# CITY OF SIMI VALLEY

*Home of The Ronald Reagan Presidential Library*

REVIEW PERIOD: May 2 – 31, 2019

TO: All Interested Parties

FROM: Department of Environmental Services

SUBJECT: REQUEST FOR REVIEW OF THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR CUP-S-818 A REQUEST TO CONSTRUCT AND OPERATE A BMX BIKE PARK AT 998 WEST LOS ANGELES AVENUE

---

The attached Mitigated Negative Declaration and Initial Study have been forwarded to you for possible comments relating to your specific area of interest. Comments should be directed to:

Monica Dionne, Assistant Planner
City of Simi Valley
2929 Tapo Canyon Road
Simi Valley, California 93063-2100
(805) 583-6342

Copies sent to:

City Council (5)
City Manager
City Attorney's Office
Planning Commission (5)

City Departments:

City Manager's Office
- City Clerk

Environmental Services
- Director
- Deputy Env. Svs. Director/City Planner
- Case Planner, D. Rosser
- Environmental Planner, M. Dionne
- Recording Secretary
- Counter Copy

Community Services
- Neighborhood Council Coordinator
- Neighborhood Council 1

Simi Valley Library (2)

County of Ventura
- Watershed Protection District
- Fire Protection District

Other Government Agencies
- State Clearinghouse (15)
- California Department of Fish and Wildlife
- U.S. Army Corps of Engineers
- City of Moorpark

Applicant:

Rancho Simi Recreation and Park District

CITY OF SIMI VALLEY

# MITIGATED NEGATIVE DECLARATION

(NO SIGNIFICANT IMPACT ON THE ENVIRONMENT)

REVIEW PERIOD: May 2 – 31, 2019

APPLICANT: Rancho Simi Recreation and Park District

CASE PLANNER: Donna Rosser, Senior Planner

ENVIRONMENTAL PLANNER: Monica Dionne, Assistant Planner

PROJECT DESIGNATION: CUP-S-818

PROJECT DESCRIPTION: The applicant proposes to construct and operate a BMX Bike Park.

PROJECT LOCATION: 998 West Los Angeles Avenue

On the basis of the Initial Study for the project, it has been determined that the project would not have a potential for a significant effect on the environment. This document constitutes a Mitigated Negative Declaration based upon the inclusion of the following measures into the project by the applicant:

MM-1 Mitigation for Impacts to Wildlife Habitat: The following measures shall be implemented during the construction phase to avoid impacts to native habitats adjacent to or in the vicinity of the limits of disturbance, as well as special-status flora and fauna associated with these habitats.

a) Prior to all ground disturbing and construction activities, the Applicant shall demarcate the project limits of disturbance with exclusionary fencing to prevent encroachment of project activities into adjacent native habitats and to dissuade wildlife from entering the construction area. The fencing shall be marked with highly visible flagging and signed as a sensitive area. The temporary fencing shall be routinely inspected and maintained in functional condition for the duration of project construction.

b) All construction and maintenance activities, except in an emergency, shall be limited to the hours of 7:00 a.m. to 7:00 p.m.

c) If construction lighting is required, then lighting shall be pointed away from native habitats and shall be pointed downward and shielded to the extent practicable.

d) No pets shall be allowed on the project site.

e) All food-related trash shall be disposed of in closed animal-proof containers.

f) All trenches shall be filled within the same day, or escape ramps will be constructed if trenches are to be left open overnight.

g) All project related equipment and vehicles shall be cleaned and decontaminated of weeds and soils prior to entering the project site to reduce the potential for the spread and introduction of invasive and noxious weeds.

MM-2 Mitigation for Impacts to Special-Status Wildlife: Prior to the commencement of ground or vegetation disturbing activities, a pre-construction surveys for special-status wildlife species, including the coast horned lizard, coast patch-nosed snake, silvery legless

lizard, and American badger shall be conducted by a qualified biologist. The survey shall be conducted on the day of initial ground or vegetation disturbing activities. The pre-construction survey shall incorporate appropriate methods to detect these species, including individuals that could be concealed in burrows, beneath leaf litter, or in loose soil. If a special-status species is found, avoidance is the preferred mitigation option. If avoidance is not feasible, the species shall be captured and transferred to appropriate habitat and location where they would not be harmed by project activities, preferably to open space habitats in the vicinity of the project site. The City of Simi Valley Planning Division and CDFW shall be consulted if a special-status species is observed at the site during the survey. If a federally listed species is found, the USFWS shall also be notified.

MM-3 Mitigation for Impacts to Nesting Birds: Project activities, including but not limited to site preparation, construction, or fuel modification activities, with potential to disturb suitable bird-nesting habitat shall be prohibited within the breeding/nesting season for native bird species (February 1 through August 31). If project activities cannot feasibly avoid the breeding bird season, thirty days prior to the disturbance of suitable nesting habitat, the applicant shall arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. A qualified biologist with experience in conducting breeding bird surveys shall conduct the surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than three (3) days prior to the initiation of clearance/construction work. The field surveys shall determine if active nests of any bird species protected by the state or federal Endangered Species Acts, Migratory Bird Treaty Act, and/or the California Fish and Game Code Sections 3503, 3503.5, or 3511 are present at the limits of disturbance or within 300 feet of the limits of disturbance. If active nests are identified during pre-construction surveys or discovered after construction has started, they will be protected with spatial buffers. Buffer size will be determined on a case-by-case basis by a qualified biologist based on site conditions, the species' life history and disturbance tolerance, the nest's distance to construction activities, and the type of construction ongoing in the vicinity of the nest. Buffers will be clearly delineated (e.g., using rope, flagging, signage); or they may also be defined by natural or manmade features that are deemed sufficient to prohibit access (e.g., tree rows, fences). Buffers will remain in place and will be monitored and maintained regularly during the nesting season or until the biologist determines that the young have fledged, or the nest failed, or construction has been completed.

MM-4: To compensate for impacts to 1.38 acres of non-wetland habitat, the applicant shall follow all requirements, including permits or approvals and identified mitigation, of the appropriate regulatory agencies, including the California Department of Fish and Wildlife (CDFW), the U.S. Army Corps of Engineers (ACOE), and the Regional Water Quality Control Board (RWQCB). At a minimum, the applicant shall compensate for the loss of habitat at a 1:1 ratio (compensation area: impact area), or as required by the RWQCB, ACOE, and CDFW, as applicable. The same or similar habitat shall be restored as close to the impact area as possible. If a location in the general area of the project is not feasible as determined by the City, then the applicant shall restore another appropriate area within the City limits as close to the impacted area as possible. If a location in the City is determined infeasible by the City, mitigation shall occur elsewhere in the watershed but as close to the project site as possible, or an in-lieu fee to compensate for the loss of habitat may be provided to a qualified agency or other entity acceptable to the City and the regulatory agencies, as applicable. The appropriate in-lieu fee would be determined by the applicant and receiving entity/agency, as approved by the City Planning Division.

Mitigation shall be completed within two (2) years of the completion of the project construction. A mitigation plan and monitoring program shall be prepared and submitted to the City Planning Department and other regulatory agencies, as necessary, for acceptance prior to issuance of a Grading Permit or Building Permit, whichever occurs first, or the start of construction of the project, whichever is sooner. The mitigation plan and monitoring program shall outline methods of mitigation; planting sizes, quantities, and receiver sites; performance standards, including maintenance and monitoring (with periodic status reports and documentation). In the case of in-lieu fees, evidence of payment of such fees shall be provided to the City Planning Division prior to issuance of a Grading Permit or Building Permit, whichever occurs first.

MM-5 Rodenticides, Pesticides, and Herbicides: Use of rodenticides, pesticides, and herbicides in project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of native fauna and the depletion of prey populations on which they depend. All uses of such compounds will observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide will be used because of proven lower risk to native fauna.

MM-6 Mitigation for Operational Impacts to Habitat Linkage: The lowest output lighting permissible shall be used. All track and common lighting shall be shielded so that stray light effects are minimized, and to avoid direct illumination of the riparian corridor, except as needed for public safety.

RESPONSIBLE AGENCIES: None

TRUSTEE AGENCIES: None

Lauren Funaiole

Lauren Funaiole, Senior Planner

CITY OF SIMI VALLEY
PLANNING DIVISION
DEPARTMENT OF ENVIRONMENTAL SERVICES
INITIAL STUDY

1. Project Title: CUP-S-818

2. Lead Agency Name and Address: City of Simi Valley
2929 Tapo Canyon Road
Simi Valley, CA 93063

3. Contact Person and Phone Number: Monica Dionne, (805) 583-6342

4. Project Location: 998 West Los Angeles Avenue

5. Project Sponsor' Name and Address: Rancho Simi Recreation and Park District
4201 Guardian Street
Simi Valley, CA 93063

6. General Plan Designation: Industrial

7. Zoning: OS(A)

8. Description of Project: Rancho Simi Recreation and Park District proposes to construct a 3.24-acre BMX bike park consisting of a BMX dirt track, a 325-square foot prefabricated restroom building and office, a 160-square foot storage bin, an asphalt parking lot with 50 stalls, an overflow dirt parking area with 50 stalls, field and parking lot lighting, bleachers, fencing, and landscaping. The BMX bike park will be placed on the northeastern portion of a 21.02 acre parcel owned by the City of Simi Valley. The Park District has a land lease agreement with the City of Simi Valley. Operations will be through the Sycamore BMX Raceway and operational hours will vary Monday through Friday and include weekends for special events.

9. Surrounding Land Uses and Setting: The project site is undeveloped and is relatively level. The Arroyo Simi borders the site on the south. An auto wrecking yard and RV storage facility is to the east. Vacant land is to the west, with a mobile home park beyond. West Los Angeles Avenue borders the site on the north, with the Southern Pacific Railroad tracks beyond.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement). None

11. Date Deemed Complete/Ready to Process: February 19, 2019

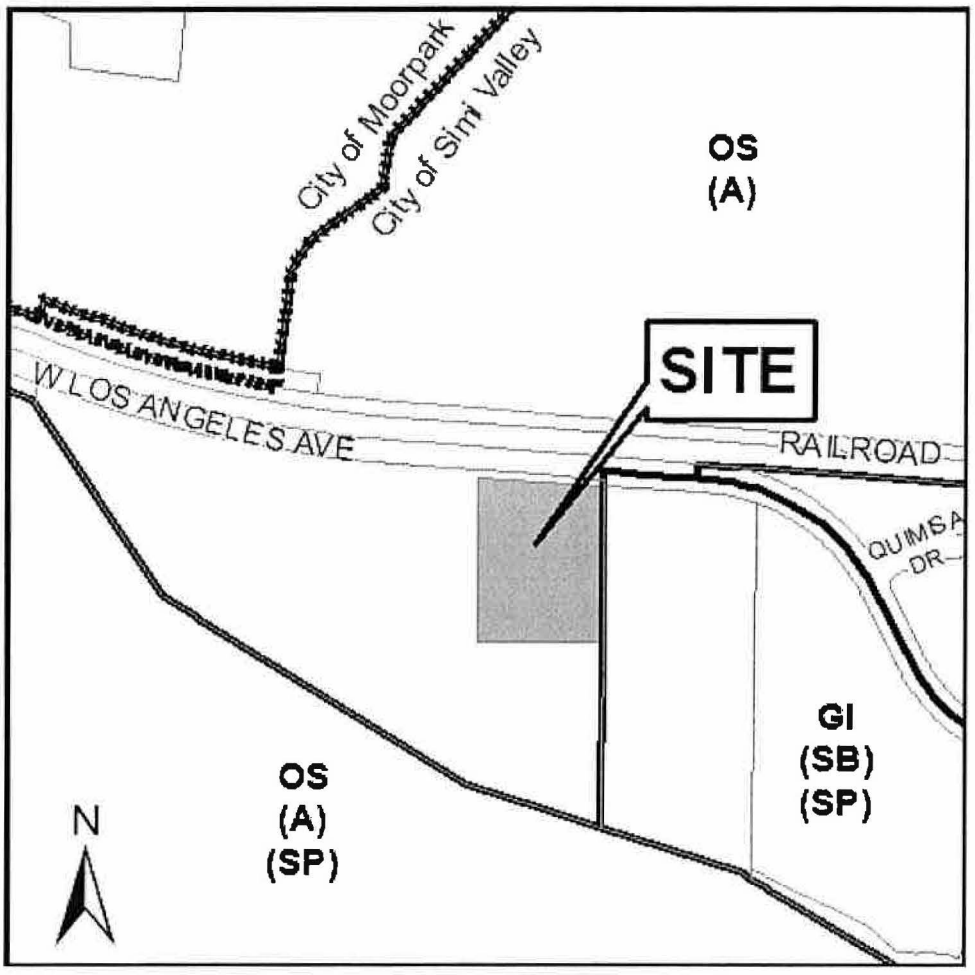
12. A site inspection was performed on:

Date: February 27, 2019 By: Lauren Funaiole, Senior Planner

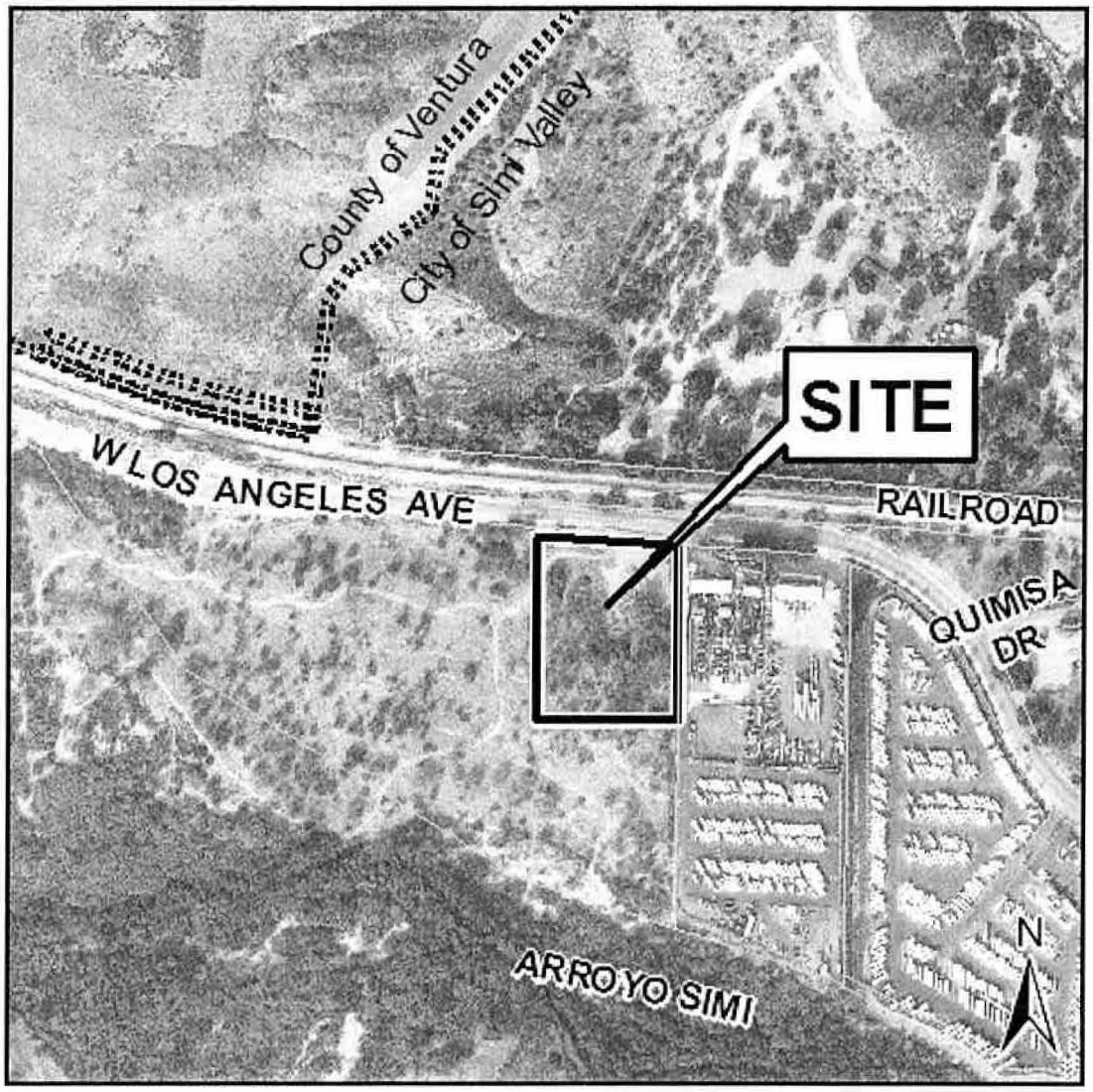
13. Are any of the following studies required? ("Yes" or "No" response required)

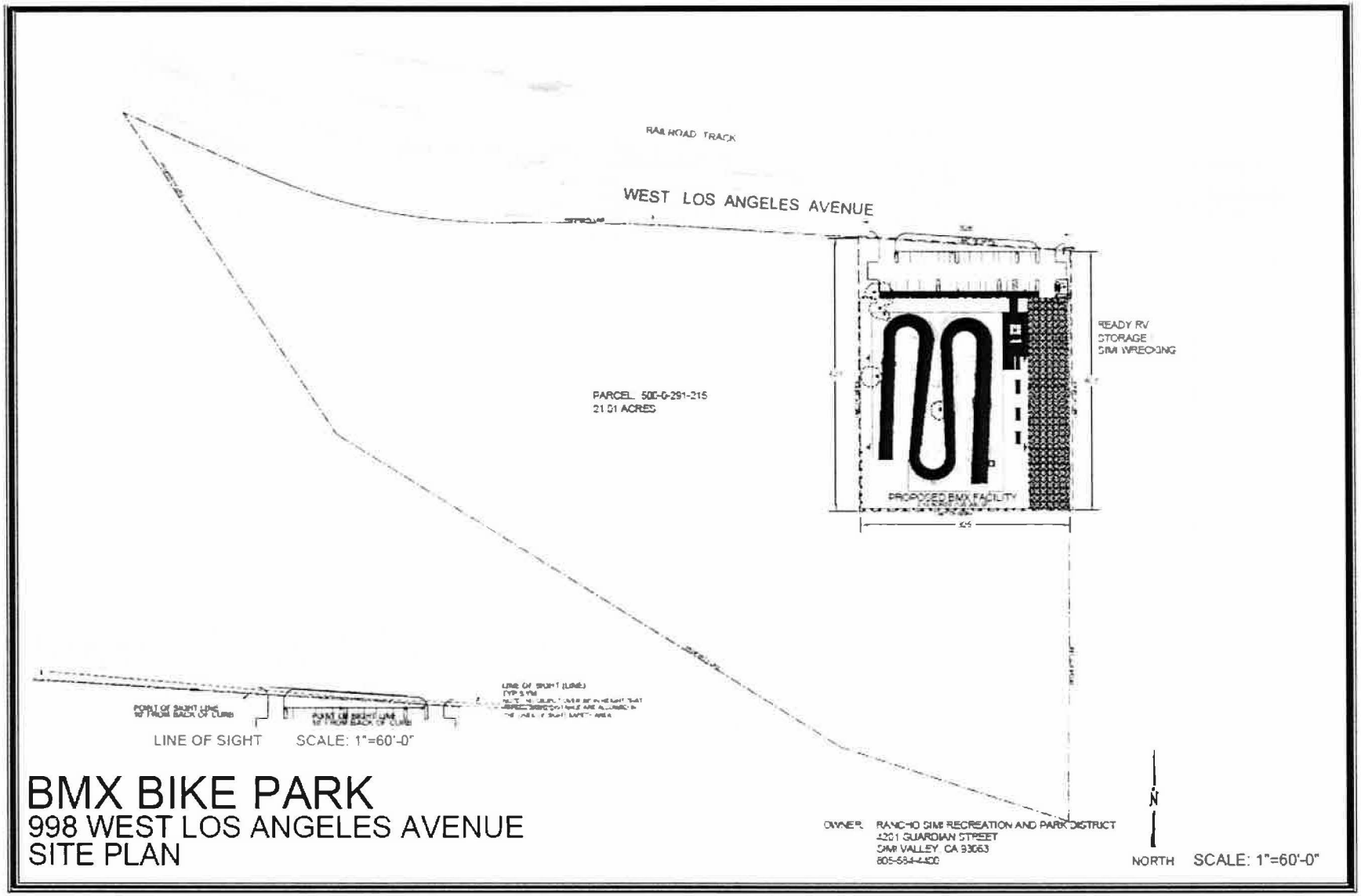
| | |
|---|---|
| YES | Traffic Study |
| YES | Noise Study |
| YES | Geotechnical Study |
| YES | Hydrology Study |
| YES | Tree Study and Appraisal (pursuant to Section 9-38 et seq. SVMC) |
| YES | Biological Study |
| NO | Rare, Threatened and Endangered Species Survey |
| NO | Wetlands Delineation Study |
| YES | Archaeological Study |
| NO | Historical Study |
| NO | Other (List) _____ |

14. Location Map



15. Aerial Photograph




RAILROAD TRACK
WEST LOS ANGELES AVENUE
PARCEL 500-0-291-215
21.01 ACRES
READY RV
STORAGE
SIMI WRECKING
PROPOSED BMX FACILITY
LINE OF SIGHT
SCALE: 1"=60'-0"
BMX BIKE PARK
998 WEST LOS ANGELES AVENUE
SITE PLAN
OWNER: RANCHO SIMI RECREATION AND PARK DISTRICT
4201 GUARDIAN STREET
SIMI VALLEY, CA 93063
805-584-4400
N
NORTH
SCALE: 1"=60'-0"

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

Indicate either "Yes" or "No" in terms of which factors listed below would involve one or more "Potentially Significant Impact(s)":

| | | | |
|---|---|---|---|
| NO | Aesthetics | NO | Mineral Resources |
| NO | Air Quality | NO | Noise |
| NO | Biological Resources | NO | Population/Housing |
| NO | Cultural Resources | NO | Public Services |
| NO | Geology/Soils | NO | Recreation |
| NO | Greenhouse Gas Emissions | NO | Transportation/Traffic |
| NO | Hazards & Hazardous Materials | NO | Utilities/Service Systems |
| NO | Hydrology/Water Quality | NO | Mandatory Findings of Significance |
| NO | Land Use/Planning | | |

DETERMINATION:

On the basis of this initial evaluation:

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

3/26/19
Date

Lauren Funaiole

Lauren Funaiole, Senior Planner for Stratis Perros, Deputy Envionmental Services Director/City Planner

# Issues and Supporting Sources:

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|

I. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista? ☐ ☐ ☒ ☐

b) Substantially damage scenic resources, including, but not limited to, trees and rock outcroppings? ☐ ☐ ☒ ☐

c) Substantially degrade the existing visual character or quality of the site and its surroundings? ☐ ☐ ☒ ☐

(a, b, c) The project site does not currently serve as a view corridor that could provide scenic vistas. The site is not located within or nearby a designated scenic highway or other designated protected view shed. Some trees will be removed in order to construct the park, but they will be replaced with specimen size trees in the new landscaping on site. There are no rock outcroppings on the site. The development will be located directly next to an existing auto wrecking yard and the majority of the 21 acre City owned parcel will remain natural. Based on the foregoing, the project will not result in a potentially significant impact on scenic vistas or resources.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ☐ ☐ ☒ ☐

Exterior lighting on the property is required to adhere to SVMC Section 9-30.040 (Exterior Light and Glare), which states that "there shall be no illumination or glare from the exterior lighting system onto adjacent properties or streets." The applicant is required to submit an exterior lighting (photometric) plan showing a point-by-point foot-candle layout extending a minimum of twenty feet outside the property lines. The lighting plan must achieve the goals established in this code in order to eliminate illumination or glare from the project onto adjacent properties or streets. With these requirements, the project would have no potential to create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area

II. AIR QUALITY:

The significance criteria established by the City or the Ventura County Air Pollution Control District (VCAPCD) may be relied upon to make the following determinations.

Would the project:

a) Conflict with or obstruct implementation of the Ventura County Air Quality Management Plan? ☐ ☐ ☒ ☐

b) Result in emissions from the project at the estimated date of completion of the project which would exceed recommended Ventura County air quality thresholds of either reactive organic gases (ROG) or oxides of nitrogen (NOx)?

☐ ☐ ☒ ☐

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? ☐ ☐ ☒ ☐

(a, b, c) The "Ventura County Air Quality Assessment Guidelines" (Ref #4) prepared and released by the Ventura County Air Pollution Control District, is an advisory document to agencies under its jurisdiction that provides a framework for preparing air quality evaluations for CEQA environmental documents. Within the Guidelines, Section 3.3 *Recommended Significance Criteria* provides thresholds for determining the significance of air quality impacts that could conflict with the goals of the Air Quality Management Plan. Within its 2012 General Plan (Ref. # 12, Simi Valley General Plan) the City of Simi Valley has adopted a significance threshold of 25 pounds/day of ROG or NOx for determining whether an EIR or ND should be prepared. Other recommended evaluations for significant air quality effects include project proximity to: nearby populations, other air pollutant sources and potential land use conflicts.

ROG and NOx are emitted by mobile and stationary sources associated with projects. When exposed to sunlight, the photochemical reaction results in formation of smog, including ozone. Based on the CalEEMod air quality analysis program, the project would generate 3.6 pounds per day of ROG and 0.02 pounds per day of NOx. These quantities do not exceed the emissions threshold of 25 pounds per day of ROC or NOx. In addition to project specific thresholds, Section 3.3.1 provides the following criteria for determining the significance of **cumulative** air quality impacts: "A project with emissions of two pounds per day or greater of ROC, or two pounds per day of NOx that is found to be inconsistent with the AQMP will have a significant cumulative adverse air quality impact." (Ref. #3, Pg. 3-3). Since the project exceeds two pounds per day of ROG, a determination of the project's consistency with the AQMP is required. If the project is consistent with the AQMP, it does not have a cumulative air quality impact. According to Chapter 4 of the Air Quality Assessment Guidelines, a project is consistent with the AQMP if the population increase created by the project plus the current population does not exceed the AQMP forecasted population (Ref. #3, Pg. 4.2 & 4-5, Sec. 4.2.3.1).

The AQMP considers regional population forecasts developed by the Southern California Association of Governments (SCAG). SCAG's most recent population forecast was adopted in April 2016 as part of the 2016-2040 *Regional Transportation Plan/Sustainable Communities Strategy.* The 2016 SCAG growth forecast projects a population in Simi Valley of 142,200 people for 2040. This project does not propose any residences and would not result in any population growth. The existing population of Simi Valley is 127,070, which is within the most recent growth projections of SCAG for the City of Simi Valley. As such, the growth forecast is also within the population growth parameters considered in the AQMP, which is updated by the APCD to manage air emissions in the County of Ventura in accordance with local, state, and federal standards. Development of the Project will not obstruct implementation of the AQMP or attainment of state or federal air quality standards. Therefore, the project would not have a significant impact on air quality and there is no potential for a significant impact to the environment from an impact on air quality due to a conflict with the Ventura County Air Quality Management Plan.

d) Expose sensitive receptors, i.e., young children, the elderly, and hospital patients, to substantial pollutant concentrations? ☐ ☐ ☐ ☒

The environmental planner conducted a site visit of the property to determine the adjacent land uses. There are no schools, hospitals, or senior care facilities within one mile of the project site. In addition, based on the answers to questions II. a) and II. b), the project would not create substantial pollutant concentrations. Therefore, the project would have no potential for a significant impact to the environment from exposure of sensitive receptors, i.e., young children, the elderly, and hospital patients, to substantial pollutant concentrations.

e) Create objectionable odors affecting a substantial number of people? ☐ ☐ ☒ ☐

The project will not generate substantial concentrations of pollution, and the proposed BMX bike park is not a facility that is identified as a potential source of odors by the VCAPCD. Therefore, construction and operation of this project would not result in a potentially significant impact from objectionable odors affecting a substantial number of people.

III. BIOLOGICAL RESOURCES: Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? ☐ ☒ ☐ ☐

A biological assessment report was submitted with the project application (Ref. #38). The site is characterized largely by riparian woodland over a mix of non-native grasses as well as previously graded areas, which are concentrated in the northern portion of the site. The site is undeveloped, naturally vegetated, and contiguous to the south and west with extensive areas of native and non-native habitat. Previously modified areas include unimproved dirt roads and a relatively large graded barren area. Man-made ditches have been constructed to direct storm water flows around the perimeter of previously graded areas. Some "two-track" roads traverse north to south, in the western portion of the site, which continue off-site.

The site now consists predominately of open stands of disturbed native riparian scrub and herbaceous vegetation dominated by invasive weeds. There are no natural stream channels within the project site or study area, but Arroyo Simi is located south of the project site and there are remnants of previous flooding events to the south of the site. Vegetation throughout the site is predominately mixed stands of landscape trees, willow woodland, elderberry stands, and non-native grasses and forbs.

The project includes approximately 3.07 acres of development with an additional 1.44 acres of potential impacts related to fuel modification. The primary vegetation communities affected by the proposed project include elderberry and willow riparian scrub, disturbed non-native grassland, as well as upland mustard fields and barren areas. Three (3) sensitive plant communities were identified within the project site. Permanent disturbances would be located within the proposed development footprint and fuel modification areas. Direct impacts to the habitat would be mitigated through compliance with the City's tree ordinance as well as any compensatory mitigation required by the Trustee Resource Agencies.

Most of the special-status wildlife species that may potentially occur within the Project footprint are capable of escaping harm during construction, or fuel modification, while others are potentially vulnerable to direct impacts, including injury and mortality. In this case, the special-status species that could be directly impacted include potentially occurring land dwelling animals, including the coastal whiptail, silvery legless lizard, San Diego mountain kingsnake, and coast (San Diego) horned lizard. Because the proposed project does not include removal of habitat suitable for these species no direct loss or injury to a special-status wildlife species is anticipated. Nevertheless, these species could be affected by project construction. However, potential impacts would be less than significant with the following mitigation measures.

MM-1 Mitigation for Impacts to Wildlife Habitat: The following measures shall be implemented during the construction phase to avoid impacts to native habitats adjacent to or in the vicinity of the limits of disturbance, as well as special-status flora and fauna associated with these habitats.

a) Prior to all ground disturbing and construction activities, the Applicant shall demarcate the project limits of disturbance with exclusionary fencing to prevent encroachment of project activities into adjacent native habitats and to dissuade wildlife from entering the construction area. The fencing shall be marked with highly visible flagging and signed as a sensitive area. The temporary fencing shall be routinely inspected and maintained in functional condition for the duration of project construction.

b) All construction and maintenance activities, except in an emergency, shall be limited to the hours of 7:00 a.m. to 7:00 p.m.

c) If construction lighting is required, then lighting shall be pointed away from native habitats and shall be pointed downward and shielded to the extent practicable.

d) No pets shall be allowed on the project site.

e) All food-related trash shall be disposed of in closed animal-proof containers.

f) All trenches shall be filled within the same day, or escape ramps will be constructed if trenches are to be left open overnight.

g) All project related equipment and vehicles shall be cleaned and decontaminated of weeds and soils prior to entering the project site to reduce the potential for the spread and introduction of invasive and noxious weeds.

MM-2 Mitigation for Impacts to Special-Status Wildlife: Prior to the commencement of ground or vegetation disturbing activities, a pre-construction surveys for special-status wildlife species, including the coast horned lizard, coast patch-nosed snake, silvery legless lizard, and American badger shall be conducted by a qualified biologist. The survey shall be conducted on the day of initial ground or vegetation disturbing activities. The pre-construction survey shall incorporate appropriate methods to detect these species, including individuals that could be concealed in burrows, beneath leaf litter, or in loose soil. If a special-status species is found, avoidance is the preferred mitigation option. If avoidance is not feasible, the species shall be captured and transferred to appropriate habitat and location where they would not be harmed by project activities, preferably to open space habitats in the vicinity of the project site. The City of Simi Valley Planning Department and CDFW shall be consulted if a special-status species is observed at the site during the survey. If a federally listed species is found, the USFWS shall also be notified.

Ground and vegetation disturbing activities if conducted during the nesting bird season (February 1 to August 31) would have the potential to result in removal or disturbance to trees and shrubs that could contain active bird nests. In addition, these activities would also affect herbaceous vegetation that could support and conceal ground-nesting species. Project activities that result in the loss of bird nests, eggs, and young, would be in violation of one or more of California Fish and Game Code sections 3503 (any bird nest), 3503.5 (birds-of-prey), or 3511 (Fully Protected birds). In addition, the purposeful removal or destruction of one or more active nests of any other birds listed by the federal Migratory Bird

Treaty Act of 1918 (MBTA), whether nest damage was due to vegetation removal or to other construction activities, would be considered a violation of the MBTA and California Fish and Game Code Section 3511. The loss of protected bird nests, eggs, or young due to Project activities would be a significant impact. Implementation of MM BIO-5 would reduce potentially significant impacts to a less than significant level.

MM-3 Mitigation for Impacts to Nesting Birds: Project activities, including but not limited to site preparation, construction, or fuel modification activities, with potential to disturb suitable bird-nesting habitat shall be prohibited within the breeding/nesting season for native bird species (February 1 through August 31). If project activities cannot feasibly avoid the breeding bird season, thirty days prior to the disturbance of suitable nesting habitat, the applicant shall arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. A qualified biologist with experience in conducting breeding bird surveys shall conduct the surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than three (3) days prior to the initiation of clearance/construction work. The field surveys shall determine if active nests of any bird species protected by the state or federal Endangered Species Acts, Migratory Bird Treaty Act, and/or the California Fish and Game Code Sections 3503, 3503.5, or 3511 are present at the limits of disturbance or within 300 feet of the limits of disturbance. If active nests are identified during pre-construction surveys or discovered after construction has started, they will be protected with spatial buffers. Buffer size will be determined on a case-by-case basis by a qualified biologist based on site conditions, the species' life history and disturbance tolerance, the nest's distance to construction activities, and the type of construction ongoing in the vicinity of the nest. Buffers will be clearly delineated (e.g., using rope, flagging, signage); or they may also be defined by natural or manmade features that are deemed sufficient to prohibit access (e.g., tree rows, fences). Buffers will remain in place and will be monitored and maintained regularly during the nesting season or until the biologist determines that the young have fledged, or the nest failed, or construction has been completed.

Based on the inclusion of the above mitigation measure, there is no potential for a significant impact on the environment.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

☐ ☒ ☐ ☐

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

☐ ☒ ☐ ☐

(b, c) A proposed project would be considered to have a significant impact if a project would have a substantial adverse effect on federally- or state-protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filing, hydrological interruption, or other means.

The biology report submitted for the project states that although a wetland delineation has not been completed, the site is located in an alluvial floodplain that contains remnants of hydrophytic (i.e., water loving) species in the overstory (e.g., cottonwood and willow trees) and a non-hydrophytic understory (e.g., chaparral shrubs) (Ref #38). While, the Army Corps of Engineers (ACOE) and Regional Water Quality Control Board (RWQCB) may not assert

jurisdiction over the site, the riparian habitat would be subject to California Department of Fish and Wildlife (CDFW) jurisdiction under the California Fish and Game Code Section 1600.

The project would permanently impact approximately 1.38 acres of riparian habitat, comprised of elderberry, willow, and cottonwood vegetation communities. Impacts associated with the fuel modification would result in an additional 0.32 acres of disturbance to riparian habitat.

The project's impacts to potential jurisdictional areas would be subject to the review and approval of Trustee Resource Agencies (ACOE, CDFW, and RWQCB). Impacts to jurisdictional areas would be considered significant. Therefore, MM-4 requires consultation with the Trustee Resource Agencies regarding jurisdictional areas to reduce potentially significant impacts to a less-than-significant level. The ACOE, CDFW, and RWQCB have final authority in determining the presence, status, and extent of jurisdictional waters and riparian habitat.

MM-4: To compensate for impacts to 1.38 acres of non-wetland habitat, the applicant shall follow all requirements, including permits or approvals and identified mitigation, of the appropriate regulatory agencies, including the California Department of Fish and Wildlife (CDFW), the U.S. Army Corps of Engineers (ACOE), and the Regional Water Quality Control Board (RWQCB). At a minimum, the applicant shall compensate for the loss of habitat at a 1:1 ratio (compensation area: impact area), or as required by the RWQCB, ACOE, and CDFW, as applicable. The same or similar habitat shall be restored as close to the impact area as possible. If a location in the general area of the project is not feasible as determined by the City, then the applicant shall restore another appropriate area within the City limits as close to the impacted area as possible. If a location in the City is determined infeasible by the City, mitigation shall occur elsewhere in the watershed but as close to the project site as possible, or an in-lieu fee to compensate for the loss of habitat may be provided to a qualified agency or other entity acceptable to the City and the regulatory agencies, as applicable. The appropriate in-lieu fee would be determined by the applicant and receiving entity/ agency, as approved by the City Planning Department.

Mitigation shall be completed within two (2) years of the completion of the project construction. A mitigation plan and monitoring program shall be prepared and submitted to the City Planning Department and other regulatory agencies, as necessary, for acceptance prior to issuance of a Grading Permit or Building Permit, whichever occurs first, or the start of construction of the project, whichever is sooner. The mitigation plan and monitoring program shall outline methods of mitigation; planting sizes, quantities, and receiver sites; performance standards, including maintenance and monitoring (with periodic status reports and documentation). In the case of in-lieu fees, evidence of payment of such fees shall be provided to the City Planning Department prior to issuance of a Grading Permit or Building Permit, whichever occurs first.

Based on implementation of the above mitigation, there is no potential for a significant impact on the environment due to impacts on riparian habitat, sensitive communities, or wetlands.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ☐ ☐ ☒ ☐

According to the biology report submitted with the project application, the site is located in the Santa Monica - Sierra Madre Connection outer boundary as delineated by the South Coast Missing Linkages Project (Ref #38). The area likely provides coverage/foraging areas for local wildlife that transit through the area. Although the project site provides vegetative cover and native habitats suitable for the movement of a diversity of species, it is not of particular importance to wildlife for movement. For example, the site is not within a bottleneck of habitat between larger areas of core suitable habitat and it is not necessary for wildlife to pass through the site to access essential resources for water, foraging, breeding, or cover. The project site is situated near the edge of existing commercial development and, therefore, development of the site would not fragment natural habitats. There are undeveloped natural habitats to the south and west of the site, which provide habitat for wildlife and opportunities for wildlife movement through the area.

The proposed development would be clustered to the northeastern most portion of the subject property. As such, the proposed project would not sever wildlife movement, as a majority of the site will be left undeveloped. Nevertheless, project construction (particularly site clearing and grading operations) would have the potential to impact surrounding areas including adjacent plant communities and plant and animal species. Construction-related activities (e.g., noise and light) could have adverse effects on plant and wildlife habitat. In addition, compliance with MM-1 would limit construction to day-time hours and would require construction lighting to be pointed away from native habitats, pointed downward, and shielded to the extent practicable. In addition, dust-related impacts would be avoided through compliance with the standard BMP that requires operators to control dust caused by grading and hauling and provide reasonable control of dust caused or exacerbated by wind at all times. The project is required to comply with the municipal code and ordinances and therefore construction-related impacts to the habitat linkage would be less than significant.

In addition to construction-related impacts, project operation could have direct and indirect impacts on local wildlife that transit through the project area, including but not limited to noise, lighting, human activity, pets, and pesticides associated with the development on riparian habitats and species of Arroyo Simi. For example, the use of pesticides or rodenticides could affect native fauna given the proximity of wildlife to urban areas and operational noise and lighting at night could adversely affect crepuscular and nocturnal wildlife movement. The risk of exposure to pesticides and rodenticides, currently exists within habitat linkage as well as a majority of the linkages indicated by South Coast Wildlands in their Santa Monica - Sierra Madre Connection. After implementation of MM-5 below, the proposed project's contribution to the exposure of native wildlife to these threats would be less than significant. Furthermore, it is the responsibility of future residents to comply with State, Federal, and local laws pertaining to the use of hazardous materials (e.g., poison). Nevertheless, mitigation related to chemical use has been recommended to reduce the potential to adversely affect native fauna that utilize the habitat linkage during project operation.

Construction noise impacts are regulated by the City of Simi Valley through compliance with municipal code. In addition, compliance with MM-1 would limit construction to day-time hours and would require construction lighting to be pointed away from native habitats, pointed downward, and shielded to the extent practicable. Conversely, operation of the facility would include increased levels of noise. Because there is a considerable distance between the proposed project grading footprint and the areas likely used by wildlife, and because the activity associated with the project is of limited duration - not permanent, the adverse effects of operational noise on wildlife movement are considered less than significant.

As described in Section 1.2, Project Description, the use of the BMX track would be limited to fixed operational hours. Operation of the facility would, however, include the use of nighttime lighting, which would be limited to the areas within and immediately adjacent to the track. Given the distance between the proposed track and the riparian corridor, significant impacts to wildlife movement are not anticipated. Nevertheless, direct and indirect affects to wildlife as a result of nighttime lighting would be considered a significant impact if it disturbed migratory behavior. Implementation of MM-6 would require nighttime lighting to be shielded to avoid impacts to the natural habitat associated with Arroyo Simi, which would reduce potentially significant impacts to a less than significant level.

In summary, the proposed development has the potential to adversely affect wildlife in the Arroyo Simi riparian corridor due to noise, human activity, nighttime lighting but the distance to the creek and temporary nature of the proposed activities, would substantially reduce these impacts, but not to a less than significant level without additional measures. With implementation of MM-5 and MM-6, direct and indirect impacts to the habitat linkage are considered less than significant.

MM-5 Rodenticides, Pesticides, and Herbicides: Use of rodenticides, pesticides, and herbicides in project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of native fauna and the depletion of prey populations on which they depend. All uses of such compounds will observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide will be used because of proven lower risk to native fauna.

MM-6 Mitigation for Operational Impacts to Habitat Linkage: The lowest output lighting permissible shall be used. All track and common lighting shall be shielded so that stray light effects are minimized, and to avoid direct illumination of the riparian corridor, except as needed for public safety. .Based on implementation of the above mitigation, there is no potential for a significant impact on the environment due to impacts on wildlife movement.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ☐ ☐ ☒ ☐

According to the tree report for the project, the area to be developed contains 15 trees that are considered protected by the City's Tree Preservation Ordinance (Ref # __). The trees include three bottle trees, three Fremont Cottonwood trees, seven Peruvian pepper trees, and two Mexican fan palms. The project would result in the removal of all 15 trees. The project will be required to provide replacement landscaping trees with a value equal to the value of the removed trees. Therefore, the project would not conflict with the City's Tree Preservation Ordinance and there is no potential for a significant impact on the environment.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ☐ ☐ ☐ ☒

There are no adopted Conservation Plans, or other local, regional or state conservation plans that could be affected by the project on or nearby the project site. Therefore there will be no impact from the project on such plans.

IV. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as identified in State CEQA Guidelines Section 15064.5? ☐ ☐ ☒ ☐

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines Section 15064.5? ☐ ☐ ☒ ☐

The site is vacant and has no remnants of previous development. A Phase 1 archaeological study was conducted for the site (Ref. #36). The entire property was surveyed for cultural resources. The report concludes that no cultural resources have been previously recorded and no cultural resources, either prehistoric or historical, were found on the site. However, to comply with state law AB52, the City invited local interested tribes to consult on the project. None of the affected tribes requested consultation. Based on this determination, the project would not have a significant impact on historic or archaeologic resources.

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

The site is underlain by alluvial deposits, which have a low potential for containing paleontological deposits (Ref.#4, Engineering Science, Inc., Paleontologic Resource Assessment Overview, Simi Valley, Ventura County, California, February 1986). Therefore, there is no potential for a significant impact on paleontologic resources.

d) Disturb any human remains, including those interred outside of formal cemeteries? ☐ ☐ ☒ ☐

Section 7050.5 of the California Health and Safety Code mandates procedures to be followed when human remains are discovered. This code requirement is implemented for all projects in the City. A standard condition for this and all projects requires that, in the event of the encounter of subsurface materials suspected to be of an archaeological nature (such as human remains), all grading or excavation must cease in the immediate area until the find can be evaluated by a qualified professional archaeologist. The condition further requires that recommendations made by the archaeologist must be implemented before work may proceed. Therefore, there would be no potential for a significant impact to the environment from a disturbance of human remains.

V. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ☐ ☐ ☒ ☐

ii) Strong seismic ground shaking? ☐ ☐ ☒ ☐

Based on the State of California Earthquake Fault Zones Map, the property is not located in an Alquist-Priolo Fault zone and no known active faults run through the property (Ref #9). Since there are no known active faults on the property, the proposal would not be impacted by surface rupture.

According to the preliminary geotechnical report for the project (Ref. #37), the subject site is located in an area subject to strong ground-shaking from earthquakes. The report states that the site is suitable for the proposed construction, provided that the geotechnical engineering recommendations included in the report are implemented. Those recommendations will be required by the Department of Public Works with the issuance of a grading permit for the project. Therefore, there is no potential for a significant impact to the environment from strong seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction? ☐ ☐ ☒ ☐

According to the preliminary geotechnical report for the project (Ref. #37), the subject site is located in an area subject to liquefaction. The report states that the site is suitable for the proposed construction, provided that the geotechnical engineering recommendations included in the report are implemented. The Building Code requires that the risk of liquefaction be reduced when present. Therefore, the proposed project will have a less than significant impact to the environment from exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving unstable or expansive soil.

iv) Landslides? ☐ ☐ ☒ ☐

The property is not identified as an area subject to landslides on the State of California Seismic Hazard Zones Map (Ref. #8: California Department of Conservation: State of California Seismic Hazard Zones: Simi Valley West Quadrangle, April 7, 1997). Therefore, the project would have no potential to expose people or structures to potential substantial adverse effects from landslides.

b) Result in substantial soil erosion or the loss of topsoil? ☐ ☐ ☒ ☐

The project site would result in a park with associated driveways, parking areas, walkways and landscaping. This will reduce the amount of exposed soil that could be eroded. In addition, the project is required to adhere to Section 9-63.030.c (Grading & Erosion Control) of the Simi Valley Municipal Code. The purpose of this code is to prevent siltation, protect off-site property, and prevent soil loss during grading. Therefore, there is a less than significant impact on the environment from substantial soil erosion or loss of topsoil.

c) Be located on a geologic unit or soil that is expansive, unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? ☐ ☐ ☒ ☐

The geotechnical site evaluation of the property (Ref. #37) evaluated the suitability of the site soils for the proposed construction. The report states that the site is suitable for the proposed construction, provided that the geotechnical engineering recommendations included in the report are implemented. Therefore, there is no potential for a significant impact to the environment from liquefaction, lateral spreading, or settlement.

d) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? ☐ ☐ ☐ ☒

The proposed project is proposing the use of a septic tank or another alternative wastewater disposal system. The Building and Safety Division, Environmental Compliance Division will review the proposed installation and ensure that the design is compatible with the on-site soils. Therefore, there is no impact to the environment from soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.

VI. GREENHOUSE GAS EMISSIONS: Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ☐ ☐ ☒ ☐

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ☐ ☐ ☒ ☐

(a, b) The City of Simi Valley relies upon the expert guidance of the Ventura County Air Pollution Control District (VCAPCD) regarding the methodology and thresholds of significance for the evaluation of air quality impacts within Ventura County. (Greenhouse Gas (GHG) emissions are air pollutants that are subject to local control by the VCAPCD. As such, the City looks to the VCAPCD for guidance in the evaluation of GHG impacts. In September 2011, the Ventura County Air Pollution Control Board requested that VCAPCD staff report back on possible GHG significance thresholds for evaluating GHG impacts of land use projects in Ventura County under CEQA. VCAPCD staff responded to this request by preparing a report entitled Greenhouse Gas Thresholds of Significance Options for Land Use Development Projects in Ventura County. This report presents a number of options for GHG significance thresholds and summarizes the most prominent approaches and options either adopted or being considered by all other air districts throughout California. Similar to other air districts, VCAPCD staff members are considering a tiered approach with the main components involving consistency with a locally adopted GHG reduction plan followed by a bright-line threshold for land use projects that would capture 90 percent of project GHG emissions. The South Coast Air Quality Management District (SCAQMD) also considering uses these strategies for land use projects.

As part of the General Plan update, the City has adopted a Climate Action Plan (SV-CAP) that includes a baseline GHG emissions inventory, a methodology for tracking and reporting emissions in the future, and recommendations for GHG reduction strategies as a foundation for these efforts. The SV-CAP focuses on the various goals and policies of the General Plan relative to greenhouse gas emissions. The SV-CAP is designed to ensure that the impact of future development on air quality and energy resources is minimized and that land use decisions made by the City and internal operations within the City are consistent with adopted state legislation. The SV-CAP identifies energy reduction measures, including a requirement that new development exceed 2008 Title 24 Part 6 Energy Standards by 20 percent, and water use reduction measures to reduce water demand by 20 percent. The project will be

required to comply with a number of ordinances that implement the goals of the SV-CAP. Simi Valley has adopted an Energy Reach Code, which adopts energy efficiency performance standards that reach higher than is required by Title 24 minimums. The main focus is on efficiency measures that are simple to achieve and enforce, and have the greatest influence on community sustainability. The Reach Code increases energy efficiency requirements for residential and nonresidential structures beyond Title 24, set at 10 and 15 percent respectively for new construction and substantial remodels. Chapter 9-39 of the City of Simi Valley Development Code promotes trip reduction and alternative transportation methods (e.g., carpools, vanpools, public transit, bicycles, walking, park-and-ride lots, improvement in the balance between jobs and housing), flexible work hours, telecommuting, and parking management programs to address traffic increases from new development. The Water Conservation Program Ordinance (Ordinance 1142) will reduce water consumption within the City of Simi Valley through conservation, effective water supply planning, prevention of waste, and will maximize the efficient use of water within the City of Simi Valley. The Water Conservation Ordinance is designed to reduce water use in the City to at least 15 percent below the 2009 baseline. The City is an early adopter of the CALGreen Building Code, which is intended to improve sustainability of the built environment and reduce GHG emissions from new construction. The City's adopting Ordinance 1167 goes further by including a CEC-approved energy reach code, additional landscape water conservation, and increased recycling.

For the purpose of evaluating the GHG impacts associated with the project, a threshold of 3,000 MTCO2e/year was used for plan level analyses. This threshold was used since it was developed based on the goal of AB 32 to reduce statewide GHG emissions to 1990 levels by 2020. The Air Quality analysis prepared by the environmental planner indicates that the proposed park would emit GHG emissions of approximately 3.9 metric tons of CO2e per year. This is less than the SCAQMD screening threshold for mixed use projects of 3,000 MTCO2e/year. Therefore, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and, per SCAQMD's recommended Tier 2 thresholds, impacts related to GHG emissions would be less than significant.

VII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? ☐ ☐ ☒ ☐

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? ☐ ☐ ☒ ☐

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? ☐ ☐ ☒ ☐

(a, b, c) The proposed project is a park and there is no proposal to store hazardous materials at the project. There are no existing or proposed schools within one mile of the project site. Therefore, the project would have no potential to create a significant impact to the environment from the routine transport, use, disposal, handling or release of hazardous materials.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? ☐ ☐ ☒ ☐

The project site is not listed on the Department of Toxic Substances Control, Site Cleanup and Hazardous Waste Facilities data base (Ref. #16). This database lists all sites pursuant to government code requirements. Therefore, development of the project site would not create a significant hazard to the public or the environment.

e) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? ☐ ☐ ☒ ☐

The site is located within the urban boundary of the City and is adjacent to an existing road. The property is included in the City's emergency response and evacuation plan and there is no need to amend the existing procedures. The Ventura County Fire Protection District has reviewed the plan and concluded that emergency access for the site is adequate. Therefore, the project would have no potential for a significant impact to the environment from interference with an adopted emergency response or evacuation plan.

f) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas where residences are intermixed with wildlands? ☐ ☐ ☒ ☐

The project is a park and does not propose any residences or other structures intended to long term habitation. Natural vegetation abuts the site, but the site is adjacent to an existing roadway and evacuation in the event of a fire could be accomplished by driving either east or west. Therefore, the project would have no potential for a significant impact from exposure of people or structures to wildland fires.

VIII. HYDROLOGY AND WATER QUALITY: Would the project:

a) Violate any water quality standards or waste discharge requirements? ☐ ☐ ☒ ☐

The project is subject to City, County and State regulations regarding water quality and discharge. These requirements include implementing stormwater pollution prevention plans prior to start of construction, building stormwater detention and filtration systems per plans that must be approved prior to construction, and designing the site to prevent uncontrolled runoff into natural watercourses. The permits include regular monitoring by City and County staff for compliance. Therefore, there is no potential for a significant impact from the project by violation of water quality standards or discharge requirements.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? ☐ ☐ ☒ ☐

The project would receive its future domestic water supply from the existing distribution system. There is no proposal to use a well or groundwater from the site. Groundwater will

not be used or depleted by this project. Therefore, there is no potential for a significant impact to the environment from depleting groundwater supplies or interfering substantially with groundwater recharge.

c) Result in substantial erosion or siltation on or off-site as a result of substantial alteration of the existing drainage pattern of the site or area? ☐ ☐ ☒ ☐

d) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site? ☐ ☐ ☒ ☐

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems? ☐ ☐ ☒ ☐

f) Result in discharge from areas of: material storage, vehicle or equipment fueling or maintenance, waste handling, hazardous material handling or storage, delivery or loading, or other outdoor work areas? ☐ ☐ ☒ ☐

g) Result in storm water discharge that would impair the beneficial uses of the receiving waters or cause significant harm to the biological integrity of waterways or water bodies? ☐ ☐ ☒ ☐

(c, d, e, f, g) The proposed project is predominately pervious surfaces with the exception of the parking lot along Los Angeles Avenue. The existing and proposed time of concentration of runoff for the overall project will remain unchanged. Water leaving the site must be filtered to remove sediments. The project is a new development that is greater than one acre in size and proposes to add more than 10,000 square feet of impervious surface area and therefore, falls into one of the categories making it applicable to comply with conditioning approval for the design and implementation of post-construction stormwater management control measures. The water quality leaving the site for the developed condition must be treated to remove the pollutants of concern. The level of protection shall be required to reduce trash and sediment. Based on compliance with the MS4 permit and the retention of stormwater onsite, the project would not have a potential for a significant impact on the environment.

h) Place any structure intended for human habitation within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map? ☐ ☐ ☒ ☐

Based on the Flood Insurance Rate Map (Ref. #19) much of site is located within a Special Flood Hazard Area (SFHA), Zone AE. The proposed restroom building will not be located within the Special Flood Hazard Area. The City Engineer has determined that the operation of the BMX track would not violate the City's Flood Damage Prevention Ordinance. Therefore, there would be no potential for a significant impact from placing a structure designed for human occupancy in a "100-year" flood zone.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? ☐ ☐ ☒ ☐

Based upon a review of the Bard Reservoir inundation map, the property is located within an area that could be affected by a failure of the Bard Reservoir (Ref. #21). A study titled: "A Report on Bard Reservoir and the Risk of Inundation Hazard with Respect to the Proposed Royal/Madera Specific Plan Area", was done to evaluate the hazard to development within the dam inundation. The study analyzed the five ways an earthen dam can fail and result in flooding. These are: overtopping, slumping, rapid draw down, erosion, and earthquakes. Overtopping results when the amount of water received by the watershed exceeds the capacity of the dam. The California Division of Safety of Dams analyzed the hydrology of the watershed to determine how the dam would perform during a possible maximum precipitation storm. This analysis showed that the reservoir and spillway perform within satisfactory levels even if the maximum precipitation storm occurred at a time of maximum storage capacity of the reservoir. The hydrology analysis calculated that the annual precipitation for the Bard Reservoir area is approximately 14 inches. The dam was designed to handle over 26 inches of rainfall in a 72-hour period. Therefore, there is virtually no risk of dam failure resulting from overtopping.

Slumping is the collapse of the downstream soil in the embankment. This can result from the introduction of roots, weeds, and other vegetation which can weaken the compaction of the soil. The California Division of Safety of Dams requires routine maintenance and performs inspections to ensure dams are not in danger of slumping. Based on the maintenance schedules and available records, slumping failure is highly unlikely at Bard Reservoir (Ref. #39: Pg 15).

Collapse can also occur from rapid draw down, which is the outletting of water from the reservoir at too high a rate. The outlet capacity of the two drains that make up the outlet works has been designed to limit the outflow of water from the reservoir to an acceptable draw down rate. This has eliminated the possibility of accidental dam failure from an excessively rapid draw down (Ref. #39: Pg 15).

Erosion from water seepage can also cause a dam to fail. The design and construction of the dam's outlet works and foundation, including a filter and drain system prevents seepage from occurring. During construction the soil was carefully excavated and recompacted. Piezometers and settlement markers were installed to provide monitoring. The careful design and constant inspection during construction, as well as the current on-going maintenance, monitoring, and surveillance programs ensure the integrity of the outlet works and the foundations for the infinite life of the dam. For these reasons, the possibility or risk of dam failure from erosion is very minute (Ref. #39: Pg. 16).

Earthquakes are another cause of dam failure. The Bard Reservoir was constructed to meet all of the State requirements regarding seismic hazards. An assessment of the performance of the Bard Reservoir during a Maximum Credible seismic event was conducted to determine the stability of the dam during an earthquake. In order to calculate the Maximum Credible event, the maximum earthquake is assumed to occur at the closest point of the fault to the site resulting in the most severe level of shaking at the site. In determining the maximum earthquake history experience, trenching and distance from the fault to the site are all taken into account. The Santa Rosa-Simi fault system with an event at a magnitude of 7.0 resulting in a maximum peak acceleration of 0.7g was determined to be the critical event and the basis for subsequent studies at the Bard Reservoir. In all cases, the primary conclusion reached is that the dam is safe for continued use (Ref #39: Pg. 16). Therefore, there is a less than significant impact on the environment from exposure of people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

IX. LAND USE AND PLANNING: Would the project:

a) Conflict with any applicable land use plan, policy, or regulation of the City (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? ☐ ☐ ☒ ☐

Based on a review of the current General Plan, it has been determined that the project is consistent with goals, policies, and implementation measures adopted for avoiding or mitigating an environmental effect. The project complies with all thresholds related to biological resources, stormwater runoff, and traffic generation. Potential impacts on air quality and noise have been mitigated to a level of insignificance. Therefore, there is no potential for a significant impact on the environment.

X. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? ☐ ☐ ☒ ☐

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? ☐ ☐ ☒ ☐

(a, b) According to the California Division of Mines and Geology, there are no known mineral resources of value to the region in alluvium aside from sand and gravel for concrete aggregate (Ref. #2). There are no oil or gas wells located on the property according to the California Department of Conservation, Division of Oil and Gas, Regional Wildcat Map, W2-1 (Ref. #24). Locally important mineral resources have been mapped by the State and included in the City's General Plan Land Use Element. The project is located outside the area identified as a natural resource area on the Land Use Map for the City's General Plan. Therefore, would not have the potential to result in a significant impact to the environment from the loss of availability of a regionally, statewide, or locally important mineral resource.

XI. NOISE: Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance? ☐ ☐ ☒ ☐

b) The creation of a permanent increase in ambient noise levels in the project vicinity by 10 dB(A) Ldn above levels existing without the project? ☐ ☐ ☒ ☐

c) A substantial temporary or periodic increase in ambient noise levels, from other than construction related noise, in the project vicinity above levels existing without the project? ☐ ☐ ☒ ☐

(a, b, c) A noise study was prepared for the project to determine if project activities could have significant impacts on the mobile home park located west of the project site (Ref. # 34). The report analyzed operational noise impacts that could occur and determined that noise levels at the mobile home park would not be changed by the proposed park. Therefore, there is no potential for a significant impact on the environment.

XII. POPULATION AND HOUSING: Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? ☐ ☐ ☒ ☐

b) Displace substantial numbers of people or existing dwelling units, necessitating the construction of replacement housing elsewhere? ☐ ☐ ☒ ☐

(a, b) The project will not require extension of existing roads, utilities, or other public infrastructure to serve the project site. The project will not result in the creation of residential units. Therefore, the project has no potential to result in a significant impact to the environment by inducing substantial population growth in the area. Based on the site visit by the environmental planner, there are no dwelling units located on the property that would be displaced. Therefore, the project has no potential for an impact to the environment from the displacement of existing dwelling units that would require construction of replacement housing elsewhere.

XIII. PUBLIC SERVICES:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

| | | | | |
|---|---|---|---|---|
| Fire Protection? | ☐ | ☐ | ☒ | ☐ |
| Police Protection? | ☐ | ☐ | ☒ | ☐ |
| Schools? | ☐ | ☐ | ☒ | ☐ |
| Parks? | ☐ | ☐ | ☒ | ☐ |
| Other public facilities? | ☐ | ☐ | ☒ | ☐ |

The Ventura County Fire Protection District has reviewed the project and determined that with the existing roads, short distance, and level topography from the closest fire station to the site, the personnel and equipment at the fire station can meet their standard response time of arriving in five minutes by traveling 30 miles per hour.

The Police Department has established acceptable standards for Patrol Officer response times to calls for service in the City. The acceptable response times to emergency calls average 3.2 minutes, and non-emergency response times average 12 minutes. The Police Department tracks response times and is meeting these standards, based on the Department's latest statistics. To maintain these response times to the public, the Police Chief may reconfigure police beat boundaries, adjust deployment schedules for patrol shifts, or request funding for the creation of special task forces to deal with any increase in calls for service due to the proposed project. Therefore, there would be no potential for a substantial impact associated with new facilities or personnel related to police services.

The need for public facilities including schools and parks is based on the demand generated by the population. The project would result in the creation of a new BMX park. This use is not considered to contribute to a substantial population increase; therefore there would be no potential for a substantial adverse effect on public services or facilities including fire protection, police protection, schools, parks or recreational facilities which could result in

significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives.

XIV. RECREATION:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ☐ ☐ ☒ ☐

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? ☐ ☐ ☒ ☐

(a, b) The proposed project is a recreational facility. This initial study concludes that, with mitigation, the project would not have a potential to cause an adverse physical effect on the environment.

XV. TRANSPORTATION/TRAFFIC: Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation and relevant components of the circulation system, such as intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? ☐ ☐ ☒ ☐

b) Conflict with an applicable congestion management program such as level of service standards and travel demand measures, or other standards established by the local congestion management agency for designated roads or highways? ☐ ☐ ☒ ☐

(a, b) A trip generation study was submitted with the project application (Ref #39). The study indicates that the maximum daily average of trips would be 190. The City Traffic Engineer has reviewed the project and has determined that all nearby intersections will operate at acceptable levels of service as defined in the City's General Plan. Therefore, there is no potential for a significant impact on the environment.

c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections)? ☐ ☐ ☒ ☐

d) Result in inadequate access? ☐ ☐ ☒ ☐

(c, d) The Simi Valley Municipal Code has specific design requirements for new access drives (Ref. #1). This includes minimum standards for width, grade, angle, surface, and clearance. The City of Simi Valley Department of Public Works and Department of Environmental Services reviewed the project and determined that those standards would be satisfied. Compliance with those design standards protects against the possibility of creating a substantial hazard due to a design feature. Therefore, there is no potential for a significant impact to the environment from a substantial increase in hazards due to a design feature or inadequate access.

e) Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the safety or performance of such facilities?

☐ ☐ ☒ ☐

The Department of Public Works Traffic Division reviewed the project and determined that the project would not conflict with the Bicycle Master Plan. The project has been reviewed by the City's Transit Division and based on their assessment a bus turnout or stop is not required for the project and the project would not conflict with the existing or planned bus system. Therefore, the project would have no potential for a significant impact to the environment from a conflict with adopted policies, plans, or programs supporting alternative transportation

XVI. UTILITIES AND SERVICE SYSTEMS: Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? ☐ ☐ ☒ ☐

All the wastewater from the project would be collected and treated at an on-site holding/septic tank. This system will be operated in accordance with the requirements of the City's Building and Safety Division, the Environmental Compliance Division, and the Regional Water Quality Control Board. Therefore, the project has no potential for a significant impact to the environment from exceeding the wastewater treatment requirements of the Regional Water Quality Control Board

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? ☐ ☐ ☒ ☐

Currently the City's Wastewater Treatment Plant handles approximately 9.5 million gallons of sewage per day (mgd). The facility's capacity is 12.5 mgd. The wastewater collection system and the City's water delivery system have not reached capacity. The City's Department of Public Works has reviewed the proposal and determined that no additional water or wastewater treatment facilities are required. Based on this information the project would not generate sewage that exceeds the limits of the City's Wastewater Treatment Plant. Therefore, there is no potential for a significant impact to the environment from inadequate capacity of the wastewater treatment provider.

c) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

☐ ☐ ☒ ☐

New or expanded entitlements of water supplies are not needed for this project. The proposed project would be served by the Ventura County Waterworks District No. 8 (District). Calleguas Municipal Water District (Calleguas) supplies most of the District's water. The District also extracts groundwater for treatment and use as potable water, for use as untreated nonpotable water, and purveys recycled water.

The District's most recent Urban Water Management Plan forecasts demand of 27,975 acre-feet per year (AFY) in 2035, which is essentially the build-out demand of the District under the current City of Simi Valley's and County of Ventura's General Plans. The project is consistent with the Simi Valley General Plan. Calleguas' current Urban Water Management Plan assures that the demands of all purveyors they serve, including the District, can be met

through 2035 in all but the most extreme circumstances. In addition, the District plans to diversify resources by increased local water production and water recycling.

The District's current estimated annual demand is 22,760 AFY. The proposed project is forecasted to have a water demand of 154 acre-feet per year. The difference between current demand and projected year-2035 demand is 5,215 AFY. The forecasted project demands are within the planned increased demand range. The District's and Calleguas' planning documents therefore support that the demand created by the proposed project will have sufficient resources as supply, without additional entitlements.

d) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs? ☐ ☐ ☒ ☐

The Simi Valley Landfill and Recycling Center (SVLRC) would serve the proposed project. The SVLRC has a capacity of 123.1 million cubic yards of waste. Based on the maximum permitted disposal rate of 6,000 tons per day (tpd), seven days per week, 358 days per year, the site could operate until 2051 (Ref. #30). Waste Management accepts waste from a variety of sources, but they are restricted to the approval rate of 6,000 tons per day. Therefore, the SVLRC, at a minimum, has the ability to accept waste until 2051. Therefore, there is a less than significant impact to the environment from an insufficient permitted capacity to accommodate the project's solid waste disposal needs.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species or eliminate important examples of the major periods of California history or prehistory? ☐ ☒ ☐ ☐

Based on the answers to Section III, Biological Resources, Mitigation has been incorporated into the project to reduce potential impacts on nesting birds, riparian habitat, sensitive species and wildlife movement adjacent to the project site.

Based on the answers to Section IV, Cultural Resources, the project does not have the potential to cause significant impacts to archaeological and paleontological resources on the project site.

Therefore, there would be no potential for a significant impact to the environment from degradation of the quality of the environment, substantial reduction of habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of an endangered, rare, or threatened species or eliminate important examples of the major periods of California history or prehistory.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects as defined in Section 15130 of the State CEQA Guidelines?) ☐ ☐ ☒ ☐

According to the Ventura County Air Pollution Control District Air Quality Management Plan (AQMP), if the project is consistent with the AQMP, it would have a less than significant cumulative impact on air quality. According to the Air Quality Assessment Guidelines of the Ventura County Air Pollution Control District (Ref. #3: Pg. 4-6, Sec. 4.2.3.1), consistency with the Air Quality Management Plan (AQMP) can be determined by comparing actual population in the City's Growth Area with the forecasted population in the AQMP. If the current estimated population of the City's growth area is below the available forecasted populations for January 1st of the most recent year and the project conforms to the applicable General Plan designation, the project is determined to be consistent with the AQMP. Therefore, there is a less than significant cumulative impact on air quality.

In order to address cumulative traffic impacts, the Circulation Element of the General Plan adopted a Level of Service (LOS) "C" as the design objective for the arterial street system. To meet this design objective, individual projects are required to provide a circulation analysis and any traffic improvements to meet LOS "C" at all affected intersections. Since the last update of the General Plan in 2012, the Traffic Model used by the City to determine impacts on the circulation system has been updated each time a General Plan Amendment has been approved so that the model is kept up-to-date. The City's Traffic Engineering Division has determined that the cumulative traffic that could be generated by the project will be consistent with the Traffic Model after construction of the street improvements that are part of the project. The City Traffic Engineer has reviewed the project application and determined that all intersections in the project vicinity will operate at LOS "C" or better with this project and with build out of the area as anticipated by the General Plan. Therefore, there is a less than significant cumulative impact on traffic and transportation.

Every project, including this development, is required to comply with the Countywide National Pollution Distribution Elimination System Permit (NPDES). This includes submitting storm-water drainage designs that comply with the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) and calculating the Stormwater Quality Design Flow and Stormwater Quality Design Volume to determine the total amount and flow volume of water the design is required to clean. Compliance with these requirements ensures that each project filters the required amount of storm-water contributed to the pubic drainage system and countywide pollutant concentrations comply with the NPDES permit. Therefore, there is a less than significant cumulative impact on the environment from water pollution.

Since the project is consistent with the Air Quality Management Plan, the National Pollution Distribution Elimination Permit, and the City's traffic model indicates that all intersections affected by the project will operate at LOS "C" or better at buildout of the current General Plan, there is a less than significant impact to the environment from impacts that are individually limited, but cumulatively considerable.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ☐ ☐ ☒ ☐

Significant impacts to air quality, hydrology and significant impacts from hazardous materials, geologic conditions and noise have the potential to cause substantial adverse effects on human beings. Based on the answers to Section II. a), b), c), and d), the project would not have a significant impact due to pollution, inconsistency with the Air Quality Management Plan, exposure of sensitive receptors to significant pollution concentrations, or odors. Based on the answers to Section VII. a), b), d), e), and f), the project would not have a significant impact due to erosion, flooding, and polluted runoff. Based on the answers to Section VI. a), b), c), d), the project would not have a significant impact due to the use or

transport of hazardous materials, accidental release of hazardous materials, release of hazardous materials within a quarter mile of a school, or development on a hazardous materials site. Based on the answers to Section V. a) i), ii), and iii), the project would not have a significant impact due to surface rupture, seismic ground failure, or landslides. Based on the answers to Section X. a), b), and c), the project would not have a significant impact on the environment due to generation of noise levels in excess of standards established in the General Plan, the increase of ambient noise by 10 dB(A), or a substantial temporary or periodic increase in ambient noise levels. Therefore, the project would not result in a significant impact to the environment from effects that will cause substantial adverse effects on human beings, either directly or indirectly.

XVIII. REFERENCES:


1. City of Simi Valley, Development Code, Title 9 of the City of Simi Valley Municipal Code, January 5, 2006.
2. Ventura County Air Pollution Control District, Regulation IV – Prohibitions: Rule 51 – Nuisance, July 2, 1968.
3. Ventura County Air Pollution Control District, Ventura County Air Quality Assessment Guidelines, (2003).
4. Engineering Science, Inc., Paleontologic Resource Assessment Overview, Simi Valley, Ventura County, California, February 1986.
5. Cotton/Beland/Associates, Inc. Paleontologic Resource Assessment Overview, Simi Valley, Ventura County, California, 1986.
6. Richard L. Squires, "Geologic Profile of Simi Valley", Simi Valley: A Journey Through Time (1997), p. 296.
7. Ventura County Cultural Heritage Board, Ventura County Historical Landmarks and Points of Interest, April 1996.
8. California Department of Conservation, California Geologic Survey, State of California Seismic Hazard Zones, Simi Valley West Quadrangle, April 7, 1997.
9. California Department of Conservation, Division of Mines and Geology, State of California Earthquake Fault Zones, Simi Valley West Quadrangle, May 1, 1999.
10. City of Simi Valley, Building Code, Title 8 of the Simi Valley Municipal Code, January 13, 2011.
11. State of California Health and Safety Code, Division 20, Chapter 6.95, Article 1.
12. City of Simi Valley, General Plan, Resolution No. 2012-27, May 24, 2012.
13. City of Simi Valley, General Plan Update: Final Environmental Impact Report, SCH 2009121004, June 2012.
14. City of Simi Valley, Street Map (Current).
15. City of Simi Valley, City of Simi Valley Bicycle Master Plan, 2009.
16. California Environmental Protection Agency, Department of Toxic Substances Control, EnviroStor Site Mitigation and Brownfields Reuse Program Database, http://www.envirostor.dtsc.ca.gov, reviewed June 18, 2015.
17. City of Simi Valley, Master Plan of Drainage, Hawk and Associates (December 1990).
18. Geosyntec Consultants and Larry Walker and Associates, Ventura Countywide Stormwater Quality Management Program: Technical Guidance Manual for Stormwater Quality Control Measures, November 2010.
19. Federal Emergency Management Agency (FEMA), Flood Insurance Rate Map (FIRM), Community Panel Number 06111C0837E, January 20, 2010.
20. Ventura County Municipal Stormwater NPDES Permit (Board Order No. R4-2010-0108, Permit # CAS 004002).
21. Calleguas Municipal Water District, Inundation Map for Bard Reservoir, dated July 1, 1973.
22. Ventura County Flood Control District, Inundation Map for Las Llajas Dam, dated November 1999.
23. California Division of Mines and Geology, Geology and Mineral Resources Study of Southern Ventura County, California, 1973.

24. California Department of Conservation, Division of Oil and Gas, Regional Wildcat Map, Map W2-1, June 12, 2001.
25. California Department of Conservation, Division of Oil and Gas, District 2 Oil Fields Map, March 22, 2001.
26. "Noise Control: A Basic Program for Local Governments," Management Information Service, Vo. 7, No. 3 (March 1975), p. 6.
27. Brüel & Kjær, Environmental Noise, http://www.nonoise.org/library/envnoise/index.htm.
28. U.S. Department of Transportation: Federal Highway Administration, Office of Environment and Planning, Noise and Air Quality Branch, Highway Traffic Noise Analysis and Abatement Policy and Guidance, June 1995.
29. City of Simi Valley Managed Growth Plan, "Measure N", November 2012.
30. Science Applications International Corporation, Final Environmental Impact Report, Simi Valley Landfill and Recycling Center Expansion Project, Ventura County, California. December 2010.
31. Brown and Caldwell Environmental Engineers & Consultants, Southern California Water Company: Water Supply Assessment for Simi Valley System, July 23, 2003.
32. Institute of Transportation Engineers, Trip Generation, 5th Edition, 1991.
33. American Association of State Highway and Transportation, A Policy on Geometric Design of Highways and Streets, 1994.
34. MD Acoustics, BMX Bike Park – West Los Angeles Avenue Noise Impact Study, 8/1/2018.
35. Envicom Corporation, Protected Tree Report Rancho Simi Recreation and Park District BMX Track, September 2018.
36. Envicom Corporation, RSRPD BMX Track Project Cultural Phase 1, July 24, 2018.
37. Gorian and Associates, Inc., Geotechnical Site Evaluation BMX Bike Park West Los Angeles Avenue, September 4, 2018.
38. Envicom Corporation, Biological Resources Assessment RSRPD BMX Track Project, November 15, 2018.
39. Interwest Consulting Group, BMX Park Traffic Study, January 31, 2019.
40. Delane Engineering, Preliminary Drainage and Best Management Practices for BMX Bike Park, September 17, 2018.

XIX. LIST BELOW THE PERSON OR PERSONS WHO PREPARED OR PARTICIPATED IN THE PREPARATION OF THE INITIAL STUDY.

| | |
|---|---|
| Case Planner: | Donna Rosser |
| Environmental Planner: | Lauren Funaiole |