceptance of Conditions and Schedule of Enforcement Responses: The Permittee’s acceptance of this CUP and/or commencement of construction and/or operations under this CUP shall be deemed to be acceptance by the Permittee of all conditions of this CUP. Failure to abide by and faithfully comply with any conditions for the granting of this CUP shall constitute grounds for the implementation of enforcement procedures as provided in the *Ventura County Non-Coastal Zoning Ordinance* (2010, Article 14), which include, but are not limited to, the following actions:

- Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- Suspension of the permitted land uses (Condition No. 1);
- Modification of the CUP conditions listed herein;
- Recordation of a “Notice of Noncompliance” with the deed to the subject property;
- The imposition of administrative civil penalties; and/or
- Revocation of this CUP.

It is the Permittee’s or the Permittee’s successors-in-interest’s responsibility to be aware of, and to comply with, the CUP conditions and the rules and regulations of all jurisdictions having authority over the uses described herein.

9. Time Limits:

- a. Use Inauguration:

- (1) The decision on this CUP becomes effective upon the expiration of the decision’s appeal period, or when any appeals filed regarding the decision on this CUP are resolved. After the decision on this CUP becomes effective, the Permittee must obtain a Zoning Clearance for

Use Inauguration in order to effectuate this permit and inaugurate the uses provided in Condition No. 1 (Project Description).

- (2) This CUP shall expire and become null and void if the Use Inauguration Zone Clearance has not been issued within one year [(see the *Ventura County Non-Coastal Zoning Ordinance* (2010, 8111-4.7) from the granting of this CUP. The Planning Director may grant a one year extension of time to obtain the Use Inauguration Zoning Clearance if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to inaugurate the permitted land use, and the Permittee has requested the extension in writing prior to the one year expiration date.
  - (3) Prior to the issuance of the Use Inauguration Zoning Clearance, all fees and charges billed to that date by any County agency, as well as all fines, penalties, and sureties, must be paid in full. After issuance of the Use Inauguration Zoning Clearance, any final billed processing fees must be paid within 30 days of the billing date or this CUP is subject to revocation.
- b. Operations Period: The use granted by this CUP will expire on March 26, 2062. Failure of the County to provide additional notification to the Permittee of the expiration date shall not constitute grounds for continuance of this CUP after the expiration date. The County decision-makers may grant an extension of the effective period of this permit provided that:
- (1) The Permittee files an application for a modification to this CUP prior to the expiration date. If the Permittee submits an appropriate modification application prior to the expiration date, this CUP may continue in force until action is taken on the modification, and on any appeals.
  - (2) The Permittee can demonstrate that the Permittee has continuously complied with all conditions of this CUP.
- c. Upon expiration of this permit, or abandonment of the use (i.e. inactivity for a period greater than one year), the premises shall be restored by the permittee to the conditions existing prior to the granting of the permit, or converted to a use which is allowed in the subject zone and authorized by any required permit.
10. CUP Modification: Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions or applicable exhibits, the Permittee shall contact the Planning Director to determine if the activity requires a modification of this CUP. The Planning Director may, at the Planning Director's discretion, require that the Permittee file a written and/or mapped

description of the proposed activity prior to rendering a decision on whether a CUP modification is required. If a CUP modification is required, the modification shall be subject to:

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and,
  - b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, §21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000-15387), as amended from time to time.
11. Notice of CUP Requirements and Retention of CUP Conditions On-Site: Unless otherwise required by the Planning Director, the Owner(s) of record, the contractors, and all other parties and vendors regularly dealing with the daily operation of the proposed activities shall be informed, in writing, by the Permittee of the pertinent conditions of this CUP. A current set of CUP conditions and exhibits shall be retained at the site; the CUP conditions and exhibits shall be provided on-site prior to issuance of a Use Inauguration Zoning Clearance and shall be maintained on-site until expiration of this CUP.
12. Recorded "Notice of Land Use Entitlement": Prior to the issuance of a Use Inauguration Zoning Clearance, and in accordance with the *Ventura County Non-Coastal Zoning Ordinance* (2010, §8111-8.3), the Permittee and property owner of record shall sign, have notarized, and record with the Office of the County Recorder, a "Notice of Land Use Entitlement" form furnished by the Planning Division, for each legal parcel within the project site. The "Notice of Land Use Entitlement" is to inform the present and future owners of the property on which the CUP site is located that: the affected real property has been granted a CUP which contains certain conditions for the operation and maintenance of the property; and, the purchaser of the real property should be aware of those conditions. A copy of the recorded "Notice of Land Use Entitlement" shall be returned to the Planning Division to be filed with, and made part of, the case file.
13. Condition Compliance, Enforcement, and Other Responsibilities:
- a. **Cost Responsibilities**: The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance (§ 8114-3) related to CUP Case No. PL21-0032. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and



reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.

- b. Establishment of Revolving Compliance Account: Pursuant to the requirements of CUP Case No. 1743-6, the Resource Management Agency created Condition Compliance Case No. CC06-0042 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP Case No. 1743-6. The Planning Division will continue to use Condition Compliance Case No. CC06-0042 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 13.a (above), and any duly-imposed civil administrative penalties regarding this CUP.

Within 10 calendar days of the effective date of the final decision approving modified CUP Case No. PL21-0032 and if required by the Planning Division, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC06-0042, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.

- c. Monitoring and Enforcement Costs: The condition compliance account deposit and reimbursement agreement are required to ensure that funds are available for legitimate and anticipated costs incurred for Condition Compliance. All permits issued by the Planning Division may be reviewed and the sites inspected no less than once every three years, unless the terms of the permit require more frequent inspections. These funds shall cover costs for any regular compliance inspections or the resolution of confirmed violations of the conditions of this CUP and/or the Ventura County Non-Coastal Zoning Ordinance that may occur.
- d. Billing Process: The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to timely pay an invoice shall subject the Permittee to late fees and charges set forth in the Planning Division Fee Schedule, and shall be grounds for suspension, modification, or revocation of CUP Case No. PL21-0032. The Permittee shall have the right to challenge any charge or penalty prior to payment.
- e. Inspection Authority: By acceptance of this permit, the Permittee authorizes the County of Ventura to conduct inspections of the subject facility for purposes of assessing compliance with the terms and conditions of this permit.

14. Defense and Indemnity:

- a. As a condition of issuance and use of this CUP, including adjustment, modification, or renewal of this CUP, the Permittee agrees to:
    - (1) Defend, at the Permittee's sole expense, any action brought against the County by a third party challenging either its decision to issue this CUP or the manner in which the County is interpreting or enforcing the conditions of this CUP; and,
    - (2) Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any such action. Upon demand from the County, the Permittee shall reimburse the County for any court costs and/or attorney's fees which the County may be required by a court to pay as a result of any such action the Permittee defended or had control of the defense of the suit. The County may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.
  - b. Neither the issuance of this CUP nor compliance with the conditions thereof shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property, nor shall the issuance of this CUP serve to impose any liability upon the County of Ventura, its officers, or employees for injury or damage to persons or property.
  - c. Except with respect to the County's sole negligence or intentional misconduct, the Permittee shall indemnify, defend, and hold harmless the County, its officers, agents, and employees from any and all claims, demands, costs, and expenses, including attorney's fees, judgments, or liabilities arising out of the construction, maintenance, or operations described in Condition No. 1 (Permitted Land Uses), as it may be subsequently modified pursuant to the conditions of this CUP.
15. Invalidation of Condition(s): If any of the conditions or limitations of this CUP are held to be invalid, that holding shall not invalidate any of the remaining conditions or limitations set forth. In the event that any condition contained herein is determined to be in conflict with any other condition contained herein, then where principles of law do not provide to the contrary, the conditions most protective of public health and safety and natural environmental resources shall prevail to the extent feasible, as determined by the Planning Director.

In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the project sponsors in an action filed in a

court of law, or threatened to be filed therein, which action is brought in the time period provided for by the Code of Civil Procedures (§1094.6), or other applicable law, this CUP shall be allowed to continue in force until the expiration of the limitation period applicable to such action, or until final resolution of such action, provided the Permittee has, in the interim, fully complied with the fee, exaction, dedication, or other mitigation measure being challenged.

If any condition is invalidated by a court of law, and said invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, the project may be reviewed, at the discretion of the Planning Director, by the Planning Commission and substitute feasible conditions/mitigation measures may be imposed to adequately address the subject matter of the invalidated condition. The determination of adequacy shall be made by the Planning Commission. If the Planning Commission cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

16. Consultant Review of Information and Consultant Work: The County and all other permitting agencies shall have the option of referring any and all special studies that may be required by these conditions to an independent and qualified consultant for review and evaluation of issues beyond the expertise or manpower of County staff.

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP, the County shall confer in writing with the Permittee regarding the necessary work for which to be contracted, as well as the costs of such work. Whenever feasible, the lowest bidder will be used. Any decisions made by staff may be appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, provided the consultant and the proposed scope-of-work are acceptable to the County. However, the County retains the right to hire its own consultants to evaluate any work undertaken by the operator or consultants under the contract to the operator.

17. Relationship of CUP Conditions, Laws and Other Permits: The design, maintenance, and operation of the CUP area and facilities thereon shall comply with all applicable requirements and enactments of Federal, State, and County authorities, as amended, and all such requirements and enactments shall by reference become conditions of this CUP. In the event of conflicts between various requirements, the more restrictive requirements shall apply. In the event that any CUP condition contained herein is determined to be in conflict with any other CUP condition contained herein, then where principles of law do not provide to the

contrary, the CUP condition most protective of public health and safety and environmental resources shall prevail to the extent feasible, as determined by the Planning Director.

No condition of this CUP for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, or any lawful rules or regulations or orders of an authorized governmental agency. Neither the issuance of this CUP nor compliance with the conditions of this CUP shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

18. Days and Hours of Operation: All activities authorized by this permit may occur 7 days per week, 24 hours per day.
19. Contact Person: Prior to the issuance of the Zoning Clearance for Use Inauguration under this permit, the Permittee shall provide the Planning Director with the contact information (e.g., name and/or position title, address, phone number, mailing and email addresses, and business and cell phone numbers) of the Permittee's field agent and other representatives who receive all orders, notices, and communications regarding matters of condition and code compliance at the CUP site. There always shall be a contact person designated by the Permittee. If deemed necessary by the Planning Director, one contact person shall be available via telecommunication, 24 hours a day, to respond to complaints by citizens and the County. If the address or phone number of the Permittee's agent should change, or the responsibility is assigned to another person or position, the Permittee shall provide the Planning Director with the new information within three calendar days.
20. Resolution of Complaints: The following process shall be used to resolve complaints related to the project:
  - a. The Permittee shall post the phone number for the designated Contact Person as identified pursuant to Condition No. 14 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about an event as it is occurring may directly contact the Contact Person.
  - b. If a written complaint is received by the County, Planning staff will contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation.
  - c. If, following a complaint investigation, a violation of Ventura County Code or a condition of this permit is confirmed, enforcement actions pursuant to Section 8114-3 of the Non-Coastal Zoning Ordinance will be initiated.

21. Correspondence from Other Agencies and Jurisdictions: Copies of all correspondence, reports, or information related to land use and environmental issues covered by this CUP which are received by the Permittee from, or sent by the Permittee to, other State or local jurisdictions or agencies shall be provided to the Planning Division within five calendar days of their receipt/issuance.
22. Site Maintenance: The CUP area shall be maintained in a neat and orderly manner so as not to create any hazardous condition, or unsightly conditions which are visible from outside the CUP area on surrounding properties or from any public right-of-way. All equipment and facilities not explicitly permitted in Condition No. 1 (Permitted Land Uses) shall be removed from the site prior to the issuance of a Use Inauguration Zoning Clearance. Only equipment, materials, and structures which comply with Condition No. 1 (Permitted Land Uses) or are authorized by any subsequent amendments to this CUP, shall be stored on the property during the life of this CUP.
23. Change of Ownership: At least 10 calendar days prior to the effective date of the change of property ownership, or of lessee(s) or operator(s) of the permitted uses, there shall be filed, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). A final statement that a transfer of ownership has occurred shall be provided to the Planning Director within 15 calendar days of the transfer. The statement shall include the following:
  - (a) Any changes in name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and company officer(s) from the initial notice;
  - (b) A letter from the new property owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP; and,
  - (c) The effective date and time of the transfer.

### Environmental Health Division

24. Hazardous Materials / Waste Management (CUPA Permit Required)

**Purpose:** To comply with the California Code of Regulations Title 22, Division 4.5, California Health and Safety Code chapter 6.95; and Ventura County Ordinance Code, and to ensure the safe storage, handling, and disposal of any potentially hazardous material and/or waste.

**Requirement:** The Permittee shall submit a hazardous materials business plan (HMBP) to the Environmental Health Division/Certified Unified Program Agency

(Ventura CUPA) for storage of hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid). If hazardous wastes are generated, an EPA ID number issued by the California Department of Toxic Substances Control must be obtained and maintained in active status. Wastes identified as "non-hazardous" may require waste determination analysis to confirm if wastes are listed hazardous wastes, exhibits a hazardous characteristic through testing, or application of general knowledge

**Documentation:** A completed HMBP must be submitted to the Ventura CUPA electronically through the California Environmental Reporting System. The Permittee shall maintain all records of hazardous waste determination testing and disposal and make available for review by Ventura County CUPA staff upon request.

**Timing:** HMBP must be submitted through CERS annually, and whenever there is a change to the type, quantity, or location of the hazardous materials. EPA ID number must be renewed annually.

**Monitoring and Reporting:** Ongoing compliance with requirements shall be accomplished through field inspection by Ventura CUPA staff.

25. Solid Waste Facility or Operation – Dust and Bioaerosol Management

**Purpose:** To ensure dust and bioaerosols (i.e., airborne particles of biological origin including bacteria, viruses, fungi and yeasts, pollens, and organic matter) generated onsite do not present a public health risk.

**Requirement:** To utilize Best Management Practices (BMP's) to minimize and control the emissions of dust and bioaerosols.

**Documentation:** Develop and implement an operation plan, incorporating BMP's for minimizing and controlling dust and bioaerosols. A combination of engineering controls, work practices, and personal protective equipment should be employed.

**Timing:** Permittee shall minimize and control dust and bioaerosols at all times.

**Monitoring:** The Ventura County Environmental Health Division Local Enforcement Agency (LEA) shall conduct routine inspections/reviews and respond to complaints associated with dust and bioaerosols generated at the site.

26. Composting Facility or Operation- Odor Impact Monitoring Plan (OIMP)

**Purpose:** To comply with California Code of Regulations Title 14 section 17867(a)(2), CCR Title 14 section 17863.4, and Ventura County Ordinance Code section 4719. To minimize odors migrating offsite and creating a public nuisance.

**Requirement:** Develop and implement an Odor Impact Mitigation Plan (OIMP) specific to the site and operations to minimize odors migrating offsite and creating a public nuisance.

**Documentation:** OIMP shall be submitted to the LEA for review and approval.

**Timing:** Initial OIMP shall be developed and approved by the LEA prior to the issuance of a zoning clearance.

**Monitoring and Reporting:** The OIMP shall be reviewed annually and updated as necessary to reflect any changes in the design or operation of this site, including but not limited to: change in the method of storing feedstock, type(s) of equipment, site layout, and odor control measures. A copy of the revisions shall be provided to the Ventura County Environmental Health Division Local Enforcement Agency (LEA) within 30 days of the changes. Effectiveness of OIMP shall be evaluated by LEA staff during site inspections.

27. Solid Waste Health Permit – Enforcement Agency Notification

**Purpose:** To comply with all applicable requirements in California Code of Regulations (CCR) Title 14 and Title 27, as well as Ventura County Ordinance Code section 4702. All site conditions and operations must conform to State solid waste laws and regulations.

**Requirement:** Permittee shall maintain an Enforcement Agency Notification to conduct a compostable materials operation to Ventura County Environmental Health Division Local Enforcement Agency (LEA). Permittee shall obtain a health permit issued by the LEA and remain in compliance with all requirements specified in the permit. Permittee shall comply with all record keeping requirements specified in CCR Title 14 section 17869.

**Documentation:** Permittee shall maintain, and make available for review to the LEA, all applicable records for 5 years. Permittee shall submit a solid waste receipt questionnaire to report the volume and/or tonnage of waste received.

**Timing:** Waste Receipt Questionnaire shall be submitted to the LEA monthly.

**Monitoring and Reporting:** Ongoing compliance shall be accomplished through field inspection by EHD LEA staff.

28. Solid Waste Facility / Operation- Vector Control

**Purpose:** To comply with California Code of Regulations Title 14 section 17867(a)(3), and Ventura County Ordinance Code section 4706(c).

**Requirement:** Permittee must maintain site such that it will not promote harborage and/or breeding of any vectors of disease, including but not limited to birds, rodents, flies, mosquitoes, or other harmful insects. The storage of feedstock shall be in a manner which will not create or promote potential harborage and/or breeding. All water impoundments shall be maintained in a manner which will not create mosquito breeding sources.

**Documentation:** Permittee shall develop a Vector Control Plan specific to site and operations.

**Timing:** Prior to issuance of a Zoning Clearance. Vector Control Plan shall be evaluated and updated as needed to address site-specific problems.

**Monitoring and Reporting:** Effectiveness of the vector control methods shall be evaluated and noted by Ventura County Environmental Health Division Local Enforcement Agency (LEA) staff during routine site inspections and/or complaint investigations.

### **Public Works Agency Conditions**

29. **Traffic Congestion Mitigation Program:**

All plant-related construction or delivery traffic travelling through Casitas Springs shall be scheduled outside of the Highway 33 a.m. and p.m. peak hour periods as determined by the Public Works Agency. These include delivery and haul vehicle trips of any chemicals or removal of any sludge from the site. Traffic coming or going from the south which uses the Canada Large Road or Casitas Springs Road interchanges are not subject to the provisions of this paragraph.

### **Air Pollution Control District Conditions**

30. **Nuisance – Rule 51**

**Purpose:** To ensure that discharge of air contaminants (dust, odors) that may result from site operations are minimized to the greatest extent feasible.

**Requirement:** The facility shall be operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District, with emphasis on Rule 51, *Nuisance*.

**Documentation:** The Permittee shall ensure compliance with the following provision:

A person shall not discharge from any source whatsoever 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 endangers the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

**Timing:** Throughout the effective term of the CUP.

**Reporting and Monitoring:** Monitoring and Enforcement of the Nuisance Rule shall be conducted by APCD staff during compliance inspections and on a complaint-driven basis.

### **Fire Protection District Conditions**

31. Compliance with VCFPD requirements

The Permittee shall obtain, and remain in compliance with, all Fire Code permits required by the Ventura County Fire Protection District.

### **Approved Site Plan(s):**

32. Approved Site Plan(s)

The Permittee shall maintain and operate the subject wastewater treatment plant in substantial conformance with the approved plans for this facility as identified below:

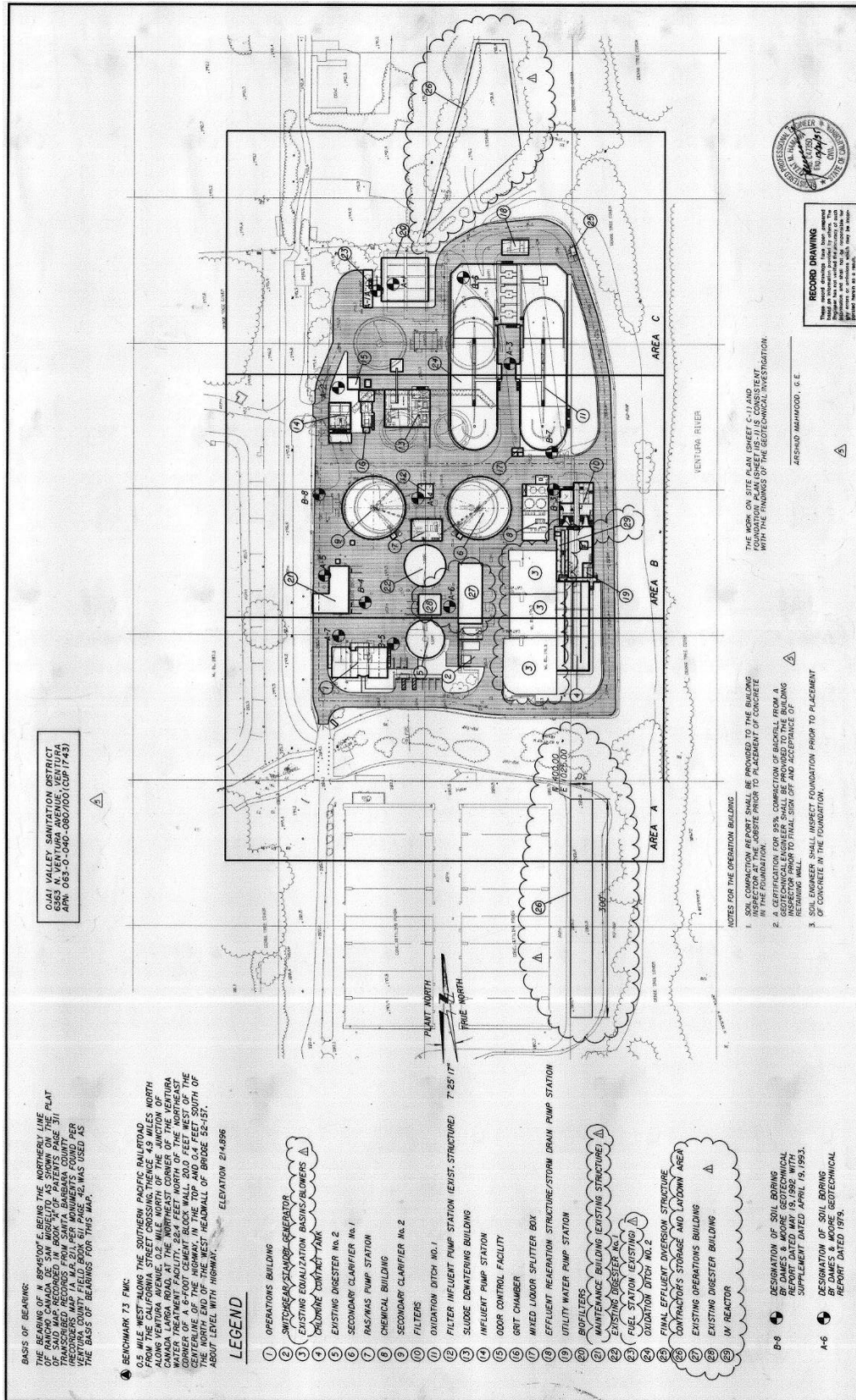


Exhibit 4

## 2.0 SUMMARY

This section has been prepared in accordance with the *State CEQA Guidelines*, Section 15123. The section is divided into two components. The first summarizes the characteristics of the proposed project and identifies areas of controversy, while the second identifies the environmental impacts, mitigation measures, and residual impacts associated with the project and cumulative development. Additionally, project alternatives are summarized.

### 2.1 PROJECT SYNOPSIS

#### 2.1.1 Project Applicant

Ojai Valley Sanitary District (OVSD)  
1072 Tico Road  
Ventura, California 93023

#### 2.1.2 Action Requested and Project Description

The proposed project would upgrade the Ojai Valley Wastewater Treatment Plant (OVWWTP) to a tertiary level of treatment in order to comply with the Waste Discharge Requirements and Cease and Desist Order issued by the Regional Water Quality Control Board, Los Angeles Region (Order Nos. 90-062 and 90-063, respectively). Project implementation would include a modification of Conditional Use Permit No. 1743 and a zone change from "M-2", (Limited Industrial) to "M-3" (General Industrial). This zone change would apply to all three parcels occupied by the existing OVWWTP facilities. Project implementation and operation would occur entirely within the 6.0-acre site currently occupied by the OVWWTP treatment facilities. The project would result in a new wastewater treatment flow path that would include preliminary, secondary and tertiary processes. The OVSD proposes a multistage, suspended growth biological treatment process in conjunction with oxidation ditch activated sludge technology to achieve water quality parameters established by the Regional Water Quality Control Board. In addition, California Code of Regulations Title 22 requirements for human contact would be achieved by adding flocculation and filtration facilities to the treatment process, and by the modification, improvement, and/or replacement of existing disinfection facilities. Project implementation would occur in three phases, and would allow for continued treatment of wastewater by the OVWWTP during construction of the new facilities.

#### 2.1.3 Location/Assessor Parcel Numbers

The proposed zone change would apply to all three parcels currently occupied by the existing OVWWTP (APN 063-0-040-095, 063-0-040-080 and 060-0-300-100). All three of these parcels are located at 6363 North Ventura Avenue, within the unincorporated area of Ventura County. Construction and operation of the proposed project would take place on the 6.0-acre site currently occupied by the existing OVWWTP treatment facilities. These facilities are located on portions of APN's 063-0-040-080 and 060-0-300-100.

County of Ventura  
Planning Director Hearing  
Case No. PL21-0032  
Exhibit 5 - Summary of Certified  
FEIR



### 2.1.4 Existing Environmental Setting

The project site is currently occupied by the existing treatment facilities of the OVWWTP. These facilities provide secondary treatment to an average influent flow of 2.26 million gallons per day from the OVSD service area. The service area occupies approximately 5,600 acres of valley bottom and river terraces, including the Ojai Valley. Elevations in the service area range from approximately 1,000 feet above MSL in the north and northeastern portions of the service area to 120 feet above MSL in the southern portion of the service area near the City of San Buenaventura. The service area is located within the Transverse Ranges Province, which is characterized by east-west trending mountain ranges. The Ventura River flows south across the grain of the east-west trending province, draining approximately 226 square miles. The main tributaries of the Ventura River include San Antonio Creek, which drains the Ojai Valley, Coyote Creek, Matilija Creek, and Canada Larga Creek. Ground water resources in the region include the Ojai, Upper Ventura River, and Lower Ventura River Ground Water Basins.

The service area is subject to a mild Mediterranean climate typical of Southern California. Temperatures for the Ojai Valley include a maximum of 77.7 F, a minimum of 45.7 F, and a mean of 61.7 F. Precipitation averages 21.67 inches annually in Ojai, with the majority of rainfall occurring from November through March. This climate supports a number of plant communities, including Coastal Sage Scrub, Chaparral, Grassland, Oak Woodland, Riparian Scrub and Woodland, and Freshwater Habitat associated with the Ventura River. These in turn provide habitat for a number of vertebrate wildlife species, including mammal, reptile, amphibian, and bird taxa.

Land uses within the service area are generally residential and agricultural. Portions of the service area north of Foster Park are predominately residential, with commercial oriented along major transportation routes such as State Routes 33 and 150. Zoning within the service area is primarily urban and rural. The existing population of Ventura County is estimated to be approximately 687,000 (Wood, personal communication, 1992). Current population levels within the City of Ojai are estimated at 7,800.

Population and growth trends for individual sewer service areas within the County were forecast in the Ventura County Public Facilities and Services Appendix for the years 1985 to 2010. These forecasts were based upon LAFCO-adopted Sphere of Influence boundaries for each sewer area, and thereby give a more accurate indication of future areas to be served. Based upon these boundaries, the 1990 population for the OVSD service area was 25,370. This population is expected to increase to 28,213 by the year 2010.

### 2.1.5 Areas of Controversy

Public controversy over the operation of the OVWWTP has been exhibited in the past, particularly by public interest groups. The principal areas of concern regarding the proposed project relate to environmental issues, land use compatibility, and high cost of upgrade



improvement. Public interest groups have voiced concern that the proposed project site is located on or near a potentially active fault, and that it is subject to inundation and damage from flooding due to its location within the Ventura River flood plain. Public interest groups have also expressed the concern that the proposed zone change (required by Ventura County) would adversely affect surrounding land uses and allow intensified use of the project site. Other areas of controversy include downstream water quality and biological impacts associated with OVWWTP operations. These issues have been evaluated within various technical studies which are incorporated into this EIR.

### 2.2 SUMMARY OF ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND ALTERNATIVES

The summary included in Table 2.2-1 identifies four types of potential project impacts that are associated with the proposed project. They are described as follows:

- **Significant, Adverse, Unavoidable Impacts.** These are impacts for which "specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR." If the OVSD Board of Directors decides to approve the project, a Statement of Overriding Considerations must be adopted for any identified significant, adverse, unavoidable impacts, as required by the *State CEQA Guidelines* Section 15093(b).
- **Significant, Adverse Impacts.** These are significant impacts that can be feasibly mitigated to less than significant levels. *State CEQA Guidelines* Section 15091(a)(1) requires that "Findings" be made indicating that changes or alterations have been required in the project to avoid or substantially lessen these impacts.
- **Adverse Impacts.** These are impacts that have been found to be adverse, but less than significant.
- **Beneficial Impacts.** These are impacts that are found to be beneficial.

The table is organized with respect to level of impact assuming implementation of mitigation (i.e., significant, adverse, unavoidable impacts are discussed first, and so on). Mitigation measures, residual impacts (impacts that remain after proposed mitigation has been implemented) and alternatives are described in the impact summary.

**Table 2.2-1. Summary of Environmental Impacts, Mitigation Measures and Alternatives**

I. PROJECT-SPECIFIC IMPACTS

**A. SIGNIFICANT UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS** of the project for which the decision-maker must issue a "statement of overriding considerations" under Section 15093 of the *State CEQA Guidelines* (as amended) if the project is approved.

<u>DESCRIPTION OF IMPACT</u>	<u>MITIGATION MEASURES</u>	<u>RESIDUAL IMPACT</u>
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No significant unavoidable adverse environmental impacts were identified.

**Table 2.2-1 (Continued)**

**I. PROJECT-SPECIFIC IMPACTS**

**B. SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS THAT CAN BE FEASIBLY MITIGATED OR AVOIDED**

<u>DESCRIPTION OF IMPACT</u>	<u>MITIGATION MEASURES</u>	<u>RESIDUAL IMPACT</u>
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**TRAFFIC**

The proposed project would be inconsistent with Ventura County General Plan Policy 4.2.2-4(b) if the one project-generated employee were hired from the Ojai Valley area.

Arrival and departure trips of the project-generated employee shall be scheduled outside of the a.m. and p.m. peak-hour periods; or the OVSD shall implement a carpooling program such that the additional employee does not add two additional peak-hour trips to State Route 33 in the Casitas Springs area.

Less than significant.



Table 2.2-1. (Continued)

I. PROJECT-SPECIFIC IMPACTS

C. IMPACTS FOUND NOT TO BE SIGNIFICANT

<u>DESCRIPTION OF IMPACT</u>	<u>MITIGATION MEASURES</u>	<u>RESIDUAL IMPACT</u>
<b>LAND USE</b>		
Adverse land use conflicts with uses adjacent to the project would result from: Short-term construction-related dust emissions; short-term construction noise; short-term traffic impacts associated with construction; long-term operational odors; and short- and long-term aesthetic impacts.	None required; however, measures which would further reduce impacts are provided under each specific issue area (i.e., air quality, noise, etc.)	Less than significant.
The project was found to be consistent with the Zoning Designation.	None required.	Less than significant.
The project was found to be consistent with the Ventura County General Plan.	None required.	Less than significant.
The project was found to be consistent with the City of San Buenaventura Comprehensive Plan.	None required.	Less than significant.
The project was found to be consistent with the North Ventura Avenue Area Plan.	None required.	Less than significant.
The project was found to be consistent with the Ventura County 208 Area-wide Water Quality Management Plan.	None required.	Less than significant.



**Table 2.2-1 (Continued)**

**I. PROJECT-SPECIFIC IMPACTS**

**C. IMPACTS FOUND NOT TO BE SIGNIFICANT**

**DESCRIPTION OF IMPACT**

**MITIGATION MEASURES**

**RESIDUAL IMPACT**

**GEOLOGY**

Short-term impacts associated with grading/excavation would be less than significant due to their limited extent.

None required.

Less than significant.

Ground water level fluctuations onsite would result in hydrostatic pressure against structure foundations. Measures included in the project design would reduce potential impacts to less than significant.

None required.

Less than significant.

The project site is located outside of potential landslide and mudslide zones, as designated by the Ventura County General Plan Hazards Appendix.

None required.

Less than significant.

The Dames and Moore Geotechnical Report indicates the potential for expansive soils onsite is low.

None required.

Less than significant.

The Dames and Moore Geotechnical Report indicates the potential for subsidence onsite is low.

None required.

Less than significant.

Groundshaking associated with a seismic event could result in damage to structures. Measures included in the project design, including conformance to Uniform Building Code guidelines, would reduce potential impacts to less than significant.

None required.

Less than significant.

Fault rupture associated with the Red Mountain Fault could result in damage to structures. The Red Mountain Fault Location Study indicates the Red Mountain Fault is located north of the project site; therefore, the potential for fault rupture onsite is low.

None required.

Less than significant.

Table 2.2-1 (Continued)

I. PROJECT-SPECIFIC IMPACTS

C. IMPACTS FOUND NOT TO BE SIGNIFICANT

<u>DESCRIPTION OF IMPACT</u>	<u>MITIGATION MEASURES</u>	<u>RESIDUAL IMPACT</u>
<b>WATER RESOURCES</b>		
Construction activities would not increase impervious surface areas or significantly alter surface and ground water quantities.	None required.	Less than significant.
Construction activities would not result in impacts to the ground water quality of the Lower Ventura Ground Water Basin.	None required.	Less than significant.
Project implementation would not result in long-term impacts to surface and ground water quantities, as plant discharge volumes and onsite impervious surface areas would not be altered.	None required.	Less than significant.
The project was found to be consistent with the RWQCB's Water Quality Control Plan, Santa Clara River Basin (4A).	None required.	Less than significant.
<b>AIR QUALITY</b>		
Construction activities would result in short-term air pollutant emissions during all construction phases. Although the Ventura County APCD significance thresholds are not applicable to construction emissions since they are short-term, mitigation measures should be identified to reduce emissions.	Emission reduction measures include: <ul style="list-style-type: none"> <li>• Requirements for contractor's equipment.</li> <li>• Wetting of disturbed areas.</li> <li>• Limiting soil disturbance during high wind conditions.</li> <li>• Other measures listed in Section 5.4.4.1(a).</li> </ul>	Less than significant.
Potential long-term air quality impacts associated with treatment plant emissions and odor would be reduced to a less than significant level by measures included in the project design.	None required.	Less than significant.



**Table 2.2-1 (Continued)**

**I. PROJECT-SPECIFIC IMPACTS**

**C. IMPACTS FOUND NOT TO BE SIGNIFICANT**

**DESCRIPTION OF IMPACT**

**RESIDUAL IMPACT**

**MITIGATION MEASURES**

**HAZARDOUS MATERIALS**

Construction activities would not include materials (chemicals, explosives) that would create a hazard to onsite personnel or the surrounding population.

None required.

Less than significant.

**FLOOD HAZARDS**

During construction activities, installation of the overflow effluent outfall may result in short-term flood control impacts through the reduction of flood control protection onsite. This installation would be scheduled to avoid the rainy season; therefore, impacts are less than significant.

None required.

Less than significant.

The project site would be subject to potential damage from bank erosion and catastrophic stream channel migration due to its existing location within the 100-year flood plain of the Ventura River.

None required.

The potential for bank erosion and/or catastrophic migration would continue to exist throughout the life of the project. However, as this potential currently exists and would not be altered by the proposed project, this residual impact is not significant.

**TRANSPORTATION AND CIRCULATION**

Construction activities could result in short-term impacts to surrounding land uses and to operational capacities of roadways and intersections in the project area. The Traffic and Circulation Report prepared by Associated Transportation Engineers indicates these short-term impacts would be less than significant.

None required; however, delivery and haul vehicle trips and construction worker arrival and departure should be scheduled outside a.m. and p.m. peak-hour periods. Construction worker carpooling should also be encouraged.

Less than significant.

**Table 2.2-1 (Continued)**

**I. PROJECT-SPECIFIC IMPACTS**

**C. IMPACTS FOUND NOT TO BE SIGNIFICANT**

**DESCRIPTION OF IMPACT**

**MITIGATION MEASURES**

**RESIDUAL IMPACT**

**SOLID WASTE**

Demolition of existing structures would result in short-term impacts associated with solid waste disposal. These are less than significant due to their short-term nature.

None required; however, the OVSD should include a provision in the construction bid requiring the contractor to prepare a plan to recycle demolition materials and utilize recycled construction materials where economically and operationally feasible.

Less than significant.

The implementation of nutrient removal and tertiary filtration would increase OVVWTP sludge generation by approximately 100 percent resulting in a worst-case (design capacity operation) generation rate of 547 TPY. However, the OVSD shall continue to dispose of project-generated sludge as either landfill cover or soil amendment such that a 25 percent diversion occurs, as per Ventura County thresholds.

None required.

Less than significant.

**RECREATION**

Construction and/or operation activities would not impact the proposed Ventura River Trail operation or other recreational facilities in the project area.

None required.

Less than significant.

**AESTHETICS**

Construction and operation activities could result in impacts to sensitive viewing corridors, and the proposed Ventura River Trail. Due to their short-term nature, these impacts are adverse, but less than significant.

None required.

Less than significant.



**Table 2.2-1 (Continued)**

**I. PROJECT-SPECIFIC IMPACTS**

**C. IMPACTS FOUND NOT TO BE SIGNIFICANT**

**DESCRIPTION OF IMPACT**

**MITIGATION MEASURES**

**RESIDUAL IMPACT**

**CULTURAL/PALEONTOLOGICAL RESOURCES**

Construction activities would result in impacts to sensitive cultural/paleontological resources through disturbance or fugitive dust generation. Standard Ventura County regulations regarding cultural/paleontological resources and fugitive dust generation would reduce these impacts to less than significant.

None required; construction activities shall conform to standard Ventura County regulations concerning cultural/paleontological resources, as listed in Section 5.12.4.1(a).

None required; Native American representatives shall be granted access to the OVSD to spot-check the project site during construction (at no cost to the District) to ensure that no archaeological resources are being impacted.

Less than significant.

Table 2.2-1. (Continued)

## I. PROJECT-SPECIFIC IMPACTS

D. BENEFICIAL IMPACTS	<u>DESCRIPTION OF IMPACT</u>	<u>MITIGATION MEASURES</u>	<u>RESIDUAL IMPACT</u>
<b>WATER QUALITY</b>	Project implementation would result in improved surface water quality within the Lower Ventura River downstream of the OVVWTP outfall due to improved effluent quality associated with tertiary filtration and nutrient removal.	None required.	Beneficial.
	Project implementation would result in potential ground water quality improvement due to infiltration of surface waters.	None required.	Beneficial.
<b>AIR QUALITY</b>	Project implementation would result in reduction of treatment process odors through the addition of odor control mechanisms.	None required.	Beneficial.
<b>HAZARDOUS MATERIALS</b>	Project implementation would reduce risks associated with the storage of gaseous chlorine and sulfur dioxide onsite.	None required.	Beneficial.
<b>BIOLOGICAL RESOURCES</b>	Implementation of nutrient reduction and tertiary filtration would result in improved aquatic habitat for native plants and fishes through the reduction of BOD, suspended solids, and nutrient levels, and through improvement of dissolved oxygen levels.	None required.	Beneficial.

**Table 2.2-1 (Continued)**

**I. PROJECT-SPECIFIC IMPACTS**

<b>D. BENEFICIAL IMPACTS</b>	<u>DESCRIPTION OF IMPACT</u>	<u>MITIGATION MEASURES</u>	<u>RESIDUAL IMPACT</u>
<b>FLOOD HAZARD</b>	P20   Project implementation would provide 3 feet of freeboard above the 100-year floodplain elevation of the project site.	None required.	Beneficial.
<b>RECREATION</b>	Project implementation would improve the recreational experience downstream of the treatment plant through improvement of water quality in the Lower Ventura River.	None required.	Beneficial.



**Table 2.2-1. (Continued)**

**II. CUMULATIVE IMPACTS**

These impacts are presented to alert the decision-maker to the regional and local significant effects of cumulative development surrounding the project. Mitigation of cumulative impacts often requires the adoption of regulations or ordinances rather than the imposition of conditions on a project-by-project basis. Pending and approved developments in the project area are listed in Table 4.5-1 and their locations are illustrated on Figure 4.5-1.

<u>DESCRIPTION OF IMPACT</u>	<u>MITIGATION MEASURES</u>	<u>RESIDUAL IMPACT</u>
<b>AIR QUALITY</b>		
The potential addition of two long-term trips per day would contribute to the non-attainment of the State ozone standard in the Ojai Valley Airshed. However, the addition of two long-term trips per day is not considered significant.	None required.	Less than significant.
<b>TRAFFIC AND CIRCULATION</b>		
The potential addition of two long-term peak-hour trips to the Casitas Springs segment of S.R. 33 would contribute to traffic impacts associated with cumulative buildout.	Arrival and departure trips of the employee shall be scheduled outside of the a.m. and p.m. peak-hour periods; or the OVSD shall implement a carpool program such that the additional employee does not add additional peak-hour trips to S.R. 33 in the Casitas Springs area.	Less than significant.
<b>SOLID WASTE</b>		
As specific solid waste diversion methods have yet to be determined by the OVSD, the project, as proposed, would have an annual disposal rate of greater than the Ventura County cumulative solid waste disposal threshold of 13 TPY.	The OVSD shall increase diversion efforts currently occurring at the OVWWTP such that a source reduction of 50 percent of the project-generated sludge is achieved by the year 2000, as per AB 939. Such efforts should include development of a sludge management plan to identify specific sludge reduction measures.	The proposed project would have a significant cumulative residual solid waste impact if the sludge management plan prepared and implemented by the OVSD does not result in a project disposal rate of less than the Ventura County cumulative threshold of 13 TPY.



Table 2.2-1. (Continued)

## III. PROJECT ALTERNATIVES

1. **No Project.** This alternative would result in the continuation of primary and secondary treatment of wastewater at the project site. Improvements to secondary facilities and construction of tertiary treatment facilities would not occur; therefore, short-term air quality, water quality and traffic impacts associated with construction activities would be avoided. Long-term traffic impacts would also be avoided. However, this alternative would continue the discharge of OVWWTP effluent to the Ventura River at existing effluent quality levels. These effluent quality levels would not comply with the Waste Discharge Requirements established by the RWQCB (Order No. 90-062) for the OVWWTP's National Pollution Discharge Elimination Permit, and would result in the OVSD's non-compliance with this Permit, and the July 1, 1996, deadline established in the RWQCB's Cease and Desist Order (Order No. 90-063). As the OVSD is legally bound by provisions of the California Water Code to timely comply with Orders issued by the RWQCB, non-compliance with RWQCB Order Nos. 90-062 and 90-063 would result in significant impacts to water quality and prospective legal liability to the OVSD. Consequently, the "No Project" alternative is not feasible.
2. **Treatment Alternatives**
  - a. **Oxidation Towers/Rotating Biological Contactors (RBCs).** This treatment alternative would utilize the existing oxidation towers for secondary treatment and rotating biological contactors (RBCs) for nitrification. Separate denitrification and chemical phosphorous removal processes would be added.
 

Impacts associated with implementation of this treatment alternative would be similar to the proposed project except for the following areas:

    - Implementation of this process would require the addition of greater amounts of chemicals. Chemical storage onsite would be increased, thereby resulting in greater hazardous materials impacts.
    - Transportation and circulation impacts would be greater than the proposed project due to the increase in long-term truck trips associated with chemical delivery.
    - Solid waste impacts would be greater than the proposed project due to increased sludge generation rates associated with increased chemical addition.
    - Aesthetic impacts would be greater than the proposed project due to the utilization of the existing oxidation towers, which are the tallest existing structures onsite.
  - b. **Oxidation Towers/Combined RBCs and Activated Sludge for Nitrification.** Implementation of this treatment process alternative would utilize the oxidation towers for secondary treatment, and would combine activated sludge and RBC contact for nitrification. Separate denitrification and chemical phosphorous removal processes would be added.



Table 2.2-1 (Continued)

## III. PROJECT ALTERNATIVES

Impacts associated with implementation of this treatment alternative would be similar to the proposed project except for the following areas:

- Implementation of this process would require the addition of greater amounts of chemicals. Chemical storage onsite would be increased, thereby resulting in greater hazardous materials impacts.
- Transportation and circulation impacts would be greater than the proposed project due to the increase in long-term truck trips associated with chemical delivery.
- Solid waste impacts would be greater than the proposed project due to increased sludge generation rates associated with increased chemical addition.
- Aesthetic impacts would be greater than the proposed project due to the utilization of the existing oxidation towers, which are the tallest existing structures onsite.

**c. Oxidation Towers for Secondary Treatment and Activated Sludge for Nitrification.** Implementation of this treatment alternative would utilize the oxidation towers for secondary treatment and activated sludge for nitrification. Separate denitrification and phosphorus removal would be added.

Impacts associated with implementation of this treatment alternative would be similar to the proposed project except for the following areas:

- Although this treatment alternative would not require as much coagulant addition as the two alternatives previously discussed, the process would still require chemical addition associated with phosphorus removal. Therefore, project implementation of this process alternative would have greater hazardous materials impacts associated with onsite chemical storage.
- Transportation and circulation impacts would be greater than the proposed project due to the increase in long-term truck trips associated with chemical delivery.
- Aesthetic impacts would be greater than the proposed project due to the utilization of the existing oxidation towers, which are the tallest existing structures onsite.

**d. Activated Sludge for Secondary Treatment, Nitrification and Denitrification.** Implementation of this treatment alternative would utilize activated sludge technology for secondary treatment and nitrification. Separate denitrification and phosphorus removal would be added. This process is very similar to the proposed project, and would result in similar impacts in all issue areas.



Table 2.2-1 (Continued)

## III. PROJECT ALTERNATIVES

e. **Oxidation Ditch/Activated Sludge/Ultraviolet Disinfection.** Implementation of this alternative would utilize the same treatment process as the proposed project, but would replace the proposed chemical disinfection system with an ultraviolet disinfection system.

Impacts associated with implementation of this treatment alternative would be similar to the proposed project except for the following issue areas:

- Beneficial impacts to hazardous materials would be greater than the proposed project, as storage and use of sodium hypochlorite and sodium bisulfite would be reduced.
- Transportation and circulation impacts would be less than the proposed project due to reduced chemical delivery truck trips associated with decreased chemical use.
- Beneficial impacts to water quality would be greater than the proposed project, as sodium hypochlorite and sodium bisulphite residuals would be removed from effluent released to the Ventura River.
- Beneficial impacts to biological resources would be greater than the proposed project, as sodium hypochlorite and sodium bisulphite residuals would be removed from effluent released to the Ventura River.

f. **Environmentally Superior Treatment Process Alternative.** Implementation of the Oxidation Ditch/Activated Sludge/Ultraviolet Disinfection is considered to be the environmentally superior treatment process alternative. However, as operational, procedural and permitting issues regarding ultraviolet disinfection have yet to be resolved, it is not practical to implement this alternative at this time.

### 3. Alternative Sites

a. **Sludge Bed Site.** The Sludge Bed Site is located just north of the proposed project site at 6363 North Ventura Avenue, Ventura, California. The 7.48-acre parcel is owned by the OVSD, and is listed as APN 063-0-040-095. The actual construction site would encompass 6.5 acres of the parcel, and would be located within the existing sludge bed boundary.

Land use impacts would be the same as the proposed project, as the Sludge Bed Site would require a zone change from "M-2" to "M-3". These impacts are less than significant.



**Table 2.2-1 (Continued)****III. PROJECT ALTERNATIVES**

Geologic/Soil Hazards impacts associated with excavation and grading would be greater than the proposed project, as the existing sludge beds would require demolition and removal. Impacts associated with liquefaction, landsliding, soil instability, groundshaking and fault rupture would be similar to those of the proposed project, as the two sites are adjacent.

Water resource impacts would be similar to the proposed project, as implementation at either site would have beneficial impacts associated with improved effluent quality.

Air quality impacts during both short-term construction and long-term operation would be similar to the proposed project.

Hazardous materials impacts would be similar to the proposed project, as implementation at either site would have beneficial impacts associated with the reduced storage of gaseous chlorine onsite.

Biologic impacts due to development of the Sludge Bed Site would be similar to those of the proposed project, as both sites are currently developed. Beneficial biologic impacts associated with improved effluent quality would be similar to the proposed project.

Flood Hazard impacts would be greater than the proposed project, as HEC-2 modeling indicates that the Sludge Bed Site is not protected from a 100-year flood. The Sludge Bed Site is also highly vulnerable to bank erosion because the river impinges directly on its western bank. Therefore, flood hazard impacts associated with the Sludge Bed Site are considered to be significant.

Transportation and circulation impacts would be similar to those of the proposed project, as regional and local access to both site would be the same.

Solid waste impacts would be equal to those of the proposed project, as implementation of the new treatment process would result in a 100 percent increase in the amount of sludge generated by the OVWWTP. This increase in sludge generation would result in a significant cumulative impact to solid waste.

Recreation impacts would be similar to those of the proposed project, as improved effluent quality would result in beneficial impacts to downstream uses, including recreation.

Aesthetic impacts would be similar to those of the proposed project, which are considered adverse, but less than significant.

Archaeological impacts would be equal to the proposed project due to the Sludge Bed Site's proximity to sycamores associated with the Wind Sycamore, a sensitive Native American feature. These impacts are considered to be mitigable to a less than significant level.



Table 2.2-1 (Continued)

## III. PROJECT ALTERNATIVES

- b. Bonsall Site.** The Bonsall Site is located northeast of the proposed project on North Ventura Avenue, approximately 150 feet east of the Ventura River. The Bonsall Site is bounded on the northeast by North Ventura Avenue, on the south by the Avenue Filtration Plant, and on the west by the Southern Pacific Railroad easement. The site is comprised of one 9.42-acre parcel (APN 063-0-040-015). The parcel is owned by the Bonsall Family and is currently utilized as agricultural land, primarily for hay production.
- Land use impacts would be the same as the proposed project, as project implementation at the Bonsall Site would require a zone change from "M-2" to "M-3". Project implementation at the Bonsall Site would also result in an incremental loss of prime (Class I) agricultural soils. These impacts are less than significant.
- Geologic and soil hazard impacts associated with grading and excavation would be greater than the proposed project due to the 9.0 acres that would be required for project implementation at the Bonsall Site. Impacts associated with liquefaction, landsliding, soil instability, groundshaking would be similar to those of the proposed project due to the Bonsall Site's proximity to the proposed project site. The Bonsall Site may also be subject to impacts associated with onsite ground rupture due to its proximity to the Red Mountain Fault, which cuts across the Ventura River near the northern portion of the site. This impact is considered to be significant.
- Water resource impacts would be similar to the proposed project, as implementation at either site would have beneficial impacts associated with improved effluent quality.
- Air quality impacts during both short-term construction and long-term operation would be similar to the proposed project.
- Hazardous materials impacts would be greater than the proposed project, as past uses at the site indicate a potential for contamination. A Phase I Site Assessment would be necessary in order to assess the potential for onsite contamination. Long-term impacts would be similar to the proposed project, as implementation at either site would have beneficial impacts associated with the reduced storage of gaseous chlorine onsite.
- Beneficial biologic impacts associated with improved effluent quality would be similar to the proposed project. However, biologic impacts associated with site development would be greater than the proposed project due to the installation of an outfall line from the Bonsall Site to the Ventura River. Such an installation would result in the loss of sensitive bird species habitat along the Ventura River corridor, which is considered adverse and would require habitat revegetation. A Section 1601 Stream Alteration Agreement may also be required for outfall installation. In addition, project implementation may result in the loss of the sycamore trees located in the southwest corner of the site.
- Flood hazard impacts associated with the Bonsall Site would be greater than the proposed project, as HEC-2 modeling indicates the Bonsall Site would be inundated by a 100-year event from both the Ventura River and Weidon Canyon Creek.



Table 2.2-1 (Continued)

## III. PROJECT ALTERNATIVES

Transportation and circulation impacts would be similar to those of the proposed project, as regional and local access to both sites would be the same.

Solid waste impacts would be equal to those of the proposed project, as implementation of the new treatment process would result in a 100 percent increase in the amount of sludge generated by the OVVWTP. This increase in sludge generation would result in a significant cumulative solid waste impact.

Recreation impacts would be similar to those of the proposed project, as improved effluent quality would result in beneficial impacts to downstream uses, including recreation.

Aesthetic impacts would be greater than the proposed project, as views of the Bonsall Site are unobstructed from State Route 33 and North Ventura Avenue. The Bonsall site also has a high level of scenic variety due to its pastoral appearance.

Archaeological resource impacts would be greater than the proposed project, as sycamore trees located on the Bonsall Site are associated with a sensitive Native American feature, the Wind Sycamore. Development of the project at the Bonsall site would significantly degrade the site with respect to Native American uses.

**c. MDC Site.** The MDC Site is located southeast of the proposed project site on North Ventura Avenue. The site is comprised of two parcels and contains a total site area of 28.62 acres. The Southern Pacific Railroad easement runs north-south through the site, dividing the two parcels. APN 063-0-040-160 is located east of the railway easement, and is owned by the Bank of Montecito. APN 063-0-040-060 is located west of the railroad easement, and is owned by Newport Anacapa Construction Engineering Company.

Land use impacts would be the same as the proposed project, as the MDC Site would require a zone change from "M-2" to "M-3". Project implementation would also result in an incremental loss of prime (Class II) agricultural soils. These impacts are less than significant.

Geologic/Soil Hazards impacts associated with excavation and grading would be greater than the proposed project, as preliminary site layout would require approximately 9.9 acres. Impacts associated with liquefaction, landsliding, soil instability, groundshaking and fault rupture at the MDC Site would be similar to those of the proposed project site due to their proximity.

Water resource impacts would be similar to the proposed project, as implementation at either site would have beneficial impacts associated with improved effluent quality.

Air quality impacts during both short-term construction and long-term operation would be similar to the proposed project.



Table 2.2-1 (Continued)

## III. PROJECT ALTERNATIVES

Hazardous materials impacts would be greater than the proposed project, as past uses at the site indicate a potential for contamination. A Phase I Site Assessment would be necessary in order to assess the potential for onsite contamination. Long-term impacts would be similar to the proposed project, as implementation at either site would have beneficial impacts associated with the reduced storage of gaseous chlorine onsite.

Beneficial biologic impacts associated with improved effluent quality would be similar to the proposed project. However, biologic impacts associated with site development would be greater than the proposed project due to the installation of an outfall line from the MDC Site to the Ventura River. Such an installation would result in the loss of sensitive bird species habitat along the Ventura River corridor, which is considered adverse and would require habitat revegetation. A Section 1601 Stream Alteration Agreement may also be required for outfall installation.

HEC-2 modeling indicates that the northern portion of the site would be inundated during a 100-year event on the Ventura River. The MDC Site is also likely to be inundated by flood flows that travel south from the Bonsall Site along the Southern Pacific Railroad easement. In addition, the Clearpoint Study presented data demonstrating that flooding would occur on the southern half of the MDC Site due to 100-year flood flows from Cañada Larga. As the MDC Site would require flood control improvements to provide 100-year protection from both the Ventura River and Cañada Larga, the MDC Site would have slightly greater impacts associated with implementation of flood protection.

Transportation and circulation impacts would be similar to those of the proposed project, as regional and local access to both sites would be the same.

Solid waste impacts would be equal to those of the proposed project, as implementation of the new treatment process would result in a 100 percent increase in the amount of sludge generated by the OVVWTP. This increase in sludge generation would result in a significant cumulative solid waste impact.

Recreation impacts would be similar to those of the proposed project, as improved effluent quality would result in beneficial impacts to downstream uses, including recreation.

Aesthetic impacts would be similar to those of the proposed project, which are considered adverse, but less than significant.

Archaeological resource impacts would be less than the proposed project, no prehistoric or historic articles were identified on the MDC Site during the Phase I Archaeological Survey.

**d. USA Petroleum Site.** The USA Petroleum Site is located approximately 1 mile south of the proposed project site on Crooked Palm Road. The site is comprised of four parcels (assessor parcel numbers 063-0-014-290, -470, -270, and -390) and contains a total site area of 15.34 acres. The site is owned by USA Properties Corporation and is currently vacant. The Southern Pacific Railroad easement runs north-south through the site, and the preliminary site layout indicates that construction of the project would utilize the two parcels east of the railroad easement.



**Table 2.2-1 (Continued)**

III. PROJECT ALTERNATIVES

Land use impacts associated with implementation at the USA Petroleum Site are considered to be less than significant, as the site would not require a zone change. Project implementation would result in an incremental loss of prime (Class II) agricultural soils. However, this loss is less than significant.

Geologic/Soil Hazards impacts associated with excavation and grading would be greater than the proposed project, as the preliminary site layout would require approximately 9.7 acres. Impacts associated with liquefaction, landsliding, soil instability, groundshaking and fault rupture at the USA Petroleum Site would be similar to those of the proposed project site due to their proximity.

Water resource impacts would be similar to the proposed project, as implementation at either site would have beneficial impacts associated with improved effluent quality.

Hazardous materials impacts would be greater than the proposed project, as the USA Petroleum Site is located adjacent to industrial uses that are currently listed on several hazardous materials lists. Due to the site's proximity to these uses, a Phase I Site Assessment and limited Phase II Sampling Program are recommended in order to assess the potential for onsite contamination. Long-term impacts would be similar to the proposed project, as implementation at either site would have beneficial impacts associated with the reduced storage of gaseous chlorine onsite.

Beneficial biologic impacts associated with improved effluent quality would be similar to the proposed project. However, biologic impacts associated with site development would be greater than the proposed project due to the installation of an outfall line from the USA Petroleum Site to the Ventura River. Such an installation would result in the loss of sensitive bird species habitat along the Ventura River corridor, which is considered adverse and would require habitat revegetation. A Section 1601 Stream Alteration Agreement may also be required for outfall installation.

HEC-2 modeling indicates that although the river channel in the vicinity of the USA Petroleum Site has remained relatively stable, the site would be partially inundated during a 100-year event on the Ventura River. The proposed project site currently has 100-year flood protection, and would require minor alteration in order to provide freeboard protection. Therefore, as both the USA Petroleum Site and the proposed project would require minor flood control improvements, impacts associated with each site would be similar.

Transportation and circulation impacts would be similar to those of the proposed project, as regional and local access to both site would be the same.

Solid waste impacts would be equal to those of the proposed project, as implementation of the new treatment process would result in a 100 percent increase in the amount of sludge generated by the OVVWTP. This increase in sludge generation would result in a significant cumulative solid waste impact.

Recreation impacts would be similar to those of the proposed project, as improved effluent quality would result in beneficial impacts to downstream uses, including recreation.



Table 2.2-1 (Continued)

## III. PROJECT ALTERNATIVES

Aesthetic impacts would be similar to those of the proposed project, which are considered adverse, but less than significant.

Archaeological resource impacts would be less than the proposed project, as no prehistoric or historic articles were identified on the USA Petroleum Site during the Phase I Archaeological Survey.

- e. **Environmentally Superior Site Alternative.** Among the alternative sites examined, the proposed project site was determined to be the environmentally superior site.
4. **Environmentally Superior Project.** Among the alternative treatment processes and alternative sites examined, implementation of an Oxidation Ditch/Activated Sludge/Ultraviolet Disinfection treatment process on the existing OVVWTP treatment facility site would be the environmentally superior alternative. However, as operational, procedural and permitting issues regarding ultraviolet disinfection have yet to be resolved, it is not practical to implement this alternative at this time. As the disinfection technology can be readily implemented utilizing the proposed treatment process, design of the proposed project has included provisions for conversion to ultraviolet disinfection at such time as operational, procedural and permitting issues are resolved.