

City of Fillmore

**SR 126/A Street Intersection Level
of Service Standard & Mitigation
Amendment**

Draft
**Initial Study
and Negative
Declaration**

May 2008

**SR 126/A Street Intersection Level of Service
Standard & Mitigation Amendment**

Draft
Initial Study/Negative Declaration

Prepared by:

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May 2008

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INTRODUCTION

This Initial Study and Negative Declaration (IS/ND) addresses the potential environmental effects resulting from: (1) a proposed amendment to the City of Fillmore General Plan that would change the level of service (LOS) standard from D to E at the intersection of State Route (SR) 126 and A Street; and (2) proposed amendments to conditions of approval and mitigation measures approved for the SR 126/A Street intersection as part of the Fillmore Business Park Master Plan Final Environmental Impact Report (FEIR).

LEGAL AUTHORITY AND FINDINGS

This Initial Study/Negative Declaration (IS/ND) has been prepared in accordance with the *CEQA Guidelines* and relevant provisions of the California Environmental Quality Act (CEQA) of 1970, as amended.

Initial Study. Section 15063(c) of the *CEQA Guidelines* defines an Initial Study as the proper preliminary method of analyzing the potential environmental consequences of a project. The purposes of an Initial Study are:

- (1) To provide the Lead Agency with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Mitigated Negative Declaration;
- (2) To enable the Lead Agency to modify a project, mitigating adverse impacts, thus avoiding the need to prepare an EIR; and
- (3) To provide sufficient technical analysis of the environmental effects of a project to permit a judgment based on the record as a whole, that the environmental effects of a project have been adequately mitigated.

Negative Declaration or Mitigated Negative Declaration. Section 15070 of the *CEQA Guidelines* states that a public agency shall prepare a negative declaration or mitigated negative declaration for a project subject to CEQA when:

- (a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment; or
- (b) The Initial Study identifies potentially significant effects but:

Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and

There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.



An IS/ND may be used to satisfy the requirements of CEQA when the physical effects of the proposed project are anticipated to have no significant effects on the environment. As discussed further in subsequent sections of this document, implementation of the proposed project would not result in any significant effects on the environment.

As allowed by the CEQA Guidelines, this IS/ND relies on the Fillmore Business Park Master Plan FEIR. Section 15153 of the CEQA Guidelines states that an EIR prepared for an earlier project may be used for a separate later project if the lead agency determines through an Initial Study that the EIR adequately describes the general environmental setting of the project, the significant environmental effects of the project, and alternatives and mitigation measures related to each significant environmental effect. Subsection (c) of Section 15153 states that if the Initial Study finds that the later project will not have a significant effect, a Negative Declaration should be prepared.

IMPACT ANALYSIS AND SIGNIFICANCE CLASSIFICATION

The following sections of this IS/ND provide discussions of the possible environmental effects of the proposed project for specific issue areas that have been identified on the CEQA Initial Study Checklist. For each issue area, potential effects are discussed and evaluated.

A “significant effect” is defined by Section 15382 of the *CEQA Guidelines* as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by a project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.” According to the *CEQA Guidelines*, “an economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.”

Following the evaluation of each environmental effect determined to be potentially significant is a discussion of mitigation measures and the residual effects or level of significance remaining after the implementation of the measures. In those cases where a mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed as a residual effect.

USE OF THIS DOCUMENT BY THE LEAD AGENCY

This IS/ND will be used by the City of Fillmore in the public review and decision-making process.

USE OF PREVIOUS ENVIRONMENTAL DOCUMENTS IN THIS ANALYSIS

The proposed project involves an amendment to the Fillmore General Plan that changes the level of service (LOS) standard at the SR 126/A Street intersection from D to E. The following environmental analyses and official documents were used as a basis for this document:

Fillmore, City of. General Plan Update, 2003.

Fillmore, City of. General Plan Update Final Environmental Impact Report, 2003.

Fillmore, City of. Supplement to General Plan Update Final Environmental Impact Report, 2005.

Fillmore, City of. Zoning Map, 1994.

Fillmore, City of. Final Environmental Impact Report for Fillmore Business Park Master Plan, 2008



INITIAL STUDY

PROJECT TITLE

SR 126/A Street Intersection Level of Service Standard & Mitigation Amendment

LEAD AGENCY and CONTACT PERSON

City of Fillmore
250 Central Avenue
Fillmore, CA 93015

Contact: Kevin McSweeney, Community Development Director
805/524-1500 x 116, kmcsweeney@ci.fillmore.ca.us

PROJECT PROPONENT

City of Fillmore
250 Central Avenue
Fillmore, CA 93015

PROJECT SITE CHARACTERISTICS

Location: The project site is located at the intersection of State Route 126 and A Street in the City of Fillmore (see figures 1 and 2).

Existing General Plan Designation: The Circulation Element of the City of Fillmore General Plan indicates that the acceptable level of service (LOS) at the intersection of SR 126 and A Street is D.

Existing Zoning: Not applicable. The project site is a roadway intersection.

Surrounding Land Uses: Commercial developments are at the northwest and southwest corners of the intersection. At the southeast corner is a supermarket and strip mall with various other commercial retailers. A multi-family housing structure along with multiple single family detached residences are located at the northeast corner of the intersection.

DESCRIPTION OF THE PROJECT

The proposed project involves two components: (1) an amendment to the Circulation Element of the General Plan to change the LOS standard from D to E at the SR 126/A Street intersection; and (2) changes to the conditions of approval and mitigation measures approved for the SR 126/A Street intersection as part of the Fillmore Business Park Master Plan FEIR.

The proposed amendment to the General Plan Circulation Element would require the following specific changes:

- *Policy C-6 (page C-3) would be amended to read as follows:*



Require the preparation of traffic impact analyses to identify impacts and mitigation measures for projects that may result in significant traffic impacts. Deficiency correction plans should be required for streets and intersections where the predicted operation is less than LOS "C" on City streets, LOS "D" within the Downtown Specific Plan area or on Highway 126 except for the Highway 126/A Street intersection, or LOS "E" at the Highway 126/A Street intersection.

- *Implementation Measure 5 (page C-6) would be amended to read as follows:*

The City will adopt level of service (LOS) "C" as the minimum acceptable LOS for City streets and intersections (weekday P.M. peak period), LOS "D" within the Downtown Specific Plan area and along Highway 126 except for the Highway 126/A Street intersection, and LOS "E" at the Highway 126/A Street intersection.

- *Implementation Measure 6 (page C-6) would be amended to read as follows:*

The City will require mitigation measures for projects resulting in predicted operation of less than LOS "C" for streets and intersections, less than LOS "D" for streets and intersections within the Downtown Specific Plan area or on Highway 126 (except for the Highway 126/A Street intersection), or less than LOS "E" at the Highway 126/A Street intersection.

- *Figure C-6 re: 126/A would be revised to reflect a 2020 level of service of "E" at the Highway 126/A Street intersection.*

The proposed General Plan amendment is a legislative act in nature and does not involve any physical development. In order to formally amend the General Plan, the City will follow all State and local guidelines amendment procedures. General Plan amendments to an element are allowed up to four times each year as stated in California Government Code §65358(b). In essence, the proposed modifications to the Fillmore Business Park Master Plan conditions of approval and mitigation measures would require developers within the Business Park to pay applicable development impact fees (DIFs) to mitigate their contribution to cumulative traffic impacts at the SR 126/A Street intersection rather than actually constructing needed improvements. This mitigation approach has been determined to be more feasible and equitable given that it better reflects the contribution of individual Business Park developers to the projected cumulative traffic impact at the SR 126/A Street intersection given that future traffic growth will result from all future development in the City as well as background growth along SR 126.

The proposed wording for the revised conditions of approval and mitigation measures proposed by the City are listed below.

Conditions of Approval

A. *Modify Condition of Approval S8a. of the Conditions of Approval for the following projects:*

1. *TENTATIVE TRACT MAP NO. 5785, DEVELOPMENT PERMIT 07-01, FILLMORE RIVERVIEW, LLC, APPLICANT*



2. DEVELOPMENT PERMIT 07-03, ZONE CHANGE 07-03, LOT LINE ADJUSTMENT 08-02, WILLIAM F. BURNETT, APPLICANT, KEN KARASIUK, APPLICANT
3. TENTATIVE TRACT MAP NO. 5803, SESPE CREEK PROPERTIES, LLC, APPLICANT

Condition S8a. to read as follows:

S8a. A Street/SR 126 Intersection: Building permits shall not be issued for the PROJECT until such time that the Applicant has paid in full the current Transportation DIF for the entire PROJECT. Payment in full of the Transportation DIF shall be considered as fully satisfying mitigation measures T-1(e) and T-2(a).

B. Modify Condition of Approval S4a. of the Conditions of Approval for the following project:

1. TENTATIVE PARCEL MAP NO. 07-08, DEVELOPMENT PERMIT 07-11, CONDITIONAL USE PERMIT 07-12, WILLIAM KENDALL, APPLICANT

Condition S4a. to read as follows:

S4a. A Street/SR 126 Intersection: Building permits shall not be issued for the PROJECT until such time that the Applicant has paid in full the current Transportation DIF for the entire PROJECT. Payment in full of the Transportation DIF shall be considered as fully satisfying mitigation measures T-1(e) and T-2(a).

C. Modify Condition of Approval S5a. of the Conditions of Approval for the following project:

1. TENTATIVE TRACT MAP NO. 5784, DEVELOPMENT PERMIT 07-02 KDF COMMUNITIES, LLC, APPLICANT

Condition S5a. to read as follows:

S5a. A Street/SR 126 Intersection: Building permits shall not be issued for the PROJECT until such time that the Applicant has paid in full the current Transportation DIF for the entire PROJECT. Payment in full of the Transportation DIF shall be considered as fully satisfying mitigation measures T-1(e) and T-2(a).

FEIR Mitigation Measures

D. Modify Mitigation Measure T-1(e) to read as follows:

T-1(e) SR 126/A Street Intersection Improvement. Individual developers within the Plan Area shall be required to pay in full the City's current Transportation development impact fee for their entire development project prior to the issuance of any building permits for the project.



E. *Modify Mitigation Measure T-2(a) to read as follows:*

T-2(a) SR 126/A Street Intersection Improvement. Individual developers within the Plan Area shall be required to pay in full the City's current Transportation development impact fee for their entire development project prior to the issuance of any building permits for the project.

PUBLIC AGENCIES WHOSE APPROVAL MAY BE REQUIRED FOR SUBSEQUENT ACTIONS (e.g. permits, financing approval, or participation agreement):

None. The project involves a General Plan amendment and modifications to mitigation measures contained in an FEIR that was previously certified by the City of Fillmore. California Department of Transportation (Caltrans) approval would be needed for future modifications to the SR 126/A Street intersection, but would not be needed for the current proposal.

ENVIRONMENTAL FACTORS AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that could be lessened to a level of insignificance through incorporation of mitigation.

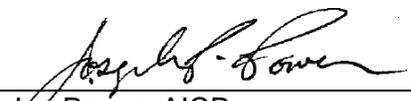
- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | | |



DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION would be prepared.
- I find that although the proposed project could have a significant effect on the environment, there would not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION would be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Joe Power, AICP
Principal, Rincon Consultants, Inc.
(consultant to the City of Fillmore)

May 19, 2008
Date



EVALUATION OF ENVIRONMENTAL IMPACTS

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| I. AESTHETICS - Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | | | | X |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | | | | X |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | | | | X |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | | | | X |

a-d. The project site is located at the intersection of SR 126 and A Street. SR 126 is the primary regional route serving the City and provides views from the highway within the City that consist almost entirely of commercial and residential development. SR 126 is not a designated state scenic highway. The project involves amending the General Plan to designate the LOS standard service level at the SR 126/A Street intersection to level E and revising mitigation requirements for the intersection. This administrative change would not change the visual character of the site and thus would not affect a scenic vista, degrade the visual character, or create substantial light or glare. The mitigation measure changes would not alter the physical improvements planned for the SR 126/A Street intersection, but would merely change the way in which planned physical improvements are implemented and funded. The proposed project would have **no impact** with respect to aesthetics.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| II. AGRICULTURE RESOURCES - Would the project: | | | | |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use? | | | | X |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | | X |
| c) Involve other changes in the existing environment which, due to their location or nature, could individually or cumulatively result in loss of Farmland, to non-agricultural use? | | | | X |

a-c. The project site is a roadway intersection. Neither the intersection itself nor any immediately adjoining properties are used for agricultural production. As such, the proposed project would not convert prime, unique, or statewide important farmland to non-agricultural uses (Fillmore General Plan Update FEIR, 2003). The project site is not currently under a Williamson Act contract (Fillmore General Plan Update FEIR, 2003). The proposed project



would not conflict with existing agricultural zoning as it is in an area surrounding by urban land uses. **No impact** would occur with respect to agricultural resources.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable Air Quality Attainment Plan or Congestion Management Plan? | | | | X |
| b) Violate any air quality standard or contribute to an existing or projected air quality violation? | | | X | |
| c) Result in a net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | | | X | |
| d) Expose sensitive receptors to substantial pollutant concentrations? | | | X | |
| e) Create objectionable odors affecting a substantial number of people? | | | | X |

a. The SR 126/A Street intersection is located within the South Central Coast Air Basin, which is within the jurisdiction of the Ventura County Air Pollution Control District (APCD). According to the APCD Guidelines, to be consistent with the Air Quality Management Plan (AQMP), a project must conform to the local general plan and must not result in or contribute to an exceedance of the City’s projected population growth forecast. The proposed project would not generate air pollutant emissions since it involves an amendment to the LOS standard at a roadway intersection and changes to traffic mitigation measures adopted in the Fillmore Business Park Master Plan FEIR. Consequently, the proposed project would not conflict with or obstruct implementation of the AQMP. There would be **no impact**.

b, c. Fillmore is located in the Ventura County portion of the South Central Coast Air Basin. The Ventura County Air Pollution Control District (APCD) is the designated air quality control agency in the Ventura County portion of the Basin. The Ventura County portion of the South Central Coast Air Basin is a state and federal non-attainment area for ozone and a state non-attainment area for suspended particulates (PM₁₀).

Fillmore is located east of the El Rio Air Quality Monitoring Station in El Rio and west of the Piru Air Quality Monitoring Station, located two miles south of the community of Piru. The El Rio monitoring station measures ozone, CO, NO₂, and PM₁₀ in Ventura County, while the Piru monitoring station measures ozone, PM₁₀, and PM_{2.5}. Table 1 lists air quality data for the El Rio and Piru monitoring stations.



Table 1 Ambient Air Quality Data

| <i>Pollutant</i> | 2004 | 2005 | 2006 |
|--|-------------|-------------|-------------|
| ^a Ozone, ppm - maximum hourly concentration (ppm) | 0.084 | 0.076 | 0.089 |
| Number of days of state exceedances (>0.09 ppm) | 0 | 0 | 0 |
| Number of days of federal exceedances (>0.12 ppm) | 0 | 0 | 0 |
| ^b Ozone, ppm - maximum hourly concentration (ppm) | 0.101 | 0.119 | 0.117 |
| Number of days of state exceedances (>0.09 ppm) | 6 | 7 | 8 |
| Number of days of federal exceedances (>0.12 ppm) | 0 | 0 | 0 |
| ^a Carbon Monoxide, ppm – Worst 1 Hour/8 Hours | 1.52 | n/a | n/a |
| Number of days of state 1-hour exceedances (>20.0 ppm) | 0 | 0 | n/a |
| Number of days of state 8-hour exceedances (>9.0 ppm) | 0 | 0 | n/a |
| ^a Nitrogen Dioxide, ppm - Worst Hour | 0.063 | 0.070 | 0.047 |
| Number of days of state exceedances (>0.25 ppm) | 0 | 0 | 0 |
| ^a Particulate Matter <10 microns, maximum concentration in µg/m ³ | 59.3 | 54.4 | 41.9 |
| Number of samples of state exceedances (>50 µg/m ³) | 1 | 2 | 0 |
| Number of samples of federal exceedances (>150 µg/m ³) | 0 | 0 | 0 |
| ^b Particulate Matter <10 microns, maximum concentration in µg/m ³ | 50.5 | n/a | n/a |
| Number of samples of state exceedances (>50 µg/m ³) | 0 | n/a | n/a |
| Number of samples of federal exceedances (>150 µg/m ³) | 0 | n/a | n/a |
| ^b Particulate Matter <2.5 microns, maximum concentration in µg/m ³ | 28.1 | 20.4 | 12.6 |
| Number of samples of federal exceedances (>15 µg/m ³) | 0 | 0 | 0 |

Source: ARB, Annual Air Quality Data Summaries available at <http://www.arb.ca.gov>. Accessed May 2, 2008

Source: CARB, 2004, 2005, & 2006 Annual Air Quality Data Summaries available at <http://www.arb.ca.gov>

^a El Rio Monitoring Station

^b Piru Monitoring Station

n/a= insufficient data to determine a value

As shown in Table 1, concentrations of ozone, carbon monoxide, and nitrogen dioxide, at the El Rio monitoring station did not exceed federal or state standards during 2004-2006.

Concentrations of PM₁₀ at this station exceeded the state standard once in 2004 and two times in 2005, but did not exceed the federal standard in any of these years. Ozone concentrations at the Piru monitoring station exceeded the state standard six times in 2004, seven times in 2005, and eight times in 2006, but did not exceed the federal standard during 2004-2006. There was no exceedance of PM₁₀ federal or state standard in 2004. No data is available for PM₁₀ measurements at this station during 2005 and 2006. There was no exceedance of PM_{2.5} federal standards from 2004-2006.

All of Ventura County is in attainment of state and federal CO standards and has been for several years. At the El Rio monitoring station, the maximum 8-hour CO level recorded during 2004 is 1.52 parts per million (ppm), significantly less than the state and federal 8-hour standard



of 9.0 ppm. A project’s localized air quality impact is considered significant if the additional CO emissions resulting from the project create a “hot spot” where the California 1-hour standard of 20.0 ppm or the 8-hour standard of 9.0 ppm is exceeded. This typically occurs at severely congested intersections. The VCAPCD’s *Air Quality Assessment Guidelines* indicate that screening for possible elevated CO levels should be conducted for severely congested intersections experiencing levels of service (LOS) E or F with project traffic.

In conjunction with the Fillmore Business Park Master Plan FEIR, CO concentrations were modeled at the SR 126/A Street intersection based on traffic levels predicted at ultimate buildout under the Fillmore General Plan. The results of the analysis indicated that maximum CO concentrations at the SR 126/A Street intersection with cumulative traffic increases and a resulting LOS of F would be 3.8 ppm (Fillmore Business Park Master Plan EIR, 2008). This is less than the 9.0 ppm state and federal standard. Consequently, although lowering the LOS standard to E may incrementally increase CO concentrations at the SR 126/A Street intersection as compared to maintaining the LOS D standard due to increased idling time, no exceedance of state or federal would occur under either scenario. Therefore, impacts would be **less than significant**.

d. Ambient air quality standards have been established to represent the levels of air quality considered sufficient, with an adequate margin of safety, to protect public health and welfare. They are designed to protect that segment of the public most susceptible to respiratory distress, such as children under 14; the elderly over 65; persons engaged in strenuous work or exercise; and people with cardiovascular and chronic respiratory diseases. The majority of sensitive receptor locations are therefore schools and hospitals. Sespe Elementary School and Fillmore Junior High School are approximately .5 and .4 miles from the proposed site, respectively. Commercial shopping centers are adjacent to the SR 126/A Street intersection and residential land uses exist north and south and A Street and east on SR 126. The proposed General Plan amendment would not involve any construction activity and the proposed mitigation measure changes would not involve any construction activity beyond what was anticipated in the Fillmore Business Park Master Plan FEIR. As discussed under item c, changing the LOS standard would not result in CO concentrations exceeding state or federal standards. As such, impacts with respect to exposure of sensitive receptors to pollution concentrations would be **less than significant**.

e. By its nature, the proposed project would not generate objectionable odors. **No impact** would occur.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| IV. BIOLOGICAL RESOURCES - Would the project: | | | | |
| a) Have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | | | X |



| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---------------------------------------|--|-------------------------------------|------------------|
| IV. BIOLOGICAL RESOURCES - Would the project: | | | | |
| b) Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | | | | X |
| c) Have a substantial adverse impact on federally protected wetlands as defined in Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) either individually or in combination with the known or probable impacts of other activities through direct removal, filling, hydrological interruption, or other means? | | | | X |
| 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 wildlife nursery sites? | | | | X |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | | X |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan? | | | | X |

a-f. The project site is a roadway intersection that is surrounded on all sides by urban development. No native biological resources are located either within or adjacent to the project site. By their nature, neither the proposed Circulation Element amendment, nor the changes to the FEIR traffic mitigation measures would result in physical changes to the project site beyond what has already been anticipated in the Fillmore General Plan and/or the Fillmore Business Park Master Plan FEIR. As such, there would be **no impact** with respect to biological resources.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|---------------------------------------|--|-------------------------------------|------------------|
| V. CULTURAL RESOURCES - Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5? | | | | X |
| b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5? | | | | X |
| c) Directly or indirectly destroy a unique paleontological resource or site of a unique geologic feature? | | | | X |



| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| V. CULTURAL RESOURCES - Would the project: | | | | |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | | | | X |

a. Neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would create physical changes that would alter the SR 126/A Street intersection or the surrounding areas. The only noted historical resource in the vicinity of the project is the Dr. John Hinkley residence located at 216 and 222 A street (north of the intersection). This site is listed in the General Plan’s Conservation Element as a “Potential Landmark” (Conservation Element, Table IV-5). Because the proposed project involves no physical changes beyond those already anticipated in the Fillmore General Plan and/or the Fillmore Business Park Master Plan FEIR, it would have **no impact** with respect to historical resources.

b-d. Neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would result in any physical alteration of the SR 126/A Street intersection or the surrounding areas. Thus, there would be **no impact** to archaeological or paleontological resources and human remains would not be disturbed.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| VI. 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? | | | | X |
| ii) Strong seismic ground shaking? | | | | X |
| iii) Seismic-related ground failure, including liquefaction? | | | | X |
| iv) Landslides? | | | | X |
| b) Result in substantial soil erosion or the loss of topsoil? | | | | X |
| c) Be located on strata or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | | X |
| d) Be located on expansive soil creating substantial risks to life or property? | | | | X |



a (i-ii). The project site is not within an Alquist-Priolo Earthquake Fault Zone (California Geological Survey, 1991). Neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would have any impact with respect to surface rupture. **No impact** would occur.

a (ii). The project site is located within the seismically active Transverse Ranges Geomorphic Province. Although no active or potentially active faults are shown on or adjacent to the Intersection on regional geologic maps, the surface traces of the San Cayetano Fault and the Oak Ridge Fault are approximately 1.25 miles to the northeast and approximately 1 mile to the south, respectively. As evidenced by the 1994 Northridge earthquake, the project site, like any other in the Fillmore area, can be expected to experience within the life span of the proposed development, strong ground motion from earthquakes generated on local or regional faults. However, neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would increase exposure of people to seismic ground shaking. **No impact** would occur.

a (iii-iv). The proposed project would not create additional construction at the SR 126/A Street intersection. To the contrary, the lower LOS standard could reduce mitigation requirements to maintain City standards. The intersection is relatively flat and is not in an area subject to landslide hazards (Fillmore General Plan EIR, 2003). The surrounding area consists of loose-granular surface sediments and thus may be subject to liquefaction (Dibblee, 1990). However, by their nature neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would affect seismic related ground failure. Therefore, **no impact** would occur.

b. The SR 126/A Street intersection is relatively flat and developed with asphalt and concrete. Neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would result in soil erosion or the loss of topsoil. Thus, **no impact** would occur.

c. The topography at the project site is relatively flat. Consequently, the potential for slope failure is low. No recognized subsidence has occurred within the City of Fillmore due to either ground water or extraction, and potential for subsidence in the City is considered to be minimal (City of Fillmore General Plan Update, 2003). Neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would create any physical changes that would increase exposure relating to landslide, subsidence, liquefaction, or collapse. Thus, **no impact** would occur.

d. The SR 126/A Street intersection is already developed. Consequently, neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would create substantial risks to lives or property as a result of being located on expansive soils. There would be **no impact**.



| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| 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? | | | | X |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment? | | | | X |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | | | | X |
| 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? | | | | X |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | | | | X |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | | | | X |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | | X |
| h) Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | | | | X |

a, b. The proposed project involves an amendment to the LOS standard and changes in mitigation measures for the SR 126/A Street intersection. These changes would not increase the transport of hazardous materials or otherwise increase risks relating to the use of hazardous materials. Therefore, **no impact** would occur.

c. Sespe Elementary School and Fillmore Junior High School are approximately .5 and .4 miles from the proposed site, respectively. The distance between the project site and the schools is greater than a ¼ mile. Therefore, **no impact** would occur.



d. The following databases were checked for known hazardous materials contamination at the SR 126/A Street Intersection:

- *Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database*
- *Geotracker search for leaking underground fuel tanks, Spills-Leaks-Investigations- Cleanups (SLIC) and Landfill sites*
- *Cortese list of Hazardous Waste and Substances Sites*
- *The Department of Toxic Substances Control's Site Mitigation and Brownfields Database*

The project site does not appear on any of the above lists. In addition, the site and surrounding properties do not appear to, and are not known to, have supported industrial or other uses that are likely to have resulted in soil or groundwater contamination. Regardless, neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would increase the potential for exposure to hazardous material-related hazards. **No impact** would occur.

e, f. The project site is not in the vicinity of an airstrip or within an airport land use plan (City of Fillmore General Plan Update EIR, 2003). The closest airport is approximately 8 miles southwest in Santa Paula. **No impact** would occur.

g. The project site is the SR 126/A Street intersection. SR 126 provides emergency evacuation access in the area. The proposed project would not interfere with existing emergency evacuation plans, or emergency response plans. **No impact** would occur.

h. The SR 126/A Street intersection is within an urban area and next to commercial shopping centers and residential development. The site is not located within a designated fire severity zone (Fillmore General Plan Update FEIR, 2003) and the project would not increase the hazard from wild land fires to persons or structures. **No impact** would occur.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| VIII. HYDROLOGY AND WATER QUALITY - Would the project: | | | | |
| a) Violate Regional Water Quality Control Board water quality standards or waste discharge requirements? | | | | X |
| 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 (i.e., 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)? | | | | X |



| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| VIII. HYDROLOGY AND WATER QUALITY - Would the project: | | | | |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | | | | X |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site? | | | | X |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems to control? | | | | X |
| f) Otherwise substantially degrade water quality? | | | | X |
| g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | | | | X |
| h) Place within a 100-year floodplain structures which would impede or redirect flood flows? | | | | X |
| 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 dam or levee? | | | | X |
| j) Inundation by tsunami or seiche? | | | | X |

a-j. Neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would create any physical changes beyond what is already anticipated under the Fillmore General Plan and the Fillmore Business Park Master Plan FEIR. Consequently, the project would not violate water quality standards or waste discharge requirements, deplete groundwater supplies or interfere with groundwater recharge, or alter the existing drainage pattern. No housing or structures are proposed within the project; thus, the project would not place housing or structures within a 100-year floodplain. Further, the proposed changes to the LOS standard and EIR mitigation measures would not expose people or structures to significant loss, injury or death due to flooding. The project site is not located in a tsunami or seiche hazard zone (General Plan Update FEIR, 2003). There would be **no impact**.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| IX. LAND USE AND PLANNING - Would the project: | | | | |
| a) Physically divide an established community? | | | | X |



| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| IX. LAND USE AND PLANNING - Would the project: | | | | |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | | | | X |
| c) Conflict with any applicable habitat conservation plan or natural communities conservation plan? | | | | X |

a, c. The proposed project would not physically divide an established community as it involves a Circulation Element amendment and changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR for the existing SR 126/A Street intersection. The project site is not subject to an adopted habitat conservation plan or natural communities conservation plan. **No impact** would occur.

b. The proposed project is an amendment to the Fillmore General Plan’s Circulation Element that would change the existing LOS from D to E at the SR 126/A Street intersection and changes to traffic mitigation measures contained in the Fillmore Business Park Master Plan FEIR. A policy adopted by the Fillmore City Council in 2002 established LOS E as the standard for the SR 126/A Street intersection. The proposed Circulation Element amendment would achieve consistency of the Circulation Element with that adopted policy and would not create conflicts with any other adopted City policy. The mitigation measure changes would merely alter how planned improvements at the SR 126/A Street intersection would be implemented and funded. As such, they would not conflict with any applicable land use plan or policy. There would be **no impact** with respect to land use plans and policies.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| X. MINERAL RESOURCES - Would the project: | | | | |
| a) Result in the loss of availability of a known mineral resource classified MRZ-2 by the State Geologist that would be of value to the region and the residents of the state? | | | | X |
| 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? | | | | X |

a, b. The project site is not a designated mineral extraction area as it is an existing roadway intersection with an urban area of Fillmore. Neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore



Business Park Master Plan FEIR would have any impact with respect to mineral resources. **No impact** to mineral resources would occur.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| 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, or applicable standards of other agencies? | | | | X |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | | | | X |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | | | | X |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | | | | X |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | | | | X |
| f) For a project within the vicinity of a private airstrip would the project expose people residing or working in the project area to excessive noise levels? | | | | X |

a, c. Lowering the LOS standard at the SR 126/A Street intersection to E may incrementally increase traffic congestion at that intersection as compared to the current LOS D standard. However, because the proposed amendment would not generate additional traffic, the volume of traffic at the intersection would not change. The increase congestion level at the intersection would have little effect on noise roadway noise and may actually serve to incrementally reduce traffic noise during peak periods because of the slower traffic speeds. Similarly, the change in the way intersection improvements identified in the Fillmore Business Park Master Plan FEIR are implemented and funded would have no effect on traffic or associated noise levels.

Neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would increase traffic or traffic-related noise beyond what has already been anticipated under the Fillmore General Plan and/or the Fillmore Business Park Master Plan FEIR. Thus, although significant cumulative noise impacts are projected for segments of SR 126 due to cumulative traffic growth, **no impact** would occur as a result of the currently proposed actions.

b, d. Neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would create any physical changes beyond what is already anticipated under the Fillmore General Plan and the Fillmore Business Park Master Plan FEIR. Roadway improvements at the SR 126/A Street



intersection would involve temporary construction noise and vibration, but the proposed Circulation Element amendment and mitigation measures changes would not increase noise or vibration beyond what was already anticipated. There would be **no impact**.

e, f. The project site is not located within the vicinity of an airport or a private airstrip. Therefore, the proposed project would not be affected by significant air traffic noise impacts. **No impact** would occur.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| 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)? | | | | X |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | | | | X |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | | | | X |

a. The proposed project involves to an amendment to the level of service standard at the SR 126/A Street intersection and changes to traffic mitigation measures for that intersection. These actions would not induce population growth, either directly or indirectly. There would be **no impact**.

b, c. Planned improvements at the SR 126/A Street intersection may involve displacement of businesses adjacent to the intersection. Any displaced businesses would receive relocation assistance. The proposed Circulation Element amendment and mitigation measure changes would not displace housing or people. Therefore, **no impact** would occur.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| XIII. PUBLIC SERVICES - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| a) Fire protection? | | | X | |
| b) Police protection? | | | X | |
| c) Schools? | | | | X |
| d) Parks? | | | | X |



| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| XIII. PUBLIC SERVICES - 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: | | | | |
| e) Other public facilities? | | | | X |

a, b. The proposed Circulation Element amendment and mitigation measure changes would allow for increased congestion at the SR 126/A Street intersection, which may incrementally reduce fire and police response times in that area during peak travel times. However, the project site is within the central portion of Fillmore where emergency response times are adequate and where alternative access options are available. The proposed actions would not create the need to construct new facilities that could cause significant physical environmental effects. As such, impacts relating to fire and police protection would be **less than significant**.

a-e. Neither the proposed Circulation Element amendment nor the proposed changes to mitigation measures contained in the Fillmore Business Park Master Plan FEIR would create any physical changes beyond what is already anticipated under the Fillmore General Plan and the Fillmore Business Park Master Plan FEIR. The proposed actions would not affect schools, parks, or other public facilities. **No impact** would occur with respect to these services.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| 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? | | | | X |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? | | | | X |

a-b. The proposed actions would not generate population growth and would not directly affect any existing or planned parks. There would be **no impact** with respect to parks.



| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---------------------------------------|--|-------------------------------------|------------------|
| XV. TRANSPORTATION/TRAFFIC - Would the project: | | | | |
| a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | | | X | |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | | | | X |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | | | | X |
| d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | | | X |
| e) Result in inadequate emergency access? | | | | X |
| f) Result in inadequate parking capacity? | | | | X |

a, b. The City of Fillmore adopted a policy in 2002 establishing level of service (LOS) D as the minimum acceptable level of service at all intersections on SR 126 and SR 23 with the exception of the SR 126/A Street intersection, where LOS E was established as the standard. However, the Circulation Element update adopted as part of the 2003 General Plan Update, which indicates that LOS D is the standard on all intersections along SR 126, includes the SR 126/A Street intersection is LOS D.

The proposed Circulation Element amendment would revise the LOS standard in the Circulation Element to be consistent with the adopted 2002 policy. This change would allow for increased traffic congestion at the SR 126/A Street intersection as compared to what could occur if the LOS D standard were to be maintained, but would not increase vehicle trips at the intersection.

As discussed in the Fillmore Business Park Master Plan FEIR, projected cumulative traffic levels with near-term development (anticipated to occur over the next 6-8 years) and Phase 1 of the Master Plan would reduce the P.M. peak hour LOS at the SR 126/A Street intersection to F in the absence of intersection improvements. The LOS would further decline with full buildout under the Fillmore General Plan, including full buildout of the Fillmore Business Park, dropping to LOS F during both the A.M. and P.M. peak hours. Projected levels of service under both of these cumulative scenarios are shown in Table 2.

Mitigation identified in the Fillmore Business Park Master Plan FEIR would achieve the current LOS D standard under both of these cumulative scenarios. However, with the change of the standard to LOS E, it would likely be possible to delay implementation of needed improvements. Regardless, mitigation is available to achieve the LOS E standard so the proposed amendment to the standard would not create any new significant impact.



The proposed changes to the Fillmore Business Park Master Plan FEIR traffic mitigation measures would merely require project applicants to pay the City's traffic development impact fee (DIF) to address their contribution to the cumulative impact at the SR 126/A Street intersection rather than implement planned intersection improvements. It would not alter the types of physical improvements planned for the intersection. As such, the physical improvements identified in the Fillmore Business Park Master Plan FEIR would still be implemented and would achieve acceptable levels of service at the SR 126/A Street. Although the revised measures would not include the stipulation that occupancy permits would not be issued until needed intersection improvements are implemented, collection of DIFs as stipulated in the revised measures would allow the City to begin planning for the needed improvements, including coordination with Caltrans, at an earlier date. Given that service levels at the SR 126/A Street intersection are not projected to fall below LOS E for several years, it is anticipated

**Table 2
 Projected Levels of Service at the SR 126/A Street
 Intersection with Cumulative Development**

| Location with Allowable LOS | Traffic Control | Existing + Near Term Buildout | | Existing + Near Term Buildout + Phase 1 Project | |
|---|-----------------|---------------------------------------|------------------|---|------------------|
| | | ICU ¹ / Delay ₂ | LOS ³ | ICU ¹ / Delay ₂ | LOS ³ |
| Existing + Near Term Buildout + Fillmore Business Park Master Plan Phase 1 | | | | | |
| A.M. | | | | | |
| SR 126 / A Street | Signal | 0.61 | B | 0.96 | E |
| P.M. | | | | | |
| SR 126 / A Street | Signal | 0.80 | C | 1.01 | F |
| Ultimate Buildout Conditions + Fillmore Business Park Master Plan Phases 1 & 2 | | | | | |
| A.M. | | | | | |
| SR 126 / A Street | Signal | 0.69 | B | 1.07 | F |
| P.M. | | | | | |
| SR 126 / A Street | Signal | 0.93 | E | 1.14 | F |

Source: City of Fillmore, Fillmore Business Park Master Plan Final Environmental Impact Report, March 2008.

that the City will have sufficient time to plan for and implement needed intersection improvements as such improvements are needed. Moreover, the proposed mitigation for the SR 126/A Street intersection is already part of the City's capital improvement program and scheduled to be funded by the existing transportation DIFs, while the City is actively seeking state and/or federal matching funds for the needed improvements. Finally, Section 15130(a)(3) of the CEQA Guidelines specifically states that a project's contribution to a cumulative impact is not cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact. Consequently, impacts associated with the currently proposed actions would be **less than significant**.



c. The proposed actions would not involve any change in air traffic patterns. **No impact** would occur.

d. The proposed amendment to the Circulation Element would not increase hazards to a design feature. Congestion would be allowed to increase beyond what could occur under the LOS D standard as a result of the LOS change. However, **no impact** relative to hazards to design features is anticipated.

e, f. The Fillmore Fire Department has established standards pertaining to road widths and clearances for development projects, which include fire access roads and the number and type of turnaround areas and means of ingress and egress. Any potential physical changes to the intersection would undergo review by the fire department as part of the application process once plans become less conceptual. By their nature, neither the proposed Circulation Element amendment nor the changes to the mitigation measures contained in the Fillmore Business Park Master Plan FEIR would involve physical changes. Therefore, there would be **no impact** with respect to emergency access or parking supply.

| ISSUES: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---------------------------------------|--|-------------------------------------|------------------|
| <i>XVI. UTILITIES AND SERVICE SYSTEMS</i> - Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | | | | X |
| 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? | | | | X |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | | X |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | | | | X |
| e) Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | | | | X |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | | | | X |
| g) Does the project comply with federal, state, and local statutes and regulations related to solid waste? | | | | X |

a-g. The proposed project involves an amendment to the Circulation Element of the General Plan that changes the LOS at the SR 126/A Street intersection from D to E and changes to traffic mitigation measures contained in the Fillmore Business Park Master Plan FEIR. These actions would not in effect increase population in the area. As such, they would have no effect



with respect to water, wastewater, or solid waste facilities. There would be **no impact** to utilities or service systems.

| XVII. MANDATORY FINDINGS OF SIGNIFICANCE | Potentially Significant Impact | Less Than Significant With Mitigation Incorporation | Less Than Significant Impact | No Impact |
|--|---------------------------------------|--|-------------------------------------|------------------|
| 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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | | | X |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a 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)? | | | | X |
| c) Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly? | | | | X |

a. The project site is a roadway intersection located in an urbanized area of Fillmore. As such, the proposed actions would not have the potential to significantly 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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. **No impact** would occur.

b. The proposed project involves adopting an amendment to the Circulation Element of the General Plan and changes to traffic mitigation measures contained in the Fillmore Business Park Master Plan FEIR. Both actions apply only to the SR 126/A Street intersection and, therefore, would not contribute to any cumulative impacts. The currently proposed actions would have **no impact**.

c. The proposed project has less than significant or no impacts to all of the above sections. By their nature, the proposed actions would have no impacts to human beings, either directly and indirectly. Refer to other discussions for additional information that supports this finding. **No impact** would occur.



REFERENCES

Fillmore, City of. General Plan Update, 2003.

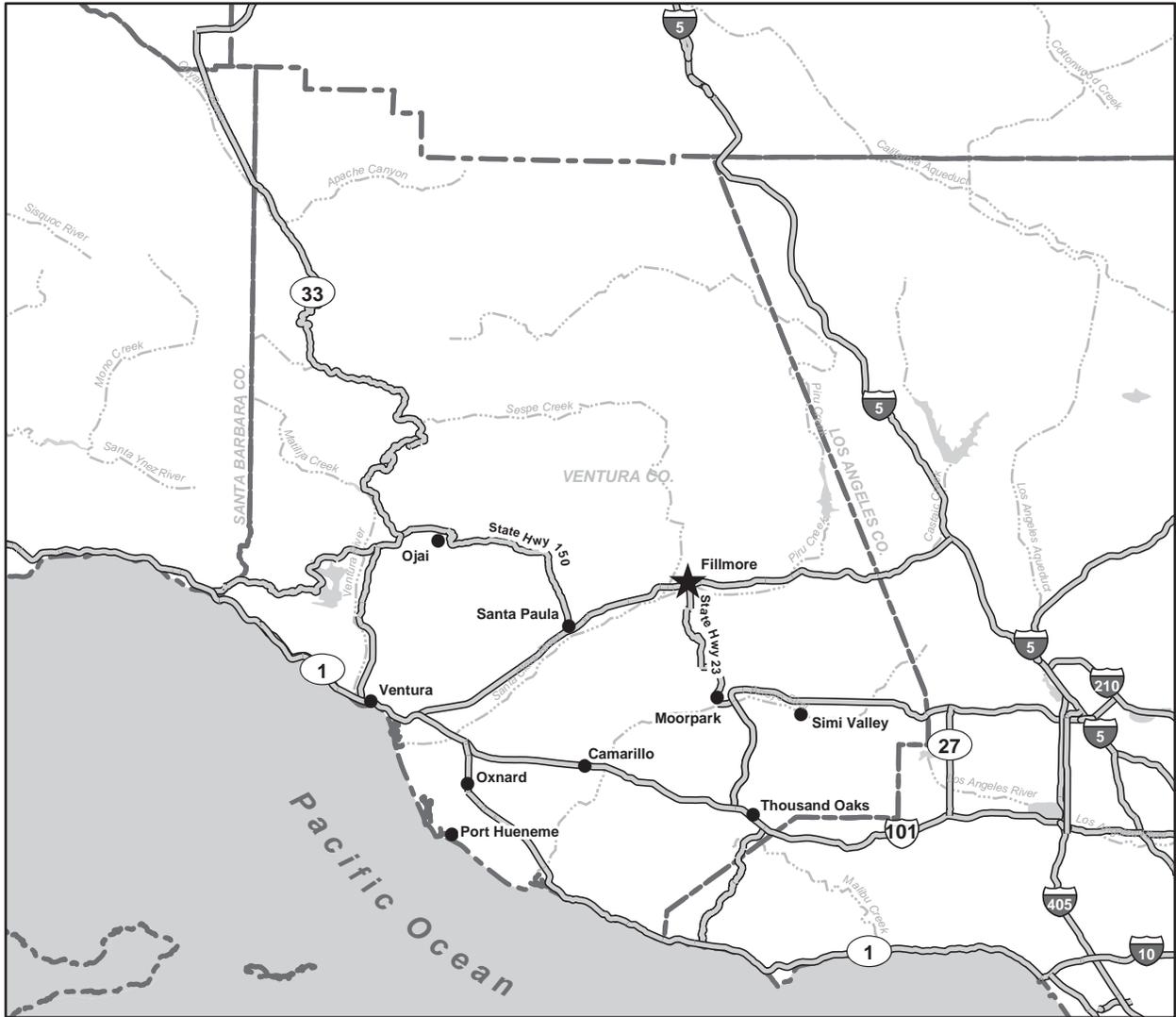
Fillmore, City of. Safety Element, 1988.

Fillmore, City of. Fillmore Business Park Master Plan Final Environmental Impact Report,
March 2008.

Ventura County Air Pollution Control District, Ventura County Air Quality Assessment Guidelines
(October 2003).



SR 126/A Street Intersection Level of Service Standard & Mitigation Amendment
Initial Study and Negative Declaration



Source: US Bureau of the Census TIGER 2000 data.

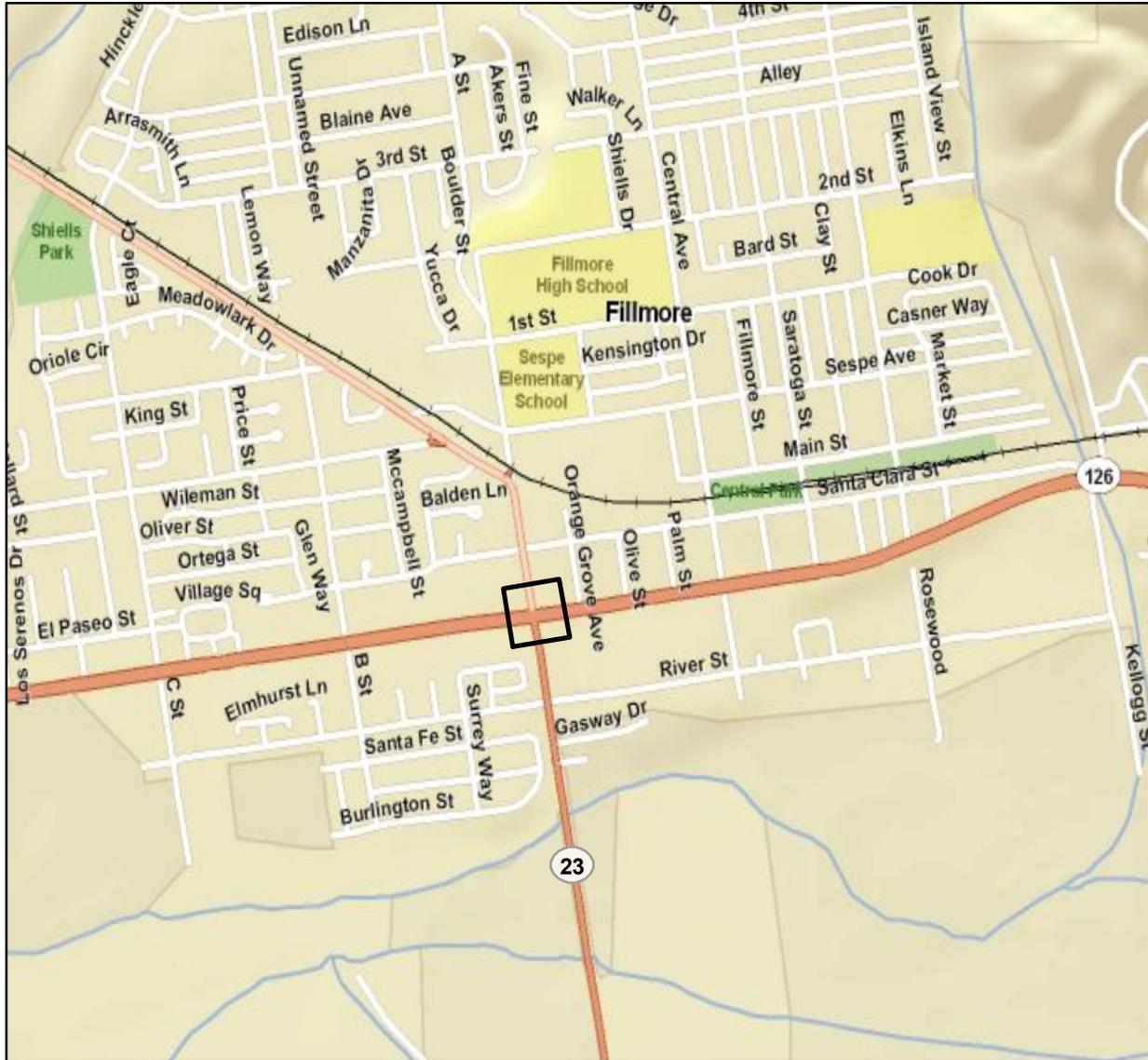
★ Project Site



0 5 10 Miles

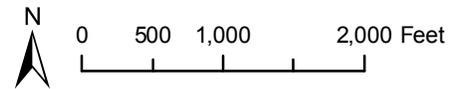
Regional Location

Figure 1
City of Fillmore



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 Project Area



Plan Area Vicinity

Figure 2
City of Fillmore

