

1.0 INTRODUCTION

This document is a recirculated Draft Environmental Impact Report (EIR) for the proposed Community Memorial Hospital District Development Code (“CMH Code”), located in the City of Ventura, County of Ventura.

This section describes: (1) the general background of the project’s EIR process; (2) the purpose and legal authority of the EIR (3) the scope and content of the EIR; (4) lead, responsible, and trustee agencies; and (5) the environmental review process required under the California Environmental Quality Act (CEQA).

1.1 ENVIRONMENTAL IMPACT REPORT BACKGROUND

1.1.1 Master Plan Development/EIR Scoping

Prior to preparing the Development Code, the Moule & Polyzoides consultant team conducted a charrette to gather and incorporate stakeholder and public input. The charrette was conducted on April 21st through April 25th, 2008 to generate the primary content for the Development Code. Attendees included the consultant team, representatives from the City of Ventura, Community Memorial Hospital executives, and members of the public. The feedback and results gained from the charrette were incorporated into the Master Plan and the Development Code. The Master Plan continues to evolve in response to comments from staff, the public and design progressions; however, the preliminary Master Plan is contained for reference in Appendix G.

The City of Ventura prepared a Notice of Preparation (NOP) for an environmental impact report and distributed the NOP for agency and public review for the required 30-day review period from September 21, 2009 to October 20, 2009. During that time, the City received comment letters from agencies and members of the public. The NOP is presented in Appendix A, along with the Initial Study that was prepared for the project.

A public scoping meeting was held on September 12, 2009, at City Hall. The intent of the scoping meeting was to provide interested individuals, groups, public agencies and others a forum to provide input in an effort to assist in further refining the intended scope and focus of the EIR. There were eight people in attendance at the scoping meeting, and the meeting sign in sheet is included in Appendix A. The focus of the scoping meeting was on traffic and parking. The following topics raised at the scoping meeting are addressed in the traffic section of the EIR.

- *Traffic impacts at the intersection of Main Street at Borchard Drive*
- *Impacts to parking supply during construction activities*
- *Long term impacts to parking supply as the Hospital District builds out*

The Historic Preservation Committee and the San Buenaventura Conservancy were involved in evaluation of Project Area structures proposed for demolition and were contacted regarding the scope of the project. Effects to Historic Resources are addressed in Section 4.3, *Historic Resources*.



1.1.2 Changes from Previous Draft EIR

A Draft EIR was circulated for public review from March 22, 2010 until May 19, 2010. The city received ten comment letters on the Draft EIR. Based on the comments received, City staff determined that the responses included potentially significant new information related to potential environmental impacts. Consequently, based on the requirements of CEQA Guidelines Section 15088.5, this Draft EIR is being recirculated to allow for additional public review of the new information. This revised and recirculated document, which supersedes in its entirety the Draft EIR circulated from March 22nd to May 19th. This recirculated Draft EIR includes new information and analysis that addresses relevant comments on the previously circulated Draft EIR. Although the comment letters submitted in response to the original Draft EIR will be part of the administrative record for the project, pursuant to CEQA Guidelines Section 15088.5(f)(1) the City will only be responding to comments submitted in response to this recirculated Draft EIR. Pursuant to CEQA Guidelines Section 15088.5(g), a summary of the revisions to the EIR follows.

Section 1.0 Introduction. This section was amended to expand on the tiering concept and to further explain how the EIR serves as a program and project level EIR. This section was also amended to provide a brief description of the project history and describe the major changes to the document prior to recirculation.

Section 2.0 Project Description. This section was amended to include an expanded description of project design features associated with the Green Guide for Healthcare, additional explanation of expanded square feet for the new hospital and a description of proposed emergency room services/capacity. This section also includes a description of the Memorandum of Understanding between the City and Community Memorial Health System. Lastly, the characterization of the hospital square footage was modified to reflect a gross square footage of about 356,000 square feet. This square footage replaces the previous characterization of the new hospital as 320,000 square feet and the bed increase as 10 licensed beds, rather than the 12 that were previously analyzed. These new numbers were used for the analysis throughout the EIR.

Section 3.0 Environmental Setting. The setting information was amended to include a description of the hospital's current operations and a description of the sensitive receptors in the vicinity of the project. This section was amended to acknowledge a list of planned and pending projects in the immediate vicinity, but maintains the General Plan buildout projections as the basis for cumulative analyses. This section was also amended with language specifically describing the Cancer Center as a concurrent and unrelated project.

Section 4.0 Impact Analysis. This section was be modified to include a discussion of the impacts that were determined to be less than significant pursuant to the analysis of the Initial Study.

Section 4.2 Air Quality. This section was modified to include a discussion of health risk assessment for diesel particulate emissions during Phase I construction and now includes updated modeling and discussion regarding construction truck traffic. Additional background information regarding the Air Quality mitigation fund (Ordinance 93-37) was also be added.



Section 4.4 Noise. New noise measurements were taken to supplement existing information regarding the existing site conditions along roadway segment modeled for traffic noise increases. Additionally, the noise analysis was modified to discuss construction truck trips.

Section 4.5 Traffic and Parking. Impacts and mitigation measures were clarified, while additional information regarding project impacts in the short term were added. Additional discussion was added to further define principal intersections, analysis methodology (ICU vs. HCM), mitigation fees and projects funded by mitigation fees.

Section 4.7 Water Supply and Water Supply Assessment. A new section was added, based on the development of a Water Supply Assessment pursuant to SB 610. The water supply assessment was added to the EIR as Appendix J.

Section 4.8 Land Use. A new section was added to assess land use impacts.

Section 4.9 Greenhouse Gases. The existing Global Climate Change analysis was separated and is now a stand-alone section. Additional clarification was added regarding thresholds, Green Guide for Health Care project design features and greenhouse gas reduction features.

1.2 PURPOSE AND LEGAL AUTHORITY

This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) and the *CEQA Guidelines*. In accordance with Section 15121 of the *CEQA Guidelines*, the purpose of this EIR is to serve as an informational document that:

...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

This EIR is tiered from the 2005 General Plan Final EIR (FEIR) (State Clearinghouse No. 2004101014), which is hereby incorporated by reference and may be reviewed along with this Recirculated DEIR at the City's Community Development Department. The General Plan EIR is available on line at <http://www.cityofventura.net/cd/planning>, while this Recirculated DEIR is available on line at <http://www.cityofventura.net/cd/planning/devreview>. Summaries of the relevant discussions in the General Plan and its EIR have been included for each impact section that tiers off of the General Plan EIR. Where applicable, mitigation measures identified in the 2005 General Plan update EIR are incorporated into this Recirculated DEIR (see Table ES-2 in the Executive Summary).

Additionally, this EIR has been prepared as a Program EIR for buildout of phases I and II of the Hospital District Development Code pursuant to Section 15168 of the *CEQA Guidelines*, which states that a Program EIR may be prepared on a series of actions that may be characterized as one large project. The use of a Program EIR can allow a Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts.



This EIR also serves as a Project EIR for Phase I of the project, which involves the new hospital building and associated streetscape improvements. A Project EIR examines the environmental effects of a specific development project. This is the appropriate level of review for Phase I of the project, which is a specific development for which the project proponent is currently seeking entitlements.

As discussed further in Section 2.0, *Project Description*, Phase II involves buildout of the remainder of the proposed Hospital District). Because no specific development proposal is envisioned as part of Phase II, that portion of the project and full project buildout are conceptual in nature and are analyzed programmatically, as noted above.

Given the proximity of the hospital and the substantial existing medical-related uses, it is most likely that Phase II will be comprised primarily of medical office use. Pursuant to CEQA's reasonably foreseeable standard, the EIR analyzes that type of use in connection with Phase II.

The medical office uses also happen to usually be the most environmentally intensive use of those permitted by the Hospital District Development Code. For example, trip generation rates and parking requirements associated with medical office use are higher than those associated with other permitted uses such as residential development. Consequently, the EIR analyzes the reasonably foreseeable uses associated with Phase II while also presenting a realistic and even conservative analysis of Phase II's impacts.

In certain circumstances uses other than medical office were analyzed in the DEIR. For example, the noise analysis (Section 4.4) considers impacts to residential uses in Phase II (which are permitted under the Hospital District Development Code but are not expected to occur).

1.3 SCOPE AND CONTENT/ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

This EIR addresses the issues for which the City of Ventura determined that significant environmental impacts could occur based on the Initial Study, responses to the NOP, and comments received on the original Draft EIR. The issues addressed in this EIR include:

- *Aesthetics*
- *Air Quality*
- *Cultural /Historical Resources*
- *Hydrology and Water Quality*
- *Water Supply*
- *Land Use and Planning*
- *Noise*
- *Traffic/Parking*
- *Greenhouse Gas Emissions*
- *Other CEQA sections*

The Initial Study found that there would be no impacts or less than significant impacts in the following areas:

- *Agricultural Resources*
- *Biological Resources*
- *Geology/Soils*
- *Hazards/Hazardous Materials*
- *Land Use and Planning*
- *Utilities and Service Systems*
- *Mineral Resources*
- *Population and Housing*
- *Public Services and Recreation*



This recirculated EIR contains additional discussion on Land Use and Planning as well as Water Supply. These two analyses were added to supplement the analysis contained in the Initial Study and supersede the discussions in the Initial Study. This EIR identifies potentially significant environmental impacts, including site-specific and cumulative effects of the project, in accordance with the provisions set forth in the *CEQA Guidelines*. In addition, the EIR recommends feasible mitigation measures, where possible, that would reduce or eliminate adverse environmental effects.

In preparing the EIR, pertinent City policies and guidelines, certified EIRs and adopted CEQA documents, and background documents prepared by the City were utilized. A full reference list is contained in Section 7.0, *References and Report Preparers*.

The Alternatives Section of the EIR (Section 6.0) was prepared in accordance with Section 15126.6 of the *CEQA Guidelines*. The alternatives discussion evaluates the CEQA-required “no project” alternative and two alternative development scenarios for the Project Area.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. The *CEQA Guidelines* provide the standard of adequacy on which this document is based. Section 15151 of the *CEQA Guidelines* states:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.

1.4 LEAD, RESPONSIBLE, AND TRUSTEE AGENCIES

The *CEQA Guidelines* define lead, responsible and trustee agencies. The City of Ventura is the lead agency for the project because it holds principal responsibility for approving the project.

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over the project. There are no responsible agencies for the proposed Code as the City of Ventura has sole discretionary authority to approve the Project. A “Trustee Agency” refers to a state agency having jurisdiction by law over natural resources affected by a project but without the legal authority to approve or carry out the project [Guidelines §15386]. The project is located within a completely urbanized portion of the midtown area within the City of Ventura. There are no natural resources onsite and there are no trustee agencies for this project.

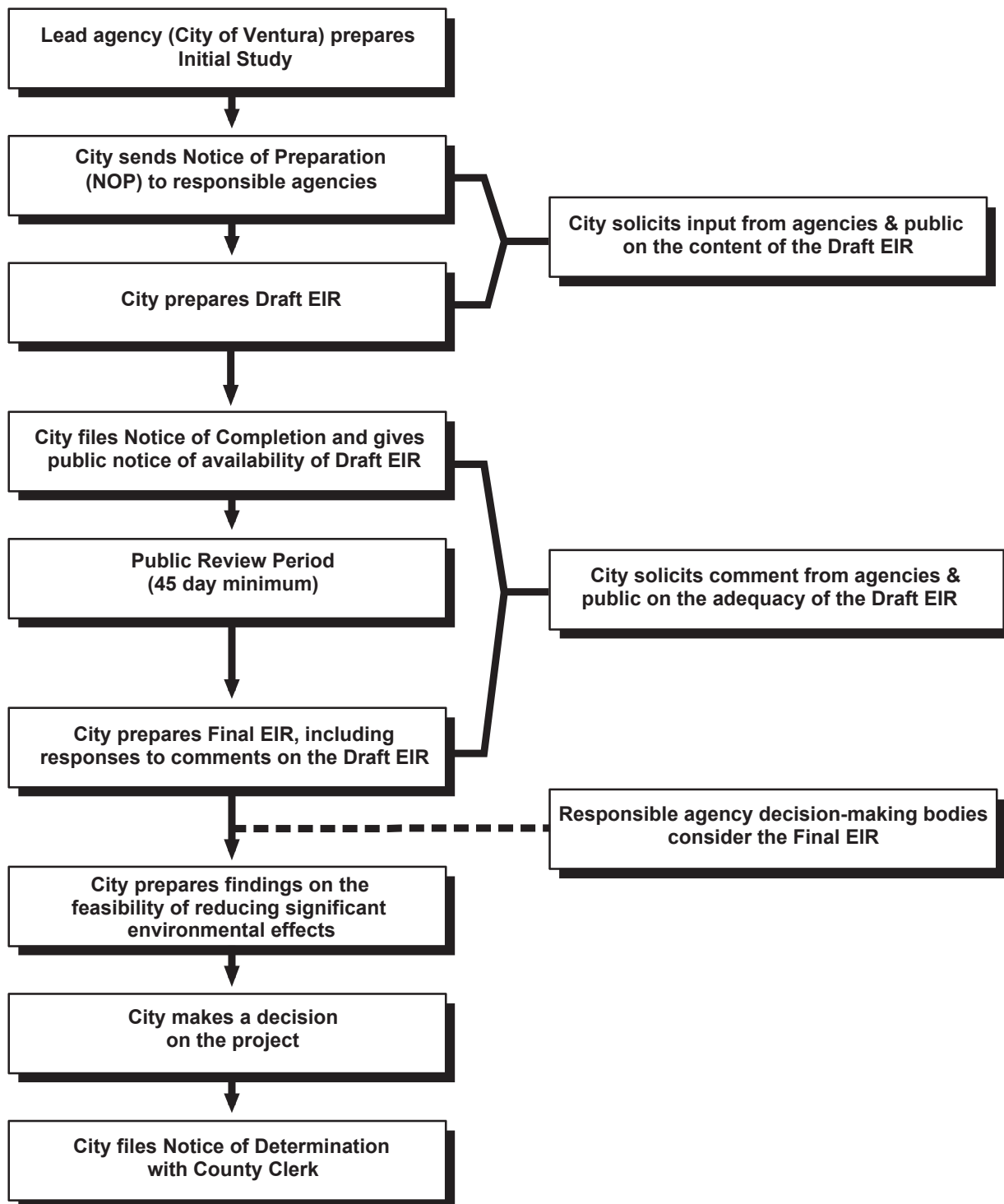


1.5 ENVIRONMENTAL REVIEW PROCESS

The major steps in the environmental review process, as required under CEQA, are outlined below. The steps are presented in sequential order. Figure 1-1 illustrates the review process.

1. **Notice of Preparation (NOP).** After deciding that an EIR is required, the lead agency must file an NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days. The NOP may be accompanied by an Initial Study that identifies the issue areas for which the proposed project could create significant environmental impacts.
2. **Draft Environmental Impact Report (DEIR).** The DEIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and, h) discussion of irreversible changes[§15126(c)].
3. **Notice of Completion.** A lead agency must file a Notice of Completion with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the Notice in the County Clerk's office for 30 days (Public Resources Code Section 21092) and send a copy of the Notice to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of DEIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public, and respond in writing to all comments received (Public Resources Code Sections 21104 and 21253). The minimum public review period for a DEIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the Clearinghouse (Public Resources Code Section 21091) approves a shorter period.
4. **Final EIR.** A Final EIR (FEIR) must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; d) responses to comments; and e) a mitigation monitoring and reporting program.
5. **Certification of FEIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the FEIR has been completed in compliance with CEQA; b) the FEIR was presented to the decision-making body of the lead agency; and, c) the decision-making body reviewed and considered the information in the FEIR prior to approving a project (*CEQA Guidelines* Section 15090).





CEQA Environmental Review Process

Figure 1-1
City of Ventura



6. **Lead Agency Project Decision.** A lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or, c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or, c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (*CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring Reporting Program.** When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination.** An agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA legal challenges [Public Resources Code Section 21167(c)].

