

**FINDINGS AND STATEMENT OF FACTS REGARDING THE SIGNIFICANT
EFFECTS, MITIGATION MEASURES AND PROJECT ALTERNATIVES IDENTIFIED
IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT/ ENVIRONMENTAL
IMPACT REPORT FOR THE MATILIJA DAM ECOSYSTEM RESTORATION
FEASIBILITY STUDY**

(Reference section 15091 of the California Environmental Quality Act
Guidelines and Public Resources Code Section 21081.)

The Final Environmental Impact Report (Final EIS/EIR) for the Matilija Dam Ecosystem Restoration Feasibility Study was certified by the Ventura County Watershed Protection District Board of Supervisors on December 14, 2004.

The Ventura County Watershed Protection District Board of Supervisors hereby adopts and approves the following in conjunction with the approval of the Matilija Dam Ecosystem Restoration Project (Approved Project) on December 14, 2004.

SECTION I: POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS

The Final EIS/EIR states that Alternative 4b was selected as the Approved Project because it was the most cost-effective alternative and the locally preferred plan, which involves full dam removal, on-site sediment stabilization, and a short-term transport period. In order to identify significant impacts resulting from the Approved Project (Alternative 4b), the Final EIS/EIR classified significance according to the following definitions:

- Class I – Significant, adverse impact that cannot be mitigated to insignificant.
- Class II – Significant, adverse impact that can be mitigated to insignificant.
- Class III – Adverse but insignificant impact.
- Class IV – Beneficial impact.

As Class III and Class IV impacts are not significant, they require neither mitigation nor findings and are, therefore, not discussed in the Facts, Findings and Statement of Overriding Considerations.

The potential Class II impacts that were identified in the Final EIS/EIR for the Approved Project are listed below. The occurrence of Class I impacts are indicated for each issue area in Section I and are further discussed in Section IV.

A. Earth Resources (EIS/EIR Section 5.1):

The Final EIS/EIR identified potentially significant impacts to earth resources, as stated below.

1. Construction would potentially result in erosion impacts along the waterways downstream of the dam.
2. Unexpected soil and/or groundwater contamination would potentially be encountered during grading or excavation activities.
3. Accidental spills of hazardous materials could occur during construction.

The above impacts will be reduced to a less than significant level through the incorporation of various mitigation measures listed in Section II.

B. Biological Resources (EIS/EIR Section 5.3):

The Final EIS/EIR identified potentially significant impacts to biological resources, as stated below.

1. Construction activities would potentially contribute to wildlife mortality.
2. Indirect impacts from human disturbance, such as harassment of wildlife, would potentially cause displacement of some wildlife to other habitats.
3. Foliar herbicide application for the control of giant reed would potentially impact native wetland vegetation and wildlife.
4. The Approved Project would result in the temporary removal of approximately 90 acres of willow riparian woodland.
5. The Approved Project would potentially impact California black walnut trees.
6. Vegetation clearing, levee construction and sediment deposition and storage would directly impact oak woodlands.
7. Increased sediment load and turbidity would potentially contribute to short-term impacts to steelhead.
8. Construction related activities would potentially create direct and indirect impacts to the California red-legged frog.
9. An increase in predator species density and impacts to water quality and water flow would indirectly impact the California red-legged frog.
10. Loss of lacustrine habitat and upland breeding sites in Reach 7 in addition to impacts at two bridge crossings would potentially impact the southwestern pond turtle.
11. Temporary impacts to water quality, upland nesting sites, foraging habitat, an increase in predators, and other disruptions or disturbances would indirectly impact the southwestern pond turtle.
12. Vegetation and sediment removal would potentially impact the coastal western whiptail.
13. Construction activities would potentially create direct impacts to the two-striped garter snake.
14. Giant reed control activities would potentially impact the western snowy plover.
15. Removal of riparian habitat, disruption of nesting habitat, and increased noise and dust generation would potentially impact the least Bell's vireo.
16. Removal of freshwater marsh and open water habitats in Reach 7 would potentially impact the tricolored blackbird.
17. Potential loss of breeding habitat would substantially impact the yellow-breasted chat, yellow warbler, and Lawrence's goldfinch.
18. The raising of the Santa Ana Bridge would potentially impact the pallid bat.

The incorporation of various mitigation measures listed in Section II will be used to reduce the above impacts to a less than significant level.

The Final EIS/EIR identified four potential Class I impacts to biological resources that cannot be reduced to a less than significant level through mitigation (see Section IV.A). The Board's Statement of Overriding Considerations lists the numerous project benefits that outweigh and make acceptable the unavoidable significant Class I impacts associated with the Approved Project.

C. Cultural Resources (EIS/EIR Section 5.4)

The Final EIS/EIR identified potentially significant impacts to cultural resources, as stated below.

1. Any historic or prehistoric cultural resources that are found in the downstream disposal site and slurry line would potentially be impacted if the Approved Project could not be redesigned to avoid these sites.
2. Historic/prehistoric sites COE#1 and COE#2, which may be eligible for the National Register of Historic Places (NRHP), would potentially be affected by sediment removal.
3. Removal of sediment by natural and mechanical means would have an adverse effect on any buried resource eligible for NRHP listing.
4. Potential impacts may occur at Matilija Hot Springs, which has been designated County Landmark No. 25 and may also be eligible for NRHP listing.

The above impacts will be reduced to a less than significant level through the incorporation of various mitigation measures listed in Section II.

D. Aesthetics (EIS/EIR Section 5.5)

The Final EIS/EIR identified potentially significant impacts to aesthetics, as stated below.

1. Construction of the floodwall just west of State Route 33 at Camino Cielo would introduce a large, manmade feature into a dominantly natural area, and would be considered a significant impact.
2. Construction of the levees and floodwall near residences in Meiners Oaks would result in a significant impact.
3. Placement of the slurry disposal activities at the Rice Road and/or other proposed locations would disturb a large area and a sizable length of trails.
4. Construction and excavation equipment adjacent to residences, recreationists, motorists, and pedestrians would have temporary impacts to visual resources.

The above impacts will be reduced to a less than significant level through the incorporation of various mitigation measures listed in Section II.

The Final EIS/EIR identified two potential Class I impacts to aesthetics that cannot be reduced to a less than significant level through mitigation (see Section IV.B). The Board's Statement of Overriding Considerations lists the numerous project benefits that outweigh and make acceptable the unavoidable significant Class I impacts associated with the Approved Project.

E. Air Quality (EIS/EIR Section 5.6)

The Final EIS/EIR identified potentially significant impacts to air quality, as stated below.

1. Unmitigated emissions associated with the Approved Project would exceed the Ventura County operational standards for 25 pounds per day of NO_x and RO_x (or 5 pounds per day for the various construction project sites located within the Ojai Planning Area).
2. Project emissions would potentially expose sensitive receptors or project workers to substantial pollutants, including diesel particulate, a toxic air pollutant.
3. Earthmoving projects would potentially create significant Valley Fever impacts.
4. The Approved Project would potentially expose sensitive receptors or project workers to substantial pollutant concentrations or to objectionable odors.
5. The annual NO_x emissions from the Approved Project would exceed the General Conformity Rule *de minimis* emission threshold of 25 tons per year.

The above impacts will be reduced to a less than significant level through the incorporation of various mitigation measures listed in Section II.

The Final EIS/EIR identified one potential Class I impact to air quality that cannot be reduced to a less than significant level through mitigation (see Section IV.C). The Board's Statement of Overriding Considerations lists the numerous project benefits that outweigh and make acceptable the unavoidable significant Class I impact associated with the Approved Project.

F. Noise (EIS/EIR Section 5.7)

The Final EIS/EIR identified one potential Class I impact to noise that cannot be reduced to a less than significant level through mitigation (see Section IV.D). The Board's Statement of Overriding Considerations lists the numerous project benefits that outweigh and make acceptable the unavoidable significant Class I impact associated with the Approved Project.

G. Transportation (EIS/EIR Section 5.9)

The Final EIS/EIR identified the following potentially significant impact to transportation. The incorporation of mitigation listed in Section II would reduce this impact to a less than significant level.

1. The Approved Project would create the potential for heavy vehicles and equipment to unexpectedly damage public roads, sidewalks, or medians.

The Final EIS/EIR identified one potential Class I impact to transportation that cannot be reduced to a less than significant level through mitigation (see Section IV.E). The Board's Statement of Overriding Considerations lists the numerous project benefits that outweigh and make acceptable the unavoidable significant Class I impact associated with the Approved Project.

H. Recreation (EIS/EIR Section 5.11)

The Final EIS/EIR identified potentially significant impacts to recreation, as stated below.

1. The Meiners Oak flood protection would disrupt access to the Rice Canyon Trail.
2. The Meiners Oak flood protection would reduce the quality of the recreational experience at the Rice Canyon Trail.
3. The Rice Road slurry disposal site would eliminate portions of the East/West River Bottom Loop Trails and would block access to other trails.
4. Some construction activities would potentially cause risk to the safety of recreational users.
5. Construction of water supply wells at Foster Park would potentially conflict with use by recreationists and would create significant risk impacts.
6. Pipelines or other ancillary facility components that are installed, routed, or otherwise changed within the Lake Casitas Recreation Area would potentially reduce recreation use.
7. Construction activities would potentially result in the closure of a park, trail, or other recreational facility for the duration of the activity.

The above impacts will be reduced to a less than significant level through the incorporation of mitigation measures listed in Section II.

The Final EIS/EIR identified one potential Class I impact to recreation that cannot be reduced to a less than significant level through mitigation (see Section IV.F). The Board's Statement of Overriding Considerations lists the numerous project benefits that outweigh and make acceptable the unavoidable significant Class I impact associated with the Approved Project.

SECTION II: IMPACT CATEGORIES IN WHICH ALL POTENTIALLY SIGNIFICANT IMPACTS ARE AVOIDED OR MITIGATED TO LESS THAN SIGNIFICANT LEVELS THROUGH INCORPORATION OF THE MITIGATION MEASURES AND IMPLEMENTATION OF THE MITIGATION MONITORING PLAN

A. Findings Regarding Significant Impacts: For all Class II impacts described in Section I, certain changes or alterations have been required in, or incorporated into, the project as conditions of approval by order of the Ventura County Watershed Protection District Board of Supervisors, which avoid or substantially lessen the significant environmental effects as identified in the Final EIS/EIR. The Final EIS/EIR concludes and the Board finds that these changes reduce such impacts to less than significant levels.

B. Statement of Facts Supporting Findings:

Earth Resources (EIS/EIR Section 5.1)

1. The Final EIS/EIR found that construction could result in erosion impacts along the waterways downstream of the dam. In order to reduce this impact to a less than significant level, the Approved Project would implement the following mitigation measures:
 - **ER-1 Implement Best Management Practices (BMPs).** The Approved Project will require the preparation of an erosion control plan, a sediment transport control plan, a Storm Water Pollution Prevention Plan, and a re-vegetation plan, in accordance with Regional Water Quality Control Board (RWQCB) guidelines and other applicable BMPs. These plans will mitigate erosion impacts and sediment degradation from construction activities by designating BMPs that are to be followed during construction of the Approved Project. Examples of erosion-minimizing efforts may include measures such as avoiding excessive disturbance of steep slopes; using drainage control structures (e.g., coir rolls or silt fences) to direct surface runoff away from disturbed areas; strictly controlling vehicular traffic; implementing a dust-control program during construction; restricting access to sensitive areas; using vehicle mats in wet areas; and re-vegetating disturbed areas following construction.
 - **ER-2 Reduce off-site erosion.** In order to reduce off-site erosion from construction vehicles leaving the Approved Project sites, the contractor will be required to implement wheel washing strategies and street cleaning in the project vicinity during excessive wet and muddy site conditions.
2. The Final EIS/EIR found that unexpected soil and/or groundwater contamination would potentially be encountered during grading or excavation activities. The Approved Project would reduce this impact to a less than significant level by implementing the following mitigation measure:
 - **ER-3 Observe exposed soil.** Initial soil samples were performed by the U.S. Bureau of Reclamation in March 2002, which indicated that sediments stored behind the dam are not toxic. The Approved Project will conduct additional tests during later stages of the planning process to ensure that no undiscovered contaminants are exposed during construction. During trenching, grading, or excavation work for the project, the contractor will be required to observe the exposed soil for visual evidence of contamination. If visual contamination indicators are observed during construction, the contractor will stop work until the material is properly characterized and appropriate measures are taken to protect human health and the environment. The contractor will comply with all local, State, and federal requirements for sampling and testing, and subsequent removal, transport, and disposal of hazardous materials. In the event that evidence of contamination is observed, the contractor will document the exact location of the contamination and will immediately notify the Approved Project' construction manager. The Corps will be responsible for formulating and implementing plans

to characterize and remediate any contamination encountered during construction. These plans will specify procedures for monitoring, identifying, handling, and disposing of hazardous waste in accordance with federal and State regulations.

3. The Final EIS/EIR found that accidental spills of hazardous materials could occur during construction. In order to reduce this impact to a less than significant level, the Approved Project would implement the following mitigation measure:
 - **ER-4 Hazardous substance control.** The Approved Project will not generate any hazardous materials or expose workers to conditions that exceed permissible levels. In order to ensure that any accidental spills associated with construction equipment will be properly contained, the Approved Project, or its construction contractor, would be required to prepare a Hazardous Substance Control and Emergency Response Plan that will include preparations for quick and safe cleanup of accidental spills. The Plan will prescribe hazardous-materials handling procedures to reduce the potential for a spill during construction, and will include an emergency response program to ensure quick and safe cleanup of accidental spills. The plan will identify areas where refueling and vehicle-maintenance activities and storage of hazardous materials, if any, will be permitted.

Biological Resources (EIS/EIR Section 5.3)

1. The Final EIS/EIR found that construction activities would potentially contribute to wildlife mortality. In order to reduce this impact to a less than significant level, the Approved Project would implement the following mitigation measures:
 - **B-1 Pre-Construction biological surveys.** The Approved Project will use qualified biologists familiar with species known to inhabit the Ventura River to conduct pre-construction surveys for sensitive birds, active nests or roosts in riparian areas that will be subject to project disturbance. Surveys will also be conducted for any State Protected and State Fully Protected species. If active nests are located, nests will be avoided until the young have fledged.
 - **B-2 Pre-Construction plant surveys.** The Approved Project will use qualified biologists to conduct pre-construction surveys for special-status plant species within all areas subject to project disturbance.
 - **B-3 Capture and relocate.** The Approved Project will be required to design and implement a capture and relocation program for sensitive species such as the California red-legged frog, southwestern pond turtle, two-striped garter snake, and native fish prior to construction activities in Matilija Lake, Matilija Creek, and the Ventura River.
 - **B-4 Agency coordination.** The Approved Project will immediately contact the appropriate regulatory agencies (Corps, VCWPD, CDFG, and USFWS) if federally- or State-listed or otherwise sensitive flora and fauna are identified during pre-construction surveys. The Corps

will coordinate with the appropriate agencies to develop and institute avoidance, minimization, and mitigation measures prior to proceeding with project construction.

- **B-5 Restricted initial clearing.** The Approved Project will limit initial brush clearing to periods when wildlife is less abundant. For example, the Approved Project will conduct initial clearing of open water, freshwater marsh, and riparian habitats in Reach 7 outside of the breeding season (September 15 through March 1). If breeding birds, including white-tailed kites, are detected by September 15, the riparian clearing within 1,000 feet of the nest will be postponed until November 1. Clearing of riparian vegetation for levee construction will be conducted between September 15 and March 15.
 - **B-6 Fueling.** The construction contractor will be required to conduct all fueling and maintenance activities a minimum of 100 feet from riparian and wetland habitats or in areas where accidental fuel spills may flow into waters of the state.
 - **B-7 Construction monitoring.** The Approved Project will be required to have a qualified biologist present when conducting clearing and grading operations at Matilija Lake, slurry disposal sites, levee locations, and during the reduction of giant reed in riparian habitat. This monitor will move or flush non-sensitive wildlife away from project construction to the extent practicable.
 - **B-8 Downstream monitoring.** The Approved Project will be required to monitor biological resources downstream of the dam, in accordance with the Monitoring and Adaptive Management Plan. Downstream monitoring aspects of the Monitoring and Adaptive Management Plan include monitoring turbidity and suspended sediment concentrations, in addition to monitoring water quality for regulated substances.
 - **B-9 Worker training and Best Management Practices.** The Approved Project will be required to conduct a Worker Environmental Awareness Plan (WEAP) prior to construction and implement related best management practices (BMPs) to reduce downstream impacts from sediment-laden water. The WEAP will identify any sensitive biological or cultural resources known to occur in the project area, the appropriate BMPs required to reduce water quality impacts, and appropriate trash disposal and maintenance locations.
 - **B-10 Trash removal.** The Approved Project will require the construction contractor to ensure that food and trash are stored in sealed containers and removed from the job site on a weekly basis.
2. The Final EIS/EIR found that indirect impacts from human disturbance, such as harassment of wildlife, would potentially cause displacement of some wildlife to other habitats. The Approved Project would implement the following mitigation measures to reduce this indirect impact to a less than significant level:
- **B-5 Restricted initial clearing.** As mentioned above, the project will limit initial brush clearing to periods when wildlife is less abundant.

Initial clearing of open water, freshwater marsh, and riparian habitats in Reach 7 will be conducted outside of the breeding season (September 15 through March 1), while clearing of riparian vegetation for levee construction will be conducted between September 15 and March 15. If breeding birds are detected by September 15, the riparian clearing within 1,000 feet of the nest will be postponed until November 1.

- **B-7 Construction monitoring.** A qualified biologist will be present when clearing and grading operations are conducted at Matilija Lake, slurry disposal sites, levee locations, and during the reduction of giant reed in riparian habitat. The monitor will also move or flush non-sensitive wildlife away from project construction to the extent practicable.
 - **B-9 Worker training and Best Management Practices.** A WEAP will be conducted prior to construction and related BMPs will be implemented to reduce downstream impacts from sediment-laden water. Any sensitive biological or cultural resources known to occur in the project area will be identified by the WEAP, in addition to the appropriate BMPs required to reduce water quality impacts, and appropriate trash disposal and maintenance locations.
 - **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.
3. The Final EIS/EIR found that foliar herbicide application for the control of giant reed would potentially impact native wetland vegetation and wildlife. In order to reduce this impact to a less than significant level, the Approved Project would implement the following mitigation measure:
- **B-11 BMPs for Giant Reed Control.** Cut and daub methods with Rodeo® or Aquamaster® have been demonstrated to be effective in controlling giant reed, while not posing a substantial toxicity hazard to non-target species. The Approved Project will be required to develop and execute a giant reed control program that includes monitoring during post deconstruction restoration activities. The plan will ensure that herbicides are not applied aquatically during the wet season (November 1st to April 15th) to avoid potential impacts to downstream vegetation where feasible, and to avoid impacts to fish and wildlife species. The plan will also minimize overspray of herbicides onto non-target species by restricting herbicide spraying when wind velocities exceed six mph. The Approved Project will undertake a sensitive species relocation effort, as much of the reservoir water will be drained prior to giant reed control activities.

- **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.
4. The Final EIS/EIR found that the project would result in the temporary removal of approximately 90 acres of willow riparian woodland. The following mitigation measures would be implemented to reduce this impact to a less than significant level:
 - **B-11 BMPs for Giant Reed Control.** In order to increase the habitat value and function of the existing habitat, giant reed control activities in Reaches 7, 8, and 9 will occur prior to project initiation and would continue in downstream reaches immediately afterwards. This exotic species reduction will also increase the ability of the existing habitat to support sensitive wildlife during the time frame that riparian habitat is absent in Reach 7. The giant reed control program will include measures to prevent permanent or temporary impacts to wetlands and associated sensitive vegetation and wildlife during herbicide treatments of giant reed. The Approved Project will also undertake a sensitive species relocation effort, as much of the reservoir water would be drained prior to giant reed reduction activities.
 - **B-12 Predator Control Plan.** A predator control plan in consultation with the CDFG and USFWS will be developed and implemented. The plan will include specific measures to reduce the number of aquatic predators in Matilija Reservoir and minimize the potential for release of these species downstream during dam removal.
 5. The Final EIS/EIR found that the Approved Project would potentially impact California black walnuts. In order to reduce this impact to a less than significant level, the following mitigation measure would be incorporated into the project:
 - **B-13 Restoration plan.** A small community of California black walnuts occurs within the proposed 94-acre sediment storage area adjacent to the community of Meiners Oaks, and construction activities would create minor impacts that would not pose a significant loss to the community. In order to mitigate impacts from construction and giant reed control activities, the Project will develop and implement a Habitat Restoration Program for all disturbed areas. The Habitat Restoration Program will include methods to restore habitats on all temporary impact areas, such as preserving topsoil, specific grading techniques including soil ripping to alleviate compaction, and choosing appropriate plant palettes, in addition to appropriate maintenance and monitoring

methods for the re-vegetated sites to ensure habitat restoration success.

6. The Final EIS/EIR found that vegetation clearing, levee construction, and sediment deposition and storage would directly impact oak woodlands. The following mitigation measure would be implemented to reduce this impact to a less than significant level:
 - **B-14 Oak and walnut replanting.** Oak woodlands are known to occur within the proposed 94-acre sediment storage area adjacent to the community of Meiners Oaks. As described above, the **Project** will develop a Habitat Restoration Program to restore oak habitat on all temporary impact areas. The construction contractor will also be required to replace any native oaks or California black walnut trees that are removed during project construction.
7. The Final EIS/EIR found that increased sediment load and turbidity would potentially contribute to short-term impacts to steelhead. Incorporation of the following mitigation measure would reduce this impact to a less than significant level:
 - **B-8 Downstream monitoring.** The Approved Project will be required to monitor biological resources downstream of the dam, in accordance with the Monitoring and Adaptive Management Plan. Downstream monitoring aspects of the Monitoring and Adaptive Management Plan include monitoring turbidity and suspended sediment concentrations, in addition to monitoring water quality for regulated substances. Increased sediment load concentrations should return to near natural levels after the passage of three storms. Aquatic organisms have been documented as recovering rapidly, often within two or three years.
8. The Final EIS/EIR found that construction related activities would potentially create direct and indirect impacts to the California red-legged frog. In order to reduce these impacts to a less than significant level, the following mitigation measures would be incorporated into the project:
 - **B-3 Capture and relocate.** Without the Approved Project, suitable breeding and rearing habitat for the California red-legged frog would diminish over time as sediment and giant reed continue to fill in the reservoir and adjacent riparian habitat. Prior to project construction activities in Matilija Lake, Matilija Creek, and the Ventura River, the Approved Project will be required to design and implement a capture and relocation program for sensitive species such as the California red-legged frog.
 - **B-7 Construction monitoring.** The Approved Project will also be required to have a qualified biologist present when conducting clearing and grading operations at Matilija Lake, slurry disposal sites, levee locations, and during the reduction of giant reed in riparian habitat. This monitor will move or flush non-sensitive wildlife away from project construction to the extent practicable.
 - **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and

Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.

9. The Final EIS/EIR found that an increase in predator species density and impacts to water quality and water flow would indirectly impact the California red-legged frog. Implementing the following mitigation measures would reduce this impact to a less than significant level:
 - **B-3 Capture and relocate.** Prior to project construction activities in Matilija Lake, Matilija Creek, and the Ventura River, the Approved Project will be required to design and implement a capture and relocation program for the California red-legged frog.
 - **B-11 BMPs for Giant Reed Control.** Without the Approved Project, suitable breeding and rearing habitat for the California red-legged frog would diminish over time as sediment and giant reed continue to fill in the reservoir and adjacent riparian habitat. The Approved Project will be required to develop and execute a giant reed control program that includes monitoring during post deconstruction restoration activities. To avoid potential impacts to fish and wildlife species, the plan will ensure that herbicides are not applied aquatically during the wet season (November 1st to April 15th).
 - **B-12 Predator Control Plan.** Beneficial impacts to the California red-legged frog are likely to occur over time from restored stream processes, including the reduction of exotic predatory species such as crayfish and bullfrogs. A predator control plan will be developed and implemented, which will include specific measures to reduce the number of aquatic predators in Matilija Reservoir and minimize the potential for release of these species downstream during dam removal.
10. The Final EIS/EIR found that loss of lacustrine habitat and upland breeding sites in Reach 7 in addition to impacts at two bridge crossings would potentially impact the southwestern pond turtle. The following mitigation measures would be incorporated into the project to reduce this impact to a less than significant level:
 - **B-1 Pre-Construction biological surveys.** The southwestern pond turtle was identified at Matilija Lake and at several locations along the Ventura River and Matilija Creek. Qualified biologists familiar with the southwestern pond turtle will conduct pre-construction surveys to locate habitat that will be subject to project disturbance.
 - **B-3 Capture and relocate.** The Approved Project will be required to design and implement a capture and relocation program for the southwestern pond turtle prior to construction activities in Matilija Lake, Matilija Creek, and the Ventura River.

- **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.
11. The Final EIS/EIR found that temporary impacts to water quality, upland nesting sites, foraging habitat, an increase in predators, and other disruptions or disturbances would indirectly impact the southwestern pond turtle. In order to reduce impacts to a less than significant level, the following mitigation measures would be incorporated into the Approved Project:
- **B-1 Pre-Construction biological surveys.** As stated above, the southwestern pond turtle was identified at Matilija Lake and at several locations along the Ventura River and Matilija Creek. Qualified biologists familiar with the southwestern pond turtle will conduct pre-construction surveys to locate habitat that will be subject to project disturbance.
 - **B-7 Construction monitoring.** The Approved Project will be required to have a qualified biologist present, who will move or flush wildlife, such as the southwestern pond turtle, away from project construction to the extent practicable
 - **B-9 Worker training and Best Management Practices.** The Approved Project will conduct a WEAP prior to construction to identify southwestern pond turtle habitat known to occur in the project area and the appropriate BMPs required to reduce impacts.
 - **B-11 BMPs for Giant Reed Control.** The Approved Project will develop and execute a giant reed control program. To avoid potential impacts to fish and wildlife species, the plan will ensure that herbicides are not applied aquatically during the wet season (November 1st to April 15th). The plan will also ensure that herbicides are applied at concentrations that are safe for biological resources within and adjacent to the project area.
12. The Final EIS/EIR found that vegetation and sediment removal would potentially impact the coastal western whiptail. The following mitigation measures would be incorporated to reduce this impact to a less than significant level:
- **B-3 Capture and relocate.** The coastal western whiptail was observed in the upland areas in the northern portion of the study area. The Approved Project will be required to design and implement a capture and relocation program for the coastal western whiptail prior to construction activities in Matilija Lake, Matilija Creek, and the Ventura River.

- **B-7 Construction monitoring.** The Approved Project will be required to have a qualified biologist present, who will move or flush wildlife, such as the coastal western whiptail, away from project construction to the extent practicable.
 - **B-11 BMPs for Giant Reed Control.** Direct impacts to the coastal western whiptail may occur as a result of vegetation and sediment removal. However, long-term benefits to the coastal western whiptail include the restoration of additional dry wash and upland areas in the northern study area. In order to restore upland areas and mitigate impacts to wildlife, the Approved Project will develop and execute a giant reed control program. The plan will ensure that herbicides are not applied aquatically during the wet season (November 1st to April 15th), and that herbicides are applied at concentrations that are safe for biological resources within and adjacent to the project area.
 - **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.
13. The Final EIS/EIR found that construction activities would potentially create direct impacts to the two-striped garter snake. Implementation of the following mitigation measures would reduce these impacts to a less than significant level:
- **B-1 Pre-Construction biological surveys.** The two-striped garter snake is known to inhabit the Approved Project area. Qualified biologists familiar with the two-striped garter snake will conduct pre-construction surveys to locate habitat that will be subject to project disturbance.
 - **B-3 Capture and relocate.** While construction of the project could reduce availability of suitable habitat for the two-striped garter snake, suitable habitat occurs elsewhere in the region, such as nearby Lake Casitas and ponds and riverine habitat both up and downstream of Matilija Lake. The Approved Project will be required to design and implement a capture and relocation program for the two-striped garter snake prior to construction activities in Matilija Lake, Matilija Creek, and the Ventura River.
 - **B-7 Construction monitoring.** The Approved Project will be required to have a qualified biologist present, who will move or flush wildlife, such as the two-striped garter snake, away from project construction to the extent practicable.
 - **B-8 Downstream monitoring.** As mentioned above, The Approved Project will be required to monitor biological resources downstream of

the dam, in accordance with the Monitoring and Adaptive Management Plan. Downstream monitoring aspects of the Monitoring and Adaptive Management Plan include monitoring turbidity and suspended sediment concentrations, in addition to monitoring water quality for regulated substances.

- **B-11 BMPs for Giant Reed Control.** In order to restore upland areas and mitigate impacts to wildlife, the Approved Project will develop and execute a giant reed control program. The plan will ensure that herbicides are not applied aquatically during the wet season (November 1st to April 15th), and that herbicides are applied at concentrations that are safe for biological resources within and adjacent to the project area.
 - **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.
14. The Final EIS/EIR found that giant reed control activities would potentially impact the western snowy plover. The following mitigation measure would reduce this impact to a less than significant level:
- **B-11 BMPs for Giant Reed Control.** The western snowy plover has been observed near the estuary of the Ventura River and does not occur within any areas that would be disturbed by project construction. Long-term benefits to the species may occur from future beach replenishment as a result of the Approved Project. Any potential impacts resulting from giant reed reduction activities will be mitigated through the giant reed control program. The program will ensure that herbicides are not applied aquatically during the wet season (November 1st to April 15th), and that herbicides are applied at concentrations that are safe for biological resources within and adjacent to the project area.
 - **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.
15. The Final EIS/EIR found that removal of riparian habitat, disruption of nesting habitat, and increased noise and dust generation would potentially

impact the least Bell's vireo. Incorporation of the following mitigation measures would reduce this impact to a less than significant level:

- **B-1 Pre-Construction biological surveys.** The least Bell's vireo has been recorded in the lower reaches of the Ventura River. Qualified biologists familiar with the least Bell's vireo will conduct pre-construction surveys to locate habitat that will be subject to project disturbance. If active nests are located, nests will be avoided until the young have fledged.
 - **B-5 Restricted initial clearing.** As a result of the giant reed control program and the restoration and creation of approximately 38 acres of willow and cottonwood riparian habitat in Reach 7, habitat will likely be more suitable to the least Bell's vireo under post-project conditions. In order to mitigate project impacts, the Approved Project will conduct initial clearing of open water, freshwater marsh, and riparian habitats in Reach 7 outside of the breeding season (September 15 through March 1). Clearing of riparian vegetation for levee construction will be conducted between September 15 and March 15. If least Bell's vireos continue to breed by September 15, riparian clearing within 1,000 feet of their nests will be postponed until November 1.
 - **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.
16. The Final EIS/EIR found that removal of freshwater marsh and open water habitats in Reach 7 would potentially impact the tricolored blackbird. In order to reduce this impact to a less than significant level, the Approved Project will implement the following mitigation measures:
- **B-1 Pre-Construction biological surveys.** A colony of tricolored blackbirds was observed in Reach 2 in 1993, while no colonies have been observed within Reach 7. Qualified biologists familiar with the tricolored blackbird will conduct pre-construction surveys to locate habitat that will be subject to project disturbance. If active nests are located, nests will be avoided until the young have fledged.
 - **B-5 Restricted initial clearing.** Any potential displacement of the tricolored blackbird resulting from construction activities would likely be short term, as the nearby Lake Casitas and the Ventura River Estuary also provide freshwater marsh and open water habitats suitable for the species. In order to mitigate impacts in the project area, the Approved Project will conduct initial clearing of open water, freshwater marsh, and riparian habitats in Reach 7 outside of the breeding season (September 15 through March 1). Clearing of riparian vegetation for

levee construction will be conducted between September 15 and March 15. If tricolored blackbirds continue to breed by September 15, riparian clearing within 1,000 feet of their nests will be postponed until November 1.

- **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.
17. The Final EIS/EIR found that the potential loss of breeding habitat would substantially impact the yellow-breasted chat, yellow warbler, and Lawrence's goldfinch. The following mitigation measures would reduce this impact to a less than significant level:
- **B-1 Pre-Construction biological surveys.** The yellow-breasted chat, yellow warbler, and Lawrence's goldfinch are migratory birds that have been observed in the project area. Qualified biologists familiar with these species will conduct pre-construction surveys to locate habitat that will be subject to project disturbance. If active nests are located, nests will be avoided until the young have fledged.
 - **B-5 Restricted initial clearing.** As mentioned above, the Approved Project will conduct initial clearing of open water, freshwater marsh, and riparian habitats in Reach 7 outside of the breeding season (September 15 through March 1). Clearing of riparian vegetation for levee construction will be conducted between September 15 and March 15. If breeding birds are detected by September 15, the riparian clearing within 1,000 feet of the nest will be postponed until November 1.
 - **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.
18. The Final EIS/EIR found that the raising of the Santa Ana Bridge would potentially impact the pallid bat. In order to reduce this impact to a less than significant level, the Approved Project would implement the following mitigation measure:
- **B-15 Pre-Construction bat surveys.** The pallid bat is not federally or State listed as endangered or threatened, but it has been observed in

the project area. Any potential impacts would not constitute a substantial loss that would jeopardize the continued existence of the species within the region. However, in order to mitigate impacts to the pallid bat community, the Approved Project will conduct pre-construction surveys at the Santa Ana Bridge and any other structures that may house suitable roosting habitat for this species. If bats are located in the structure, construction will be scheduled to occur outside of the breeding season.

- **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.

Cultural Resources (EIS/EIR Section 5.4)

1. The Final EIS/EIR found that any historic or prehistoric cultural resources located in the downstream disposal site and slurry line would potentially be impacted if the Approved Project could not be redesigned to avoid these sites. The following mitigation measure would be implemented to reduce this impact to a less than significant level:
 - **CR-1.** The Approved Project will conduct a field survey of the slurry line, disposal site, levee sites, bridge removal locations, and other previously unsurveyed features. If any historic or prehistoric resources are found, additional National Register of Historic Places (NRHP) evaluations will be made. The Approved Project alternative would be redesigned if possible to avoid any historic or prehistoric cultural resources that may be found.
2. The Final EIS/EIR found that historic/prehistoric sites COE#1 and COE#2, which may be eligible for the NRHP, would potentially be affected by sediment removal. In order to reduce this impact to a less than significant level, the Approved Project would implement the following mitigation measure:
 - **CR-2.** A test excavation and NRHP evaluation will be required for historic/prehistoric site COE#1 and COE#2 to determine their horizontal and vertical extent. If the sites are determined to be eligible for the NRHP, mitigation measures will be developed and agreed to in a memorandum of agreement. These procedures shall follow the requirements of Section 106 of the National Historic Preservation Act, as implemented by 36 CFR 800.
3. The Final EIS/EIR found that removal of sediment by natural and mechanical means would have an adverse effect on any buried resource

eligible for NRHP listing. Implementation of the following mitigation measures will reduce this impact to a less than significant level:

- **CR-3.** The Approved Project will develop a discovery plan in consultation with the State Historic Preservation Officer pursuant to 36 CFR 800.13(b) to treat previously unknown resources found during implementation of the project. The plan will include procedures to monitor and treat cultural resources discovered during mechanical and natural removal of sediment behind Matilija Dam. It will also include procedures for discoveries made during grading and earth moving activities.
 - **CR-4.** The project will also consult with Native American Tribes and groups to obtain their concerns with the potential to impact Traditional Cultural Places, and other resources of importance to them.
4. The Final EIS/EIR found that potential impacts may occur at Matilija Hot Springs, which has been designated County Landmark No. 25 and may also be eligible for NRHP listing. Implementation of the following mitigation measure will reduce this impact to a less than significant level:
- **CR-2.** A test excavation and NRHP evaluation will be required for Matilija Hot Springs. If the site is determined to be eligible for the NRHP, mitigation measures will be developed and agreed to in a memorandum of agreement. These procedures shall follow the requirements of Section 106 of the National Historic Preservation Act, as implemented by 36 CFR 800. A historical architectural and NRHP evaluation will be completed for Matilija Dam, Camino Cielo (Ojala), and Soper's Ranch.

Aesthetics (EIS/EIR Section 5.5)

1. The Final EIS/EIR found that construction of the floodwall just west of State Route 33 at Camino Cielo would introduce a large, manmade feature into a dominantly natural area. The following mitigation measures would reduce this impact to a less than significant level:
- **AE-1 Adjust alignment of levees and floodwalls to allow vegetative screening of flood control improvements.** The 968-foot floodwall on the west side of State Route 33 would range in height from 4.1 feet to 10.6 feet. Views along this stretch of State Route 33 are constrained by steep canyon walls to the east and heavy vegetation to the west between State Route 33 and the Ventura River. The project will design the final levee and floodwall alignments along State Route 33 at Camino Cielo to be set back from the properties and road right-of-way (ROW), which will allow vegetation to screen views of the flood control improvements. The distance of the setback will be determined at each location based on site feasibility, but intervening vegetation will be used to partially or completely obscure views of the levees and floodwalls.
 - **AE-2 Screen levees and floodwalls with vegetation planting.** Levees and floodwalls adjacent to State Route 33 at Camino Cielo will

be screened from view by the planting of native vegetation. Vegetation selected for screening will consist of native species appropriate to the location and approved by a qualified biologist familiar with species known to inhabit the Ventura River. Species selected will be chosen and maintained to achieve a height as tall as or taller than the levee/floodwall height at maturity. The Approved Project will plant screening vegetation as soon as possible during levee/floodwall construction and will achieve a minimum of 50 percent screening of the levee/floodwall within 10 years of project initiation. The goal of the screening will be to maintain the natural character of the remaining area and to screen the levees and floodwalls to the maximum feasible extent. An aesthetic screening plan will be submitted to the Corps by the construction contractor at least 90 days prior to construction.

2. The Final EIS/EIR found that construction of the levees and floodwall near residences in Meiners Oaks would result in a significant impact. In order to reduce this impact to a less than significant level, the following mitigation measures will be implemented:
 - **AE-1 Adjust alignment of levees and floodwalls to allow vegetative screening of flood control improvements.** Current views from the residences and trails of dense oak woodland vegetation will be replaced and dominated by views of the levees and floodwall, which could reach up to 17 feet in height. The project will design the final levee and floodwall alignments along residential properties at Meiners Oaks to be set back from the properties and road ROW, which will allow vegetation to screen views of the flood control improvements. The distance of the setback will be determined at each location based on site feasibility, but intervening vegetation will be used to partially or completely obscure views of the levees and floodwalls.
 - **AE-2 Screen levees and floodwalls with vegetation planting.** A large portion of the levees and floodwall near Meiners Oaks and Robles Diversion will be obstructed from views by intervening terrain and vegetation. As stated above, vegetation selected for screening will consist of native species appropriate to the location, and will be chosen and maintained to achieve a height as tall or taller than the levee/floodwall height at maturity. The Approved Project will plant screening vegetation as soon as possible during levee/floodwall construction and will achieve a minimum of 50 percent screening of the levee/floodwall within 10 years of project initiation. An aesthetic screening plan will be submitted to the Corps by the construction contractor at least 90 days prior to construction.
3. The Final EIS/EIR found that placement of the slurry disposal activities at the Rice Road location would disturb a large area and a sizable length of trails. Implementation of the following mitigation measure would reduce this impact to a less than significant level:
 - **AE-3 Create trails over the Rice Road slurry disposal site following re-vegetation of site.** The 94-acre slurry disposal site

would be visible from Rice Road on the east side of the Ventura River and would be visible from Ojai Valley Land Conservancy (OVLC) trails to the north and west of the site. Following completion of project activities, the site will be re-vegetated and would soon return to a more-natural state. The Corps will be required to design a system of trails over the completed, re-vegetated site along with a re-vegetation plan for the site. The OVLC will be consulted on appropriate trail routes to replace the trails covered by the slurry. Final trail designs and re-vegetation plans will be submitted to the OVLC for approval at least 60 days prior to commencement of re-vegetation activities. Trail route construction will commence in tandem with re-vegetation activities and will be completed to the same level of quality as currently exist on the site or better.

4. The Final EIS/EIR found that construction and excavation equipment adjacent to residences, recreationists, motorists, and pedestrians would have temporary aesthetic impacts. The following mitigation measure would be implemented to reduce this impact to a less than significant level:

- **AE-4 Reduce visibility of project activities and equipment.** Activities associated with the project will result in temporarily obstructed views to the Ventura River and temporary deteriorations in the aesthetic value of the project area. The duration of visual impacts will be brief, between one and four months, although for residents in the Matilija Canyon the duration of these impacts will be up to 18 months. In order to mitigate these impacts, construction sites that are visible to nearby residences, roadways, or recreation facilities will be visually screened with temporary screening fencing. All evidence of project activities, including ground disturbance due to staging or storage areas, will be removed and all disturbed areas will be returned to an original or improved condition upon completion of project activities, which will include the replacement of any vegetation or paving removed during construction.

Air Quality (EIS/EIR Section 5.6)

1. The Final EIS/EIR found that unmitigated emissions associated with the Approved Project would exceed the Ventura County operational standards for 25 pounds per day of NO_x and RO_x (or 5 pounds per day for the various construction project sites located within the Ojai Planning Area). Ventura County recommends that the following mitigation measures be implemented to reduce this impact to a less than significant level:

- **A-1 Limit engine idling.** To reduce NO_x and RO_x emissions, the Approved Project will prohibit private vehicle engine idling in excess of two minutes, and will restrict diesel engine idle time, to the extent practical, to no more than 10 minutes.
- **A-2 Low emission diesel engines.** The use of certified low emission diesel engines (i.e., CARB/EPA Tier 1, 2, 3, or 4 certified off-road

equipment) will be required for diesel off-road equipment and cutterhead dredge pump engines, with the minimum requirement being CARB/EPA Tier 1 engines.

- **A-3 Limit use of internal combustion engines.** The project will utilize electrical power from the grid rather than internal combustion engines or internal combustion electric power generators for all stationary equipment, such as the stationary water pumps and slurry pumps (except the dredge engines), thereby reducing NO_x and RO_x emission levels.
 - **A-4 Low-emission vehicles.** If available, low-emission on-road construction fleet vehicles will be utilized for the project.
2. The Final EIS/EIR found that project emissions would potentially expose sensitive receptors or project workers to substantial pollutants, including diesel particulate, a toxic air pollutant. Ventura County recommends that the following mitigation measures be implemented to reduce this impact to a less than significant level:
- **A-1 Limit engine idling.** To reduce diesel emissions, the Approved Project will prohibit private vehicle engine idling in excess of two minutes, and will restrict diesel engine idle time, to the extent practical, to no more than 10 minutes.
 - **A-2 Low emission diesel engines.** The use of certified low emission diesel engines (i.e., CARB/EPA Tier 1, 2, 3, or 4 certified off-road equipment) will be required for diesel off-road equipment and cutterhead dredge pump engines, with the minimum requirement being CARB/EPA Tier 1 engines.
 - **A-3 Limit use of internal combustion engines.** The project will utilize electrical power from the grid rather than internal combustion engines or internal combustion electric power generators for all stationary equipment, such as the stationary water pumps and slurry pumps (except the dredge engines), thereby reducing diesel emissions.
 - **A-4 Low-emission vehicles.** If available, low-emission on-road construction fleet vehicles will be utilized for the project.
 - **A-12 Respiratory protection.** In order to reduce direct exposure to diesel emissions, personnel involved in grading operations, including contractors and subcontractors, will be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.
3. The Final EIS/EIR found that earthmoving projects would potentially create significant Valley Fever impacts. Implementation of the following mitigation measure would reduce this impact to a less than significant level:
- **A-13 Valley Fever.** An assessment of the various project areas and their construction activities will be performed by a qualified medical professional or toxicologist prior to ground disturbance. The project will implement appropriate and feasible mitigation measures

recommended in the 2003 Ventura County Air Quality Assessment Guidelines, as deemed necessary.

4. The Final EIS/EIR found that the Approved Project would potentially expose sensitive receptors or project workers to substantial pollutant concentrations or to objectionable odors. The following mitigation measure would reduce this impact to a less than significant level:
 - **A-12 Respiratory protection.** In order to reduce direct exposure to pollutant concentrations or objectionable odors, personnel involved in grading operations, including contractors and subcontractors, will be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.
5. The Final EIS/EIR found that the annual NO_x emissions from the Approved Project would exceed the General Conformity Rule *de minimis* emission threshold of 25 tons per year. Implementation of the following mitigation measure would reduce this impact to a less than significant level:
 - **A-5 NO_x emission offsets.** The Approved Project will provide NO_x emission offsets to fully offset the project emissions when they are predicted to be greater than the appropriate rate listed in 40 CFR §93.153(a)(1). As this mitigation measure would sufficiently reduce impacts to a less than significant level, the project would not require a comprehensive Air Quality Conformity Analysis.

Transportation (EIS/EIR Section 5.9)

1. The Final EIS/EIR found that the Approved Project would create the potential for heavy vehicles and equipment to unexpectedly damage public roads, sidewalks, or medians. In order to reduce this impact to a less than significant level, the Approved Project would incorporate the following mitigation measure:
 - **T-2 Road repair from construction activities.** The project proponents do not expect the project to cause any physical damage to public roads, sidewalks, medians, etc. The construction contractor will work with the applicable agencies to document pre-construction conditions of road features prior to the commencement of construction. If damage to roads, sidewalks, and/or medians occurs, the construction contractor will coordinate repairs with the affected public agencies to ensure that any impacts are adequately repaired per the applicable agency standards. Roads and/or driveways disturbed by construction activities or construction vehicles will be properly restored to ensure long-term protection of road surfaces. The project will take necessary measures to prevent damage to roadside drainage structures. Roadside drainage structures and road drainage features (e.g., rolling dips) will also be protected by regrading and reconstructing roads to drain properly.

Recreation (EIS/EIR Section 5.11)

1. The Final EIS/EIR found that the Meiners Oak flood protection would disrupt access to the Rice Canyon Trail. In order to reduce this impact to a less than significant level, the Approved Project would implement the following mitigation measure:
 - **R-1 Construct a ramp to provide access over the Meiners Oaks flood protection.** The Meiners Oak flood protection will block street access to a pedestrian trailhead by acting as a barrier up to 17 feet in height. To provide access to the trails on the west side of the flood protection, the Corps will design and construct a ramp from Meyer Road on the east side of the Meiners Oaks flood protection. The ramp will be designed to ensure that pedestrians and equestrians can continue to utilize the Rice Canyon Trail, but designs may also include measures to ensure that the levee itself is not used as a recreation trail.
2. The Final EIS/EIR found that the Meiners Oak flood protection would reduce the quality of the recreational experience at the Rice Canyon Trail. Incorporation of the following mitigation measure would reduce this impact to a less than significant level:
 - **AE-2 Screen levees and floodwalls with vegetation planting.** The Meiners Oak flood protection would dominate the natural environment adjacent to the Rice Canyon Trail. A large portion of the levees and floodwall near Meiners Oaks and Robles Diversion will be obstructed from views by intervening terrain and vegetation. As stated above, vegetation selected for screening will consist of native species appropriate to the location, and will be chosen and maintained to achieve a height as tall or taller than the levee/floodwall height at maturity.
3. The Final EIS/EIR found that the Rice Road slurry disposal site would eliminate portions of the East/West River Bottom Loop Trails and would block access to other trails. The following mitigation measure would reduce this impact to a less than significant level:
 - **AE-3 Create trails over the Rice Road slurry disposal site following re-vegetation of site.** As a result of the project, portions of the East/West River Bottom Loop Trails would be buried by up to 15 feet of sediment and access to these and other trails from the Riverview Trailhead would be blocked. The Corps will be required to design a system of trails over the completed, re-vegetated site along with a re-vegetation plan for the site. The OVLC will be consulted on appropriate trail routes to replace the trails covered by the slurry. Final trail designs and re-vegetation plans will be submitted to the OVLC for approval at least 60 days prior to commencement of re-vegetation activities. Trail route construction will commence in tandem with re-vegetation activities and will be completed to the same level of quality as currently exist on the site or better.
4. The Final EIS/EIR found that some construction activities would potentially cause risk to the safety of recreational users. This impact would be

reduced to a less than significant level through implementation of the following mitigation measure:

- **R-2 Parks agency coordination, notification, and signage.** While, most of the downstream levees and floodwalls to be raised are not in the vicinity of recreation areas and recreation facilities, the Ojai Valley Trail and Rice Canyon Trail could be used to access the construction sites for the Cañada Larga and Casitas Springs flood protection. The Corps will post signs alerting park users to construction activities at least a week in advance of construction near recreation facilities. Signs advising recreation users of construction activities and directing them to alternative trails or bikeways will be posted on both sides of all trail intersections or as determined through Corps coordination with the respective jurisdictional agencies. All construction activities, including temporary trail closures, affecting parklands or trail systems along the project route will be required to coordinate with the respective jurisdictional agency at least 30 days before construction begins in these areas.
5. The Final EIS/EIR found that construction of water supply wells at Foster Park would potentially conflict with use by recreationists and would create significant risk impacts. Implementation of the following mitigation measure would reduce this impact to a less than significant level:
- **R-2 Parks agency coordination, notification, and signage.** As with construction along the Ojai Valley and Rice Canyon Trails, it is unlikely that construction at Foster Park would result in risks to the safety of its users. In order to mitigate for potential safety impacts, the Corps will post signs alerting park users to construction activities at least a week in advance of construction near recreation facilities. Signs advising recreation users of construction activities and directing them to alternative trails or bikeways will be posted on both sides of all trail intersections or as determined through Corps coordination with the respective jurisdictional agencies.
6. The Final EIS/EIR found that pipelines or other ancillary facility components that are installed, routed, or otherwise changed within the Lake Casitas Recreation Area would potentially result in reduced recreation use. Implementation of the following mitigation measure would reduce this impact to a less than significant level:
- **R-3 Casitas Municipal Water District Recreation Agreement.** Although siting of the construction activities has not been designed, temporary or permanent displacement of recreation facilities or use of facilities are anticipated, and would be minimized to the maximum extent feasible by careful design in consultation with recreation area personnel. Casitas MWD will be consulted during the design of the slurry intake or any project component in the vicinity of the Lake Casitas Recreation Area in order to determine the best placement and design of the component that feasibly minimizes impacts to recreation. An agreement with Casitas MWD and the Corps/District will fairly

compensate Casitas MWD with restoration of recreation facilities and potentially with fees for lost recreation revenues, if project components cannot be placed such that impacts to recreation are avoided.

7. The Final EIS/EIR found that construction activities would potentially result in the closure of a park, trail, or other recreational facility for the duration of the activity. The following mitigation measure would reduce this impact to a less than significant level:
 - **R-2 Parks agency coordination, notification, and signage.** It is unlikely that access to recreation facilities would be blocked for more than a short period. As Matilija Road is the sole access route to many residences in Matilija Canyon and Matilija Canyon Ranch, it is unlikely that access restrictions would be allowed for more than a few hours at a time. Construction activities along the Ojai Valley and Rice Canyon Trails and Foster Park could also require that access be restricted for safety purposes, which may occur over a longer period of time. However, it is unlikely that construction would cause the facilities to be closed or restricted for longer than one or two months. In order to mitigate for potential impacts, the Corps will post signs alerting park users to construction activities at least a week in advance of construction near recreation facilities. All construction activities, including temporary trail closures, affecting parklands or trail systems along the project route will be required to coordinate with the respective jurisdictional agency at least 30 days before construction begins in these areas.

SECTION III: IMPACT CATEGORIES IN WHICH POTENTIALLY SIGNIFICANT IMPACTS ARE MITIGATED TO LESS THAN SIGNIFICANT LEVELS BY OTHER AGENCIES

- A. Findings Regarding Significant Impacts: For the Class I and II Biological impacts described in Sections I and IV changes or alterations to the project are within the responsibility of another public agency (Corps) and such changes or alternatives can and should be adopted by the Corps.
- B. Statement of Facts and Findings Supporting Findings of Mitigation by Another Agency: All feasible mitigation measures to reduce impacts to biological resources have been incorporated into the project. Before project construction, the Corps of Engineers will survey for special-status species and will capture and relocate sensitive species. Workers will be trained on BMPS to minimize construction impacts. The project will implement reduction activities for exotic plant species and aquatic predators, and native vegetation will be restored within the project area. In addition to the mitigation measures listed in Section II, the project would also incorporate the following mitigation measure to reduce long-term and short-term impacts to flora and fauna:
 - **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and

Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.

These mitigation measures will reduce biological impacts to the best extent feasible and will be implemented through the Mitigation Monitoring Program; however, potential Class I impacts would remain significant.

SECTION IV: IMPACT CATEGORIES WITH SIGNIFICANT IMPACTS NOT MITIGATED TO LESS THAN SIGNIFICANT LEVELS

The Final EIS/EIR has identified the following ten potentially significant impacts (Class I) that cannot be reduced to a less than significant level with feasible mitigation measures. As discussed below, appropriate mitigation measures for each issue area have been incorporated into the Approved Project to reduce impacts to the best extent feasible.

A. Findings Regarding Unmitigable Significant Impacts Mitigation Measure and Project Alternatives: Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIS/EIR.

B. Biological Resources

1. Significant Effects Identified: The Final EIS/EIR identifies the following four potential significant and unavoidable impacts (Class I) to Biological Resources as a result of the Approved Project.

- Indirect effects to terrestrial fauna using habitats adjacent to the area may result from reduced food sources, increased predation, increased noise, and decreased cover.
- Wildlife movement in Matilija Canyon and along Matilija Creek would be temporarily disrupted by dam and sediment removal activities for a period of up to ten years.
- The Approved Project would result in the permanent removal of approximately 46 acres of open water and emergent wetland habitat artificially created by development of the Matilija Reservoir.
- Short-term effects of aggradation during the first two storm events would result in potentially significant impacts to steelhead.

2. Statement of Facts Supporting Findings of Infeasibility of Mitigation Measures: In order to improve the Matilija Creek flow regime and restore Matilija Creek to a more natural pre-dam streambed condition, the Approved Project must remove Matilija Dam in addition to approximately 46 acres of open water and artificially created emergent wetland habitat. All feasible mitigation measures have been implemented into the Approved Project to reduce direct and indirect impacts on

wildlife habitats during project construction. While many impacts to native flora and fauna are temporary in nature, unavoidable impacts would occur as a result of the project. Without this project, the reservoir would continue to fill with sediment over the next ten years and exotic species such as giant reed would become the dominant vegetation type. Ecosystem benefits would occur following the Approved Project, including steelhead access to historical breeding habitat, and the restoration of native vegetation and riparian habitat that would enhance habitat quality and species diversity.

All feasible mitigation measures to reduce impacts to biological resources have been incorporated into the project. Further, before project construction, the Project will survey for special-status species and will capture and relocate sensitive species. Workers will be trained on BMPS to minimize construction impacts. The project will implement reduction activities for exotic plant species and aquatic predators, and native vegetation will be restored within the project area. The project would also develop and execute an Operation and Maintenance program to reduce long-term and short-term impacts to flora and fauna.

- **B-16 Development of an Operations and Maintenance Program.** The Corps of Engineers will develop and execute an Operation and Maintenance Program, which limits the potential long-term and short-term impacts to sensitive flora and fauna. The program will ensure that existing access roads and ramps are utilized for all maintenance activities unless by foot or authorized by an appropriate agency, that herbicides are used appropriately, and that maintenance and repairs to access roads near sensitive nesting species will occur outside of breeding season.

These mitigation measures will reduce biological impacts to the best extent feasible and will be implemented through the Mitigation Monitoring Program; however, potential Class I impacts would remain significant. No other feasible mitigation measures are available.

3. Statement of Facts Supporting Findings of Infeasibility of Project Alternatives: Seven alternatives to the Approved Project were considered and compared to the approved project (Alternative 4b). Under the No Action Alternative, the Matilija Dam would remain in place and would continue to block upstream passage for steelhead trout and act as a barrier for wildlife movement and other terrestrial and aquatic species. While the No Action Alternative would not have the above unavoidable impacts, the No Action Alternative does not meet the goals and objectives of the project, and therefore is infeasible. The long-term ecological effects from Alternative 1 would create fewer impacts on water quality and aquatic organisms than Alternative 4b. However, Alternative 1 would not provide as many benefits in riparian and steelhead habitat and would not return the stream to a natural, pre-dam alignment. The permanent loss of sands and gravels would also slow rehabilitation of downstream habitats in comparison with the approved project. Consequently, Alternative 1 is infeasible. Alternative 2a is

also infeasible because it had a greater potential to affect downstream habitat conditions for steelhead than Alternative 4b. While Alternative 2b would have the fewer impacts associated with the disposal of slurry material than the previous alternatives (Alternatives 1, 2a, and 4b), this alternative has a greater potential to create significant short-term impacts to steelhead and other aquatic organisms as a result of downstream sediment transport. Thus, Alternative 2b is infeasible. Alternative 3a is also infeasible because the short-term impacts to steelhead would be greater than under Alternative 4b. Alternative 3b was found to have severe short-term impacts to steelhead due to turbidity, which may increase over time due to the re-occurrence of sedimentation and turbidity in stream flows and therefore, is infeasible. Alternatives 3a and 3b also increase the period of project disturbance and delay recovery of wildlife movement, compared to Alternative 4b. Alternative 4a was found to have less temporary impacts to species, habitat, and wildlife corridors (due to limited sediment releases than Alternative 4b). However, reducing sediment releases and stabilizing stored sediments in Matilija Canyon also reduces project ecosystem benefits because sediment is not returned to the river system and the resultant topography in Matilija Canyon is less natural than with Alternative 4b. Therefore, Alternative 4a is infeasible compared to Alternative 4b, which has the least short-term and long-term impacts to steelhead and other wildlife species balanced with the most ecosystem restoration benefits.

C. Aesthetics

1. Significant Effects Identified: The Final EIS/EIR identifies the following two potential significant and unavoidable impacts (Class I) to Aesthetics as a result of the Approved Project.
 - Increasing the levee height to nearly 13 feet would substantially block views for a small number of property owners in Live Oak.
 - Increasing the levee height to over 13 feet would substantially impact views of the residents of the mobile home park in Casitas Springs.
2. Statement of Facts Supporting Findings of Infeasibility of Mitigation Measures:

The Approved Project must implement flood protection measures such as levees and floodwalls in order to protect adjacent residences and communities from downstream flooding. The levees near Live Oak Acres and Casitas Springs must be a minimum of 13 feet in order to effectively provide flood protection. While the locations of the levees have been selected to reduce impacts to residents and vegetative screening will be utilized, there are no other feasible mitigation measures that will reduce the visual impacts in these communities.

All feasible mitigation measures to reduce aesthetic impacts have been incorporated into the project. The levees will be set back from properties and the road ROW to allow vegetation to partially or completely screen views of the flood control improvements. Native vegetation of the appropriate height will also be

used to effectively screen the levees and to maintain the natural character of the area; however, potential Class I impacts would remain significant.

3. Statement of Facts Supporting Findings of Infeasibility of Mitigation Measures:

Seven alternatives to the Approved Project were considered and compared to the approved project (Alternative 4b). Under the No Action Alternative, the Matilija Dam would remain in place while the reservoir would gradually diminish in size and disappear. Although project-related temporary obstructions or disturbances to scenic resources would not occur under the No Action Alternative, future removal of the dam may require these disturbances. As the No Action Alternative does not meet the goals and objectives of the project, it is infeasible. Alternative 1 was found to have similar aesthetic impacts as Alternative 4b by eliminating Lake Matilija and disposing of slurry sediments. Although some levees would be lower in height and the Cañada Larga levee would not be required, Alternative 1 has a longer construction duration and would cause slightly more impacts from slurry and disposal than Alternative 4b. Further, as Alternative 1 has more significant impacts to biological resources, Alternative 1 is infeasible. Alternatives 2a and 2b would return the Matilija Canyon to a more natural state similar to Alternative 4b, and would allow for increased potential of future beach nourishment. Alternatives 2a and 2b would also have similar impacts from its levees and floodwalls as Alternative 4b. However, Alternatives 2a and 2b are infeasible due to their greater impacts to biological resources and fewer ecological restoration benefits. The potential impacts from Alternatives 3a and 3b would be similar to Alternative 4b, except that the temporary degradations to aesthetic quality from Alternatives 3a and 3b would be extended over a longer period of time. Alternatives 3a and 3b are infeasible due to the extended temporary degradations to aesthetics and due to their impacts to biological resources. Impacts from Alternative 4a would be similar to Alternative 4b. However, Alternative 4a is infeasible because aesthetic impacts in Matilija Canyon are greater than Alternative 4b due to impacts associated with stockpiling and stabilizing stored reservoir sediments.

D. Air Quality

1. Significant Effects Identified: The Final EIS/EIR identifies the following potential significant and unavoidable impact (Class I) to Air Quality as a result of the Approved Project.

- The Approved Project would create PM₁₀ emissions that would potentially cause new or contribute substantially to existing PM₁₀ CAAQS violations to nearby receptors at the various project locations.

2. Statement of Facts Supporting Findings of Infeasibility of Mitigation Measures: Construction of the Approved Project would generate short-term air quality impacts resulting from diesel exhaust emissions from on-site construction equipment, off-site truck trips, and fugitive dust generated by movement of vehicles on unpaved surfaces. All feasible mitigation measures have been implemented into the Approved Project in order to reduce the

estimated maximum annual PM₁₀ emissions from 163.0 tons per year to 35.3 tons per year. Although the Ojai monitoring station has not shown any recent violations of the CAAQS, other stations within Ventura County, including the El Rio station near the border of Ventura and Oxnard, have shown violations. While the PM₁₀ ambient air quality impact would occur for only two years, the impact is considered significant and unavoidable.

All feasible mitigation measures to reduce impacts to air quality have been incorporated into the Approved Project. No other feasible mitigation measures are available. The project will require the use of low emission vehicles and diesel engines in order to reduce PM₁₀ emissions. The project will also require that the grid be used for electrical power rather than internal combustion engines, and that idle time for diesel engines will be limited to 10 minutes. In addition to the mitigation measures listed in Section II, the project would incorporate six additional mitigation measures to reduce short-term impacts from PM₁₀ emissions:

- **A-6 Watering areas to reduce dust.** The project will require grading and excavation activities to include watering the area to be graded or excavated before commencement of operations. The project will ensure that water applications sufficiently penetrate the area in order to minimize fugitive dust during grading activities.
- **A-7 Controlling fugitive dust.** PM₁₀ emissions from fugitive dust will be controlled through the following methods: requiring trucks to cover their loads as required by California Vehicle Code §23114; using water sweepers on public paved roads; installing wheel washers; paving construction roads that have traffic volumes of more than 50 daily trips by construction equipment or less than 50 daily vehicular trips; and watering the construction site as needed with the use of reclaimed water.
- **A-8 Dust stabilization.** The construction contractor will be required to weekly monitor graded and excavated inactive areas for dust stabilization. Sites that are inactive for over four days will be treated with soil stabilization methods, such as water and roll-compaction, and environmentally safe dust control materials. When no further grading or excavation operations are planned for the area, the area will be seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to minimize PM₁₀ emissions.
- **A-9 Traffic speed limit signs.** The project will post signs that limit traffic to 15 miles per hour or less at the site in order to reduce fugitive dust emissions from construction equipment and vehicular traffic.
- **A-10 Excessive winds.** The Approved Project will curtail clearing, grading, earth moving, and excavation operations during periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impacts adjacent properties) in order to prevent fugitive dust from being a nuisance or hazard.

- **A-11 Street sweeping.** The project will require adjacent streets and roads to be swept at least once per day, preferably at the end of the day, to minimize the release of soil material onto adjacent streets and roads.

Implementation of the 13 air quality mitigation measures presented in Section 5.6 of the Final EIS/EIR will reduce the estimated maximum annual PM₁₀ emissions by 127.7 tons per year. However, there are no additional mitigation measures that would feasibly mitigate the residual PM₁₀ emissions of 35.5 tons per year. Consequently, PM₁₀ emissions would remain a significant impact to air quality.

3. Statement of Facts Supporting Findings of Infeasibility of Project Alternatives: Seven alternatives to the Approved Project were considered and compared to the approved project (Alternative 4b). Under the No Action Alternative, the Matilija Dam would remain in place and no adverse air quality impacts would occur. However, future removal of the dam would create impacts to air quality. As the No Action Alternative does not meet the goals and objectives of the project, it is infeasible. Under Alternative 1, NO_x, CO, ROC, So_x, and PM₁₀ emissions were found to be considerably greater than emissions under Alternative 4b. Consequently, Alternative 1 is infeasible. Under Alternatives 2a, 2b, 3a, and 3b, NO_x, CO, ROC, and PM₁₀ emissions would be less than under Alternative 4b. However, the impact classifications would be identical to the classifications for Alternative 4b. Nevertheless, these alternatives are infeasible due to their greatly significant impacts to biological resources and fewer ecosystem benefits relative to 4b. Under Alternative 4a, NO_x, CO, and ROC emissions would be less than under Alternative 4b, while PM₁₀ emissions would be greater. Because Alternative 4a shares the same impact classifications as Alternative 4b, this alternative is infeasible due to its greater significant biological impacts and fewer ecosystem benefits.

E. Noise

1. Significant Effects Identified: The Final EIS/EIR identifies the following potential significant and unavoidable impact (Class I) to Noise as a result of the Approved Project.
 - Noise generated from construction, trucking, and giant reed control activities, as well as operation and maintenance activities, would be expected to cause a significant and unavoidable impact.
2. Statement of Facts Supporting Findings of Infeasibility of Mitigation Measures: Residences in the vicinity of Matilija Dam would be exposed to noise generated by various pieces of construction equipment operating within the main project area, as well as controlled blasting required for removal of the dam structure. The actual magnitude of construction noise impacts would depend on the type of construction activity, the noise level generated by various pieces of construction equipment, the duration of the activity, the distance between the activity and the sensitive noise receptors, and whether

local barriers and topography provide shielding effects. Generally, temporary noise levels adjacent to construction areas range from 75 to 90 dBA, depending on the distance the receptor is from the source of noise. The worst-case assumption is that the operation of the three loudest pieces of equipment would have a combined noise level of 99.1 dBA L_{eq} measured at 50 feet, which at a distance of one mile from the project site would remain above the significance threshold of 55 dBA. However, the Ventura County General Plan specifies that the significance criteria for Ventura County would not apply to noise generated during the construction phase of a project if a statement of overriding considerations is adopted by Ventura County Watershed Protection District Board of Supervisors in conjunction with the certification of the Final EIS/EIR. In addition, the Approved Project has implemented all feasible mitigation measures in order to reduce noise impacts during construction.

In order to reduce noise impacts resulting from construction of the Approved Project, all feasible mitigation measures were identified and incorporated into the project design. No other feasible mitigation measures are available. Consequently, the following nine mitigation measures would be implemented as a result of the project:

- **N-1 Limit hours of hand-held equipment use.** The project will prohibit the use of loud hand-held construction equipment, heavy-duty construction equipment, and trucks between the hours of 7:00 p.m. and 7:00 a.m., with the exception of dredging, slurry, and associated water conveyance activities, which are planned to occur 24 hours a day, 7 days a week.
- **N-2 Limit hours of heavy-duty equipment use.** The project will prohibit the use of heavy-duty construction equipment or trucks within the City of Ojai between the hours of 7:00 p.m. and 10:00 a.m.
- **N-3 Use of muffler equipment.** The project will require construction equipment to utilize standard factory silencer and/or muffler equipment. The project will also require equipment engine covers to be in place and mufflers to be in proper working order.
- **N-4 Locate haul routes away from sensitive receptors.** Haul routes, staging areas, and construction activities will be located to avoid noise impacts to sensitive receptors (schools, hospitals, residential areas, etc.), whenever possible. If necessary, the project will implement noise curtains or shields to reduce noise levels to the extent feasible.
- **N-5 Use of electric motors.** The construction contractor will be required to use electric motors to the extent feasible for all stationary equipment (i.e., pumps). Stationary equipment located at Lake Casitas will be enclosed to limit impacts to recreational users.
- **N-6 Controlled blasts.** All blasts at Matilija Dam will be controlled, and records detailing each individual blast will be maintained and available on site.

- **N-7 Use of hearing protection.** All worksite personnel will be provided hearing protection during blasting operations and as needed for general construction activities to meet the requirements of OSHA standards (29 CFR 1910.95, Subpart G) and USEPA standards. A Noise Monitoring Program may also be implemented.
- **N-8 Public notice of construction.** The construction contractor will be required to provide advance notice of the start of construction to all residences within one mile of the main construction area (i.e., Matilija Dam), and those residences adjacent to the downstream flood protection improvements (levees, floodwalls, and bridges). The announcement will state specifically where and when construction will occur, and will provide contact information for public questions or comments. The construction contractor will also serve as the contact person in the event that noise levels during construction become disruptive to local residents. A sign shall be posted at the various sites with the contact phone number, and include general contact information for public questions or comments.
- **N-9 Noise monitoring.** In the event of complaints by local residents, the construction contractor will be required to monitor noise from the construction activity. Noise will be measured at the exterior wall(s) of those residents filing a complaint or a representative location. In the event that construction noise exceeds the specified limits (1-hour Leq of 55 dBA), the responsible construction activity will cease until appropriate measures are implemented to reduce noise levels to the extent feasible.

The above mitigation measures will reduce the noise impact to the best extent feasible and will be implemented through the Mitigation Monitoring Program; however, the potential Class I impact would remain significant.

3. Statement of Facts Supporting Findings of Infeasibility of Project Alternatives: Seven alternatives to the Approved Project were considered and compared to the approved project (Alternative 4b). Under the No Action Alternative, the Matilija Dam would remain in place and no direct noise impacts would occur. However, delaying demolition of the dam would ultimately require increased construction activities to restore the area, with potentially greater noise impacts. As the No Action Alternative may result in greater noise impacts in the future, it is infeasible. Under Alternative 1, noise levels from construction and blasting activities at the main project site would be similar to Alternative 4b, while noise impacts associated with downstream flood protection measures would be less than Alternative 4b. Because Alternative 1 would substantially increase the duration and extent of noise associated with off-site trucking as compared with Alternative 4b, this alternative is infeasible. Under Alternative 2a, noise levels from construction and blasting activities at the main project site and off-site noises would be similar or slightly less than Alternative 4b. Alternative 2a is considered infeasible, however, due to the greater impacts to biological resources and fewer ecosystem benefits compared to Alternative 4b. Off-site noises under Alternative 2b would slightly

less than under Alternative 4b with 600 fewer truck trips. However, additional maintenance activities at the Robles diversion facility would cause greater noise impacts overall under Alternative 2b than Alternative 4b. Therefore, Alternative 2b is infeasible. Alternatives 3a and 3b are infeasible because they will have noise impacts that are more frequent and of longer duration than Alternative 4b. Although Alternative 4a would have 9,600 fewer truck trips overall than Alternative 4b, noise impacts to the residences of Matilija Canyon would be greater under Alternative 4a because more truck trips are required from the quarry site to import rock riprap and construction in the former lake area will be more extensive. For these reasons, Alternative 4a is infeasible.

E. Transportation

1. Significant Effects Identified: The Final EIS/EIR identifies the following potential significant and unavoidable impact (Class I) to Transportation as a result of the Approved Project.
 - The daily a.m. peak hour trips estimated for heavy-duty vehicles would violate Ventura County LOS standards presented in the Final EIS/EIR Section 5.9.1.

2. Statement of Facts Supporting Findings of Infeasibility of Mitigation Measures: The Approved Project would not result in the direct closure of any public roads or parking areas. Traffic-related impacts associated with the project would result from short-term daily worker-commute trips and from heavy truck trips required to haul equipment and materials to and from the dam site and the downstream flood control protection sites. Because there are few alternate routes to the project site, all trips to haul dam demolition debris would require the use of State Route 33 through Ojai, while half of the daily worker-commute trips would utilize State Route 33 during peak hours. The Approved Project has incorporated all feasible mitigation measures in order to reduce construction related traffic impacts.

To reduce transportation impacts to the extent feasible, the project has required the construction contractor to coordinate repairs to roads, sidewalks, medians, and drainage structures that suffer damage as a result of the project. The Approved Project would also implement the following mitigation measure to reduce transportation impacts:

- **T-1 Transportation Management Plan.** The construction contractor will be required to submit a Transportation Management Plan that demonstrates practices and safety precautions designed to minimize temporary construction traffic impacts. The Transportation Management Plan will include traffic control measures and other procedures that may be necessary during construction of the project. All recommendations of the Transportation Management Plan will be incorporated into the description of the Proposed Action.

The mitigation measures listed above and in Section II will reduce transportation impacts resulting from the project to the best extent feasible, and will be implemented through the Mitigation Monitoring Program; however, the potential Class I impact would remain significant. No other feasible mitigation measures are available.

3. Statement of Facts Supporting Findings of Infeasibility of Project Alternatives: Seven alternatives to the Approved Project were considered and compared to the approved project (Alternative 4b). Under the No Action Alternative, the Matilija Dam would remain in place and no transportation impacts would occur. However, the No Action Alternative is infeasible as it does not meet the goals and objectives of the project. Transportation impacts from Alternatives 1, 2a, 2b, 3a, and 3b are greater than those for Alternative 4b for daily and peak trips on State Route 33. Therefore, these alternatives are infeasible. Alternative 4a has fewer of these daily and peak trips than Alternative 4b, but is infeasible due to less significant biological resources impacts and more ecosystem restoration benefits.

F. Recreation

1. Significant Effects Identified: The Final EIS/EIR identifies the following potential significant and unavoidable impact (Class I) to Recreation as a result of the Approved Project.
 - The Approved Project may require the closure of the East/West River Bottom Loop Trails and Riverview Trailhead for at least 12 months.
2. Statement of Facts Supporting Findings of Infeasibility of Mitigation Measures: The Approved Project would not create permanent losses, degradations, or displacements of existing recreational facilities, and project activities at the dam and in the reservoir area would serve to permanently enhance and create recreation facilities. Temporary impacts to recreation facilities would result from use of the Rice Road site for slurry disposal, which could require a closure of the East/West River Bottom Loop Trails and Riverview Trailhead for at least 12 months. These facilities would likely remain closed to the public until completion of re-vegetation activities. All feasible mitigation measures have been implemented into the Approved Project to create new trails over the slurry disposal site and to redirect trail users to other facilities. No other feasible mitigation measures are available.

To reduce project impacts, the approved project will design a system of trails over the re-vegetated slurry site in addition to a re-vegetation plan. The trails and re-vegetation will be completed to the same level of quality or better as currently exist on the site. Signs will be posted on both sides of all trail intersections near recreation facilities at least a week in advance of construction, which alert park users of construction activities and direct them to alternative trails or bikeways. These mitigation measures will reduce recreation impacts to the best extent feasible and will be implemented

through the Mitigation Monitoring Program; however, potential Class I impacts would remain significant.

3. Statement of Facts Supporting Findings of Infeasibility of Project Alternatives: Seven alternatives to the Approved Project were considered and compared to the preferred alternative (Alternative 4b). The No Action Alternative would result in negative impacts to recreation in Los Padres National Forest as well as to Ventura beaches and does not meet project objectives and therefore, is infeasible. Alternative 1 was found to share similar permanent losses, degradations, and displacements of existing recreation facilities as Alternative 4b. However, the time frame for Matilija Canyon and slurry site sediment disposal are much longer, delaying completion of project mitigation and benefits, in the form of new and restored recreation facilities. Therefore, Alternative 1 is infeasible. Impacts from Alternatives 2a would be very similar to Alternative 4b. Alternative 2b would not have impacts associated with the Rice Road or other slurry disposal sites. However, Alternatives 2a and 2b are considered infeasible due to greater impacts to biological resources as described previously. Alternatives 3a and 3b would create impacts to recreation resources over a longer period of time and delay completion of new recreation facilities longer than Alternative 4b, and therefore are infeasible. Potential impacts to the Ojai Valley Trail and other recreation facilities under Alternative 4a were found to be similar to Alternative 4b. While Alternative 4a shares similar recreation impacts, Alternative 4a is infeasible because it has greater noise, air quality, and particularly biological resource impacts than Alternative 4b.

SECTION V: SPECIFICATION OF LOCATION AND CUSTODIAN OF RECORD

The following are the location and custodians of documents and other material, which constitute the record of proceedings upon which the Board's decision is based:

Jeff Pratt
Director, Watershed Protection District
Hall of Administration
800 South Victoria Avenue
Ventura, California 93009

And

Clerk of the Board of Supervisors
of the Ventura County Watershed Protection District
Hall of Administration
800 South Victoria Avenue
Ventura, California 93009

K:\WQ\Environmental Services\Flood Control Projects\Matilija Dam\CEQA\FactsFindings and Overriding considerations\FactsandFindings.DOC