



Prepared for:
City of Ventura
501 Poli Street
Ventura, California 93001

Prepared by:
 **IMPACT SCIENCES, INC.**
803 Camarillo Springs Road, Suite A
Camarillo, California 93012

October 2012

Ventura Westside Community Planning Project

Final Environmental Impact Report

Prepared for:

City of Ventura
501 Poli Street.
Ventura, California 93001

Prepared by:

Impact Sciences, Inc.
803 Camarillo Springs Road, Suite A
Camarillo, California 93012

October 2012

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1.0 INTRODUCTION TO THE FINAL EIR

1.0.1 PURPOSE

This document along with the Draft Environmental Impact Report (EIR) represents the Final EIR for the Westside Community Planning Project. It has been prepared in accordance with Section 15132 of the *California Environmental Quality Act (CEQA) Guidelines*, as amended. The City of Ventura will consider this Final EIR in its capacity as Lead Agency before it approves, denies, or recommends changes to the proposed project. The findings of fact would be made after the City has considered the information contained in this Final EIR. Likewise, the Mitigation Monitoring and Reporting Program (MMRP) is adopted at the time the findings are adopted and would also be included in the public record.

As required by this Section 15132 of the *State CEQA Guidelines*, a Final EIR shall consist of the following:

- The Draft EIR or a revision of the Draft EIR
- Comments and recommendations received on the Draft EIR, either verbatim or in summary
- A list of persons, organizations, and public agencies commenting on the Draft EIR
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process
- Any other information added by the Lead Agency

The evaluation and response to public comments is an important part of the CEQA process, as it allows the following: (1) the opportunity to review and comment on the methods of analysis contained within the Draft EIR, (2) the ability to detect any omissions that may have occurred during preparation of the Draft EIR, (3) the ability to check for accuracy of the analysis contained within the Draft EIR, (4) the ability to share expertise and the ability to discover public concerns.

1.0.2 PROCESS

As defined by Section 15050 of the *State CEQA Guidelines*, the City of Ventura is serving as “Lead Agency,” responsible for preparing the EIR for this project. A Notice of Preparation (NOP) was prepared and circulated by the City of Ventura between August 4, 2011, and September 3, 2011, for the required 30-day review period. The purpose of the NOP was to solicit early comments from public agencies with expertise in subjects that will be discussed in the Draft EIR. The NOP and written responses to the NOP are contained in Appendix I of the Draft EIR. In addition, the City of Ventura also held a scoping meeting

on the project to solicit oral and written comments from the public and public agencies. The public scoping meeting was held on January 12, 2011.

The Draft EIR was then prepared and circulated for a 45-day public review period, as required by state law, between December 15, 2011, and January 30, 2012. The Notice of Availability (NOA)/Notice of Completion (NOC) of the Draft EIR was published in the *Ventura County Star*, and posted on the City of Ventura website. In addition, the NOA/NOC was posted with the Ventura County Clerk.

1.0.3 CONTENTS OF THE FINAL EIR

As discussed above, the primary intent of the Final EIR is to provide a forum to raise and address comments pertaining to the analysis contained within the Draft EIR. Pursuant to Section 15088 of the *State CEQA Guidelines*, the City of Ventura, as the Lead Agency for this project, has reviewed and addressed all comments received on the Draft EIR prepared for the Westside Community Planning Project. Included within the Final EIR are written comments that were submitted during the required public review period. These comments are included in the interest of providing a complete public record for this project.

In order to adequately address the comments provided by interested agencies and the public in an organized manner, this Final EIR has been prepared as follows:

Section 2.0, Comments and Responses to Comments, on the Draft Environmental Impact Report, provides a list of commenters, copies of written comments (coded for reference), and the responses to those written comments.

Section 3.0, Revisions to the Draft EIR, consists of changes made to the Draft EIR as a result of comments raised during the public review process, or staff edits. Edits resulting from public and agency comments are noted in the responses to comments.

2.0 RESPONSES TO COMMENTS

INTRODUCTION

This section presents written and verbal comments received by the City of Ventura on the Westside Community Planning Project Draft Environmental Impact Report. A list of the public agencies and private parties that submitted comments on the Draft EIR is provided below. A copy of each comment letter and a written response to each specific comment follows this list.

State and Regional Agencies

1. Office of Planning and Research State Clearinghouse, January 31, 2012
2. Southern California Association of Governments, January 24, 2012

Local Public Agencies

3. County of Ventura, Resource Management Agency/Air Pollution Control District, January 27, 2012
4. County of Ventura, Public Works Agency, Integrated Waste Management Division, December 21, 2011
5. County of Ventura, Public Works Agency, Transportation Department, December 28, 2011
6. Ventura County Watershed Protection District, January 19, 2012

Local Organizations and Groups

7. San Buenaventura Conservancy, January 28, 2012
8. The City Project, January 26, 2012
9. Union Engineering Company, Inc., January 25, 2012
10. Ventura Avenue Leadership Team, January 25, 2012
11. Ventura Chamber of Commerce, January 26, 2012
12. Ventura Citizens for Hillside Preservation, undated
13. Ventura Eco-Renewal, undated

Individuals

14. Allen, Ron, January 24, 2012
15. Ashworth, Brooke, January 27, 2012
16. Barton, Mike, January 27, 2012
17. Corley, Rob, January 27, 2012
18. Dahm, Danica, January 27, 2012
19. Endo, Cheryl, January 19, 2012
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27. Selby, Derek, January 19, 2012
28. Stallings, Glenn F. and Jim, January 16, 2012
29. Steinhauser, Lori, January 24, 2012
30. Steinhauser, Lori, January 27, 2012
31. Carini, Mary, January 26, 2012
32. Labowe, Richard W., January 27, 2012

Topical Response 1: Changes to the Project Subsequent to the Publication of the Draft EIR

Subsequent to the publication of the Draft EIR, several changes were incorporated into the Westside Community Planning Project. Most prominent among these is the removal of the Westside Redevelopment Area from the project description subsequent to the California Supreme Court's action in *California Redevelopment Association v. Matosantos* regarding redevelopment agencies. These changes do not alter the amount or type of development that would be expected to occur under the proposed project, and these changes would therefore not result in any new or substantially increased physical effect on the environment.

1. Elimination of Redevelopment:

With the repeal of California Redevelopment Law, the proposal for adoption of a redevelopment project area on the Westside has been eliminated. The associated project boundary and land use/acreage amounts are affected accordingly because the RDA boundary extended further into the Downtown area than do the Westside Community Plan and Development Code boundaries. The development forecast to occur within the portion of the former redevelopment area but outside of the Westside Community Plan area would therefore not be considered part of the project. The Draft EIR analyzes potential impacts resulting from development of both the Westside Community Plan and the Westside Redevelopment Area. With the removal of the redevelopment area, the Draft EIR provides a conservative estimate of potential environmental effects, and no revisions to the analysis are required in the Final EIR.

2. Remove Community Plan Proposed General Plan Land Use Redesignation for Commercial and Industrial areas:

Originally, the proposed Draft Westside Community Plan included several amendments to the City of Ventura's General Plan that would have resulted in redesignation of land originally designated for Commerce and Industry. Those two amendments are not moving forward as part of the current staff recommendation. Both areas were analyzed as they are in the General Plan analysis.

a.) Stanley/DeAnza Commercial Node: Approximately 14 acres of land on the west side of Ventura Avenue to the north of Stanley Avenue was included for analysis for redesignation from Commerce to Neighborhood Medium to satisfy community interest in an option that excluded the Shopfront Overlay zone (currently proposed for the area, which is consistent with the General Plan). The Draft Development Code has the option to remove the applied Shopfront Overlay pedestrian node designation that would mandate ground floor retail uses, thus resulting in a removal of the mandate for a commercial node as previously analyzed in the 2005 General Plan EIR. Because Neighborhood Medium allows for mixed-use development, removing the Shopfront Overlay regulation from this block of parcels could have provided a greater flexibility of choice for frontages and uses by removing the mandated ground floor retail without precluding it, but would have required the formal land use amendment for consistency with the

General Plan in that case. But since shopfront retail uses would still be permitted, such an amendment would not have reduced the assumed commercial development projections stated in the General Plan for the Ventura Avenue Corridor through 2025. Thus the option, if chosen, would have been consistent with the General Plan. However, at present the staff recommendation is to proceed with the Shopfront Overlay attached to these parcels, thus not requiring a General Plan amendment. Therefore, the 14.14 acres of Commercial designated parcels would remain proposed as such.

b.)Selby Industrial Site: Economic Catalyst Site #1 on the east side of Ventura Avenue, the 14-acre Selby site, was analyzed to accommodate the recommendations of the 2006 Westside Economic Development Study, which proposed changing the land use from Industry to a mixed-use strategy with a Neighborhood Medium land use classification. Because no development of any kind was assumed to occur on this site through 2025 in the General Plan, such a redesignation was not found to be inconsistent with the General Plan growth projections for development and thus jobs. However, additional input during the comment and review period suggests an unfavorable outlook for a revised economic development strategy and the Westside Community Plan will reflect no change to the Industry land use designation in the 2005 General Plan.

3. Remove Selby and Kellogg Sites as Economic Catalyst Sites:

With the Kellogg site being considered as a park and the Selby site being removed for consideration as a mixed-use site as discussed above, the proposals for redevelopment of the sites become infeasible.

4. Remove Community Plan Proposed Local Connector extension of Stanley Ave. from Ventura Ave. to Cedar St:

The formerly proposed extension of Stanley Avenue through the Selby property to Cedar Street had been a project in consideration prior to adoption of the General Plan and reinforced as an idea in the 2006 Economic Strategy, which would have resulted in the General Plan amendment from Industrial to mixed-use for the Selby parcel. With the reversal of the economic strategy that includes mixed-use and associated land use amendments discussed above, this project is no longer part of the Westside Community Planning Project. The project was not included as part of the traffic analysis of the General Plan, so the revised project would remain consistent with that analysis,

5. Code Administrative Provisions for Non-Conforming uses:

Due to a great deal of public input, the administrative provisions regarding non-conforming uses have been substantially altered. The changes are as follows:

A. Non-Conforming Structures

- i. No longer differentiates between non-conforming uses on Ventura Avenue corridor and those in other portions of the project area. The prior version of the Westside Development Code prohibited nonconforming additions of any size along Ventura Avenue.
- ii. Raises the trigger for compliance of additions with the Code from 20 percent to 50 percent of existing floor area.
- iii. Restoration/reconstruction may take place for damage of less than 50 percent of value.
- iv. Restoration/reconstruction over 50 percent of the value must comply with the Westside Development Code.

B. Non-Conforming Uses

- i. Removed the six-month limit to non-conforming reuse for an inactive site. No longer a differentiation between the Ventura Avenue Corridor and the rest of the project area.
- ii. Deleted non-conformance as to off-street parking.
- iii. Deleted non-conformance due to annexation.

C. Abatement of Non-Conforming Uses

Deleted five-year abatement of non-conforming uses.

6. Public Open Space Height/Density Bonus

In response to public concern over density/height, the provision allowing additional height in exchange for exactions for public space has been removed.

None of the proposed project changes would result in significant impacts that would result in revised conclusions of any environmental topical area within the Draft EIR or require recirculation of the Draft EIR.



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kcn Alex
Director

January 31, 2012

Maggie Ide
City of Ventura
501 Poli Street
P.O. Box 99
Ventura, CA 93002

Subject: Westside Community Planning Project
SCH#: 2010121047

Dear Maggie Ide:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on January 30, 2012, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2010121047
Project Title Westside Community Planning Project
Lead Agency Ventura, City of

Type EIR Draft EIR
Description The Westside Community Planning Project includes a Community Plan and Development Code intended to implement the adopted 2005 Ventura General Plan by establishing policies and standards for the development of the Westside. It will include goals, policies, and implementation programs, as well as a Form-Based Development Code for the project area. The project also proposes a redevelopment plan to authorize tax increment financing under the CA Redevelopment Law. The project will include the development of residential and non-residential land uses.

Lead Agency Contact

Name Maggie Ide
Agency City of Ventura
Phone 805 654-7727 **Fax**
email
Address 501 Poli Street
P.O. Box 99
City Ventura **State** CA **Zip** 93002

Project Location

County Ventura
City Ventura
Region
Lat / Long
Cross Streets Park Row and Ventura Avenue to Ottawa and Ventura Avenue
Parcel No. Multiple
Township

	Range	Section	Base

Proximity to:

Highways Hwy 33
Airports No
Railways
Waterways Ventura River
Schools De Anza, E.P. Foster
Land Use Neighborhood High, Medium, Low, Industrial, COM, Public Institutional

Project Issues Archaeologic-Historic; Biological Resources; Geologic/Seismic; Other Issues; Toxic/Hazardous; Water Quality; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Traffic/Circulation; Aesthetic/Visual; Flood Plain/Flooding; Schools/Universities; Sewer Capacity

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Conservation; Department of Fish and Game, Region 5; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Management Agency, California; California Highway Patrol; Caltrans, District 7; Department of Housing and Community Development; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received 12/15/2011 **Start of Review** 12/15/2011 **End of Review** 01/30/2012

Letter No. 1: Office of Planning and Research State Clearinghouse, January 31, 2012

Response 1-1

This letter acknowledges that the City of Ventura has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. The City of Ventura appreciates your comments and they will be made available to the decision makers prior to a final decision on the proposed project. The comment does not raise any specific issue regarding the analysis presented in the Draft EIR and, therefore, no further response can be provided or is required.



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Policy Committee Chairs
Community, Economic and
Human Development
Bill Jahn, Big Bear Lake
Energy & Environment
Margaret Clark, Rosemead
Transportation
Paul Glaab, Laguna Niguel

January 24, 2012
Ms. Margaret Ide
Associate Planner
City of San Buenaventura
Community Development Department
501 Poli Street, P.O. Box 99
Ventura, CA 93002-0099
mide@cityofventura.net

RE: SCAG Comments on the Draft Environmental Impact Report for the City of Ventura Westside Community Planning Project [I20120016]

Dear Ms. Ide:

Thank you for submitting the Draft Environmental Impact Report for the City of Ventura Westside Community Planning Project [I20120016] to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act (CEQA) Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act Guidelines, Sections 15125 and/or 15206. The proposed project includes a community plan, a development code, and a redevelopment project area intended to implement the adopted 2005 Ventura General Plan by establishing policies and standards for development of the Westside neighborhood within the City of Ventura.

We have evaluated this project based on the policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Vision Principles that may be applicable to your project. The RTP and Compass Growth Visioning Principles can be found on the SCAG web site at: http://scag.ca.gov/igr. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. Please send a copy of the Final Environmental Impact Report (FEIR) ONLY to SCAG's main office in Los Angeles for our review. If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895. Thank you.

Sincerely,
[Signature]
JACOB LIEB, Manager
Environmental and Assessment Services

The Regional Council is comprised of 84 elected officials representing 190 cities, six counties, six County Transportation Commissions and a Tribal Government representative within Southern California.

1

**COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
CITY OF VENTURA WESTSIDE COMMUNITY PLANNING PROJECT [I20120016]**

PROJECT LOCATION

The Westside Community Planning project area is located on the western edge of the City of Ventura approximately 26 miles south of the City of Santa Barbara. State Route 33 connects the Westside area to unincorporated Ventura County and Ojai to the north; Highway 101 connects the greater Ventura City area to Los Angeles to the south and Santa Barbara County to the north.

The Westside Community Plan area contains approximately 924 acres generally bounded by steep hillsides to the east, Highway 33 to the west, Park Row Avenue to the south, and Ottawa Street to the north. The project plan area is bordered on the north by the City's North Avenue District and on the south by Downtown Ventura and the Downtown Specific Plan Area.

The proposed Redevelopment Area contains approximately 685 acres. It is mostly located within the Westside Community Plan area, but extends south of the Community Plan area to include approximately 36 acres in the City's Downtown Specific Plan Area not included in the City's existing redevelopment project area.

2

PROJECT DESCRIPTION

The Westside Community Plan provides the vision and goals, along with policies and actions at the neighborhood level for this are of the city of Ventura, while requirements and development standards for new developments are provided in the Development Code. The Westside Development Code regulates the types and intensities of development and land uses within the Westside area. The Westside Community Planning project includes the adoption of a redevelopment project area per California redevelopment Law (CRL) to assist the City in its efforts to revitalize the Westside Community. Implementation of policies and public improvements included within the Westside Redevelopment Area would occur through redevelopment tax increment financing, Capital Improvement Program financing and leveraged private investment, among other financing opportunities.

The Westside Community Planning project includes several components: a Community Plan; a Development Code; and a Redevelopment Project Area formation. The Community Plan and Development Code are intended to implement the adopted 2005 Ventura General Plan by establishing policies and standards for the development of the Westside. It will include goals, policies and implementation programs, as well as a Form-Based Development Code for the project area. The proposed redevelopment plan will authorize tax increment financing under the California Redevelopment law. The project will include both residential and non-residential uses.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The Draft Environmental Impact Report (DEIR) should reflect the most recently adopted SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and city are as follows:

3

Adopted SCAG Regionwide Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted Ventura Council of Governments Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	860,606	900,355	937,372	968,698	996,106	1,013,756
Households	275,117	290,996	302,949	312,925	321,782	330,189
Employment	373,444	395,936	416,936	434,937	449,937	463,227

Adopted City of San Buenaventura Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	112,044	117,013	122,440	127,032	131,050	133,638
Households	42,346	44,838	46,925	48,665	50,210	51,677
Employment	68,249	72,626	76,606	80,017	82,860	85,379

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008.

SCAG Staff Comments:

Page 4.11-1, indicates that the DEIR population analyses were based on 2008 RTP Regional Growth Forecasts.

The **2008 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*
- RTP G6** *Encourage land use and growth patterns that complement our transportation investments.*
- RTP G7** *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

SCAG Staff Comments:

Where applicable, SCAG staff finds that the proposed project meets consistency with Regional Transportation Plan Goals.

Per RTP G1, SCAG staff finds the proposed project meets consistency. The proposed project would improve mobility and accessibility by expanding the existing road network through the extension and relocation of existing streets and increase development intensity in an existing urban area (Page 4.9-37 – 4.9-38).

3

4

SCAG staff finds the proposed project consistent with RTP G2. The proposed project would improve traffic and pedestrian safety in the Westside area (Page 4.13-14).

SCAG staff finds the proposed project consistent with RTP G3. Per page 4.13-16, the proposed project will improve mobility of the transportation network by enhancing existing infrastructure.

In regards to RTP G4, SCAG staff finds the proposed project to meet consistency. The level of service impacts will be less than significant with the implementation of the proposed project (Page 4.16-17).

Per RTP G5, the proposed project partially meets consistency. A goal of the proposed project is to support the native ecology, endangered species and opportunities for recreational uses in and along the Ventura River. However, the proposed project would be sited within disturbed grassland and scrub communities and could potentially have adverse impacts to these habitats. However, no specific development has been planned and mitigations reduce disturbance to these sensitive habitats will be employed (pages 4.3-30).

SCAG staff finds the proposed project to meet consistency with RTP G6. Per page 4.9-37, the proposed project plans to expand upon the existing transportation network.

The proposed project is not applicable to RTP G7 in that it is not a transportation project and would not interfere with the security of the regional transportation system.

4

COMPASS GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

- GV P1.1** *Encourage transportation investments and land use decisions that are mutually supportive.*
- GV P1.2** *Locate new housing near existing jobs and new jobs near existing housing.*
- GV P1.3** *Encourage transit-oriented development.*
- GV P1.4** *Promote a variety of travel choices*

5

SCAG Staff Comments:

SCAG staff finds that the proposed project meets consistency with Principle 1.

Per GV P1.1, SCAG staff finds the proposed project meets consistency. The proposed project would increase development intensity in an existing urban area and would also expand the existing road network through the extension and relocation of existing streets (Page 4.9-38).

SCAG staff finds the proposed project to meet consistency with GV P1.2. The proposed project plans to increase development in an existing urban area and aims to improve the City's job housing balance by implementing a flexible form-based code that encouraged mixed use development to both increase access to new jobs and residential units (Page 4.11-9).

Per GV P1.3, SCAG staff finds the proposed project meets consistency. The Westside

Community Plan provides policies for improved and expanded public transit access throughout the planning area (Page 4.9-38).

SCAG staff finds the proposed project meets consistency with GV P1.4. Per page 4.9-38, the proposed project would enhance pedestrian and bicycle circulation infrastructure to increase connectivity and accessibility throughout the project site.

5

Principle 2: Foster livability in all communities.

- GV P2.1 *Promote infill development and redevelopment to revitalize existing communities.*
- GV P2.2 *Promote developments, which provide a mix of uses.*
- GV P2.3 *Promote "people scaled," walkable communities.*
- GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

SCAG Staff Comments:

SCAG staff finds that the proposed project meets consistency with Principle 2.

Per GV P2.1, SCAG staff finds the proposed project to meet consistency. The proposed project would increase development intensity in an existing urban area and future development would maximize all available development opportunities within the project area (Page 4.9-38).

SCAG staff finds the proposed project to meet consistency with GV P2.2. The proposed project includes a form-based code that encourages mixed-use development (Page 4.9-39).

In regards to GV P2.3, the proposed project meets consistency. The proposed project aims to improve pedestrian facilities and trails throughout the project site (Page 4.9-39).

SCAG staff finds the proposed project meets consistency with GV P2.4. The proposed project would regulate future development to preserve the character of the existing community and would support the preservation of single-family neighborhoods (Page 4.9-34).

6

Principle 3: Enable prosperity for all people.

- GV P3.1 *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
- GV P3.2 *Support educational opportunities that promote balanced growth.*
- GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
- GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
- GV P3.5 *Encourage civic engagement.*

SCAG Staff Comments:

SCAG staff finds that the proposed project partially meets consistency with Principle 3 where applicable.

Per GV P3.1, SCAG staff finds the proposed project to meet consistency. The proposed project provides for a number of residential building types that would allow flexibility for future development. The proposed project's policies encourage the provision of housing for all income levels (Page 4.9-39).

SCAG staff cannot determine consistency with GV P3.2, GV P3.3, GV P3.4 and GV P3.5 based on the information provided in the DEIR.

7

Principle 4: Promote sustainability for future generations.

- GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas*

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- GV P4.2 *Focus development in urban centers and existing cities.*
- GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4 *Utilize "green" development techniques*

SCAG Staff Comments:

Where applicable, SCAG staff finds that the project is partially consistent with Principle 4.

Per GV 4.1, SCAG staff finds the proposed project to meet consistency. The proposed project preserves adjacent hillsides, parks and open space and will increase the amount of protected open space within the planning area (Page 4.9-39).

SCAG staff finds the proposed project to meet consistency with GV P4.2. The proposed project is located in the City of Ventura within an existing urban area (Page 4.9-39).

Per GV P4.3 and GV P4.4, SCAG staff finds the proposed project to meet consistency. The proposed project would require a low-impact development technique to accommodate growth in the City of Ventura that would reduce pollution and provide opportunities for increased groundwater recharge (Page 4.9-39).

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CONCLUSION

Where applicable, the proposed project generally meets consistency with SCAG Regional Transportation Plan Goals and also meets consistency with Compass Growth Visioning Principles.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here:
http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

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When a project is of statewide, regional, or area wide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resource Code Section 21081.7, and CEQA Guidelines Section 15097 (g).

Letter No. 2: Southern California Association of Governments, January 24, 2012

Response 2-1

This comment is an introduction to comments that follow. The comment states that Southern California Association of Governments (SCAG) staff has determined that the Westside Community Planning Project is a regionally significant project. No further response is required.

Response 2-2

The comment restates information contained in the Draft EIR regarding the project description (Section 3.0, Project Description) and does not raise an environmental issue within the meaning of the California Environmental Quality Act (CEQA). The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 2-3

The comment restates information contained in the Draft EIR regarding the population growth analysis provided in Section 4.11, Population and Housing, and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 2-4

The comment restates information contained in the Draft EIR related to the project's consistency with the goals of the SCAG Regional Transportation Plan (RTP) (see Table 4.9-6 in Section 4.9, Land Use and Planning) and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 2-5

The comment restates information contained in the Draft EIR related to the project's consistency with the goals of the SCAG Compass Growth Vision Report (see Table 4.9-7 in Section 4.9, Land Use and Planning) and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 2-6

The comment restates information contained in the Draft EIR related to the project's consistency with the goals of the SCAG Compass Growth Vision Report (see Table 4.9-7 in Section 4.9, Land Use and Planning) and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 2-7

The comment restates information contained in the Draft EIR related to the project's consistency with the goals of the SCAG Compass Growth Vision Report (see Table 4.9-7 in Section 4.9, Land Use and Planning).

This comment states that SCAG staff could not determine the Westside Community Planning Project's consistency with certain aspects of Compass Growth Vision Report Principle 3: Enable prosperity for all people. The following discussion illustrates the project's consistency with this principle.

GV P3.2 Support educational opportunities that promote balanced growth.

Section 12.8, Our Educated Community, of the Westside Community Plan provides goals, policies, and actions intended to provide learning opportunities for Westside residents through the provision of child and adult education programs. See Policies 12 CC and 12 DD and Actions 12.8.1, 12.8.2, 12.8.3, and 12.8.4. The proposed project would be consistent with this policy.

GV P3.3 Ensure environmental justice regardless of race, ethnicity, or income class.

The Westside area is a demographically and economically diverse community. It includes a substantial Spanish-speaking population and provides affordable housing for low-income residents. Implementation of the Westside Community Plan would constitute an investment in improving the Westside community and would not result in any significant and unavoidable environmental impacts. The proposed project would be consistent with this policy.

GV P3.4 Support local and state fiscal policies that encourage balanced growth.

The Westside Community Plan contains actions that support public-private partnerships (Actions 12.2.12, 12.6.1, 12.6.4, 12.6.6, and 12.9.1) and public transit improvements (Actions 12.4.22, 12.4.23, and 12.4.24). Furthermore, the Westside Community Plan is itself a key element of the City's policy to encourage balanced growth. The proposed project would be consistent with this policy.

GV P3.5 *Encourage civic engagement.*

As discussed on pages 3.0-8 through 3.0-10 of the Draft EIR, the Westside Community Plan is the product of a planning process that began in 1996 with a series of public workshops. In the years since, numerous community workshops, meetings, feedback sessions, and design charrettes were conducted with the intention of maximizing community involvement in plan development. Community involvement is also incorporated into the Westside Community Plan through community partnerships (Actions 12.6.4 and 12.6.5), public art (Actions 12.9.1 and 12.9.2) and the provision for ongoing community outreach events (Actions 12.9.3, 12.9.4, and 12.9.5). The proposed project would be consistent with this policy.

Response 2-8

The comment restates information contained in the Draft EIR related to the project's consistency with the goals of the SCAG Compass Growth Vision Report (see Table 4.9-7 in Section 4.9, Land Use and Planning) and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 2-9

The comment restates that the proposed project is consistent with the goals of the SCAG RTP and Compass Growth Vision Report. Mitigation measures provided in the Draft EIR would reduce all identified project impacts to less than significant. No further response is required.

RESOURCE MANAGEMENT AGENCY

Planning Division

Kimberly L. Prillhart
Director

county of ventura

January 27, 2012

City of Ventura
Community Development Dept.
Attn.: Margaret Ide
501 Poli St.
Ventura, CA 93002

E-mail: mide@cityofventura.net

Subject: Comments NOA of a Draft EIR for the City of Ventura Westside Community
Planning Project

Dear Ms. Ide:

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document. Additional comments may have been sent directly to you by other County agencies.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Laura Hocking, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Laura Hocking at (805) 654-2443.

Sincerely,



Tricia Maier, Manager
Planning Programs Section

Attachment

County RMA Reference Number 10-042-2

800 South Victoria Avenue, L# 1740, Ventura, CA 93009 (805) 654-2481 Fax (805) 654-2509



Printed on Recycled Paper



1

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Laura Hocking/Dawnyelle Addison, Planning DATE: January 24, 2012

FROM: Alicia Stratton

SUBJECT: Request for Review of a Draft Environmental Impact Report (DEIR) for the City of Ventura Westside Community Planning Project (Reference No. 10-042-2)

Air Pollution Control District staff has reviewed the DEIR for the project, which involves the Westside Community project, with several components: a Community Plan, a Development Code, and a Redevelopment Project Area formation. The Community Plan and Development Code would implement the adopted 2005 Ventura General Plan by establishing policies and standards for development of the Westside. It will include goals, policies and implementation programs, as well as a Form-Based Development Code for the project area. The proposed redevelopment plan will authorize tax increment financing under the California Redevelopment Law. The project will include development of residential and nonresidential land uses, anticipated to be 1,415 new dwelling units, 100,641 sq. ft. retail, 163,450 sq. ft. office and 77,000 sq. ft. industrial use. This future development is not being analyzed now. Growth estimates for future development include development assumed under the 2005 Ventura General Plan and development assumed in the 2006 Westside Economic Development Strategy. The proposed Westside Redevelopment Project Area is approximately 685 acres in size. The establishment of this redevelopment project area is proposed to eliminate the existing conditions of blight; to complete capital improvements to upgrade and improve public infrastructure; to provide for economic revitalization of commercial and industrial enterprises; and to increase, improve, and preserve the area's supply of affordable housing. Uses would be in compliance with the City's General Plan and zoning ordinance, as amended from time to time, and all other applicable state and local codes and guidelines. The project area is on the western edge of the City of Ventura and unincorporated Ventura County, and now exists of the area contained within the Westside community area. The 800 acres in Canada Larga Canyon and the North Avenue community area have been removed from the project.

2

Section 4.2 of the DEIR addresses air quality. Short-term (construction-related) and Long-term (operational) emissions are analyzed in this discussion. We concur that significant long-term operational air quality impacts would result from the project, as described in Table 4.2-5 on Page 4.2-28, *Estimated Operational Emissions* (106 lbs/day

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ROC and 81 lbs/day NOx). These impacts would be mitigated through implementation of Mitigation Measures 1-3, which would require the applicant to contribute funds to a Transportation Demand Management Buydown fee to improve air quality in the area.

3

Air Quality Management Plan consistency is discussed on Page 4.2-39. This discussion indicates that the City's project population projections are more than the population resulting from the project, therefore the project is consistent. General Plan projections of buildout of certain land uses proposed by the project would exceed the City's projection of retail and office uses.

4

Construction emissions are discussed on Page 4.2-28, and presented in Table 4.2-6, *Estimated Construction Emissions*. This table indicates that construction emissions would be 200 lbs/day ROC and 97.6 lbs/day NOx. Because these emissions are temporary in nature, they are not counted toward thresholds of significance for air quality analysis. The impacts will need to be mitigated to the amount feasible. Mitigation measures designed for construction impacts are presented on Page 4.2-30, MM AQ-1 through MMAQ-3.

5

Toxic air contaminants are discussed on page 4.2-34. This discussion indicates that future development of the Westside Development Code would allow certain types of industrial uses, such as recycling, processing, and collection facilities and manufacturing, but it is unknown if they would actually be developed. The potential of development of these types of sources exists, and the impact is potentially significant. MM AQ-4 is recommended to reduce the impact to a less than significant level. This would reduce exposure of sensitive receptors to substantial pollutant concentrations.

6

Because this project has potential for large amounts of soil grading, the District earlier recommended that a formal health risk assessment be conducted for the project. This health risk assessment is not in the DEIR, so we recommend again that a formal health risk assessment be performed for future soil grading activities in relation to potential sensitive receptors in the area, in particular residences and schools. Mitigation measures should also be identified and discussed if the assessment indicates a significant risk. Additional information on TACs can be obtained from the District's website at http://www.vcapcd.org/air_toxics.htm. If you have any general questions regarding air toxics, please contact Terri Thomas of the APCD at (805) 645-1405 or by email at terri@vcapcd.org. Section 2.6, Toxic Air Contaminants, of the Guidelines describes how a TAC can impact sensitive populations. In addition, Section 6.5 of the Guidelines discusses methods of assessing TAC impacts. Methods for TAC mitigation are discussed in Section 7.5.6 of the Guidelines.

7

This project may be subject to the requirements of the federal General Conformity regulation. Conformity is defined in the Clean Air Act as conformity to an air quality

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implementation plan's purpose of eliminating or reducing the severity and number of violations of the national ambient air quality standards, exacerbate existing violations, or interfere with timely attainment or required interim emission reductions towards attainment. Section 176(c) of the Clean Air Act requires the EPA to develop criteria and procedures for determining the conformity of transportation and nontransportation (general) projects that require federal agency approval or funding with the applicable air quality plan. We again recommend that the DEIR include a summary of the federal general conformity rule, which actions(s) related to the project may require a conformity analysis to be performed, and which agencies will likely be involved with the conformity determination(s).

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If you have any questions, please call me at 645-1426 or email me at alicia@vcapcd.org.

9

Letter No. 3: County of Ventura, Resource Management Agency, January 27, 2012

Response 3-1

This comment is an introduction to comments that follow. No further response is required.

Response 3-2

The comment restates information contained in Section 3.0, Project Description, of the Draft EIR and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 3-3

The comment restates information contained in Section 4.2, Air Quality, of the Draft EIR and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 3-4

The comment restates information contained in Section 4.2, Air Quality, of the Draft EIR and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 3-5

The comment restates information contained in Section 4.2, Air Quality, of the Draft EIR and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 3-6

The comment restates information contained in Section 4.2, Air Quality, of the Draft EIR and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 3-7

The comment requests that the project conduct a formal health risk assessment because of the potential for large amounts of soil grading. The objective of the Westside Community Planning Project is to implement the City's General Plan by adopting the Westside Community Plan and the Westside Development Code. The Westside Community Plan provides direction on requirements and

development standards for new development, and provides policies and actions to implement the Development Plan vision and goals. The Westside Community Development Code regulates the types and intensities of development and land uses within the Westside area.

The Westside Community Planning Project itself does not propose the construction of any development projects. However, a formal health risk, as described in the Ventura County Air Pollution Control District (VCAPCD) *Ventura County Air Quality Assessment Guidelines* (October 2003), would require detailed project-level construction information.¹ Because the no specific development projects are proposed in the Westside Community Planning Project, detailed construction information, such as project-specific grading amounts, are unknown and unavailable.

Subsequent communication took place between Alicia Stratton, Air Quality Specialist from the VCAPCD, and Alan Sako, Senior Air Quality Project Manager from Impact Sciences, Inc., on March 6, 2012 and March 7, 2012. Because the Westside Community Planning Project does not propose the construction of any specific development, the VCAPCD agreed that not enough information is known at this time to conduct a formal health risk assessment. The VCAPCD recommended that the Final EIR include a statement that projects proposed in the planning area would be required to address potential construction health risks from projects that require large amounts of soil grading. As such, consistent with the VCAPCD's recommendations, the Final EIR has been updated to include a mitigation measure **MM AQ-3a** that requires projects proposed within the planning area to consult with the VCAPCD and address construction health risks from projects that require large amounts of soil grading.

Response 3-8

The General Conformity Rule established under the federal Clean Air Act Section 176(c)(4) ensures that actions taken by the federal government in nonattainment and maintenance areas do not interfere with a state's plans to meet the National Ambient Air Quality Standards (NAAQS). The VCAPCD has adopted the conformity regulations as Regulation XI, Rules 220 and 221. According to the US Environmental Protection Agency (EPA), the General Conformity Rule applies to all federal actions that are taken in designated nonattainment or maintenance areas, with three exceptions:²

- Actions covered by the transportation conformity rule;
- Actions with associated emissions below specified de minimis levels; and
- Other actions which are either exempt or presumed to conform.

¹ Ventura County Air Pollution Control District, *Ventura County Air Quality Assessment Guidelines*, (2003), 6-4.

² US Environmental Protection Agency, "General Conformity: Frequently Asked Questions," <http://www.epa.gov/oar/genconform/faq.html>. 2011.

Transportation conformity, required by the Clean Air Act Section 176(c), ensures that federal funding and approval are given to highway and transit projects that are consistent with (i.e., conforms to) the air quality goals established by a state air quality implementation plan (SIP). Transportation conformity means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS. Transportation conformity requirements apply only to Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) actions on highway and transit projects, as defined in 40 CFR 93.101.³ Therefore, a project in a nonattainment or maintenance area that is not a FHWA/FTA project would be subject to general conformity, rather than transportation conformity.

De minimus levels are defined in 40 CFR 93.153 and establishes minimum thresholds for which a conformity determination must be performed. De minimus levels are established for individual criteria pollutants based on the nonattainment status of the region. As discussed in Section 4.2, Air Quality, of the Draft EIR, Ventura County is serious nonattainment for the 8-hour federal ozone standard and severe nonattainment for the federal 1-hour ozone standard. The General Conformity de minimus levels for Ventura County are provided in **Table 1, General Conformity De Minimus Levels**.

Table 1
General Conformity De Minimus Levels

Pollutant	NAAQS Attainment Status	Annual Emissions (tons/year)
Ozone (VOC)	Nonattainment (Severe)	25
Ozone (NO _x)	Nonattainment (Severe)	25

Source: 40 CFR 93.153.

Federal Actions that are exempt from the General Conformity Regulations include the following:

- Actions covered by transportation conformity;
- Actions with emissions clearly at or below de minimis levels;
- Actions listed as exempt in the rule; or
- Actions covered by a Presumed-to-Conform approved list.

No actions for the proposed project require federal agency approval and no actions require a conformity analysis. Therefore, the discussion provided above is included in the Final EIR for informational purposes but does not require that the project undergo conformity analysis.

³ 40 CFR 93.101 defines a FHWA/FTA project as “any highway or transit project which is proposed to receive funding assistance and approval through the Federal-Aid Highway program or the Federal mass transit program, or requires [FHWA] or [FTA] approval for some aspect of the project, such as connection to an interstate highway or deviation from applicable design standards on the interstate system.”



**County of Ventura
Public Works Agency
Integrated Waste Management Division
MEMORANDUM**

Date: December 21, 2011

To: Laura Hocking, Planner
Resource Management Agency, Planning Division

From: Derrick Wilson, Staff Services Manager
Integrated Waste Management Division

Subject: Draft Environmental Impact Report
Westside Community Planning Project
RMA Reference No: 10-042-2

Lead Agcy: City of Ventura
Contact: Maggie Ide, Planning Department, 805/654-7727

Summary: This project was originally circulated in December of 2010; the IWMD submitted comments on December 28, 2010. The DEIR circulated for comment on December 19, 2011, for the *Westside Community Planning Project* has been modified, presumably in response to comments provided in 2010. The project area is now 1,094 acres of property on the western edge of the City of Ventura and unincorporated Ventura County. The *Westside Community Plan* area now contains approximately 924 acres and is generally bounded by steep hillsides to the east, Highway 33 to the west, Park Row Avenue to the south, and Ottawa Street to the north. The proposed *Redevelopment Area* now contains approximately 685 acres. Most of the *Redevelopment Area* is located within the *Westside Community Plan* area, but it extends south and includes approximately 36 acres in the City's *Downtown Specific Plan* area. The *Downtown Specific Plan* area is not included in the City's existing redevelopment project area. Preliminary estimates for development through 2025 in the *Westside Community Planning* area include:

1. Approximately 2,100 dwelling units
2. 646,000 sq. ft. of retail commercial space
3. 535,600 sq. ft. of office commercial space
4. 780,000 sq. ft. of industrial commercial space

Comments:

Pursuant to your request, the Integrated Waste Management Division (IWMD) has reviewed the project materials included with your December 19, 2011, memo and appreciates the opportunity to provide our comments.

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The IWMD requests the Lead Agency for this project to comply, to the extent feasible, with the general requirements of Ventura County Ordinances #4308 (solid waste handling, disposal, waste reduction, and waste diversion) and #4421 (requirements for the diversion of construction and demolition debris from landfills by recycling, reuse, and salvage) to assist the County in its efforts to meet the requirements of Assembly Bill 939 (AB 939). AB 939 mandates all cities and counties in California to divert a minimum of 50% of their jurisdiction's solid waste from landfill disposal. Both of these Ordinances may be viewed in their entirety on the IWMD's website at: www.wasteless.org/landfills/ordinances.

Pursuant to IWMD review and responsibilities, the following contract specifications shall apply to all construction in the unincorporated area of Ventura County:

Recyclable Construction Materials

Contract specifications for this project shall include a requirement that recyclable construction materials (e.g., concrete, asphalt, rebar, untreated wood, metal) generated during the unincorporated Ventura County phase of the project be recycled at a permitted recycling facility. A complete list of facilities in Ventura County that recycle construction debris is available at:

www.wasteless.org/construction&demolitionrecyclingresources.

Soil - Recycling & Reuse

Contract specifications for this project shall include a requirement that soil not reused on-site during the unincorporated Ventura County phase of the project will be transported to a permitted facility for recycling or reuse. Illegal disposal and landfilling of soil is prohibited. A complete list of facilities in Ventura County that recycle soil and sediment is available at:

www.wasteless.org/construction&demolitionrecyclingresources.

Green Materials - Recycling & Reuse

The Contract Specifications for this project shall include a requirement that untreated wood waste and vegetation removed during the unincorporated Ventura County phase of this project be diverted from the landfill. This can be accomplished by on-site chipping and land-application at various project sites, or by transporting the materials to a permitted greenwaste facility in Ventura County. A complete list of permitted greenwaste facilities is located at:

www.wasteless.org/greenwasterecyclingfacilities.

Materials Diverted from Landfill Disposal by On-Site Reuse or Off-site Recycling

The contract specifications for this project shall include a requirement that all contractors working on the unincorporated Ventura County phase of the project submit a *Summary Table* to the IWMD at the conclusion of their work. The *Summary Table* must include the contractor's name and address, the project's name, the types of recyclable materials generated during construction (e.g., concrete, asphalt, soil, untreated wood, metal, vegetation), and the *approximate* weight of recyclable materials:

- Reused on-site, and/or

- Transported to permitted facilities for recycling and/or reuse. Please include the name and address of facilities where recyclable materials were transported for recycling or reuse in the *Summary Table*.

Receipts and/or documentation are required for each entry in the *Summary Table* to verify recycling and/or reuse occurred, and that recyclable construction and demolition debris generated in unincorporated Ventura County was not landfilled.

Should you have any questions regarding this memo, please contact Pandee Leachman at 805/658-4315.

Ec: Dawnyelle Addison, RMA Planning

Letter No. 4: County of Ventura, Public Works Agency, Integrated Waste Management Division, December 21, 2011

Response 4-1

The comment provides factual background information only and does not raise an environmental issue within the meaning of CEQA. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 4-2

As discussed in Section 4.12.6, Solid Waste, of the Draft EIR, the City of Ventura has implemented numerous waste reduction programs. These include concrete/asphalt recycling, green waste and wood recycling, grasscycling, and composting street sweeping debris. The City also composts and mulches all curbside yard waste, which is applied to local agriculture fields, reducing water and fertilizer use. As of January 1, 2011, the new California Green Building Standards Code (California Code of Regulations, Title 24, Part II) went into effect. In compliance with this new Code, the City now requires all construction projects to file and implement a Construction and Demolition Waste Management Plan (WMP). Thus, while the County ordinances referenced in this comment would not apply to construction within the planning area, equivalent City programs are in place. No further response is required.



PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division
MEMORANDUM

DATE: December 28, 2011

TO: RMA – Planning Division
Attention: Laura Hocking

FROM: Behnam Emami, Engineering Manager II *z102*

SUBJECT: REVIEW OF DOCUMENT 10-042-2

Draft Environmental Impact Report (DEIR) for the Ventura Westside Community Planning Project located on Ventura Avenue in the City of Ventura (city).

Lead Agency: **City of Ventura**

Pursuant to your request, the Public Works Agency -- Transportation Department has reviewed the DEIR for the Westside Community Planning Project (Plan).

The Westside Community Plan Area is composed of four development areas in the City of Ventura. The total area of development is 1,094 acres (924 acres plus 170 acres of streets and rights-of-way). The four development areas are: (1) Selby/Ventura Avenue; (2) Stanley/Olive; (3) Kellogg; and (4) School District / AERA. The preliminary estimates for development through 2025 include 1,415 dwelling units, 100,640 SF of retail commercial space, 163,450 SF of commercial space, and 77,000 SF of industrial commercial space which will generate approximately 5,709 average daily trips (ADT), 262 morning peak-hour trips (PHT), and 549 evening PHT according to Table 4.13-4 on Page 4.13-16. The Plan was reduced in July/August 2011 from 2,800 acres (three communities and seven potential development sites in city and county areas) to the current proposal of 1,094 acres (one community and four sites).

1

We offer similar comments to our August 12, 2011 memorandum:

1. We generally concur with the comments in the DEIR for those areas under the purview of the Transportation Department.
2. No project specific impacts on County roadways were identified in the DEIR. The Traffic Study for the DEIR should evaluate and provide mitigation measures for the site-specific impacts this project may have on the County's Regional Road Network. Of particular interest to the Transportation Department are: (1) Ventura Avenue from the northerly city limit to Shell Road, (2) Shell Road from Ventura Avenue to State Route 33, and (3) the intersection of Ventura Avenue and Shell Road.
3. The development of the following areas in the City of Ventura known as (1) Selby/Ventura Avenue, (2) Stanley/Olive, (3) Kellogg, and (4) School District / AERA will create an entitlement for generating cumulative traffic impacts on the County's Regional Road Network.

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The cumulative impact of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, would be significant. As the four areas are developed, the City of Ventura should cause the developer to mitigate any cumulative impacts by the payment of a Traffic Impact Mitigation Fee (TIMF) to the County in accordance with the reciprocal agreement between the City of Ventura and the County.

Based on the information in DEIR, and the Reciprocal Agreement between the City of Ventura and the County of Ventura, the total fee due to the County for the development of the four areas is:

$$5,709 \text{ ADT} \times \$46.12/\text{ADT} = \$263,299.08$$

The above estimated fee may be subject to adjustment at the time of deposit due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record Construction Cost Index. The above fee is an estimate only based on information provided in the DEIR. If the project cumulative impacts are not mitigated by payment of a TIMF, current General Plan policy would require County opposition to this project.

4. According to adopted County policies, if a project adds one or more AM southbound or PM northbound peak-hour traffic (PHT) to State Route 33 (SR 33) between the northerly end of the Ojai freeway and the City of Ojai limits, the project is considered as contributing a significant cumulative impact on SR 33, which is inconsistent with the County General Plan and Ojai Valley Area Plan. Although the four development areas are south of the impacted area and Casitas Springs, the Traffic Study for the DEIR should identify, address, and mitigate any potentially adverse traffic impacts, if any, the development of the four areas as a whole may have on this impacted portion of SR 33.
5. The DEIR indicates that the four development areas are in the City of Ventura jurisdictional boundary. In the future, should the number of developable areas increase or the boundary of any one area be revised to include the unincorporated county, then please be aware that the Local Area Formation Commission (LAFCO) guidelines under Section 3.2.1 would require that the City of Ventura annex entire roadway sections and complete intersections adjacent to the territory proposed to be annexed. Furthermore, the guidelines state that future annexations should occur in a logical manner to avoid the creation of county "islands" or county road segments bounded by city road segments.
6. Please provide the Transportation Department with a copy of the EIR when it becomes available for our review and comment.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

Please contact me at 654-2087 if you have questions.

cc: Kai Luoma, LAFCO
F:\transport\lanDev\Non_County\10-042 (VTA)-2.doc

Letter No. 5: County of Ventura, Public Works Agency, Transportation Department,
December 28, 2011

Response 5-1

This comment is an introduction to comments that follow. No further response is required.

Response 5-2

This comment states concurrence with the conclusions of Section 4.13, Transportation and Circulation. No further response is required.

Response 5-3

The traffic impacts have been evaluated per the City's requirements and no project specific impacts were identified on the two roadway segments and the intersection identified by the commenter.

Response 5-4

New development projects will be required to pay the County's Traffic Impact Mitigation Fee consistent with the approved Reciprocal Agreement between the City of Ventura and the County of Ventura.

Response 5-5

The project's specific impacts have been identified per the City's requirements. Payment of the County's Traffic Impact Mitigation Fee per the approved Reciprocal Agreement between the County of Ventura and the City of Ventura mitigates the cumulative impacts of developments proposed within Ventura.

Response 5-6

Comments regarding annexation noted.

Response 5-7

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 5-8

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.



**Ventura County
Watershed Protection District
Groundwater Section**

MEMORANDUM

DATE: January 19, 2012
TO: Laura Hocking
FROM: Rick Viergutz *Rick Viergutz*
SUBJECT: Draft EIR for the City of Ventura Westside Community Planning Project RMA
10-042-2

This office reviewed Section 4.14.1 of the subject document. It generally indicates that the proposed increased water demand and need for infrastructure is addressed in earlier documents, such as the City's Water Master Plan, and Urban Water Management Plan. The document indicates that there are factors that restrict water production and could potentially further restrict availability for each water supply. The risks include physical resource availability, regulatory restrictions, water quality, and legal restraints.

The City of Ventura uses both surface water and groundwater resources as part of the project. In order to identify any groundwater quantity or quality impact, the role of groundwater resources should be better described/quantified. We believe the EIR for the project should include a description of how groundwater pumping demands as a part of the project will change over time, and whether or not the project could cause an aquifer overdraft issue or exceed any groundwater pumping allocations.

1

Letter No. 6: Ventura County Watershed Protection District, January 19, 2012

Response 6-1

As stated on page 4.14.1-8 of the Draft EIR, “Water management in California is not a matter of certainty, and planning projections may change in response to a number of factors. From this perspective, it is appropriate to look at the UWMP [Urban Water Management Plan] as a general planning framework, not a specific action plan.”

As stated on pages 4.14.1-10 through 4.14.1-11 of the Draft EIR, “No specific development projects are proposed or analyzed at the project level in this program EIR at this time. Project-level review will be required for individual projects proposed within the Westside Community Planning Project area. Implementation of the Westside Community Planning Projects would be consistent with the General Plan Action 5.7 of Policy 5B, as this policy requires project proponents to conduct evaluations of the existing water distribution system to determine if there are any system deficiencies or needed improvements for proposed development.”

From: "schafphoto.com" <schaf@west.net>
To: "Lisa Wilkinson" <lwilkinson@ci.ventura.ca.us>, "Jeffrey Lambert" <jlambert@ci.ventura.ca.us>, "Dave Ward" <dward@ci.ventura.ca.us>
Sent: Saturday, January 28, 2012 8:12:08 PM
Subject: Comment on Westside EIR

San Buenaventura Conservancy Comment On DEIR of Ventura Westside Plan & Code: First the Conservancy would like to compliment the city for undertaking a pre-plan/pre-code historic survey and historic context of the Westside and North Ventura Avenue Area. This allows us to support the plan without worrying that it will adversely impact cultural resources. The Westside historic survey and context was used to inform the plan and mitigations and guidelines including the city's first conservation districts were integrated into the planning documents. This worked very well, and the city should endeavor to create surveys and context statements for all future community plans before coding and environmental review to ensure that the cultural resources in those areas are identified and the information used to inform those plans.

1

RE: Action 12.4.3 Extend Stanley Avenue to Cedar Street and extend Cedar Street to Mohawk Avenue.
(The new portion of Cedar Street, while located within unincorporated Ventura County, is within the City's Sphere of Influence. A General Plan Amendment is proposed as part of the project to reclassify Cedar Street.)

The Mission Aqueduct has been degraded by ongoing development since soon after the Mission Period in the early 1800s. An adverse cumulative impact is happening every year as new projects are approved like Willett Ranch without archeological/cultural resource mitigations, the aqueduct is slowly being removed piece by piece. The remaining sites where the aqueduct is known to exist are few, but Cedar Street is one of those locations and must be protected in any future plans. This is not a resource that can be measured and moved or removed, but it should not be seen as an obstruction. Rather it is an opportunity to enhance, protect and integrate the oldest historic artifact in Ventura into a linear park-like feature or path. The city of Ventura should only explore extending Cedar Street if adequate research has been done to determine if there will be adverse or continued cumulative impacts to the historic Mission Aqueduct, and if they can be avoided or mitigated.

2

These comments cover cultural resource and cumulative impacts. While the potential of adding pedestrian and bike lanes to and extension of Cedar Street could be feasible without significant impacts to the Historic Mission Aqueduct, the concept of a roadway, with utilities, sidewalks and sufficient width for parking would need further study of alternatives and mitigations. Since the potential Cedar Street Extension area is in unincorporated Ventura County, the Ventura County Cultural Heritage Board should be consulted before any plans for this area are made. The VCCHB has made Mission Aqueduct Stabilization and restoration a priority for many years and they should be consulted on any projects affecting this resource in any way.

3

The San Buenaventura Conservancy
PO Box 23263
Ventura CA, 93002

San Buenaventura Conservancy <http://www.sbconservancy.org>

The Conservancy works to recognize, preserve and revitalize the irreplaceable historic, architectural and cultural resources of San Buenaventura and surrounding areas. We seek to increase public awareness of, and participation in, local preservation issues, and disseminate information useful in the preservation of the structures and neighborhoods of San Buenaventura.

San Buenaventura Conservancy

PO Box 23263
Ventura Ca 93002

sbconservancy@mac.com

Letter No. 7: San Buenaventura Conservancy, January 28, 2012

Response 7-1

This comment is an introduction to comments that follow. No further response is required.

Response 7-2

The historic resources report prepared for the Westside Community Planning Project surveyed a larger area than would be subject to the Westside Community Plan. As stated in the historic resources report, "a segment of the aqueduct [i.e., the Mission Aqueduct] is present and visible within the Westside study area along Canada Larga Road in the northern section of the study area."⁴ Smaller segments are also visible farther south along the base of the hills at the end of East Vince and East Lewis Streets, east of Ventura Avenue. This portion is Historic Landmark #58.⁵ The historic resources report identifies the potential for other segments of the aqueduct to be located within the planning area along Cedar Street (see pages 113 through 114 of the *Westside Community Context and Survey Report* in Appendix 4.4). These locations are identified as needing additional study.

A discussion of the historical context of the Westside Area is provided in Section 4.4, Cultural (Historic) Resources, of the Draft EIR. Page 4.4-3 of the Draft EIR states,

Within the Westside Community Plan area, a total of 49 properties were identified that may require further evaluation to determine if they are potential historic resources. This is due to the fact that the properties were either not visible from the public right of way, or appeared to have been moved to the survey area and, therefore, may have significance within an individual historic context or were located along the base of the hillside and may have a segment of the mission aqueduct present. Therefore, these properties will need to be evaluated on a case-by-case basis in the future to determine if they are a potential historic resource.

Additional discussion of the potential for future development to affect archaeological resources is provided in Section 8.0, Effects Found Not to Be Significant, of the Draft EIR. As stated on Page 8.0-4 of the Draft EIR,

The Westside Community Planning Project has not been formally surveyed for archaeological resources. The Westside Community Planning Project area has been substantially disturbed by past agricultural, grading and development activities. However, in developed areas where previously undocumented resources might exist, such as beneath 19th and early 20th century structures and within streets, there is the potential to adversely affect these resources. Therefore, while archaeological resources are not expected to be a major constraint to future development in the project area, archaeological investigations would be needed for projects that would occur within the project area in order to confirm the presence or absence of archaeological remains on individual sites. In the event that paleontological resources are unearthed during individual

⁴ Galvin Preservation Associates, *Westside Historic Context and Survey Report*, (2011) 14.

⁵ Galvin Preservation Associates, *Westside Historic Context and Survey Report*, (2011) 13.

project subsurface activities, all earth-disturbing work must be temporarily suspended or redirected until a paleontologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. Implementation of this standard requirement would reduce potential impacts to a level that is less than significant.

The 2005 General Plan and Downtown Specific Plan Final Environmental Impact Report identify the following policy, actions, and mitigation measures pertaining to archaeological resources in Chapter 9, Our Creative Community that would reduce the potential for impacts to less than significant.

Policy 9D: Ensure proper treatment of archeological and historic resources.

Action 9.14: Require archaeological assessments for projects proposed in the Coastal zone and other areas where cultural resources are likely to be located.

Action 9.15: Suspend development activity when archaeological resources are discovered, and require the developer to retain a qualified archaeologist to oversee handling of the resources in coordination with the Ventura County Archaeological Society and local Native American organizations as appropriate.

Implementation of existing General Plan policies and policies and actions of the Westside Community Plan regarding archaeological resources would protect unknown resources within the planning area. In addition, Municipal Code chapter 2R.450 states that any grading permit on a site known to contain an object or artifact of substantial historical or archaeological significance is not deemed ministerial pursuant to CEQA.

Response 7-3

See **Response 7-2**, above.



1055 Wilshire Blvd., Suite 1660 Los Angeles, CA 90017-2499 T: (213)977-1035 F: (213)977-5457 www.cityprojectca.org

January 26, 2012

Dave Ward, Planning Manager
City of San Buenaventura
Community Development Department
501 Poli Street
Ventura, CA 93001

RE: Public Comments on Draft EIR for Ventura Westside Community Planning Project

Dear Mr. Ward:

I. Overview

We submit these public comments regarding the *Draft Environmental Impact Report for the Ventura Westside Community Planning Project (the DEIR)* as committed advocates for equal justice, public health and the built environment. Collectively, our goal is to improve access for residents of the Westside of the City of Ventura to places for physical activity and healthy recreation.

1

We commend the City of Ventura for engaging in the Westside Community Planning Project. This is an indication that the city recognizes that the Westside is a unique neighborhood that is geographically and demographically distinct from the rest of the City of Sanbuenaventura. A disproportionate percentage of residents of the Westside compared to the rest of the city are people of color with a lower median household income than the citywide average.

While the city as a whole provides a significant amount of park and recreation space, a closer look at the Westside shows that this neighborhood is severely lacking in parks and recreation venues. According to data from the 2010 U.S. Census, approximately 13,700 people live on the Westside. The DEIR identifies three existing parks in the area, Westpark Community Center and Park, Harry A. Lyon Park, and Grant Park. Cumulatively these three parks provide approximately 20.5 acres of park space. This equates to approximately 1.5 park acres per thousand residents, far below the city standard of 10 acres per thousand residents.

2

Because of its location, the Westside is largely isolated from other city parks and recreational facilities. This is particularly true for people that do not have access to a car, as is the case for many people on the Westside. The high development density on the Westside relative to the rest of the city exacerbates the lack of access to public park space because there is also a lack of private yards and open spaces.

We encourage the City of Ventura to develop additional parks and recreational facilities on the Westside to meet the needs the community's residents. We provide several recommendations

3

Healthy, Livable Communities For All
Board: Chris Burrows Lydia Camarillo Juan Devis Robert Garcia Virginia Keeny
Tom Hayden Robbie LaBelle Anne McEnany Lyndon Parker Michael Rodriguez
The City Project is a 501(c)(3) Non-Profit Organization and a Project of Community Partners

below on strategies to correct the park disparities residents of the Westside currently face. The health and wellbeing of Westside residents is at stake, as are their civil rights.

3

II. Equal Justice Laws and Principles

The Westside Community Planning Project offers the City of Ventura an opportunity to implement equal justice laws and principles.

At the federal level, Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d - 2000d-4a, ensures equal access to public resources by prohibiting recipients of federal financial assistance (such as cities and their park agencies) from discriminating on the basis of race, color, or national origin in any of their programs or activities. Title VI of the Civil Rights of 1964 and its implementing regulations prohibit both (1) intentional discrimination based on race, color or national origin, and (2) unjustified discriminatory impacts for which there are less discriminatory alternatives, by recipients of federal financial assistance.

4

California law also prohibits both intentional discrimination and unjustified discriminatory impacts under Government Code section 11135 and its regulations, which are analogous to Title VI and its regulations.ⁱ The regulations pursuant to 11135 bar criteria or methods of administration that have the purpose or effect of subjecting a person to discrimination on the basis of ethnic group identification or color. Intent to discriminate is not required under the discriminatory impact standard.ⁱⁱ In addition, California law defines environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.”ⁱⁱⁱ

The City of Ventura needs to proactively comply with these legal mandates by ensuring that all of its residents have equal access to parks and recreational facilities.

III. Patterns of Disparities in Park Access and Human Health

The City Project has extensively analyzed park access in Ventura County in its 2011 policy report *Healthy Parks, Schools and Communities: Green Access and Equity for Ventura County*. The report includes GIS mapping and demographic analyses, evidence based social science research and participatory community based research. As documented in the report:

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- Children of color living in poverty with no access to a car have the worst access to places for physical activity in parks and other green space. They suffer disproportionately from higher levels of obesity and diseases related to the lack of physical activity. *Id.* at 9-12, 26-111. One’s health is determined by where one lives, the color of one’s skin, and the amount of money one has, more than the amount spent on health care or individual choices.
- Proximity to parks and recreation tends to support increased physical activity. *Id.* at 19- 21.
- Park disparities are not an accident of unplanned growth, an efficient market in land, or rational choices maximizing personal utilities. Park disparities reflect a legacy and pattern of discriminatory land use, housing, and economic policies. *Id.* at 112-21.

- Park and health disparities in Ventura County are consistent with broader patterns across Southern California. *Id.* at 9-12.
- The report analyzes the myriad values at stake in equal access to park and health resources. *Id.* at 19-25.
- The report analyzes park and health disparities under civil rights laws and principles, including Title VI and California Government Code section 11135. *Id.* at 122-23.
- The report presents recommendations for change that are generally applicable to the City of Ventura and NPS. *Id.* at 125-26.

The report is available on the web at www.cityprojectca.org/greenjustice.

The studies above demonstrate that access to green space, and the health, economic, environmental and other benefits parks can provide, are an environmental justice and civil rights issue.

IV. The Values at Stake in Creating a National Recreation Area

Decades of evidence-based social science research show that parks and recreation promote diverse values. Parks and recreation may contribute to psychological well-being, encourage social cohesion, offer alternatives to at risk behavior including gangs, crime drugs and violence, provide opportunities to celebrate cultural diversity, and inspire a spiritual connection with nature. Providing the sheer delight of being in the park is of overarching significance to healthy parks and people. Parks and green space promote conservation values of clean air, land and water, habitat protection, and climate justice.

Equal justice, democracy and livability for all underlie each of these other values. Thus, for example, Jackie Robinson through sports helped abolish segregation in the United States years before *Brown v Board of Education*. Parks have been traditional First Amendment forums for free speech and unpopular speakers. The civil rights laws discussed above reflect these cross-cutting principles.

The values at stake in seeking environmental justice regarding greens space including national park lands have been documented extensively in The City Project's 2011 policy report *Healthy Parks, Schools and Communities: Green Access and Equity in Southern California* at pp. 19-25.

V. Recommendations

Increasing access to parks and recreational facilities for residents of the Westside will help make this neighborhood a more healthy, livable, and just community. We present the following recommendations for improving recreational opportunities on the Westside of Ventura:

1. Acquire the two parcels of vacant land at Ventura Avenue and Kellogg Street and create a park. The two parcels are approximately two acres in size together and are highly accessible to neighborhood residents. The park should be developed with input from the

local residents. There are no other parks within close walking distance to these centrally located parcels and the marginal benefit of creating a park at this site would be tremendous.

2. Install picnic tables and barbecues in the Westpark Community Center and Park. This park is also in need of more places for active recreation since the handball court was removed. Add a play area for young children and basketball courts or other active recreation facilities for older children and adults. Also, a sound wall or other acoustic barrier is needed to separate the park from the adjacent freeway.
3. The entire Avenue School property should remain publicly owned and publicly accessible. Parcels adjacent to the school property would provide space for new improvements to replace the deteriorated school and should not be zoned for development.
4. Create a joint use agreement with Ventura Unified School District to allow neighborhood residents to use the grounds of the schools on the Westside during non-school hours.
5. Identify a second major new field, for example the unincorporated portion of the Selby property at the east end of Rocklite Road. This is privately owned property that must be purchased, acquired through transfer of development rights as the balance of the property develops, or other transaction.
6. Develop at least two neighborhood-serving parks in the dense residential areas west of Ventura Avenue and two on the east side of Ventura Avenue. These should be located within safe and easy walking distance from housing areas and include equipment for young children, benches and tables, and green spaces. Creating a park on the two parcels at Ventura Avenue and Kellogg Street could qualify as one of these parks. Vacant parcels on Bell Avenue between Olive Street and Ventura Avenue are also candidate sites. Neighborhood parks do not require much space so the city should prioritize acquiring any parcels that become available for developing new parks.
7. The long promised, and oft delayed, Westside Pool must be built. The Ventura Aquatics Center is not easily accessible for many Westside residents and is often sold out during the summer.
8. Consider the Quarry as a potential park. There is history and open space here that has very limited development potential due to the unstable hillsides.
9. Celebrate the rich history of the Westside through interpretive elements. There are historical sites representing many different eras and experiences, yet there is very little formal recognition of these sites.
10. Connect parks and open spaces with improved walkways and bike routes.

6

VI. Conclusion

We applaud the City of Ventura for undertaking the Westside Community Planning Project. The residents of the Westside deserve the same opportunities for healthy recreation as the city's other residents. Currently the residents of the Westside face unfair disparities in access to parks and recreational facilities. There is a real opportunity to create positive change by developing new parks and recreational facilities and improving existing sites on the Westside. We understand that

7

Mr. Dave Ward
Draft EIR of Ventura Westside Community Planning Project
January 26, 2012
Page 5 of 5

these are difficult economic times and it may not be possible to implement all of our recommendations immediately. This should not, however, be used as a justification for not taking action.

7

Sincerely,



Robert García
Founding Director and Counsel



Seth Strongin
Assistant Director

ⁱ See Cal. Gov. Code § 11135; 22 CCR § 98101(i) (2007).

ⁱⁱ See *Darensburg v. Metropolitan Transp. Comm'n*, No. C-05-01597 EDL, 2008 U.S. Dist. LEXIS 63991 (N.D. Cal. Aug. 21, 2008) (standing to sue publicly funded agency for discriminatory impacts on quality of life for people of color under 11135 and its regulations).

ⁱⁱⁱ Cal. Gov. Code § 65040.12.

Letter No. 8: The City Project, January 26, 2012

Response 8-1

This comment is an introduction to comments that follow. No further response is required.

Response 8-2

The City's parkland standard of 10 acres per 1,000 residents is applied Citywide, and does not apply to individual communities. As discussed in Section 4.12.4, Parks and Recreation, of the Draft EIR, three sites consisting of four parcels are under consideration for designation as Parks and Open Space (POS) within the planning area. As discussed on page 4.12.4-10 through 4.12.4-11, one or more of these sites would be designated POS either through implementation of mitigation measures PARKS-1 (under scenario one) or as part of the proposed project (scenario two). The Westside Community Planning Project would therefore provide additional park acreage within the planning area under either scenario.

None of the City's goals or policies within the Westside Community Plan or any of its practices discriminates against any person on the basis of ethnic group identification or race. The City of Ventura advocates the fair treatment of all races, cultures, and incomes with respect to development, adoption, and enforcement of environmental laws, regulations, and policies.

Jurisdictions commonly establish impact fee programs in order to mitigate impacts to public resources identified under CEQA, especially to public services such as schools, parks, and fire and police protection. California Government Code Section 66477, Subdivision Map Act, referred to as the Quimby Act, permits local jurisdictions to require the dedication of land and/or the payment of in-lieu fees solely for park and recreation purposes. Future development would be required to provide payment of park fees and dedication of land for parks on a case-by-case basis, which would reduce impacts to a less than significant level Citywide.

Response 8-3

See **Response 8-2**, above.

Response 8-4

See **Response 8-2**, above.

Response 8-5

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 8-6

As stated in **Response 8-2**, above, one or more sites within the planning area would be designated POS. Mitigation measure PARKS-2 would implement a joint-use agreement between the City and the Ventura Unified School District to allow City residents to use school recreation facilities after school hours. The Westside Community Plan and Development Code would provide an expanded network of pedestrian and bicycle trails throughout the Westside Community, as illustrated in Figure 3.0-7 of the Draft EIR.

Other recommendations provided in the comment address the Westside Community Plan and specific facilities within the planning area and do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. No further response is required.

Response 8-7

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

From: uec3658@aol.com
To: dward@cityofventura.net
Sent: Wednesday, January 25, 2012 1:22:35 PM
Subject: Westside Community Planning Project EIR

UNION ENGINEERING COMPANY, INC.
P.O. BOX 1000
VENTURA, CA 93002
(805) 644-3373
Fax (805) 644-3380

January 25, 2012

Mr. Dave Ward, Planning Manager
City of San Buenaventura
Community Development Department
501 Poli Street
Ventura, California 93001

Subject: Westside Community Planning Project EIR
1980 N. Ventura Avenue, Ventura

Dear Mr. Ward,

I am the owner and President of Union Engineering Company. We have proudly operated our business on North Ventura Avenue for more than 50 years. We wish to remain in business at this location, providing more than 20 full-time jobs and serving businesses throughout the region.

My property at 1980 N. Ventura Avenue is currently used as a General Contractor Equipment Yard as permitted in that zone. The proposed Westside project rezones the property to T5.5 or Urban Center uses.

I am very concerned by three provisions of your proposed Development Code that will affect my property if this Plan and Code are approved. The Environmental Impact Report does not address in any detail how the Plan and Code will affect businesses.

1. Nonconforming buildings and structures within the Ventura Avenue Corridor. Page 8 of the draft Development Code says buildings may be repaired only as provided in that section, and the section only allows two kinds of repairs: additions or repairs after a fire/natural disaster. Other repairs are not



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allowed and this company could not get a building permit to make the repairs. This is unfair and not justified.

2

2. Nonconforming uses within the Ventura Avenue Corridor.

Page 9 of the draft Development Code says: "Once a nonconforming use on a site, or a portion of a site, has been discontinued for an uninterrupted period of six months, or changed to a conforming use which is permitted in the zoning district in which the site is located for any period of time, no such nonconforming use may be reestablished anywhere on that site." Outside storage of large oilfield and construction equipment is a critical part of my business. Sometimes equipment from a portion of my site is shipped out and in use on a job site for more than six months. This Code section says I may permanently lose the right to use my property for storage if that occurs.

3

3. Abatement of nonconforming uses within the Ventura Avenue Corridor.

Page 11 of the draft Development Code says "Where no buildings are occupied or otherwise used in connection with a nonconforming use, that use shall be terminated within five years from the date it became nonconforming ..." This appears to say that five years after the Code is adopted I could lose the right to use my property, other than what is in a building. This is an outright taking of my company's work area. This should not be approved by the City.

4

These highly restrictive measures apply for the Project, Alternative 2 and Alternative 3.

The EIR should consider adding a requirement to inform residents of any multistory apartments or condo buildings that they may have a view of industrial facilities including the equipment and stored items important to those operations. The industrial companies have been here a long time and remain healthy and productive companies.

5

Please contact me at the number given above if you have any questions.

Thank you.
Union Engineering Company, Inc.

Ernest L. Ford
Owner and President

Letter No. 9: Union Engineering Company, Inc., January 25, 2012

Response 9-1

This comment is an introduction to comments that follow. No further response is required.

Response 9-2

The comment raises issues related to implementation of the Westside Development Code and existing uses that would not conform to the uses permitted under that code. This comment does not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 9-3

The comment raises issues related to implementation of the Westside Development Code and existing uses that would not conform to the uses permitted under that code. This comment does not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 9-4

The comment raises issues related to implementation of the Westside Development Code and existing uses that would not conform to the uses permitted under that code. This comment does not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 9-5

The comment raises issues related to implementation of the Westside Development Code and existing uses that would not conform to the uses permitted under that code. This comment does not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.



The Ventura Avenue United Leadership Team

Organizing for Positive changes in our community!

January 25, 2012

Dear members of the Ventura City Council, City Planning Staff,

The Ventura Avenue United Leadership Team (VAULT), an affiliate of the non-profit organization CAUSE, is a group of Spanish speaking residents on the Westside of Ventura dedicated to promoting equitable access to community parks and open space areas.

VAULT works to develop the leadership of Ventura Avenue residents and create a team of local leaders who actively participate to impact the land-use decisions that will characterize the future design of the Westside neighborhood for the next 30 years.

The main issues being addressed by the Ventura Avenue United Leadership Team include the community's need for efficient and effective public transportation, equitable and safe access to public parks and open space, and access to basic public amenities such as paved sidewalks, functioning streetlights, and public garbage disposal bins. VAULT seeks to maintain community identity in the Westside of Ventura and to curtail the possible gentrification of this historic, working-class Latino neighborhood.

After reviewing the draft Environmental Impact Review of the Westside Community Planning Project, it is apparent that the plan does not meet the needs of the current Westside residents in regards to access to properly maintained community parks and open spaces. It also does not address public transit facilities, basic public amenities and safety measures such as sidewalks and streetlights. Furthermore, the draft Westside EIR contains clear fallacies when describing the current status of the Westside Community's park system.

1

In section 4.12.1 of the Westside Draft EIR, it states that the Harry A. Lyon Park provides tennis and basketball courts, as well as a 10-acre open space. As any resident of the Westside who has seen this park can attest to, the basketball courts are completely unplayable due to horrendously cracked and bumpy asphalt conditions, rusted hoops with no nets, and heavily corroded backboards. The tennis courts contain many visible cracks which make the playing surface uneven and could possibly lead to injuries. The statement decreeing that the park contains 10 acres of open space must be regarded as an exaggeration, unless the hillside surrounding the park is included, which is illogical as that is not a groomed and maintained park area fit for public recreation. Harry A. Lyon Park also contains long jump pits which in all likelihood are rarely if ever used by the public, and take up a precious amount of the already limited field space. There are not enough picnic tables for public use, and the bbq pits look as if they have not been serviced for decades- certainly unsanitary and unfit for public use. The condition of the parks' facilities is appalling, as it is in desperate need of repair and renovation.

2

On top of all these very real problems, Harry A. Lyon Park is part of a joint-use agreement, which limits the availability of public access to the facility. Due to this agreement, the park is only accessible to the public after school programs are completed, which are usually after 5:30 p.m. This further limits availability of the park, particularly during daylight savings hours. The baseball field is also leased for and privately maintained by a little league organization which holds competitions on evenings and weekends, taking up even more of the limited time in which the field is open to the public. Because this organization pays for the maintenance of the field, they are very strict about allowing open community access. The EIR fails to describe these limitations so that Planning Commissioners and members of the City Council and members of the public will understand the real facts about this project and the Westside.

Westpark also does not provide adequate public facilities, as there are only two benches and one grill for a community of over 10,000 residents. Because it is so heavily used due to the shortage of public parks access, the field must be closed off to the public and rested for extended periods of time, further limiting its use by the residents of the Westside. In addition, the location of Westpark next to Route 33 makes it a very noisy venue. The EIR did

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not include any analysis about the impact of vehicle emissions in close proximity to both Sheridan Way School, and Westpark. Vehicle traffic and exhaust fumes are a constant problem as the only thing that separates the vehicles from the park is a chain link fence.

The removal of the handball courts, without any prior notification to the public, has further decreased the availability of activities for the youth of the Westside to engage in. Was there any impact associated with this “improvement”? This has caused public apprehension due to the unannounced removal of a community asset. The reason stated for the removal of the handball courts was that security cameras in place at Westpark could not effectively deter criminal activities occurring there. At the latest meeting of the Westside Community Council, a senior member of the Ventura Police Department detailed the impending implementation of a \$100,000 piece of video surveillance technology referred to as a video integrator. This device allows for immediate police access to video feeds in a variety of ways, including real-time access. Had the implications of this technology been considered before the removal of the handball courts, it would have been apparent that this device could have been efficiently utilized to survey the courts and deter crime, thereby addressing the very reason that led to the elimination of the handball courts. The EIR should analyze security concerns that have led to removal the handball courts at Westpark and likely have discouraged residents from using the park.

3

The draft EIR provides no analysis of the community's support for the Kellogg property as a potential park site as identified by the Ventura City Council on June 6th, 2011. Are there any prospective hazards inherent in the development of this site, such as underground contamination? The community is still vested in preserving the last contiguous open space on the Ventura Avenue corridor. Per the EIR's alternatives, alternative three would eliminate the Kellogg property as a potential site for a much needed new community park. In the Spring of 2011, City Council was presented with 250 individually signed petitions from Westside residents requesting that Council direct staff to rezone all parcels of the Kellogg property from light industrial (M-1) into Parks and Open Space (POS). If alternative three were to be adopted, it would silence the voices of the 250 Westside residents who supported the rezoning of the Kellogg property into Parks and Open Space.

4

In addition to its failings in addressing equitable access to sufficient parks and open spaces, the draft EIR also fails to attend to the issues of public safety in regards to pedestrian access, good street lighting, and the proper development of new and maintenance of current sidewalks. These public facilities will be adversely affected by the project when more than 3,000 more people live on the Westside, and the EIR should analyze how the sidewalks, street lighting, and other improvements will be affected. The sidewalks are crowded at times now, and will be more crowded in the future with more development and more Westside residents.

5

There is nothing in the EIR about the possible positive impacts of a public transit center, transfer station or improved bus shelters. The document makes inaccurate references to public access to VISTA and Greyhound transportation services. The Westside Community Planning Project revolves around the idea that the Westside be converted into a high density pedestrian friendly neighborhood. However, there is no mention about funding for the public infrastructure improvements necessary if such a plan is to come into effect.

6

There are also no mentions in the EIR of a Bank, Post Office, or even a much needed K-12 school site. Currently, there are Westside kids who are being bused out of the neighborhood into schools in Midtown. Not having these services available means residents must drive out of their neighborhood to use services in other parts of the city. This impact was not discussed at all in the EIR.

7

Westside residents would also like to clarify Action 12.6.1 “Encourage public-private partnership and seek funding mechanisms for planning, design and construction of the Westside Community pool at Harry Lyon park.” Would public be considered the city, the community? Does this mean that no Westside pool will be planned and that it is up to the public to design and fund the pool? The residents of the Westside neighborhood have been waiting for the development of a community pool for many years, and this plan is very nebulous in detailing exactly how and when such a pool will be created.

8

The two mitigation measures for parks are very inadequate and do not mitigate the effects on the Westside. Mitigation Measure PARKS-1 says that the city will designate one or more of the three potential parks sites. That is not building a park. Mitigation Measure PARKS-2 says that The City should coordinate and fund a pilot program for joint use. That's

9

not a park either. We respectfully request that these two not effective mitigation measures be removed and replaced with something that will get one or more parks built on the Westside. The EIR is wrong to inform us these measures mitigate the park crowding that will occur from this project. The EIR should be changed.

9

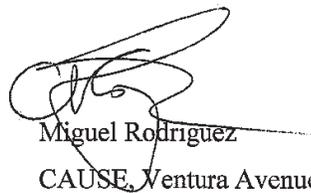
As representatives of Westside residents, we would like the above mentioned issues to be addressed and changed in the Westside Community Planning Project Final Environmental Impact Report. Specifically, we would like that the park system currently in place in the Westside be represented accurately, public safety and amenities such as transportation, sidewalk improvements, and streetlights be included.

10

Sincerely,



Arlene A. Martinez
VAULT Representative



Miguel Rodriguez
CAUSE, Ventura Avenue
Community Organizer

Letter No. 10: Ventura Avenue Leadership Team, January 25, 2012

Response 10-1

This comment is an introduction to comments that follow. No further response is required.

Response 10-2

Issues raised in this comment regarding the facilities available at existing parks within the planning and maintenance of existing facilities are beyond the scope of CEQA. The comment only expresses the opinions of the commenter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 10-3

See **Response 10-2**, above, regarding the availability of park facilities.

Vehicular emissions are analyzed in Section 4.2, Air Quality, of the Draft EIR. As discussed on page 4.2-7 of the Draft EIR, the South Central Coast Air Basin in which the planning area is located is currently in nonattainment of state standards for ozone, particulate matter 10 microns or less in diameter (PM10), and particulate matter 2.5 microns or less in diameter (PM2.5). On page 4.2-28, the Draft EIR states that operational emissions, including vehicular emissions, would exceed Ventura County Air Pollution Control District (VCAPCD) thresholds for significance. Mitigation measure AQ-1 would reduce these impacts to less than significant through developer contributions to a transportation demand management (TDM) fund that would finance programs to reduce air pollutant emissions.

The comment regarding the removal of handball courts at Westpark and associated security concerns is noted. While the provision of specific facilities at existing parks is beyond the scope of the Draft EIR, future plans for the development of parks would take appropriate consideration for the security of park users and planning area residents. No further response is required.

Response 10-4

See **Response 8-2**, above, regarding the designation of the Kellogg site as a park facility.

As discussed in Section 4.7, Hazards and Hazardous Materials, of the Draft EIR, because of the historical prominence of the oil industry within the planning area, contaminated sites and gas lines are present. Detailed discussion of potential soil and groundwater contamination within the planning area is discussed on pages 4.7-15 through 4.7-16 of the Draft EIR. Project-level review would be required for development projects within the planning area, including development of a park facility within the Kellogg site, should it occur. Implementation of General Plan and Westside Community Plan policies

regarding hazardous wastes and materials would ensure that all impacts would be reduced to less than significant.

Response 10-5

See **Response 8-2**, above regarding the provision of park space within the planning area.

The comment raises issues that do not appear to relate to any physical effect on the environment. Section 24W.208 of the Westside Development Code provides detailed standards for sidewalks and streetscapes on specific streets and types of streets within the planning area. The Westside Community Plan includes policies to improve the roadway design on Ventura Avenue to enhance safety for pedestrians and bicyclists and requires the City Public Works staff to undertake improvements as funding allows. These standards would improve the function of streets over the development horizon of the project.

The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 10-6

The comment that the Draft EIR contains inaccurate references to the availability of VISTA and Greyhound transit does not specify what information is inaccurate. The Draft EIR contains information that was, to the best of the City's knowledge, accurate at the time of publication. The description of these regional transit services has been revised in the text of the Final EIR as discussed in **Response 17-86**, below.

The Westside Community Plan provides policies and actions intended to improve access to public transit within the planning area (see policy 12 V and actions 12.4.22, 12.4.23, and 12.4.24). As discussed on page 4.13-19 of the Draft EIR, implementation of these policies would result in a beneficial impact to public transit within the planning area.

Response 10-7

While no specific development is proposed at this time, the Westside Community Plan provides land uses that would allow for the future development of commercial and institutional uses such as those referenced in this comment. The provision of specific commercial uses such as a bank or post office lies beyond the City's jurisdiction. Ventura Unified School District provides school facilities as appropriate based on need, financing, and the availability of appropriate sites for school development. As discussed on pages 4.12.3-6 through 4.12.3-7 of the Draft EIR, future development would be required to pay school facility fees, which would provide for future development of school facilities as necessary.

Response 10-8

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 10-9

The comment only expresses the opinions of the commenter regarding the adequacy of the mitigation measures provided in the Draft EIR for park facilities. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

See **Response 8-2**, above, regarding the provision of park facilities within the planning area. Revisions have been made to mitigation measure PARKS-2 to include more definitive verbiage as follows:

MM PARKS-2 Amend Westside Community Plan Action 12.6.Z: Develop joint use agreements with the Ventura Unified School District for joint use of school parks and recreational space by adding the following additional provision: The City ~~should~~ shall coordinate and fund a pilot program for joint use at one or more of the Ventura Unified School District facilities in the Westside Community.

Response 10-10

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

CITY OF
SAN BUENAVENTURA

JAN 26 2012

COMMUNITY DEVELOPMENT



505 Poli Street , Second Floor | Ventura, CA 93001
www.VenturaChamber.com | Tel: 805.643.7222 | FAX: 805.650.8015

January 26, 2012

Jeffrey Lambert, AICP
Community Development Director
City of Ventura
501 Poli Street
Ventura, CA 93001

Dear Jeff,

Below are the Ventura Chamber of Commerce comments regarding the EIR on the Westside Community Plan and Code:

- Alternatives 2 and 3 expand the Corridor to include a larger area; this results in applying the more restrictive Corridor mandates to more properties. As a result attraction of new capital and investments may be difficult to achieve.
- The Stanley Avenue off ramps are not addressed in the EIR traffic section. The off-ramps are outdated and do not sufficiently accommodate trucks and business traffic to support the anticipated industrial and economic activity in the area.
- Section 4.9-11 indicates that 28.3 areas of industrial and commercial land will be converted to residential and additional land converted to Mixed Use neighborhoods. This does not align with the City's General Plan and overall economic strategy of maintaining industrial use land and increasing economic activity and job creation.
- Noise concerns or limitations on industrial properties (SD-1) along Ventura Avenue are not addressed. The result could be additional noise complaints or restrictions that would negatively impact business operations in the area.

These comments are limited specifically to the draft EIR; the Chamber may have additional verbal comments based on changes at future hearings. As we have discussed, The Chamber will provide comments regarding the overall Plan in February.

Sincerely,

Ed Summers
President & CEO

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Letter No. 11: Ventura Chamber of Commerce, January 26, 2012

Response 11-1

This comment is an introduction to comments that follow. No further response is required.

Response 11-2

As stated in this comment, Alternative 2 would expand the Ventura Avenue Corridor boundary to include the Olive Street industrial area and the Westview Affordable Housing Project. Page 5.0-12 of the Draft EIR states, "The primary difference between [Alternative 2] and the project as proposed would be the alternative zoning proposed for the existing residential neighborhoods in the Westside Community." Areas designated T4.11 under the Westside Community Planning Project proposed project alternative would be designated T3.6 under this alternative.

Alternative 3 would regulate development in the same area as Alternative 2. Page 5.0-16 of the Draft EIR states, "The primary difference between [Alternative 3] and the proposed project would be that the existing General Plan land use designations and zoning would remain the same for the majority of the Westside Community."

As this comment does not raise any specific issue regarding the analysis presented in the Draft EIR, no further response is required.

Response 11-3

The Stanley Avenue/Highway 33 Interchange improvements have been identified as a Potential Project in the adopted 2011-2017 Capital Improvements Plan and the project will move forward as funding is secured.

Response 11-4

Please refer to **Topical Response 1** regarding revisions to the Westside Community Planning Project subsequent to the publication of the Draft EIR. Under the revised Westside Community Plan, the existing 99.1 acres of Commercial land use would remain unchanged. The Draft EIR project description included for analysis several amendments to the City of Ventura's General Plan that would result in redesignation of land designated for Commerce and Industry. The first involves approximately 14 acres of land on the west side of Ventura Ave, to the north of Stanley Avenue which shows redesignation from Commerce to Neighborhood Medium to satisfy a portion of community interest in an option that excluded the Shopfront Overlay zone in the Development Code. The analysis included a Development Code option that removed the Shopfront Overlay pedestrian node designation that would mandate ground floor retail uses, because removal of the mandate for a commercial node would differ from assumptions previously analyzed in the 2005 General Plan EIR. Because Neighborhood Medium allows for mixed-use development, removing the Shopfront Overlay regulation from this block of parcels could provide a

greater flexibility of choice for frontages and uses by removing the mandated ground floor retail without precluding it. However, that option would require the formal land use amendment for consistency with the General Plan Commercial corridor designation. As shopfront retail uses would still be permitted, such an amendment would in no way reduce the assumed commercial development projections stated in the General Plan for the Ventura Avenue Corridor through 2025. Thus, the option is consistent with the development assumptions of the General Plan. The current project proposal for the Westside Community Plan does not include this land use amendment and would retain the Commercial acreage designated in the General Plan.

Economic Catalyst Site #1 on the east side of Ventura Avenue — the 14-acre Selby site — was analyzed to accommodate the recommendations of the 2006 Westside Economic Development Study, which proposed changing the land use designation from Industry to a mixed-use strategy with a Neighborhood Medium land use designation. Because no development of any kind was assumed to occur on this site through 2025, such a redesignation was not found to be inconsistent with the General Plan growth projections for development and thus jobs. However, additional input during the Draft Plan/Code public workshops and the Draft EIR comment and review period suggests an unfavorable outlook for a revised economic development strategy and the final recommendation moving forward in the Westside Community Plan will reflect no change to the Industry land use designation in the 2005 General Plan. The majority of the parcels currently subject to the Industry land use designation would be designated Special Industrial District (SD) under the Westside Development Code. The 110.5 acres of Industry land use would be reduced to 110.1 acres due to one proposed 0.4-acre parcel being redesignated to the Commerce land use designation.

Response 11-5

Areas designated SD within the planning area are currently occupied by industrial land uses and subject to noise levels typical of such uses. The potential noise impacts of industrial land uses, loading docks, and electrical and mechanical equipment are analyzed on pages 4.10-23 through 4.10-25 of the Draft EIR. With implementation of policies provided in the General Plan, Westside Community Plan, and existing City Municipal Code, impacts would be less than significant.

Response 11-6

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

City Of Ventura

Dave Ward
 Planning Department
 501 Poli Street
 Ventura, CA 93001

Comments on DEIR for Westside Community Plan

There are certain suggestions in this Westside Plan and Code that the DEIR shows should not be allowed. The Westside Community Plan should uphold the policies and actions of the 2005 General Plan (GP) and avoid major hazardous conditions identified in the 2005 GP EIR.

The 27-acre Willett Ranch property can be used as an example of what we should **not** do -- *plan as if all land was created equally geologically stable for development.*

It is interesting the 2005 General Plan EIR (Figure 4.2-2 “Important Farmland”) designates the Willett Ranch site “Farmland of Statewide Importance.” It is interesting, too, that this parcel was **not** proposed as a potential expansion area (PEA) in the General Plan update even though it was outside the city limits and in April of 2003 the developer had filed plans showing the City that there was interest in developing the property.

More to the point of this discussion, is the fact that Figure 4.6-5 of the Geological Hazards section of the 2005 General Plan EIR identifies the highly expansive soils conditions that are *predominant* on the Willett Ranch property. Regarding expansive soils, the 2005 GP EIR states:

“In hillsides areas, as expansive soils expand and contract, gradual down-slope creep may occur, eventually causing landslides. Expansive soils are also prone to erosion. Foundations of structures placed on expansive soils may rise during the wet season and fall during the succeeding dry season. Clay soils [expansive soils are generally clayey] also retain water and may act as lubricated slippage planes between other soil/rock strata, also producing landslides, often during earthquakes or unusually moist conditions.”

1

The GP EIR page 4.6-28 goes on to describe the consequences of building on highly expansive soils:

“Expansive soil or other conditions that could lead to subsidence or settlement may result in the loss of strength of foundation materials, such that structures built upon them gradually settle or break up. Expansive soils may contribute to down slope creep, landslides and erosion. The seasonal expansion and contraction of soils may cause foundations, walls and ceilings to crack and various structural portions of the building to warp and distort. Several areas of highly expansive soils are in the hillsides of the planning area.”

This 2005 General Plan EIR information was readily available to city officials when on June 18, 2007 the Willett project received all city planning approvals for 120 single family homes, 36 condos and 50 apartments units. On October 17, 2007 with the City acting as the lead agency, the Ventura Local Agency Formation Commission (LAFCO) approved annexation to the City of the Willett property for development.

The point of this example is that we invested a great deal of money for a General Plan EIR to identify hazards. What use is this if we turn around and allow development on land *not well suited for development*? The Willett Ranch property is a prime example of having had important 2005 GP EIR data on which to base good planning decisions, but then seemingly leaving that crucial data unused on a shelf.

Perhaps city planner turn-over around the time in question is responsible for lack of attention to the EIR data. Or perhaps decision-makers, had no experience with *the real world consequences* of building on expansive soils. If this was the case, then officials only needed to talk to residents of the Valley Vista tract in the North Avenue Area. (In Figure 4.6-5 of the 2005 GP EIR the Valley Vista area is identified as having the same “highly expansive soil” conditions as the Willett Ranch site. The Valley Vista tract also has a similar slope to the Willett site.) Valley Vista tract residents could point to *real life results* of building single family homes on highly expansive soils, showing case after case of severe foundation slipping/cracking.

Officials also could have also talked with homeowners in the red-roof Kalorama area condos (that are on “moderately expansive soil” but combined with steeper hillside slopes these condos have suffered major foundation problems) who have had to pay hundreds of thousands of dollars in attempts to underpin the individual units in this condo development. These cracking foundations have caused owner's home values, home equity, and retirement savings to disappear.

With the information in the 2005 GP EIR officials aware of the predominant *highly expansive soil* issue on the Willett Ranch site, should have acted to protect the public safety and future homeowners and declined to approve 206 residential units for this property. Because the GP EIR identified major geological hazards on this property, the best and highest *and safest* use of this property could actually have been to remain as productive, important, agricultural farmland. Now, if the development goes forward as approved, it may well cause future homeowner heartbreak as foundations slip and savings erode. Additionally, city services extended into this area like roads, water and sewer lines... will also be subject to the area's highly expansive soils and associated increased maintenance costs.

It is interesting to note that *this* DEIR Figure 4.3-1 the Westside Community Planning Project Vegetation map identifies the Willett Ranch site as “Riparian and Urban Woodlands” which is correct since it is located adjacent to a natural watercourse-- the School Canyon Creek/ Barranca. Given this, the potential for underground or subsurface water flows further destabilizing the highly expansive soils on the site is only exacerbated.

It is government's job to protect public safety-- approving developments on the slippery slope of expansive soils is not fulfilling this duty. When we have paid good money to get pertinent EIR data on potential hazardous conditions, we should actively use it to improve our city planning and increase our citizens' safety.

With the Willett Ranch site as an example of what we should *not* do -- that is, plan as if all land was created *equally* geologically stable-- let us look at this Westside Plan DEIR. In Figure 4.5-3 of this DEIR the land above Cedar Street and its possible extensions is identified as “Landslide Zones.” The explanation reading:

“Areas where previous occurrence of landslide movement or local topographic, geological, geotechnical and subsurface water conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required.”

Additionally, Figure 4.6-4 (2005 GP EIR) has the entire area above the existing Cedar Street identified as a “Liquefaction Hazard Zone” that combined with the unstable hillsides is a recipe for impending disaster if development is allowed to push closer to this hazardous area.

Page 4.6-5 (2005 GP EIR) states:

“The hillsides north of Poli Street and east of Ventura Avenue and Cedar Street contain a number of existing landslides and are likely to experience future landslide activity. Although landslides generally occur on slopes 30% or steeper, they may also occur on slopes that are less steep. Slope stability conditions vary locally in the hillside area based on soil and rock type and groundwater depth.”

We know from this EIR data that due to expansive soils and liquefaction hazards, the area to the east of Cedar Street has the potential for such failure. We should not repeat past mistakes, but instead use this EIR data and Westside DEIR landslide information to keep development clear of these hazardous conditions.

The real life consequences of developments on *or near* unstable ground goes beyond the mere bank-breaking, home-equity-crushing, foundation problems. In Ventura we should know better than to build near slide hazards because we have experienced first hand (in different decades) lives lost to landslides above Cedar Street. Additionally, Ventura is also too close to La Conchita not to be deeply influenced by the tragic loss of many members of a family that occurred due to landslides there. In La Conchita, the hillsides slid down onto a number of the flat land homes below. These local landslide-related tragedies are etched on our citizens' collective consciousness.

We know these hillsides above Cedar Street have had active, reoccurring, visible landslides for years. Expanding any kind of development into *or even closer to* these known landslides areas should not be done. Public safety should be the paramount concern in land planning and hazardous conditions should be avoided.

Additionally, in the 2005 GP EIR 4.6.2 **Impact Analysis** (page 4.6-19) it states:

“**Methodology and Significance Thresholds.** The General Plan Update would result in potentially significant impacts if development under the General Plan through the year 2025 would result in substantial adverse physical impacts associated with the following conditions:

- *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic related ground failure, including liquefaction, or landslides, or seismic-related ground failure including liquefaction or landslides*
- *Result in substantial soil erosion or loss of topsoil*
- *Result in the loss of a unique geological feature*
- *Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse*
- *Be located on expansive soil, creating substantial risks to life or property.”*

Policy 7B from 2005 GP states: “Minimize risks from geological and flood hazards.” In the case of extending Cedar Street, the best way to minimize risks in this hazardous area is to not extend Cedar Street and not allow development to encroach closer to known unstable land.

The more positive alternative to extending Cedar Street is the option of a lateral or linear park (which could be restored to native coastal sage scrub and oak woodland habitat) with no road, but rather uses limited to pedestrian and bike paths along the proposed road extension area. The pedestrian/ bike path could connect to the planned trail which will lead to the future Ventura Botanic Gardens in the Grant Park area. It would also protect the course of Historic Landmark #58, the Mission Aqueduct (designated 8/2/82). Although, landmark #58 is located at the east end of Vince, the reality is that the path of the historic aqueduct starts at the convergence of San Antonio Creek and the Ventura River and extends approximately seven miles, winding its way along the base of the foothills toward the Mission with segments of the aqueduct still visible today. A pedestrian park instead of a Cedar road extension would serve the community, enhance our natural environment, protect air and water quality, protect an historic cultural resource and, in a Mission town, add a potentially important cultural tourism draw. (Because of the historic importance of this area we could probably secure grant funding to make the project a reality. In fact, the Vision Plan for the Lower Ventura River Parkway lists the Ventura Mission and the aqueduct remnant as historical and cultural resource opportunities.)

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Westside Plan DEIR Alternative 3 would appear to be the best choice for the Westside Community and the City. Alternative 3 designates the hillside *landslide zone* area surrounding the former girls school (now mental health hospital) site as Parks and Open Space (the same designation this land carried in the 2005 EIR GP maps) and it does not appear to promote more development above Cedar Street and closer to the unstable hillsides.

2

Additionally, Alternative 3 treats the Westside Community in the most fair manner as it does not introduce blocks of higher density zoning into existing neighborhoods, but limits changes to corridor areas. In Alternative 3, similar to other Area Plans within the City, zoning change was concentrated on the main corridors and the single-family home residential character of *established* neighborhoods was protected.

Additionally, because we (VCHP) are aware the Westside is under-served in park space, and because we were in attendance at many of the Westside Planning meetings and listened carefully as a large and organized contingent of the Westside community repeatedly requested the 2-acre Ventura Avenue/Kellogg property to be zoned as parkland-- we would like to voice our support that this central location be zoned for a community park. The location would add an aesthetic appeal to the otherwise urban landscape of the Avenue corridor.

3

Diane Underhill, President
Ventura Citizens for Hillside Preservation

1585 Thompson Blvd.
Ventura, CA 93001

(805) 643-1065

Letter No. 12: Ventura Citizens for Hillside Preservation, undated

Response 12-1

As stated on page 4.5-24 of the Draft EIR, geotechnical studies will be required for development projects in areas with identified geotechnical conditions, including the Cedar Street area referred to in this comment. As the exact design and alignment of the proposed Cedar Street extension is not available at this time, further study and additional environmental review subject to CEQA would be required prior to construction of the proposed extension. Specifically, detailed geotechnical studies required by the City would be prepared prior to the construction of the Cedar Street extension or any other project located in an area subject to potential geologic hazards. These studies would include mitigation for any identified geotechnical condition. See **Response 7-2**, above, for a discussion of the Mission Aqueduct. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

Response 12-2

The comment only expresses the opinions of the commenter regarding Alternative 2 and the preferred choice. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 12-3

The comment only expresses the opinions of the commenter that the 2-acre Ventura Avenue/Kellogg Street property should be designated as a park. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Ventura Eco-Renewal

www.venturaecorenewal.wordpress.com
ventura.eco.renewal@gmail.com

Dear Mr. Ward,

I am writing to you as a concerned citizen, community activist, student, and environmentalist about the possible road extension from Cedar Street to Stanley Avenue. I am the founder of Ventura Eco-Renewal, a student organization aimed at inspiring conservation and sustainability through native gardening and community action. Our major project has been to create a native plant garden at the Olive Street Boys & Girls Club, and, due to my experiences both in the Westside of Ventura and in learning about environmental science, I feel that extending this road extension would not be beneficial to the city of Ventura’s ecology, economy, aesthetics, or community.

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The possibility of the Cedar to Stanley road extension would be environmentally detrimental. First, increased pavement means decreased permeable surfaces, leading to increased runoff (which often contains harmful pollutants) and increased opportunity for the “Urban Heat Island Effect.”

Second, a joint pedestrian/bike path and lateral park option would allow for an increased number of trees, which can cool communities by deterring the Urban Heat Island Effect and can allow for increase Oxygen (and decreased Carbon Dioxide) concentrations in the air by increasing photosynthesis rates.

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Third, the addition of a lateral park and pedestrian/bike path would improve the West Side of Ventura’s aesthetic appearance, but a road extension would do the opposite,

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Fourth, the park and path option is much cheaper, and would better benefit the local

4

Ventura Eco-Renewal

residents by giving them a nearby park and recreational area of which this area of Ventura is currently lacking.

4

Finally, a park and pedestrian/bike path would create a habitat for local flora and fauna that could eventually connect to the Ventura Botanical Gardens, whereas an extended road would cause habitat fragmentation. Thus, local wildlife would be adversely affected by the road extension, but benefitted by the addition of a lateral park. In a world that is losing species and endangering them at unprecedented rates, it is essential that we protect our wildlife in every instance that we can. With the proposed Cedar Street extension or lateral park and pedestrian/bike path, the city of Ventura has this opportunity to protect its local wildlife. I must impress upon you the importance that you take this opportunity.

5

It would be in the city's best interest to favor the natural option over the street extension option. I urge you to join the many Venturans asking for greener options. Thank you for your time and consideration.

Anna Guasco

Ventura Eco-Renewal

Founder

ventura.eco.renewal@gmail.com

Letter No. 13: Ventura Eco-Renewal, undated

Response 13-1

The Draft EIR considers potential issues related to stormwater runoff, including potential runoff that would be created by the proposed extension of Cedar Street, on pages 4.8-27 through 4.8-28 and concludes that impacts would be less than significant. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

Response 13-2

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 13-3

The comment only expresses the commenter's preference for a pedestrian and bicycle path in lieu of the proposed Cedar Street extension. Section 24W.208.023 of the Westside Development Code provides a streetscape standard alternative for the Cedar Street connector that includes a bike trail on the east side of the street. Potential impacts to aesthetic resources are addressed in Section 4.1, Aesthetics, of the Draft EIR. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 13-4

The comment only expresses the commenter's preference for a pedestrian and bicycle path in lieu of the proposed Cedar Street extension. See **Response 13-3**, above. Potential impacts related to park facilities are discussed in Section 4.12.4, Parks and Recreation, of the Draft EIR. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 13-5

The comment only expresses the commenter's preference for a pedestrian and bicycle path in lieu of the proposed Cedar Street extension. See **Response 13-3**, above. Potential impacts to biological resources are discussed in Section 4.3, Biological Resources, of the Draft EIR. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

City of San Buenaventura
Community Development Department
Attn: Maggie Ide, Associate Planner
501 Poli Street
P.O. Box 99
Ventura, CA 93002

January 24, 2012

SUBJECT: COMMENTS REGARDING DRAFT ENVIRONMENTAL IMPACT REPORT
FOR VENTURA WESTSIDE COMMUNITY PLANNING PROJECT

Dear Ms. Ide:

My comments regarding the DEIR shall focus on the following three areas: Sections 3.0 Project Description; 4.12.4 Parks and Recreation; and 5.0 Alternatives. The following comments are intended to address in some cases the entire section and do speak to a particular sub-section or paragraph.

Project Description: According to the DEIR, approximately 90% of the Planning Project was designated within the Westside Redevelopment Area Plan. Since the State Supreme Court of California has now ruled that Redevelopment Areas (RDA's) are no longer valid; this section needs to be revised to reflect this action. Also, now that "redevelopment tax increment financing" will no longer be available; additional financing mechanisms should be discussed, to supplement those referenced, to fill this loss of funding.

Parks and Recreation: Overall, the statistics discussed, reflect the City's park and recreational needs and do not focus on the Westside Community. The analysis needs to accurately depict existing "passive" and "active" parkland *within the Westside Community*. Specifically, the **acreage** devoted to these uses within Harry A. Lyon and Westpark need to be identified. Using the General Plan planning standard for neighborhood parks (2 acres of neighborhood parkland per 1,000 residents) as identified in the DEIR; this section needs a **Table**, which outlines the following: a) existing population vs. existing "passive" and "active" parkland, and b) projected population by 2025 and needed acres of "passive" and "active" parkland. This analysis can provide a clearer picture of the local unmet recreational needs of the Westside Community.

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2

Comments to
DEIR for Westside
Community Planning Project
Page 2 of 2

Alternatives: Based upon the previous discussion regarding RDA's, all references to RDA's should be removed from the alternatives. Also, please provide additional discussion for Table 5.0-2: Summary Comparison of Alternatives. Specifically, clarification is needed to address why the Environmental Issue **impacts** are "exactly the same" for the three Alternatives, when the scenarios are different.

3

Thanking you in advance for the opportunity to submit my comments.

4

Sincerely,



Ronald R. Allen
211 No. Victoria Avenue
Ventura, CA 93003

Letter No. 14: **Allen, Ron, January 24, 2012**

Response 14-1

The Westside Redevelopment Plan has been removed from the project as a result of the California Supreme Court's recent action in *California Redevelopment Association v. Matosantos* regarding redevelopment agencies. Please refer to **Topical Response 1** regarding revisions to the Westside Community Planning Project subsequent to the publication of the Draft EIR. Potential sources of funding are not within the scope of environmental analysis required by CEQA. *State CEQA Guidelines* Section 15131 states that "Economic or social effects of a project shall not be treated as significant effects on the environment." No further response is required.

Response 14-2

The City's parkland standard of 10 acres per 1,000 residents does not provide standards for active or passive parkland. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

Response 14-3

The Redevelopment Area Plan has been removed from the proposed project and from the project alternatives. Table 5.0-2 in the Draft EIR compares the potential impacts of the alternatives to the impacts identified for the proposed project. While the alternative scenarios considered are regulatorily different, they would have similar physical impacts when compared to the proposed project. No further response is required.

Response 14-4

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

BROOKE ASHWORTH

161 Eugenia Drive
Ventura, CA 93003
(805) 643-7446 · bcfa@aol.com

January 27, 2012

Dave Ward, Planning Manager
City of San Buenaventura
Community Development Department
501 Poli Street
Ventura, CA 93001

Dear Mr. Ward,

This letter provides my comments on the “Ventura Westside Community Planning Project Draft Environmental Impact Report” (hereinafter referred to as the “DEIR”), dated December 2011. Pursuant to the California Environmental Quality Act (“CEQA”), the DEIR examines the potential impacts of the City of Ventura’s proposed Westside Community Plan and proposed Westside Development Code (hereinafter referred to as “the proposed project” or “the proposed Plan and Code”).

My comments focus specifically on the DEIR as it relates to parks on the Westside, discussion generally contained in section 4.12.4 of the DEIR.

1

Comment: Section 4.12.4.2.b of the DEIR states that the City of Ventura collects fees in accordance with the state Quimby Act. This section should be amended to describe the City’s Quimby fee structure. This section should note that the Quimby Act fee applies only to new residential subdivisions and that the fees collected can be used only for specified purposes, which purposes should be described in the DEIR.

Comment: Section 4.12.4.2.b is incomplete in that it fails to reference additional methods by which the City funds park acquisition and development. It should be revised to also describe these funding sources, the fee structure for each and the limitations on use of each funding from each source:

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- ♦ City Parks & Recreation Tax (applies to all new dwelling units)
- ♦ Service Area Park Fee (applies to all new development)
- ♦ Public Park Fee (applies to all residential developments not subject to the Quimby fees)

The DEIR should recognize that in addition the City uses monies from its General Fund and individual maintenance assessment districts to fund park acquisition and development.

2

Comment: In its reiteration of the applicable General Plan policies and actions relevant to parks and recreation, Section 4.12.4.2.b omits an important and relevant General Plan action:

Policy 6B: Ensure equal access to facilities and programs.

Action 6.16: Update the project fee schedule as necessary to ensure that development provides its fair share of park and recreation facilities.

3

The DEIR must be revised to incorporate Action 6.16 and the DEIR must be revised to incorporate an analysis of whether the development that would result from the proposed Plan and Code will provide its fair share of park and recreation facilities. This is a significant shortcoming of the DEIR.

Comment: In its reiteration of the applicable General Plan policies and actions relevant to parks and recreation, Section 4.12.4.2.b omits an important and relevant General Plan action:

Policy 6B: Provide additional gathering spaces and recreation opportunities.

Action 6.20: Earmark funds for adequate maintenance and rehabilitation of existing skatepark facilities, and identify locations and funding for new development of advanced level skatepark facilities.

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Given that one of the City's three public skatepark facilities is located at Westpark in the planning area, the DIER must be revised to incorporate Action 6.20 and the DEIR must be revised to incorporate an analysis of how the proposed Plan and Code address this action.

Comment: Section 4.12.4.c of the DIER states, "Neighborhood parks developed on any of these alternate sites would not be lighted for nighttime use." Since the plans for development of these sites have not yet been prepared, this statement in the DEIR is speculative. It should be omitted and analysis based on the potential presence of nighttime lighting in the parks added. It is particularly troubling that the DEIR assumes the parks would not be lighted for nighttime use since parks

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appropriately lit at nighttime have a lower crime rate than parks which are not.

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Comment: Section 4.12.4.c contains this statement with reference to whether the City has adequate parkland to meet its standard of 10 acres of parks per 1,000 residents:

Included in this park planning goal are non-City special use facilities (e.g., state beaches, the Ventura County Fairgrounds, and Ventura Unified School District sports fields) which would continue to provide approximately 600 acres of additional recreational parks and facilities that could be utilized by current and new residents.

6

This statement in the DEIR is incorrect and should be omitted; any analysis in the DEIR based on this statement must be revised. The 2005 General Plan does not mention non-City special use facilities as being counted toward meeting the City's park standard. See 2005 Ventura General Plan, Chapter 6, Our Active Community, pages 6-1 through 6-6.

Comment: Section 4.12.4.c contains the statement that:

Dedication of parkland for new development and continued collection of required park fees on new development currently allows the City to address increased demand for parks associated with population growth.

The DEIR does not provide any analysis to support this contention. While certainly the City collects fees and taxes to pay for acquisition and development of new parks, and in some cases requires dedication of land for parks, there is no basis in the DEIR for concluding that such efforts are sufficient to address increased demand for parks associated with population growth under the proposed Plan and Code. The DEIR must be revised to provide analysis which shows whether present City efforts are in fact adequate to meet the demands for park space created by the growth in the proposed project. If such measures are found inadequate, the DEIR must present measures to mitigate that impact of the proposed project.

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Comment: On page 4.12.4-9, section 4.12.4.c of the DEIR discusses that the 2005 General Plan EIR found that particular areas of the city targeted for intensified residential development—development that would substantially increase park demand per the 2005 General Plan EIR—were “largely lacking in local park facilities.” Among these areas targeted for intensification and lacking in local park facilities is Ventura Avenue

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in the project area. The DEIR fails to quantify the existing unmet demand in the project area in order to place the impacts of the proposed Plan and Code in proper context. The following analysis should be added to the DEIR:

According to the DEIR, the current population of the project area is 11,088 residents. The 2005 General Plan's neighborhood park standard of 2 acres per 1,000 population means that the project area requires 24 acres of neighborhood parks to meet existing demand. As shown on Table 6-2 of the 2005 General Plan, there presently is one neighborhood park in the project area, a 1.5 acre portion of Westpark. Thus, even before the additional population arising from the proposed Plan and Code, there is an existing 24.5 acre deficiency in neighborhood parks in the project area, a deficiency that will be exacerbated by the further demand for 7.5 acres of neighborhood park from the project's projected population increase described on page 4.12.4-9 of the DEIR.¹

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Comment: The DEIR describes two possible scenarios related to designation of additional land for parks in the project area. Scenario 1 is no further designation of park space and Scenario 2 is one or more of three possible identified sites being designated for parks. Section 4.12.4.c states that population growth associated with the proposed project would create a demand for 7.5 acres of additional neighborhood park space. See page 4.12.4-9. There is no further quantitative analysis in the DEIR of how the proposed plan and code would meet this demand, either through the required onsite park land dedication in the Code or designation of one or more park sites under Scenario 2. This is an especially egregious omission given that the three identified sites together total only approximately 4.6 acres of the 7.5 acres in an area already deficient in neighborhood parks by 24.5 acres. The document must be revised to include such a quantitative analysis.

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Comment: Page 4.12-13 states that "development of parks and recreational facilities within the Westside Community Plan area would be subject to City environmental review, which would impose mitigation measures to reduce any potential impacts from construction

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¹ These figures are premised on the accuracy of the DEIR's population figures. Note, however, that these figures are based on a 2011 Department of Finance projection of persons per household that is substantially lower than the Bureau of the Census measurement of 3.12 persons per household. When the DEIR population figures are revised upward to conform with the Bureau of the Census measurement of household size, the projected existing neighborhood park deficiency and additional demand from the project's population also will increase proportionally.

of these facilities to a less than significant level.” This statement is improperly postponing evaluation of the impacts of these park facilities to a later time when designation of the proposed Scenario 2 park sites is part of this project. The DEIR should be revised to address the impacts of designation of these proposed park sites (and any alternatives), since that analysis is directly applicable to evaluating one of the criteria for significance described in section 4.12.4.3.a.

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Comment: The DEIR concludes that no mitigation measures are required for impacts on parks from the proposed Plan and Code. Page 4.12.4-11. This statement is incorrect and must be revised.

A. Assuming that one accepts the DEIR’s definition of significant park impacts as an “increase [in] the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated,” the finding of no significant impact and therefore no mitigation required is unsupported by the facts. As noted earlier in these comments, there is an existing neighborhood park deficiency in the project area of 24.5 acres. The proposed Plan and Code will cause an additional demand for 7.5 acres. Under the best case, 3.5 acres of neighborhood park will be added to the project area and under the worst case no new neighborhood parks will be added. Under either scenario within the context of the grossly strained single existing 1.5 acre neighborhood park, the proposed project will significantly increase or accelerate deterioration of that park.

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B. As noted earlier in these comments, the DEIR has no analysis of whether present City mechanisms (such as park fees and taxes tied to development) for funding acquisition and development of parks are adequate to meet the demands of new population from that development. Absent that analysis it is impossible to conclude one way or the other whether new development is mitigating demand for new park land or whether additional mitigation is required.

Comment: The DEIR is lacking in its examination of alternatives. It did not analyze any alternative parks sites beyond the three mentioned in Scenario 2. One of these three sites, the City-owned property on Stanley is not an ideal location for a park since it fronts on a very busy commercial street that provides the sole access to Highway 33 in the upper part of the project area. The DEIR should examine alternative vacant or underutilized parcels in the project area that are more suitably located for parks and that are within easy walking distance of residential areas. A few examples include a linear park as an extension of Cedar Street, the old Avenue School site and vacant property on Rocklite Road.

12

January 27, 2012
Dave Ward
Page 6 of 6

Other alternatives are vacant parcels located in the unincorporated area directly adjacent to City boundaries.

12

I look forward to the responses to my comments and the revisions to the DEIR.

13

Sincerely,

Brooke Ashworth

Letter No. 15: Ashworth, Brooke, January 27, 2012

Response 15-1

Chapter 4.145 of the City of Ventura Municipal Code establishes the City's Parks and Recreation Facilities Tax, which funds the development of new parks and recreation facilities within the City. The fees established in Section 4.145.040 increase annually and would be determined at the time of application for individual projects under the Westside Development Code. Additional fees supporting the provision of parks and recreation facilities include the Service Area Park Mitigation Fee (Municipal Code Chapter 4.215) and the Public Park Fee (Municipal Code Chapter 4.230). The Draft EIR discloses that the City assesses fees to provide parks and recreation services.

The following discussion of the City's park fees and taxes has been added to the Final EIR:

The City has an established parks and recreation facilities fee in accordance with Section 66477 of the Subdivision Map Act, commonly referred to as the Quimby Act. These fees fund the development of recreational facilities throughout the City. Table 4.12.4-1, Parks and Recreation Facilities Tax Fees, shows the fees the City currently assesses for new residential development under its Parks and Recreation Facilities Tax:

Table 4.12.4-1
Parks and Recreation Facilities Tax Fees

<u>Number of Bedrooms</u>	<u>Fee</u>
<u>1</u>	<u>\$565.00</u>
<u>2</u>	<u>\$772.00</u>
<u>3</u>	<u>\$1221.00</u>
<u>4 or more</u>	<u>\$1748.00</u>
<u>Mobile home pad</u>	<u>\$323.00</u>

Source: Per fee updates allowed in City of Ventura, Municipal Code Section 4.145.04.0, July 1, 2012.

Other fees that would finance development of new parks and recreation facilities include the City's Service Area Park Mitigation Fee (Municipal Code Chapter 4.215) and the Public Park Fee (Municipal Code Chapter 4.230)

Response 15-2

See **Response 15-1**, above.

Response 15-3

The General Plan action referenced in this comment requires the City (through action of the City Council) to update its fee schedule as necessary. Because this action applies to the City and not to individual projects, no analysis of the Westside Community Plan's consistency with this action is required.

Response 15-4

The operation and maintenance of parks and other recreational facilities, such as skate parks, are funded primarily through the City General Fund. Additional funding has been obtained through grants, shared use arrangements and other funding mechanisms. General Plan Action 6.20 calls upon the City Council to allocate funds from these sources toward and assure consistency with the General Plan as the Community Plan is implemented.

Response 15-5

The Draft EIR was prepared based on information provided by the City Department of Community Services and Department of Community Development. Based on this information, the Draft EIR correctly states that neighborhood parks within the planning area are not expected to have nighttime lighting. The Ventura Police Department would provide regular patrols of the planning area, including future park facilities.

Response 15-6

The analysis of parks and recreation facilities provided in the Draft EIR is consistent with the City's 2005 *General Plan Draft EIR*, which states

The use of standards as reference measures does not imply that park acreage must necessarily be met entirely by City-owned facilities. In addition to recreation areas under City jurisdiction, substantial acreage within or adjacent to the Planning Area is held by public schools or county and state parks.⁶

The 2005 *General Plan Draft EIR* also states

In addition to City-owned parks, a number of other recreational facilities are available within the planning area. Foremost among these are the seven miles of beach that line the western boundary of the City. Although not owned by the City, the waterfront open space provides valuable recreational opportunities for Ventura residents. Other non-City facilities include the County Fairgrounds and the Saticoy Regional Golf Course. In addition, the Ventura Unified School District and Ventura College have joint-use agreements with the City so that residents have access to their sports fields, pools, and gymnasiums after school hours.⁷

⁶ City of Ventura, 2005 *General Plan EIR*, (2005) 4.11-14.

⁷ City of Ventura, 2005 *General Plan EIR*, (2005) 4.11-20

The approximately 600 acres referred to in this comment is provided in Table 4.11-10 of the 2005 *General Plan Draft EIR*.⁸

Response 15-7

As discussed in **Response 8-2**, above, the proposed project would provide new park acreage within the Westside Community Plan area through the dedication of one or more parks sites within the planning area and through joint use agreements with the Ventura Unified School District. Future development would be required to provide payment of required park fees and dedication of land on a case-by-case basis. The Westside Community Plan is consistent with General Plan policies requiring the provision of public open space. The Draft EIR appropriately concludes that the Westside Community Plan, through the dedication of park space and the payment of applicable fees, would result in less than significant impacts related to the provision of park facilities.

Response 15-8

The City's parkland standard of 10 acres per 1,000 residents is applied Citywide, and does not apply to specific communities. See **Response 8-2**, above. Revisions to the Draft EIR are not required.

Response 15-9

See **Response 8-2**, above, regarding the provision and quantification of parkland within the Westside Community Plan area.

Response 15-10

The Westside Community Plan Draft EIR is a program EIR. The locations and designs are not currently known, and to attempt to analyze them at this stage would be speculative (see *State CEQA Guidelines* Section 15145). Subsequent environmental review when detailed development plans are available will determine whether any potential impacts requiring additional mitigation measures will occur (see *State CEQA Guidelines* Section 15168). However, the overall land use designation within the Westside Community Plan, including parklands, are addressed in the Draft EIR. No further analysis of this issue is required.

Response 15-11

See **Responses 15-7** and **15-8**, above.

Response 15-12

The *State CEQA Guidelines* require an EIR to consider a reasonable range of alternatives that could avoid or reduce significant impacts associated with a project (see Section 15126.6[a]). The Draft EIR considered

⁸ City of Ventura, 2005 *General Plan EIR*, (2005) 4.11-21.

three alternatives to the proposed project in Section 5.0, Alternatives, including the required “no project” alternative. As no significant impacts related to parks and recreation were identified in the Draft EIR, the analysis of additional alternatives such as those suggested in this comment are not required by CEQA. No further response is required.

Response 15-13

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

From: "Mike Barton" <bartonmanor2004@yahoo.com>
To: "Dave Ward" <dward@ci.ventura.ca.us>
Cc: "Iain Holt" <iholt@cityofventura.net>, "Maggie Ide" <mide@ci.ventura.ca.us>, "Jeff Lambert" <jlambert@cityofventura.net>
Sent: Friday, January 27, 2012 4:57:47 PM
Subject: DEIR Westside Community Planning Project

Dave,

Nancy and I have reviewed and discussed the DEIR for the Westside community. We both feel that it is time to accept the report as written and move forward with the process that will give the Westside a real opportunity for reasonable and organized development. The City of Ventura Planning Department has done an excellent job obtaining community input and has developed a plan that will provide the framework that will finally begin improving our westside community. This is an exciting opportunity to get the ball rolling!

Thanks again,

Mike and Nancy Barton

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Letter No. 16: **Barton, Mike, January 27, 2012**

Response 16-1

The City acknowledges your input and comment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

January 27, 2012

Comments on the Draft Westside EIR

Introduction

Comments are presented in page order. Because this EIR will be used as the baseline document for future tiered environmental reviews within the project area it is very important that the facts be correct here. That is why even minor errors such as spelling mistakes are included.

Chapter 3 – Project Description

- | | |
|---|---|
| <p>1. page 3.0-3 Northern boundary of project area is <u>Ottawa</u> Street not Ottawa Street.</p> | 1 |
| <p>2. page 3.0-3 Boundaries of Redevelopment area in Figure 3.0-2 appear incorrect in text: ends just south of Shoshone not Barry; Dakota Drive does not exist on the west side of Ventura Avenue.</p> | 2 |
| <p>3. page 3.0-4 change to Ventura <u>County</u> Community College District.</p> | 3 |
| <p>4. page 3.0-4 Text gives estimates of development in the "Westside Community" (4,184 dwellings, 298,181 square feet of retail, etc.). Please clarify if this is the entire planning area, the redevelopment area, or the combined area including a portion of Downtown. Text of the draft EIR is not specific as to the area represented by these counts.</p> | 4 |
| <p>5. page 3.0-4 The narrative focuses on the central Ventura Avenue corridor (workforce housing from the 1920s) but does not apply to more recently built tracts along Seneca, Shoshone and other streets. This portion of the Project Description should be edited to reflect the variety of housing and the more modern sections of the Westside to more accurately describe the housing supply in the subject neighborhood.</p> | 5 |
| <p>6. page 3.0-6 Please clarify whether state route 33 is within the Westside Community Planning Area as shown in Figure 3.0-2. The online City map shows the city limits east of 33 to approximately the extension of West Simpson Street; the blue line indicating the project boundary is west of highway 33.</p> | 6 |
| <p>7. page 3.0-7 The draft EIR states "<i>The General Plan calls for the development and adoption of a form-based Development Code for the Westside Community ...</i>" Actual wording in the General Plan (see page 3-26) includes two relevant actions, neither of which specifically requires a form-based</p> | 7 |

code for the Westside. Text of the EIR should be clarified to state exactly where the General Plan calls for development of a form-based Development Code for the Westside Community.

General Plan Action 3.18: *"Complete community or specific plans, subject to funding, for areas such as Westside, Midtown, Downtown, Wells, Saticoy, Pierpont, Harbor, Loma Vista/Medical District, Victoria Corridor, and others as appropriate. These plans will set clear development standards for public and private investments, foster neighborhood partnerships, and be updated as needed."*

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General Plan Action 3.23: *"Develop and adopt a form-based Development Code that emphasizes pedestrian orientation, integration of land uses, treatment of streetscapes as community living space, and environmentally sensitive building design and operation."*

8. page 3.0-8 Please clarify (1) whether the 1999 Westside Urban Design Plan was ever adopted by the City Council as a city policy document, and (2) were the design guidelines from the Westside Urban Design Plan ever officially implemented by the City Council?

8

9. page 3.0-10 The EIR does not refer to or utilize the 2011 Fiscal Impact Analysis and Market Study that was prepared by the City for this project. The EIR fails to provide any evidence for the record why conclusions from the 2005 Economic Strategy are reported while the 2011 Analysis and Study is not used. If there are errors in the 2011 studies, then such errors should be reported to correct the official record. The public and decision makers are not provided information to understand the economic analysis or which impact factors are correct for this project.

9

10. page 3.0-12 Description of Catalyst Site #4 (School District/AERA) appears to be incorrect. The 90 acres in the 2005 Economic Strategy includes significant area outside of City limits which was excluded from this project. Figure 3.0-4 appears to be correct, showing the parcel to be distant from Shell Road and not 90 acres in size.

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11. page 3.0-12 The parcel identified by the County Assessor as the Avenue School site is 7.44 acres, not 4-5 acres as stated in the EIR. Please verify the acreage of this parcel.

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12. page 3.0-12 The EIR should state whether the Avenue School parcel has been declared surplus by the Ventura Unified School District and whether a Surplus Property District Advisory Committee¹ has voted to divide the school parcel into a small parcel of approximately 1.9 acres for public use and approximately 75% for private development. 12
13. page 3.0-19 Table 3.0-4 of the EIR reports to be based on the draft Code and City Council action June 6, 2011. Statements made in Table 3.0-4 do not appear to be backed up by fact or Council's direction. Review of the minutes of the June 6 meeting does not include Council direction as reported in Table 3.0-4. The first example states that *"The General Neighborhood Zone (T4) ... is the predominant existing urban condition in the Westside Community, ..."*. This statement appears to be inaccurate. Most of the land area appears to be traditional low density residential and industrial. Please give supporting data for this statement, such as number of acres of T3, T4, T5 existing today. 13
14. page 3.0-19 Table 3.0-4 then states *"...the T4 condition is envisioned by the General Plan as the preferred pattern for most future new neighborhood development in the City."* Please give the citation from the General Plan to support this statement. 14
15. page 3.0-19 Table 3.0-4 also says: *"The design intent of the T4.11 Zone is to ... achieve the goals of the General Plan, the Westside By Design Plan and the Westside Charrette plan."* Please identify when either the Westside by Design Plan" or the "Westside Charrette" plan was adopted by the City Council as an official policy statement for the Westside. Complying with unadopted documents does not establish this Plan's consistency with City policy. Implying that T4.11 zoning is needed to meet City policy based on these two documents is misleading and unfounded. 15
16. page 3.0-22: Square feet per job standards reported on this page are noticeably different than multipliers used in the 2011 Fiscal Impact Analysis prepared for the Westside Plan. The EIR should explain why these factors from an older study by SCAG are more applicable to this Westside project. 16

Chapter 4: Impacts and Mitigation

Aesthetics

17. page 4.1-13 The draft EIR fails to quantify how many properties or acres may utilize the proposed Public Open Space Incentive. There is no 17

¹ starting at Education Code section 17387.

analysis of other potential effects of the Public Open Space Incentive. A public plaza may be substituted for courtyards and open space otherwise required within the project. No minimum standards are given for the "balconies or patios" that may be used to replace the project's courtyards. For example, are "French balconies" of 18 inches or less considered balconies in this context? Will this policy substitute public open space for private open space and lead to a deficit in public spaces. For example, if every property on both sides of Ventura Avenue employs this incentive the height limitations and view impacts may be different. The EIR contains no analysis or information for the public or decision makers.

17

18. pages 4.1-14 and 21 The draft EIR says that 60% and 50% footprint size limits on third and higher floors of T4 and T5 buildings will reduce potential impacts to views. Figures 4.1-4, 5 and 6 illustrate these design features. The Final EIR should expand on and explain this conclusion. The three images show the highest part of the building facing the major street, blocking any view. For pedestrians the view is equally blocked from the two or three story rear component of the same building. All three illustrations are from an elevated perspective. These should be revised to show views from eye level (5-6 feet above pavement), not the third story of a building. The statement in the draft EIR is misleading and not supported by any factual analysis of viewsheds. This same misleading statement is made on page 4.1-21 referring to Figures 4.1-7 and 8 that clearly show how ground-level views of the hills are not protected by the proposed design feature. The illustrations are well done and should be changed only to show the ground level rather than midair perspective.

18

19. page 4.1-20 Figure 4.1-6 shows future conditions from approximately E P Foster School. Please identify locations of the taller buildings in the background to the north. The Figure's orientation is unclear, preventing understanding of what is being illustrated.

19

20. page 4.1-22 The EIR says "*...Nevertheless, the majority of public views of hillsides, especially those down streets that intersect Ventura Avenue, would remain.*" (emphasis added) This statement is misleading and should be revised. Most views of the hillsides from Ventura Avenue will be blocked by the proposed multistory buildings along the frontage. One, two or three second glimpses of the hillsides as one passes a street are possible, however the panorama is lost due to buildings. Drivers need to watch for pedestrians, not be glancing at right angles to see the hills.

20

21. page 4.1-22 There are no mitigating design features in the Code or EIR to open up views at intersections. In fact, the proposed Westside Development Code encourages and sometimes requires "build to corner" designs that narrow views even more. Figure 4.1-7 shows how "build to right of way/build to corner" will block views. A new illustration done from the perspective of a person walking on the sidewalk rather than elevated above the sidewalk would illustrate this concern.

21

22. page 4.1-26 Impact AES-3 asks "Would the project substantially degrade the existing visual character or quality of the site and its surroundings?" The EIR concludes there will be no impact, yet the Plan and Code will degrade views of the surrounding hillsides from the Ventura Avenue Corridor. These views are an important link between the built neighborhood-scale community and its largely natural setting. This impact criterion was not thoroughly addressed by the EIR. Reference to General Plan Action 3.23 does not address the potential impacts from the Plan and Code.

22

23. page 4.1-28 The EIR says "As discussed previously, the Westside Development Code requires that upper stories of structures in the T4.11 and T5.5 subzones be smaller in size than the overall building footprint back, which would reduce the shadows cast by taller buildings." This conclusion is not supported by any analysis other than reference to several computer-generated illustrations, none of which identify shadow lines or actual impact of the proposed project or any of its alternatives. A reasonable argument can be made that an additional half-story on a multi-story building will inescapably increase shadows over neighboring parcels.

23

24. The EIR states "Based on the subzones as defined in the Westside Community Regulating Plan (see Figure 3.0-7), the sensitive uses most likely to be affected by shade and shadow would be residential neighborhoods located to the east and west of the higher structures along Ventura Avenue." The EIR does not quantify this statement. Will this be 10 or 100 or 500 homes? Please expand the analysis in the Final EIR to better document potential shadowing of existing homes by new higher structures along Ventura Avenue.

24

Air Quality

25. page 4.2-4 The EIR presents air quality data from Emma Wood State Beach and from Rio Mesa High School on the Oxnard plain. Data from the monitoring station in Ojai is not reported. The EIR should explain why information from Ojai is not included in the analysis when County and other agencies consider the Westside and the Ojai - Highway 33 corridors to be in the same air shed.

25

26. page 4.2-5 The EIR incorrectly describes CO standards. VCAPCD guidelines say on page 6-4 "A CO hotspot screening analysis using the screening procedure in Caltrans' CO Protocol should be conducted for any project with indirect emissions greater than the applicable ozone project significance thresholds in Section 3.3.1 that may significantly impact roadway intersections that are currently operating at, or are expected to operate at, Levels of Service E, or F. A CO hotspot screening analysis should also be conducted for any project-impacted roadway intersection at which a CO hotspot might occur. It is especially important to conduct such an analysis if a proposed project will either create or contribute to a CO hotspot that may adversely affect the public, especially the young, the elderly, and those with medical conditions that could be exacerbated by elevated CO concentrations." (emphasis added) The EIR should evaluate possible effects at the low-lying Stanley/33 interchange, at key intersections along Ventura Avenue where queuing cars are adjacent to bus stops and areas of high pedestrian activity, and the congestion around E. P. Foster Elementary School. Intensive industrial development along Olive Street adjacent to homes, the school and the Boys & Girls Club should equally be considered. 26
27. Discussion of impact AQ-4 on page 4.2-33 says that no further analysis or mitigation is needed because no intersections are projected to operate at LOS E or F. This appears to be (1) a misinterpretation of the VCAPCD guidelines and (2) based on a possibly inaccurate traffic count. The Final EIR should clarify this analysis and provide any additional analysis needed. 27
28. The EIR correctly identified airborne particulate matter as an important concern for public health, especially for children and the elderly (see Table 4.2-1). The EIR presents particulate (PM10, PM2.5) data for the El Rio station, located in a different airshed surrounded by agricultural fields (Table 4.2-2). No data appears to be available from the much closer monitoring station near the mouth of the Ventura River. State standards are presented in Table 4.2-2. Table 4.2-3 says that South Central Coast Air Basin (that includes the project) is in Nonattainment status under state standards for both PM10 and PM2.5. Nonattainment is reported again on page 4.2-21. However, this EIR does not analyze any potential impacts from particulates 28
29. Please clarify the traffic volume estimates used to project air quality impacts from the project. The Methodology statement on page 4.2-20 says "Air quality impacts are also estimated based on information and estimated activity levels of project construction and operation. Additionally, some elements of this analysis are based on data provided in other sections of this EIR; for example, trip generation rates are based on the traffic impact 29

analysis prepared for this project (refer to Section 4.13, Transportation and Circulation)." Table 4.13-4 gives project trip generation results for 150 Apartments, 49 thousand square feet of High Retail and 55 thousand square feet of offices. Those figures represent the difference between General Plan projections and the project, not existing conditions and project conditions². The traffic impact appears incorrect. If air quality impacts are based on incorrect traffic projections than air quality impacts should be corrected or at least validated in the Final EIR.

29

30. The EIR takes many pages to explain that the project meets adopted air quality goals because the plan promotes walking and transit and therefore reduces Vehicle Miles Traveled, a source of air pollution. Page 4.2-25 says *"Along Ventura Avenue, the corridor would be designed as a place where pedestrian mobility is the preferred and necessary mode to activate the public realm and invigorate the corridor. Public transit options that provide safe linkages from the neighborhoods to the Ventura Avenue transit trunk lines would be necessary to maintain accessibility for residents from their home to the commercial corridor or places of work."* The EIR then presents a 1999 case study from San Diego saying that infill development causes fewer miles driven than "greenfield" development. There is not one fact presented in the EIR's analysis to address effects from this project. There is no evidence that the public transit options will ever be provided. There is no evidence that any new residents will walk to their places of work to have any effect on air quality. These are assumptions, not facts. With no actual analysis, the seven page discussion of impact AQ-1 leaves the question unanswered. This impact should be re-analyzed to address how industrial properties, new retail, 1,415 new homes and other developments with no new streets or freeway ramps or dedicated transit facilities will perform. Increased congestion and therefore more concentrated pollution is at least as possible an outcome as the invigorated pedestrian corridor.

30

Biological Resources

31. page 4.3-3 Please clarify use of term "urban woodland" as shown in Figure 4.3-1. Several commercial orchards appear to be listed as woodlands. The EIR also should disclose that all trees have been removed from one of areas in anticipation of residential development and another is undergoing development review.

31

² This project calls for 1,415 additional dwellings not all of which are apartments, the General Plan projection is for 1,265 future dwellings, the difference is 150 incremental dwellings more than the General Plan projection.

32. page 4.3-34 Impact Bio-4 examines whether the project will have a significant effect on movement, migration or nesting of native species. The analysis proposed one mitigation measure for nests and another for bats. However, movement of mammals and other species from the hills to the river is common knowledge and some corridors will be blocked by the plan. This impact is not analyzed. For example, the creek at School Canyon Road is a wildlife corridor that will be affected by planned T4 development west of Ventura Avenue near the Avenue School/Foster House property. Possible impacts to this and other locations should be more thoroughly analyzed in the Final EIR.

32

Cultural (Historic) Resources

33. page 4.9-26 Numerous references in the 2011 Historic Survey conducted for the Westside point to the likelihood of finding remnants of the Mission Aqueduct within the project area, especially if Cedar is developed into a road, trail or park. There is no specific Mitigation Measure to protect the Mission Aqueduct. The EIR fails to identify the Aqueduct as a potentially significant historical element for the City, and fails to provide any protection if new segments are uncovered.

33

Geology & Soils

34. page 4.5-25 No specific Mitigation Measures are given for landslides and other known geologic problems. Given the recent history of hillside failure, landslides, mud flows and other natural occurrences, specific measures are needed to protect residents. For example, will the extension of Cedar Street allow mudflows to cross the open area more rapidly and affect nearby homes? No information is provided.

34

Hazards and Hazardous Materials

35. page 4.7-18 EIR discussion of impact HAZ-3 appears incomplete. *"Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?"* There are four public school properties within the project area. Does the Plan or Code allow hazardous materials to be emitted within 1/4 mile of any of the schools? Knowing potential incompatible uses within 1/4 of a school helps create a better land use plan. This is a program and not a project level analysis. Project level analysis will occur when a project is proposed. No information is provided for the public or decision makers.

35

Hydrology & Water Quality

36. page 4.8-4 The blue line (Westside Community Plan Area) on Figure 4.8-2 appears to be incorrect in the vicinity of Sycamore Village (Potawatomi Street), and possibly in other locations.

36

Land Use and Planning

37. page 4.9-2 The draft EIR notes that 36 acres of the redevelopment project area are located in the Downtown Specific Plan. The EIR does not evaluate how the Redevelopment Project will affect these blocks, or how those blocks will interface and affect the Westside community. Approved projects within this area are not disclosed, for example the Cannery project that is now under construction.

37

38. page 4.9-11 Table 4.9-1 shows that the Westside Plan will remove 28.3 acres of commercial and industrial land and add 28.2 acres of high and medium density residential. Please indicate what parcels are included in these counts. It appears from the maps that more acres of commercial land as shown in the General Plan are being changed to residential or mixed use.

38

39. page 4.9-13 Figure 4.9-5 shows some but not all land use changes. Comparing the General Plan land use map (Figure 3.0-3) to the Regulating Plan map (Figure 3.0-7) shows a major change north of Stanley between the freeway and Ventura Avenue. Note how the area changed from Commerce in 2005 to T4/T5 residential in 2012, most of which is not shown on the "Land Use Changes Parcel Map" 4.9-5.

39

40. page 4.9-17 Figure 4.9-7 (Urban Design Plan) shows the Brock Linear Park as a bike/pedestrian connection rather than a park. Other parcels should be checked.

40

41. page 4.9-17 Figure 4.9-7 (Urban Design Plan) does not correspond to text on page 4.9-18 that refers to five development nodes.

41

42. page 4.9-26 The EIR provides no basis for concluding that the Westside Plan will minimize exposure to hazardous substances as required by General Plan Policy 7D and General Plan Actions 7.24, 7.25, 7.26. By requiring mixed use commercial-industrial projects this Plan is likely to increase the opportunity for exposure.

42

43. page 4.9-26 There is no evidence in the draft EIR that the project is consistent with General Plan Policy 9D. The Historic Survey identifies parcels linked to the Mission Aqueduct, yet the EIR has no policies for protecting or restoring this unique resource. 43

44. page 4.9-29 There is no evidence in the draft EIR that the project is consistent with Downtown Policy 6D regarding development planned in Downtown that may affect the south end of Ventura Avenue where Downtown meets the Westside. 44

45. page 4.9-33 Consistency with the SCAG Regional Comprehensive Plan and Guide is discussed starting on this page. The EIR does not indicate if the City of Ventura has adopted the Regional Plan or its principles. If the SCAG plan has not been adopted by the City it should not be used as a point of comparison for this project with justification presented in the EIR. 45

46. page 4.9-38 The EIR explains at length how the Westside Plan is consistent with the SCAG Compass Growth Report. It does not appear the City of Ventura has adopted that Plan or its principles. If the SCAG plan has not been adopted by the City it should not be used as a point of comparison for this project with justification presented in the EIR. 46

Noise

47. page 4.10-6 Figure 4.10-2 illustrates how sound reflects or deflects off solid walls. The EIR does not provide any information on how new buildings along Ventura Avenue will cause deflections in sound to nearby residential neighborhoods. The EIR does not provide any information about reflection of sound off the rear of Ventura A 47

48. page 4.10-11 Noise from 33 freeway was measured at 74.1 -75.5 CNEL near Stanley Avenue. Page 4.10-17 says the dBA should be 50 or less for schools. With the project the noise adjacent to Sheridan Way Elementary School and Westpark will increase to 76.8 dBA, which the EIR finds to not be a significant increase but clearly exceeds recommended sound levels for a school and a park (see Figure 4.10-5). 48

49. page 4.10-11 Table 4.10-3 shows sound measured in CNEL and Table 4.10-6 shows the same measurements as dBA. The two scales are different. The Final EIR should clearly state which scale or index is being used in each table and why that particular scale is relevant to the issue under discussion. 49

50. page 4.10-20 Figure 4.10-6 is labeled "Trip Distribution (%)". Please clarify what is shown – project impacts, cumulative, or other. Please show more detail on the Figure, including more information about trip counts rather than rounding to the nearest thousand.

50

51. page 4.10-24 Noise impacts section states that the Mixed Use Overlay will protect residents of mixed use areas. However, the MXD zone only applies to SD-1 parcels along the Ventura Avenue Corridor and does not contain any noise limiting standards or mitigation measures other than staff and Design Review Committee review. EIR page 4.10-24 says: "*The Mixed Use Development Overlay in the Westside Development Code provides standards to protect residential uses by implementation of proper noise attenuation or any other necessary mitigation from either adjacent onsite or off -site industrial/ manufacturing uses. The Mixed Use Development Overlay may be applied to those areas that provide mixed uses.*" Here is what the MXD provides to mitigate noise impacts: "*Single and Multi Unit Residential uses are allowed as part of a mixed-use development proposal. Residential uses shall be evaluated on a case-by-case basis by City staff and the Design Review Committee for proper noise attenuation or any other necessary mitigation from either adjacent on-site or off -site industrial/ manufacturing uses.*" (Westside Code, page 52) The EIR should clarify what standards the Mixed Use overlay in the Code will provide to protect residential uses within industrial or commercial zones. This statement about MXD standards is repeated in various subsections of the EIR.

51

52. EIR Table 4.10-8 shows roadway noise projections for the project. Existing, project and cumulative noise levels are above 70 dBA along the 33 freeway and very close to 65 dBA along Stanley Avenue. The EIR should be revised to include land use changes to the Plan and Code to separate residential and sensitive uses from these few high-noise locations rather than relying on unspecified future "*shielding or other noise abatement measures*". Changes to proposed T4.11 and T5.5 zoning along the freeway and Stanley should be analyzed in the Final EIR to prevent long term noise conflicts in the community.

52

Population, Housing & Employment

53. page 4.11-1 Note typo in state estimate of homes in Ventura in 2011; should be 42,830 not 48,230 dwellings.

53

54. Page 4.11-2 estimates 11,088 Westside residents in 2011 based on 4,184 dwellings and a citywide average of 2.65 persons per household. The housing count estimate should be explained. In addition, the EIR should justify use of the citywide average number of persons per house for the Westside. For reference, the 2010 U.S. Census found 13,718 residents and 4,388 dwellings in Census Tracts 22 and 23 which include most of the Westside plus small areas of Downtown, which is over 3.12 persons per dwelling, or nearly 2,000 more residents in the Westside than obtained by use of the citywide average.
55. page 4.11-11 SCAG projects 80,017 jobs in Ventura in 2025. Development plans for the Westside will add 1,035 jobs based on SCAG multipliers. However, the employment in the land use plan leads to a city employment count of 70,246 in 2025, or 10,000 fewer workers than the other projection. Please explain this difference.
56. page 4.11-11 Please give details and calculations for the statement that the project will add 1,415 dwelling units. The EIR should clearly explain how this most critical factor was determined, as many other impacts and benefits flow from this one number. No details are given as to the number of apartments, attached units, single family homes, estate large lot homes, SROs or other dwelling types. If a unit per acre factor is used for the T3, T4 and T5 classifications those multipliers should be reported and justified in the Final EIR.
57. page 4.11-12 The EIR states that development of one or more of the "Catalyst" sites will increase the housing supply and employment opportunities in the City for improved jobs housing balance. There is no evidence that these specific sites are needed for jobs/housing balance within the Westside, or any analysis showing that development of the sites will affect the citywide jobs-housing balance. Converting industrial parcels to residential uses may in fact harm the city's jobs-housing balance by providing new homes for commuters to jobs in other communities.
58. page 4.11-12 The EIR says approval of the Code won't cause demolition of any buildings. However, the Code will require non-conforming buildings on the Ventura Avenue Corridor and other areas to be rebuilt to meet the new code, even if that requires demolishing the existing building. While technically correct, the statement misleads readers and decision makers to the large scale rebuilding of Ventura Avenue envisioned and encouraged by this Plan and Code.

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59. page 4.11-13 The EIR states that individual residents may be displaced as properties are redeveloped but new housing will be constructed. Existing low-cost housing will be replaced by higher-cost new housing. The Plan and Code offer no assistance to displaced tenants. This is a potentially significant impact as affordable housing is in very short supply in the City and in the region, and demolished affordable homes are unlikely to be replaced one-for-one by new affordable homes.

59

60. page 4.11-14 Discussion of cumulative impacts discusses only the difference from the adopted General Plan land use projection rather than change from existing conditions as required by CEQA. The EIR states: "Development under the Westside Community Planning Project is forecast to result in the construction of 150 more housing units than projected for the Westside Community Planning area in the 2005 Ventura General Plan. The construction of these units would result in an additional population of 398 residents ..." Comparing project conditions to hypothetical conditions from an approved plan is inconsistent with CEQA and may avoid identification of potential impacts. Please see the recent Sunnyvale West Neighborhood Association case for specifics and legal citations. This error occurs at multiple locations in the EIR.

60

61. page 4.11-14 The EIR does not state whether the planned increase in number of housing units at the Westview project (from 188 existing units to 360 units) is included in the project impact or an existing condition.

61

Police Protection:

62. page 4.12.1-7 The cumulative impact analysis for the police services section incorrectly compares the proposed project to the projected General Plan conditions rather than the existing conditions. This is contrary to CEQA. Page 5 recognizes the 3,750 population gain.

62

Fire Protection:

63. page 4.12.2-7, 8 Impacts to fire protection are discussed. The EIR fails to present any evidence or analyze whether the taller and denser buildings proposed in the Plan and Code are within reach of the ladders on the fire trucks at Station 1. It does not state whether the aerial ladder truck (now at Station 5) would even fit in Station 1 or be able to be parked at the station. Travel time from Station 5 to the Westside is not reported. Narrow side streets and narrow alleys are not suitable for a safe approach angle on long ladders. The entire issue of ability of existing stations, equipment, fire line pressure and access is not addressed in any way in the EIR. The public and decision makers have no information upon which to evaluate the proposed Plan and Code.

63

64. page 4.12.2-9 The cumulative impact analysis for the fire protection section incorrectly compares the proposed project to the projected General Plan conditions rather than the existing conditions. This is contrary to CEQA. Page 8 recognizes the 3,750 population gain.

64

Public Schools:

65. page 4.12.3-1 Table 4.12.3-1 lists Sunset (Casitas Springs) and Will Rogers (Midtown) with the Westside schools, but omits Lincoln School (Downtown) and the leased Washington School (Midtown). The VUSD-owned Avenue School property is not listed. The S.A.G.E. Charter School on the De Anza campus is not listed. De Anza was renamed in 2011-12.

65

66. page 4.12.3-2 This page contains numerous errors. For example, the State Allocation Board does not authorize school districts to collect any fee, the current maximum fee is not \$2.63 or \$0.42, footnote 1 is the incorrect code section, and the California Department of Education is not responsible for the funding of local public schools.

66

67. page 4.12.3-4 and page 5 Should be Ventura County Community College District.

67

68. page 4.12.3-6 Table 4.12.3-2 says approving the Westside Plan will bring 312 new elementary students (1,415 homes x 0.22 K-5 pupils per home). E P Foster and Sheridan Way have a total of 13 vacant spaces. Some Westside students are now bused to Will Rogers School in Midtown. The EIR does not indicate whether land is available for more classrooms at Westside schools. The EIR does not provide any information regarding effects of proposed joint use agreements with the schools in lieu of new city parks.

68

69. page 4.12.3-6 The paragraph below Table 4.12.3-2 appears to say that impacts will occur over an extended period of time and gives the school district time to address any problems, therefore there will be no impacts. This analysis and conclusion are not consistent with CEQA.

69

70. page 4.12.3-7 The EIR incorrectly says fees are considered full and complete mitigation for impacts to school services. The statute says fees mitigate impacts to school facilities. The 2011 Chawanakee court decision clearly showed that EIRs must discuss, analyze and mitigate where necessary impacts other than facility capacity. For example, increased pedestrian traffic near schools, hazardous materials in the vicinity of schools, noise impacts, and others all are relevant and are not excused from analysis by Government Code section 65996.

70

71. page 4.12.3-7 The cumulative impact analysis for the public schools section again incorrectly compares the proposed project to the projected General Plan conditions rather than the existing conditions.

71

Parks and Recreation

72. page 4.12.4-1 Does the boundary of the Planning Area include the Ventura River bike trail? The map is not clear.

72

73. page 4.12.4-4 The first paragraph on this page appears to be inconsistent with the City's General Plan. "...Such standards represent a long-range measure for provision of a complete park and recreation system. The use of standards as reference measures does not imply that park acreage must necessarily be met entirely by City-owned facilities. In addition to recreation areas under City jurisdiction, substantial acreage within or adjacent to the City is held by public schools or County and state parks." (emphasis added) Where in City policy or the General Plan does it state that non-city facilities may be counted to comply with park and open space standards? The EIR does not provide a basis for the statement made on this page.

73

74. page 4.12.4-4 Please provide a source for the "state recommended standard" in paragraph 2 on this page "*The City's 2005 General Plan incorporated the City's adopted parkland planning standard of 10 acres of parkland per 1,000 residents, which is well above the State recommended standard of 3 acres of parkland per 1,000 residents.*"

74

75. page 4.12.4-4 It appears the reference in paragraph 2 on this page to a state standard of three acres park land per 1,000 population is based on a partly but not fully correct reading of the Quimby Act. The Act provides that up to three acres of neighborhood park may be funded with Quimby fees, and up to two additional acres of community parks if the city has such parks, giving a total of five acres, not three per 1,000 population³. The City of Ventura has adopted a standard of 4.78 acres per 1,000 residents.

75

³ Calif. Government Code section 66477 (a) (2): The ordinance includes definite standards for determining the proportion of a subdivision to be dedicated and the amount of any fee to be paid in lieu thereof. The amount of land dedicated or fees paid shall be based upon the residential density, which shall be determined on the basis of the approved or conditionally approved tentative map or parcel map and the average number of persons per household. There shall be a rebuttable presumption that the average number of persons per household by units in a structure is the same as that disclosed by the most recent available federal census or a census taken pursuant to Chapter 17 (commencing with Section 40200) of Part 2 of Division 3 of Title 4. However, the dedication of land, or the payment of fees, or both, shall not exceed the proportionate amount

76. page 4.12.4-4 Please clarify why the City's Bicycle Master Plan is listed in the Regulatory Framework part of the Parks/Recreation section. What aspect of Parks and Recreation is regulated by the Bicycle Master Plan?

76

77. Page 4.12.4-9 says "...the 2005 General Plan parkland inventory includes 866 to 870 acres⁴ ...". General Plan Table 6-2 shows 577.1 acres of City Park Facilities. The difference is slightly less than 300 acres, which appears to result from counting the two City-owned golf courses as public parks, which they are not. This statement in the EIR appears inconsistent with the City's General Plan.

77

78. page 4.12.4-9 The next paragraph states "*With certification of the Final EIR for the General Plan and adoption of the 2005 General Plan, the City's park planning goal during the 20-year planning horizon to 2025 relies upon dedication of parklands for new development and continued payment of required park fees to purchase lands that could be converted into parklands within the City. New parkland acquired through dedication and purchased with park fees would help offset the demand in new parklands. Included in this park planning goal are non-City special use facilities (e.g., state beaches, the Ventura County Fairgrounds, and Ventura Unified School District sports fields) which would continue to provide approximately 600 acres of additional recreational parks and facilities that could be utilized by current and new residents.*" The list of 600 other acres cited in the General Plan EIR includes McGrath State Beach Park, the County Fairgrounds, Ventura College fields, and the Channel Islands National Park Headquarters, among other properties. This is not relevant to the discussion of a neighborhood-level Plan and is misleading to readers and decision makers. Availability of state parks, fairgrounds and so forth does not change the City's adopted park standard. The EIR reader is not informed whether the project meets or does not meet the City's current park acreage standard.

78

79. page 4.12.4.10 The draft EIR incorrectly states that the Westside Development Code requires future development to provide payment for parks and dedication of land for parks. "*Under the proposed Development Code, all three proposed zones, T3.6, T4.11 and T5.5, would require future development to provide payment of required park fees and dedication of land*

79

necessary to provide three acres of park area per 1,000 persons residing within a subdivision subject to this section, unless the amount of existing neighborhood and community park area, as calculated pursuant to this subdivision, exceeds that limit, in which case the legislative body may adopt the calculated amount as a higher standard not to exceed five acres per 1,000 persons residing within a subdivision subject to this section.

⁴ The four acre difference is at Seaside Wilderness Park where four of the 24 acres are flooded at high tide (2005 Final EIR for General Plan, page 4.11-18).

for parks on a case by-case basis." The land dedication requirement ONLY applies to parcels two acres or larger, which is a change from the citywide requirement that applies to parcels four acres or larger. In other words, smaller parcels being developed or redeveloped will pay only the basic "Quimby" fees for acquisition of new park land for the Westside or anywhere else in the City. This should be clarified in the EIR to better indicate expected land dedications and fees.

79

80. page 4.12.4.10 The EIR concludes that [park] *"Impacts would remain not significant, as identified and certified in the 2005 General Plan FEIR."* There is no analysis provided to support this conclusion. What may be true for citywide impacts is not true for a neighborhood plan. Will the Westside meet city standards for parks after the project is built out? Payment of fees cannot mitigate lack of neighborhood parks if no land is available for the parks.

80

81. page 4.12.4-19 Park Mitigation Measures 1 and 2 are vague and non-binding. The EIR's conclusion that these two measures would assist in meeting the City's park planning goal is not based on any analysis other than listing policies and some general statements. Comparing one hypothetical situation to another is not analysis. These Mitigation Measures should be rewritten to provide specific, measurable actions to address potentially significant impacts.

81

82. page 4.12.4-11 The paragraph goes on to suggest that one or more of the three potential city park sites may be privately operated and maintained. *"Under this scenario, one or more of these alternate park sites would provide locations for some of these additional facilities, whether public or privately operated and maintained."* No policy of the City or in the unadopted Westside Plan calls for city parks to be privately operated. Please identify the source of this statement and whether any part of the Westside Plan or Westside Development Code provides for privately operated or maintained parks.

82

83. page 4.12.4-13 The Draft EIR says *"Under either Scenario One or Two, the Westside Community Plan includes actions that would facilitate the expansion of existing park facilities, such as the expansion of bicycle and pedestrian trails to connect to the Ventura River Trail and Grant Park, and the establishment of pocket parks as required under the proposed Development Code for new development projects."* How do bike trails facilitate the 'expansion of existing park facilities?' Which section of the proposed Development Code requires establishment of pocket parks? How do parks outside the planning area provide neighborhood parks for the planning area?

83

84. page 4.12.4-14 The cumulative impact analysis for the parks and recreation section again incorrectly compares the proposed project to the projected General Plan conditions rather than the existing conditions. This is contrary to CEQA.

84

Transportation and Traffic

85. page 4.13-1 The EIR's discussion and introduction on Level of Service (LOS) is about ARTERIAL roads, which does not apply to streets in the Westside as described in this section. For example, the most heavily utilized street is Ventura Avenue, which is a collector not an arterial. Arterial streets are not identified on Figure 3.0-7 (Regulating Plan).

85

86. page 4.13-4 The EIR should report that VISTA buses serve destinations other than Ventura and Santa Barbara.

86

87. page 4.13-4 The EIR should be corrected to say that the Greyhound Station on Thompson Blvd has closed.

87

88. page 4.13-7 General Plan Action 4.27 lists specific street construction projects on the Westside. These should be re-evaluated in the context of the current Westside Plan.

88

89. page 4.13-16 Table 4.13-4 clearly shows that the analysis is based on the incremental difference between the projected General Plan 2025 conditions and 2025 conditions with the project, a difference of only 150 dwellings. This is completely inconsistent with CEQA Guidelines section 15125(a) which requires comparison to EXISTING conditions.

89

Table 4.13-4
Project Trip Generation

Land Use	Size	Average Daily		AM Peak Hour		PM Peak Hour	
		Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
Apartments	150 DU	6.63	995	0.51	77	0.62	93
High Retail	49 TSF	83.86	4109	2.03	99	7.64	374
Office	55 TSF	11.01	606	1.56	86	1.49	82
TOTAL			5709		262		549

Note: TSF = 1,000 square feet; DU = dwelling units

- 90. page 4.13-16 The chapter concludes *"Therefore, cumulative impacts would be considered less than significant and the incremental increase in ICU and LOS would not be cumulatively considerable."* This conclusion is not supported by data in the draft EIR and provides no credible basis for decision makers and members of the public to agree or disagree with this conclusion. 90
- 91. page 4.13-16 Table 4.13-6 says that existing Level of Service at Stanley and SR 33 in the PM Peak hour is "A". Table 4.13-5 shows Project impacts only, and give a PM Peak hour Level of Service of B at Stanley Avenue and SR 33. Table 4.13-6 shows cumulative impacts including the project and shows a PM Peak hour LOS of D. The EIR should identify the City policies that say LOS B to D is not a significant difference. 91
- 92. page 4.13-19 The EIR should analyze traffic flow and safety improvements from aligning the driveway to the VUSD headquarters property with the end of Olive Street by swapping the city-owned parcel for equal acreage of VUSD property to eliminate the offset intersection that appears to reduce traffic capacity of Stanley Avenue. 92
- 93. page 4.13-22 It is important to note that looking only at the difference between the General Plan and Westside Plan, traffic level of service at Stanley Avenue at Highway 33 has a LOS "B" and Stanley at Ventura Avenue is LOS "C". But comparing all development affecting the Westside the LOS is "D" on Stanley at both the freeway and at Ventura Avenue. 93
- 94. page 4.13-22 The EIR does not address replacing the antiquated Stanley Avenue on and off ramps at Highway 33. The EIR confirms that traffic at peak hours will increase at this junction, but is silent on how the increased traffic volume will affect stacking of cars and trucks exiting the northbound and especially the southbound freeway at Stanley Avenue. Southbound exiting vehicles must stop at the stop sign and then proceed when safe. With higher volume entering the southbound freeway from Stanley Avenue there will be less opportunity for vehicles exiting on the southbound ramp to turn left and proceed east on Stanley. This issue is never addressed in the EIR and is both a traffic and hazard concern for residents. 94
- 95. Traffic Appendix Appendix 4_13d shows the map of all Traffic Analysis Zones. The EIR should explain why only TAZ 208, 213, 216 are reported in the tables when changes clearly will occur in TAZ 225 and other zones. Fourteen TAZ areas are in the Westside, more if we include the area in Downtown, yet NO data is shown for these areas. 95

96. Traffic Analysis Appendix Table Apx4_13a (Project Trip ADT from City) shows ONLY the difference from the 2005 General Plan land use plan to the "2025" land use, which we assume is the Westside plan at buildout. This is absolutely contrary to CEQA which requires comparison to EXISTING conditions. This is highly misleading and appears to improperly minimize impacts from the project. All 150 new dwellings are in city TAZ 216, which approximately matches the proposed expansion of the Westview project owned by the Ventura Housing Authority. Please clarify in the Final EIR if the 150 additional units noted in EIR Table 4.13-4 are the 150 units identified in Table Apx4_13a.

96

97. Traffic Appendix Table "A" presents conclusions only with no opportunity for the public or decision makers to examine or understand these numbers. For example, the PM Peak hour Intersection Capacity Utilization from the Project at Ventura Avenue and Stanley Avenue is 0.07. The EIR should be revised to explain what this result means, the source of this number, and what it means in comparison to the alternatives discussed a few chapters later.

97

98. TAZ map in Appendix Apx4_13d identifies Stanley Avenue at the wrong location.

98

99. Traffic Appendix The Project trip Generation table, Apx4_13e clearly shows that the analysis is based ONLY on the 150 dwelling and 104,000 square foot difference between PROJECTED conditions under the 2005 General Plan and the Westside Plan estimates. This is inconsistent with CEQA Guideline 15125(a) which clearly states that a proposed project must be compared to EXISTING conditions. It does not consider and does not disclose the 1,415 new dwellings (approximate population 3,750) resulting from this proposed project.

99

Water Systems:

100. page 4.14.1-12 Water demand impact calculated using 1,415 new dwellings, however, cumulative impacts on page 4.14.1-14 refers to increment difference from General Plan projections.

100

Wastewater Systems:

101. page 4.14.2-5 Figure 4.14.2-1 has no legend or key to explain the different color markings.

101

102. page 4.14.2-8 The draft EIR discusses multiple locations on the Westside where sewer pipelines require replacement or improvement, for example Mission Avenue, Ventura Avenue at School Canyon Road, Cameron, Dakota, and others. The Westside Plan lacks any specific action statement or mitigation measure to ensure that improvements are made in a timely manner rather than waiting for adjacent development to occur.

102

103. page 4.14.2-9 Wastewater demand extrapolated from water demand impact calculations in previous section using 1,415 new dwellings. Cumulative impacts on page 10 refer to increment difference from General Plan projections.

103

Energy Supplies:

104. page 4.14.3-6 Energy demand impact calculated using 1,415 new dwellings. Cumulative impacts on page 9 refer to increment difference from General Plan projections.

104

ALTERNATIVES

105. page 5.0-4 The EIR fails to provide quantitative evaluation of Alternatives 2 and 3. How many fewer dwellings and residents if either of these options is selected? How many fewer vehicle trips? How many more or fewer jobs? Are there any other effects? The reader and decision makers are forced to guess rather than having facts.

105

106. page 5.0-8 The EIR states "*The anticipated improvement in the aesthetic and visual character, and urban form of the Westside Community Plan Area would not occur with Alternative 1, as the proposed new standards would not be adopted.*" This statement does not have any factual foundation, and is merely a preference for one style of development (new zoning) vs. older style of zoning. Design review and other planning requirements would continue to apply under Alternative 1.

106

107. page 5.0-12 Alternative 2 focuses on the Ventura Avenue corridor, the four catalyst sites, expansion of the Westview Housing Authority project, downzones non-Corridor T4.11 areas to T3.6, placed a Mixed Use Overlay on the Olive Street industrial area, and eliminated the T5.5 Urban Center zoning at Dakota Drive. The EIR states that goals of the Westside Plan would not be achieved. The EIR concludes that Alternative 2 is environmentally superior, mainly because proposed policies will be implemented and a form based code will be applied. This conclusion is based on speculation and should be deleted. There is no evidence in the EIR that a form based code will affect the environment other than vague

107

and speculative assumptions that more density will reduce vehicle miles traveled. This section should be revised.

107

108. page 5.0-16 Alternative 3 deletes the Park Overlay from the Bell Way potential park and the eastern (larger) part of the Kellogg property. This appears to be inconsistent with Council direction in June that directed staff to consider these specific parcels. Alternative 3 should show the park site possibilities to allow comparison between Alternatives.

108

GROWTH-INDUCING IMPACTS

109. page 6.0-2 Please clarify planned extension of Cedar Street as a "thoroughfare" that would "rearrange the flow of traffic in the Westside community, ..." Page 4.13-13 suggests that Cedar Street will be reclassified as a "local" street from its current status as a "collector" street.

109

110. page 6.0-3 The EIR states there are no precedent-setting actions in the Westside Plan and Code. The project adds a significant emphasis on mixed use development, which is a change and a precedent-setting decision by the City.

110

IRREVERSIBLE EFFECTS on the ENVIRONMENT

111. page 7.0-1 Please explain this sentence from the draft EIR and how it applies to Ventura's Westside community "Irreversible long-term environmental changes would accompany the proposed conversion of a partially disturbed, but primarily undeveloped area to a residential and industrial urban-scale in-fill development site." (emphasis added)

111

EFFECTS Found to be NOT SIGNIFICANT

112. page 8.0-2 The first line on this page says there is no agricultural uses within the Planning Area, yet the "Centex" project south of School Canyon Road was in active agriculture until mid-2011. The land is still farmland, even if fallow at this moment. Same comment applies to Aesthetics chapter, page 4.1-2.

112

113. page 8.0-3 The top of this page describes in rich detail how the Chumash people were active throughout the Westside. The Downtown Specific Plan included specific mitigation measures. This EIR should identify a potentially significant impact that may be mitigated by existing or existing plus new policies. After describing how there is a good chance for a discovery, the potential impact is categorized as an "Effect found not to be significant".

113

114. page 8.0-4 Numerous references point to the likelihood of finding remnants of the Mission Aqueduct within the project area, especially if Cedar is developed into a full road. This vital part of the Mission's history should get more attention than it is given in the Westside Plan and this draft EIR. See Historic Context and Survey Report, pages 113-114 for specific parcels identified as "Potential Aqueduct Site".

114

115. page 8.0-6 The draft EIR states that future projects near oil wells or tanks would be required to provide buffers. The source of this statement is not given and no text exists in the Westside Plan to create such a requirement. EIR text says *"It is anticipated that the limited remaining wells could continue to produce as long as they are financially viable and would be replaced by development only as they are tapped out. In addition, any future development near these oil wells would be required to provide buffers and other measures to allow for the continued production of such wells. Therefore, impacts relating to the accessibility of mineral resources are not considered significant."* (emphasis added)

115

- end -

Submitted by:
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Letter No. 17: Corley, Rob, dated January 27, 2012

Response 17-1

Page 3.0-3 has been revised in the Final EIR to read: “and ~~Ottawa~~ Ottawa Street to the north”

Response 17-2

Page 3.0-4 has been revised in the Final EIR to read: “Moving north, the Redevelopment Area generally includes properties between the bluffs and State Route 33 to the area just south of Shoshone Street ~~WBarry Drive~~ on the east side of Ventura Avenue ~~and Dakota Drive on the west side of Ventura Avenue.~~”

Response 17-3

Page 3.0-4 has been revised in the Final EIR to read as follows: “Ventura County Community College District headquarters, and industrial uses.”

Response 17-4

Please refer to **Topical Response 1** regarding revisions to the Westside Community Planning Project subsequent to the publication of the Draft EIR. The estimate of future development on page 3.0-4 of the Draft EIR provides a forecast of future development that would occur within the Westside Community Planning Project area, which includes portions of the Downtown Specific Plan area. The Westside Redevelopment Plan has been removed from the project as a result of the California Supreme Court's recent action in *California Redevelopment Association v. Matosantos* regarding redevelopment agencies. The development forecast for this area has been retained in the Final EIR, providing a conservative analysis of the development potential within the Westside Community Plan area.

Response 17-5

This comment correctly states that housing of relatively recent construction is located within the project area. As the Draft EIR states on page 3.0-3 in reference to the Redevelopment Area, newer residential areas are located in the northern portion of the planning area. No further response is required.

Response 17-6

As the Draft EIR states on page 3.0-3, State Route 33 (SR-33) forms the western boundary of the Westside Community Plan area. As such, it is located outside of the planning area. The boundary on Figure 3.0-2 has been adjusted to show this more clearly and can be found in the Final EIR.

Response 17-7

The Our Well Planned and Designed Community chapter of the City of Ventura General Plan states, "This chapter specifically calls for detailed attention to community design through a form-based approach."⁹ This chapter further states that:

Ventura's 19 communities [of which the Westside Community is one] can each be enriched by using the transect as a lens to understanding the ways in which it functions and by applying form-based development controls to respect and enhance its character to ensure that, where appropriate, each community provides one, if not more, walkable neighborhoods.¹⁰

Finally, as stated in this comment, Action 3.23 calls for the development and adoption of a form-based Development Code, such as that provided in the Westside Development Code. No further response is required.

Response 17-8

The Westside Urban Design Plan was received by the City Council in March 1999 and incorporated into the Ventura Vision and 2005 Ventura General Plan per direction of Council and input received during the extensive public participation process. The adoption of a Westside Community Development Project would implement at a more detailed level the policies of the Urban Design Plan and subsequent refined input received during formulation of this proposed project.

Response 17-9

The discussion referred to in this comment provides a general background of the process that led to the Westside Community Plan and Development Code, which included a number of preliminary plans and planning studies. The City Council, consistent with public input, has directed City staff to prepare the proposed Westside Community Planning Project using the 2005 economic development strategy. The discussion draws no conclusions regarding the 2011 Fiscal Analysis and Market Study or any other study. The study referred to in this comment is not an environmental study, and *State CEQA Guidelines* Section 15131 states that "Economic or social effects of a project shall not be treated as significant effects on the environment." No further response is required.

Response 17-10

As stated on page 3.0-12 of the Draft EIR, Catalyst Site #4 consists of a portion of the 90-acre site referenced. As this comment indicates, this portion is correctly illustrated in Figure 3.0-4. No further response is required.

⁹ City of Ventura, *General Plan, "Our Well Planned and Designed Community,"* (2005) 3-7.

¹⁰ City of Ventura, *General Plan, "Our Well Planned and Designed Community,"* (2005) 3-9.

Response 17-11

As stated on page 3.0-12 of the Draft EIR, a 4- to 5-acre portion of the 7.44-acre Ventura Unified School District site is identified as a potential future catalyst site in the Westside Community Plan. Detailed development plans are not available at this time. Future development under the Westside Community Plan would be required to provide a detailed site plan, subject to City of Ventura review, which would determine the exact area of future development within this identified opportunity site.

Response 17-12

This comment correctly states the procedure required for private development within parcels currently owned by the Ventura Unified School District (VUSD). The Avenue School site has not been declared surplus property by VUSD. The Westside Community Planning Project is a community-planning document and a form-based development code that guide future development within the planning area. Future development on parcels currently owned by VUSD would be subject to the process mentioned in this comment.

Response 17-13

Table 3.0-4 in the Draft EIR is based on Section 24W.102.030 of the Westside Development Code, which represents a refinement of Figure 3-4 of the City of Ventura General Plan (see page 3-17). Table 3.0-4 correctly characterizes existing development within the planning area as consistent with transect Zone T4, which represents a transition between suburban residential development (T3 Zone) and urban centers (T5 Zone). As stated in the Draft EIR, the T4 Zone contains a mixed range of uses and building types. No further response is required.

Response 17-14

Page 3-2 of the General Plan states, " Our 'Infill First' strategy for Ventura means avoiding suburban sprawl by directing new development to vacant land in the City and SOI, and by focusing new public and private investment in carefully selected districts, corridors, and neighborhood centers where concentrated development and adaptive reuse will improve the standard of living and quality of life for the entire community." The Ventura Avenue corridor is identified in the General Plan as an area for implementing the City's infill-first strategy (see page 3-11). This strategy requires flexibility as infill sites frequently do not provide a blank canvas, but rather require development to adapt to site-specific conditions and surrounding existing development

Page 3-20 of the General Plan describes the T-4 Zone as follows: "T-4 – has a denser and primary residential urban fabric. **Mixed-use** is usually confined to certain corner locations. This zone has a wide range of building types: single, side yard, and rowhouses. Setbacks and street tree settings are variable." The T4 General Urban Zone, as discussed in **Response 17-13**, above, applies to a range of uses and

building types. Page 3-16 of the General Plan identifies the T4 Zone as applicable for areas with a wide range of residential densities as well as for commercial, industrial, and institutional uses. The broad applicability of the T4 General Urban Zone for a broad range of development types providing the flexibility required for infill development is the basis for this statement.

Response 17-15

The Westside Community Plan and Development Code were developed based on a process of land use planning, community participation, and economic analysis that occurred over a period of several years. Reference to documents produced as part of this process does not, as is suggested in this comment, imply that these documents represent adopted City policy. Rather, such statements characterize the process whereby the Westside Community Plan and Development Code were created. The goals that the T4.11 Zone is intended to achieve are consistent with the City's General Plan. No further response is required.

Response 17-16

Potential future job creation is discussed in Section 4.11, Population and Housing, where information from the Southern California Association of Governments (SCAG) is used to project the job-generating potential of future development in order to ensure that analysis in the Draft EIR is consistent with the regional planning efforts of SCAG.

Response 17-17

The Public Open Space Incentive will be removed from the Draft Westside Development Code and thus no parcels would qualify.

Response 17-18

Pedestrian views adjacent to structures in the T4.11 and T5.5 Zones are currently obstructed by existing structures, since one-story buildings obstruct most pedestrian views. As stated in Section 4.1, Aesthetics, of the Draft EIR, the primary aesthetic value of the planning area is its pedestrian scale, which would be preserved and enhanced under the Westside Community Plan. The General Plan identifies several view corridors throughout the City but none is identified within the planning area.

The footprint size limits provided in the Westside Development Code would preserve existing views across the project site and would reduce the potential "canyon effect" that results when taller structures are built to their full footprint at upper stories. Partial views of hillsides to the east of the planning area are currently available at intersections with Ventura Avenue, and such views would continue to be available with implementation of the Westside Community Planning Project. The visual simulations provided in the Draft EIR are intended to illustrate the scale and intensity of potential future development, as impacts to specific views would be subject to development plans that are not currently available. Therefore, modification to illustrations within the Draft EIR are not required.

Response 17-19

Figure 4.1-6 shows the relation of the T4.11 and T5.5 Zones fronting Ventura Avenue to nearby T3.5 and T3.6 Zones. The taller buildings in the background identified in this comment do not represent specific structures, but would be potential development in Special Industrial District and Civic District areas identified in the Westside Community Regulating Plan (see Figure 3.0-7 in the Draft EIR).

Response 17-20

The comment only expresses the opinions of the commenter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

However, as discussed in **Response 17-18**, above, existing structures along Ventura Avenue obscure most views of hillsides to the east of the planning area. Views of these hillsides are afforded along streets that intersect Ventura Avenue. While the development of multistory buildings in the T4.11 and T5.5 Zones would further restrict existing limited views along Ventura Avenue, views down streets that intersect Ventura Avenue would remain. However, because the comment does not raise an environmental issue, no further response is required.

Response 17-21

The comment only expresses the opinions of the commenter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

However, Figure 4.1-7 illustrates corner plazas and other features that would add visual interest to the streetscape, provide public open space, and open views down streets intersecting Ventura Avenue. The Public Open Space Incentive discussed in **Response 17-17**, above, would allow for the provision of public open space at the intersections of important streets, as required in Section 24W.212.030 of the Westside Community Development Code. No further illustrations are required.

Response 17-22

The threshold addressed in this comment refers to the built environment. Impacts to scenic vistas are considered under threshold AES-1 (see page 4.1-13 of the Draft EIR). See **Responses 18-18** and **18-20**, above.

Response 17-23

As stated in the Draft EIR (see page 4.1-28) most development in zones that allow for taller multistory building is expected to be two to three stories in height. Structures with four or more stories are required by the Westside development to construct upper stories at a reduced footprint. This would reduce shade and shadow impacts compared to structures of the same height constructed at the full building footprint.

The requirement that parking be located behind structures in the T4.11 and T5.5 Zones would provide a buffer between taller structures and adjacent shade-sensitive uses.

Response 17-24

The number of residential units adjacent to higher structures cannot be determined at this time. Future development would be subject to design review for compliance with the development standards provided in the Westside Community Development Code.

Response 17-25

The air quality data reported in Table 4.2-4 of the Draft EIR (see pages 4.2-4 through 4.2-6) was provided for the two monitoring stations closest to the project site. The Final EIR has been updated to include air quality data for the Ojai monitoring station in Table 4.2-4.

Response 17-26

The Ventura County Air Pollution Control District (VCAPCD) *Ventura County Air Quality Assessment Guidelines* (October 2003) provides a screening procedure for carbon monoxide (CO) analysis. Section 6.4.1 of the guidelines says:

CO hotspot screening analysis using the screening procedure in Caltrans' CO Protocol should be conducted for any project with indirect emissions greater than the applicable ozone project significance thresholds in Section 3.3.1 that may significantly impact roadway intersections that are currently operating at, or are expected to operate at, Levels of Service E, or F. A CO hotspot screening analysis should also be conducted for any project-impacted roadway intersection at which a CO hotspot might occur. It is especially important to conduct such an analysis if a proposed project will either create or contribute to a CO hotspot that may adversely affect the public, especially the young, the elderly, and those with medical conditions that could be exacerbated by elevated CO concentrations.¹¹

The Caltrans CO Protocol is contained in the document, *Transportation Project-Level Carbon Monoxide Protocol* (December 1997).¹² Section 4.7 of the protocol provides a screening procedure for projects located in attainment or unclassified areas. Ventura County is considered to be in attainment of the state CO standards and attainment/unclassified for the federal CO standards. Therefore, the screening procedure described in Section 4.7 of the protocol would apply to the proposed project. As stated in Section 4.2, Air Quality, of the Draft EIR, and as evidenced by data presented in Section 4.13, Transportation and Circulation, and in Appendix 4.13, of the Draft EIR, all of the studied intersections would perform at a Level of Service (LOS) C and above for existing plus project traffic conditions. According to the Caltrans CO Protocol Subsections 4.7.3 and 4.7.4, projects that have LOS E or F or that lead to a worsening of LOS

¹¹ Ventura County Air Pollution Control District, *Ventura County Air Quality Assessment Guidelines*, (2003), 6-4.

¹² University of California, Davis, Prepared for the California Department of Transportation, Environmental Program, *Transportation Project-Level Carbon Monoxide Protocol*, Report No. UCD-ITS-RR-97-21, (1997).

to E or F represent a potential for CO violations and should perform a screening analysis. The project does not meet the criteria; therefore, a screening analysis is not required as there would be no reason to expect higher CO concentrations that would cause a violation of the CO standards.

The Caltrans CO Protocol lists other reasons that would cause adverse air quality impacts in Subsection 4.7.5. However, as is discussed below, the project does not meet the criteria and a screening analysis is not required as there would be no reason to expect higher CO concentrations that would cause a violation of the CO standards. Subsection 4.7.5 of the protocol lists the following special conditions that may be cause for concern:

- (a). Urban street canyons
- (b). High percentage of Heavy Duty Gas Trucks in the vehicle mix (for example, manufacturing or industrial areas)
- (c). High percentage of vehicle operating in cold start mode coupled with high traffic volumes
- (d). Locations near a significant stationary source of CO
- (e). Locations with high background CO concentrations
- (f). LOS D intersections that experience meteorological conditions favorable to the formation of higher CO concentrations, *and*, where the intersections have pre-timed signals (as opposed to actuated signals that minimize vehicle queuing)
- (g). LOS D actuated intersections (as opposed to pre-timed) that experience meteorological conditions favorable to the formation of higher CO concentrations, *and*, where enough traffic is queued to create problematic CO emissions

For criteria (a), the project would not create urban street canyons. As stated in Section 4.1, Aesthetics, of the Draft EIR, the Westside Community Plan and Development Code would allow for the development of structures from one to five stories in height, with the majority of development one to two stories in height. Structures more than two stories in height would be permitted in the T5.5 (Urban Center) and SD1 (Special Industrial District 1) zones. The T5.5 zone would be established in the Westside area's existing commercial core and the SD1 zone would be established primarily in the western portion of the planning area, consistent with the existing industrial development characteristic of this area. For criteria (b), (c), and (d), the project would increase residential, retail and office space over the allowed development in Westside area in the 2025 General Plan. These land uses would not alter the general vehicle mix in the area and would not increase the percentage of heavy trucks or cold start vehicles. The EIR for the City of Ventura 2025 General Plan (SCH# 2004101014, August 2005) concluded that impacts related to CO hotspots would be less than significant and that no mitigation is required (see Section 4.3, Air Quality, of the 2025 General Plan EIR). For criteria (e), future CO emissions in the County are projected to decline

about 38 percent by 2020, as stated in the EIR for the 2025 General Plan (see Section 4.3, Air Quality, of the 2025 General Plan EIR). As a result, high background CO concentrations are not expected and background concentrations are projected to actually decline over the years. For criteria (f) and (g), the project would not include pre-timed signals and would not result in intersections that operate at LOS D or worse. For these reasons, the project does not meet the criteria for a screening CO hotspot analysis and is not expected to cause higher CO concentrations that would violate the CO standards. As a result, according to the Caltrans CO Protocol, there is no reason to expect that the project would result in higher CO concentrations that would cause a violation of the CO standards and no screening analysis is required.

Response 17-27

As discussed in **Response 17-26**, above, according to the Caltrans CO Protocol, the project does not meet the criteria for a screening CO hotspot analysis and is not expected to cause higher CO concentrations that would violate the CO standards. As a result, according to the Caltrans CO Protocol, there is no reason to expect that the project would result in higher CO concentrations that would cause a violation of the CO standards and no screening analysis is required.

Response 17-28

Air quality impacts related to particulate matter are discussed for the proposed project in Section 4.2, Air Quality of the Draft EIR. Project operational emissions of respirable and fine particulate matter (PM10 and PM2.5) are provided in Table 4.2-5 and construction emissions of PM10 and PM2.5 are provided in Table 4.2-6. The VCAPCD has not adopted numerical thresholds of significance for PM10 and PM2.5 for either project construction or operations. However, the VCAPCD recommends that project incorporate measures to reduce fugitive dust emissions from construction activities. Section 4.2 indicates that fugitive dust emissions consist of PM10 and PM2.5 (see page 4.2-32). Mitigation measure MM AQ 2 requires the project to implement various VCAPCD-recommended measures to minimize fugitive dust emissions (PM10 and PM2.5), as well as other construction emissions. These measures include watering, limiting speeds to 15 miles per hour, curtailing construction activities when winds are 25 miles per hour or more, and implementing street sweeping services. In addition, fugitive dust impacts related to the potential to cause Valley Fever impacts are also discussed and the project is required to implement mitigation measures to reduce the potential for Valley Fever impacts (see mitigation measure MM AQ-5).

Operational PM10 and PM2.5 impacts are primarily related to mobile source emissions. As shown in Table 4.2-5, of the Draft EIR, over 99 percent of PM10 emissions and over 83 percent of PM2.5 emissions are related to mobile sources. According to the emissions modeling data from the California Emissions Estimator Model (CalEEMod), which provided in Appendix 4.2, the majority of the project's mobile source PM10 emissions are considered fugitive emission from paved road dust. The majority of the

project's mobile source PM2.5 emissions are combustion-related emissions, such as diesel particulate matter.

As stated in Section 4.2 of the Draft EIR, the California Air Resources Board (CARB) *Air Quality and Land Use Handbook* (April 2005) provides recommendations for siting sensitive land uses near high traffic freeways and roads. According to CARB, the risk from motor vehicle traffic is due primarily to diesel particulate matter. The CARB *Air Quality and Land Use Handbook* states the following:

*There are three carcinogenic toxic air contaminants that constitute the majority of the known health risk from motor vehicle traffic – diesel particulate matter (diesel PM) from trucks, and benzene and 1,3-butadiene from passenger vehicles. On a typical urban freeway (truck traffic of 10,000-20,000/day), diesel PM represents about 70 percent of the potential cancer risk from the vehicle traffic. Diesel particulate emissions are also of special concern because health studies show an association between particulate matter and premature mortality in those with existing cardiovascular disease.*¹³

Section 4.2 of the Draft EIR includes a discussion and analysis for siting sensitive uses near freeways and high traffic roads based on the recommendations in the CARB *Air Quality and Land Use Handbook*. The Final EIR has been updated to clarify that the majority of the project's mobile source PM10 emissions are considered fugitive emission from paved road dust and that the majority of the project's mobile source PM2.5 emissions are combustion-related emissions, such as diesel particulate matter. The Final EIR has also been updated to clarify that the discussion and analysis for siting sensitive uses near freeways and high traffic roads consistent with the recommendations in the CARB *Air Quality and Land Use Handbook* is primarily concerned with emissions of diesel particulate matter from trucks, and benzene and 1,3-butadiene from passenger vehicles.

Response 17-29

Please see **Response 17-89**, below.

Response 17-30

Section 4.2, Air Quality, of the Draft EIR provides a discussion and analysis of the proposed project's features that would reduce vehicle miles traveled and associated emissions. As stated in the Draft EIR, the proposed project would result in an increase in residential and employment densities compared to existing conditions and would largely consist of infill development (see page 4.2-27). Increasing density and infill development results in reduce vehicle miles traveled and associated emissions compared to baseline conditions. Section 4.2 states the following (see page 4.2-26):

The California Air Pollution Control Officers Association (CAPCOA) has provided a resources document for local governments to assess emission reductions from various types of land use

¹³ California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, (2005) 9.

*planning and development mitigation measures.*¹⁴ According to CAPCOA, increasing density would reduce VMT and associated air pollutant emissions by as much as 30 percent.¹⁵ The potential for reductions are based on changes in densities compared to the typical suburban residential and employment densities in North America, referred to as “Institute of Transportation Engineers (ITE) densities.” These densities are used as a baseline to mirror those densities reflected in the ITE Trip Generation Manual, which is the baseline method for determining VMT.

In addition, Section 4.2 provides additional case-study data from three different locations in the United States (San Diego, California; Montgomery County, Maryland; and West Palm Beach, Florida) that provides further evidence that infill development reduces vehicle miles traveled and associated development.

In addition to increasing density, the project would incorporate pedestrian networks, which would also reduce vehicle miles traveled and associated emissions. The CalEEMod model, which is a program that calculates air pollutant emissions from land use sources and is required by the VCAPCD, incorporates guidance from CAPCOA for estimating emissions reductions from a variety of land use projects and measures. The emissions reductions described in the CAPCOA guidance document, *Quantifying Greenhouse Gas Mitigation Measures* (August 2010)¹⁶ is programmed into CalEEMod and is utilized by the program for estimating emissions reductions from a variety of land use measures. As stated in Section 4.2, emission reductions associated with increased density, increased diversity, and improved pedestrian network were included in the emissions modeling in CalEEMod. The intent of the CAPCOA guidance document is to “further support the efforts of local governments to address the impacts of [greenhouse gas] emissions in their environmental review of projects and in their planning efforts.”¹⁷ Although the guidance document focuses on greenhouse gas emissions, it also provides data on emissions reductions for criteria pollutants. As both the CAPCOA guidance document and CalEEMod program are tools to be used by local governments in their planning process when evaluating air quality impacts from land use projects, the use of these tools is appropriate for this land use project.

Response 17-31

Figure 4.3-1 in the Draft EIR provides a vegetation map based on US Department of Agriculture (USDA) vegetation maps for the planning area. Urban woodland consists of any area of substantial vegetated open space within a primarily urbanized area. This comment correctly states that one area in the northern

¹⁴ California Air Pollution Control Officers Association, *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures*, (2010).

¹⁵ *Ibid.*, p. 155. See discussion for mitigation measure LUT-1.

¹⁶ California Air Pollution Control Officers Association, *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures*, (2010).

¹⁷ *Ibid.*, page 4.

portion of the planning area identified in Figure 4.3-1 as Riparian and Urban Woodlands has subsequently been cleared of vegetation preliminary to development.

Response 17-32

While wildlife movement may occur along the drainage adjacent to School Canyon Road, there is no direct connection to the Ventura River as the School Canyon Road terminates in the west end where existing institutional and industrial uses prevent direct wildlife access to the Ventura River. The proposed Westside Community land use changes will not change that situation. There is currently no direct wildlife movement connection with the School Canyon Road creek with the Ventura River and that will continue to be the case with the proposed plan. This is consistent with the Draft EIR statement "Development allowed under the proposed project would generally avoid impacts to wildlife movement and native wildlife nursery sites by emphasizing reuse and intensification of currently developed areas rather than development within currently undisturbed, natural, or semi-natural habitat areas."

Response 17-33

Specific mitigation measures for the protection of the Mission Aqueduct are not required, as implementation of existing City policies regarding the protection of archaeological resources and standards in the Development Code would ensure that these resources are adequately protected (see page 8.0-4 of the Draft EIR). In addition, Municipal Code chapter 2R.450 states that any grading permit on a site known to contain an object or artifact of substantial historical or archaeological significance is not deemed ministerial pursuant to CEQA. See also **Response 17-43**, below.

Response 17-34

The potential for landslides originating in hillsides to the east of the planning area is a known issue that is discussed in detail in the Draft EIR (see pages 4.5-22 through 4.5-23). The majority of hillsides susceptible to landslides are located beyond the planning area. The Westside Community Plan identifies areas within the planning area that would require hillside stabilization (see page 4.5-22). As stated in the Draft EIR, mitigation measures to reduce hazards related to seismically induced landslide are unnecessary because implementation of existing policies provided in the City's General Plan, the Westside Community Plan, and applicable regulations would reduce impacts to less than significant.

Response 17-35

No specific uses are proposed under the Westside Community Plan, and it therefore cannot be determined if future development would result in hazardous emission or the handling of hazardous materials within 0.25 mile of an existing or proposed school would occur. Future development that could result in the emission or handling of hazardous substances would be subject to existing regulations for

facilities that handle and emit hazardous substances. Implementation of these regulations would ensure that schools are not impacted by hazardous material emission or handling.

Response 17-36

The planning area boundary is shown in Figure 4.8-2. This boundary has been revised in the Final EIR.

Response 17-37

As a result of the California Supreme Court's recent action in *California Redevelopment Association v. Matosantos* regarding redevelopment agencies, the Westside Redevelopment Plan, including those portions of the redevelopment area located within the Downtown Specific Plan area, is no longer a component of the Westside Community Planning Project. No further response is required.

Response 17-38

Page 4.9-11 of the Draft EIR states that:

Figure 4.9-5, Land Use Changes Parcel Map, shows the locations of the parcels that would require general plan amendment to change existing land uses to those provided in the Westside Community Plan. Two large hillside parcels account for the majority of the area where land use designation changes are proposed. These contiguous parcels in the northeastern portion of the planning area are currently designated for low-density residential development, although a deed restriction on the properties would prevent such development. The land use designation for these parcels is proposed to be changed to parks and open space. One small parcel adjacent the Ventura Unified School District site, currently designated "Industrial" would carry a proposed redesignation of "Commerce."

The currently proposed project does not recommend land use redesignation for the area east of Ventura Avenue currently designated for industrial uses, nor the area west of Ventura Avenue currently designated for commercial uses. Please refer to **Topical Response 1** regarding revisions to the Westside Community Planning Project subsequent to the publication of the Draft EIR.

Response 17-39

See **Response 17-38**, above.

Response 17-40

As stated on page 4.9-15 of the Draft EIR, Figure 4.9-7, Urban Design Plan, is intended to illustrate key circulation upgrades included in the Westside Community Plan. Existing parks are addressed in Section 4.12.4 of the Draft EIR.

Response 17-41

As discussed above in **Response 17-40**, Figure 4.9-7, is intended to illustrate key circulation upgrades included in the Westside Community Plan. The five development nodes are identified on page 4.9-18 of the Draft EIR by their location within the planning area, but are not illustrated in this figure.

Response 17-42

As stated in Table 4.9-2, Westside Community Plan Action 12.7.4 would be consistent with General Plan Policy 7D, which states the City policy of minimizing exposure to air pollution and hazardous substances. Hazardous materials are discussed in detail in Section 4.7, Hazards and Hazardous Materials, of the Draft EIR. As stated in that section, compliance with existing City policies and other regulations regarding the use and handling of hazardous materials would ensure that impacts would be less than significant.

Response 17-43

The historic resources report prepared for the Westside Community Planning Project surveyed a larger area than would be subject to the Westside Community Plan. As stated in the report, "a segment of the aqueduct [i.e., the Mission Aqueduct] is present and visible within the Westside study area along Canada Larga Road in the northern section of the study area."¹⁸ A portion of the aqueduct is located between Vince and Lewis Streets (Historic Landmark #58) and will be treated in accordance with current city practices.

Response 17-44

The portion of the Downtown Specific Plan area within the Westside Redevelopment Plan has been removed from the project as a result of recent court decisions. See **Response 17-37**, above.

Response 17-45

The Southern California Association of Governments (SCAG) is the designated metropolitan planning agency (MPA) for Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial Counties. The SCAG Regional Comprehensive Plan and Guide (RCPG) is a major advisory plan prepared by SCAG that addresses important regional issues like housing, traffic/transportation, water, and air quality. The RCPG serves as an advisory document to local agencies in the Southern California region for their information and voluntary use for preparing local plans and handling local issues of regional significance. City adoption of the RCPG is not required. As stated in the comment letter submitted by SCAG on the Draft EIR, the Westside Community Planning Project has been evaluated by SCAG staff and has been determined to be a regionally significant project (see **Comment Letter No. 2**, above). Therefore, the Draft EIR appropriately considers the project's consistency with this regional plan.

¹⁸ Galvin Preservation Associates, *Westside Historic Context and Survey Report*, (2011) 14.

Response 17-46

SCAG, as the MPA for the six-county region that includes the planning area, has prepared the Compass Growth Report to provide a vision for accommodating regional growth. As discussed in **Response 17-45**, above, the Westside Community Planning Project has been identified as regionally significant by SCAG staff. The Draft EIR therefore appropriately considers the project's consistency with this regional plan.

Response 17-47

Figure 4.10-2 illustrates the noise-reducing effects of solid barriers that interrupt line of sight and is not meant to illustrate the effects of deflected noise. The noise modeling prepared for the proposed project and summarized in Table 4.10-6 of the Draft EIR accounts for deflected noise in urbanized areas.

Response 17-48

Modeled noise levels at State Route 33 represent existing conditions. As indicated in this comment, it is estimated that the project would result in an increase in the noise level of 1.3 A-weighted decibels (dB(A)) community noise equivalent level (CNEL). As stated on page 4.10-1 of the Draft EIR, changes in noise level of less than 3 dB(A) are not noticed by the human ear. Therefore, while noise levels at the modeled location at State Route 33 and South Stanley Avenue would remain higher than the state land use compatibility guidelines for noise shown in Figure 4.10-5 of the Draft EIR, the increase in noise level would not be noticeable. Furthermore, as shown in Table 4.10-5 of the Draft EIR, in areas with an existing ambient noise level of 65 dB(A) or more, only noise increases of 1.5 dB or more are considered significant. The Draft EIR therefore concludes that the Westside Community Planning Project would not cause noise increases in excess of these standards.

Response 17-49

Both Table 4.10-3 and Table 4.10-6 show noise as measured in dB(A) CNEL. Table 4.10-6 has been revised to reflect this information in the Final EIR.

Response 17-50

Figure 4.10-6 in the Draft EIR shows the estimated trip distribution for the proposed project in thousands. The indication in the figure title that percentages are shown is inaccurate and has been corrected in the Final EIR.

Response 17-51

This comment correctly states that the Westside Development Code provides standards in the Mixed Use Development Overlay that would require the provision of mitigation, subject to review by City staff and the Design Review Committee, that would reduce noise impacts to sensitive receptors in mixed-use areas, where commercial uses and residential uses may be located near each other. As stated on page 4.10-24 of the

Draft EIR, in areas not subject to the Mixed Use Development Overlay, implementation of the Westside Community Planning Project would require subsequent environmental review of development projects and compliance with General Plan policy 7E, which requires project proponents to minimize the harmful effects of noise if new residential development is located within areas that exceed 60 dB(A) CNEL or within any area designated for commercial or industrial use. Ventura Municipal Code Chapter 24.470 establishes performance standards for the further regulation of uses permitted in industrial zones which abut uses permitted in residential zones in order to further protect the public health, safety, and welfare. Compliance would require acoustical analysis and mitigation to ensure that exterior noise does not exceed 65 dB(A) CNEL and interior noise does not exceed 45 dB(A) CNEL with all windows closed

Response 17-52

The changes in noise level projected to result from cumulative development, as shown in Table 4.10-8 of the Draft EIR would not exceed the thresholds for significant changes shown in Table 4.10-5. As stated on page 4.10-30, cumulative development would be required to provide mitigation measures to reduce increases in noise levels from stationary sources to less than significant levels. As cumulative impacts related to noise would be less than significant, the Draft EIR does not provide mitigation measures such as those suggested in this comment. Consequently, changes to proposed T4.11 and T5.5 zoning along the freeway and Stanley would not be required.

Response 17-53

Page 4.11-1 has been revised in the Final EIR as follows: "The DOF estimates the City's 2011 housing supply at ~~48,230~~ 42,830 units."

Response 17-54

Section 4.11. Population and Housing, uses the Citywide average household size provided by the California Department of Finance (DOF) to estimate the future population of the Westside Community Plan area. The DOF provides annually updated demographic data for California jurisdictions in part so that local and regional planning efforts have recent, consistent data to forecast potential effects of growth. Using the DOF population estimates is accepted practice for CEQA analysis of population, housing, and job growth, including all projects within the City of Ventura. The DOF figure were therefore used for the proposed project in order to ensure consistent analysis among all projects in the City. Using the higher average household size suggested in this comment, an additional 665 residents would be projected for the Westside area ($3.12 \times 1,415 = 4,415$, as compared to the 3,750 residents forecast based on the Citywide average). This would result in a Citywide population of 111,539 residents. This would fall within regional population growth forecasts, and impacts would therefore be less than significant using the higher average household size recommended in this comment. The DOF figures are more current than 2010 Census figures; therefore no revisions will be made to the Final EIR.

Response 17-55

As stated on page 4.0-1 of the Draft EIR, the City's estimated existing employment was 69,211 jobs in 2010. SCAG projects employment of 80,017 in 2025. The Westside Community Planning Project is forecast to add 1,035 jobs, which, added to estimated existing employment, would result in 70,246 jobs. Growth forecast to occur in other parts of the City would create additional jobs, which is the source of the difference noted in this comment.

Response 17-56

The development forecast of the 2005 Ventura General Plan predicted 1,265 new residential units to be developed within the planning area by 2025. General Plan policy largely distributed these housing units for development along the Ventura Avenue Corridor as outlined in Table 3-2 of the 2005 Ventura General Plan. The Westside Community Plan would increase the forecast growth by 150 residential units, for a total of 1,415 units, owing to an expansion of the Westview Housing Project over that estimated at the time of the General Plan adoption. As no specific development plans are available at this time, it cannot be determined what type of units would be developed under the Westside Community Plan, nor is such information required to provide adequate CEQA analysis of potential impacts related to population and housing.

Response 17-57

Page 4.11-12 has been revised in the Final EIR as follows: "Action 12.2.2 in the Westside Community Plan identifies four key underutilized sites available for public and private investment to stimulate additional investment in this community. These are discussed in more detail in **Section 3.0, Project Description** and are shown in **Figure 3.0-5, Economic Catalyst Sites**. ~~Should one or more of these sites be developed, they will increase the housing supply and employment opportunities in the City for improved jobs housing balance.~~"

Response 17-58

The Draft EIR correctly states that approval of the Westside Community Planning Project would not directly cause the construction or demolition of any existing housing. Demolition of some existing residential structures is likely to occur in the course of future development under the Westside Community Plan. However, as stated on page 4.11-13 of the Draft EIR, the development of 1,415 residential units is forecast under the project. As the planning area would have a net increase in housing, the project would not necessitate the construction of replacement housing elsewhere.

Response 17-59

The Westside Community Planning Project anticipates the development of a mixed-use community that provides a range of housing opportunities for residents at all income levels. Policy 12 I and Action 12.2.17

support the provision of housing commensurate with both upper and lower income levels. The Westside Development Code provides for the development of mixed-use projects both in the Mixed Use Development Overlay and in requirements for mixed-used development on parcels of 30,000 square feet or more in the T3.6, T4.11, T5.5, and SD1 Zones. Furthermore, future development would be subject to the requirements of the City's Inclusionary Housing Ordinance, which requires the provision of affordable units based on a project's total residential development.¹⁹ Nonetheless, affordability of housing does not constitute a significant impact under *State CEQA Guidelines Appendix G*.

Response 17-60

Section 15130 of the *State CEQA Guidelines* provides for the use of "a summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect" in the analysis of cumulative impacts. The cumulative scenario analyzed in all sections of the Draft EIR considers the development potential of the Westside community under existing General Plan land use designations. As discussed in Section 4.11, Population and Housing, of the Draft EIR, the increased development intensity permitted under the Westside Community Plan is forecast to result in 150 more residential units than would be forecast to occur under existing General Plan land uses. Since the majority of development that would occur under the proposed project would also occur under existing land uses, the cumulative analysis in this section appropriately considers only the additional development that would occur under the Westside Community Plan.

Response 17-61

See **Response 17-60**, above.

Response 17-62

See **Response 17-60**, above.

Response 17-63

The functional capacities and suitability of specific fire protection equipment lies beyond the purview of CEQA environmental review of the Westside Community Planning Project Draft EIR. The proposed project would be required to comply with all applicable fire safety standards of the Uniform Fire and Building Code. As stated on page 4.12.2-7 of the Draft EIR, project-level review of individual development projects would include Ventura Fire Department (VFD) review for adequate access, fire flow, installation of automatic fire suppression systems, and other requirements. No further response is required.

¹⁹ City of Ventura, *Municipal Code*, Chapter 24R240.

Response 17-64

See **Response 17-60**, above.

Response 17-65

Table 4.12.3-1 in the Draft EIR identifies schools attended by students within the Westside Community Planning Project area based on attendance boundary maps provided by the Ventura Unified School District (VUSD). The reference to DeAnza Middle School has been revised in the Final EIR.

Response 17-66

The State Allocation Board determines the fees that may be collected by school districts under California Government Code Section 65995(b)(3). The current fees are \$3.20 per square foot of new residential development and \$0.51 per square foot of new commercial and industrial development. The text of the Final EIR has been revised as follows: “Current state statutes dictate that school districts have the authority to levy statutory or Level I fees on new development at rates of ~~\$2.63~~ \$3.20 per square foot of new residential development and ~~\$0.42~~ \$0.51 per square foot for commercial and industrial development.”

Response 17-67

Pages 4.12.3-4 and 4.12.3-5 have been revised to reflect the addition of the word “District” when referencing the Ventura County Community College District.

Response 17-68

The Draft EIR identifies the number of new students expected to be added to VUSD schools as a result of future development under the Westside Community Plan. Should VUSD determine that new or expanded schools are required to serve growth in the student population, the district would determine the required facilities, whether within the planning area or elsewhere. Further discussion of the type and location of future school facilities is not required in the Final EIR, when no specific development plans are under review.

Joint use of school facilities would provide recreational opportunities at school sites during non-school hours. Joint use agreements would not require the provision of new or physically altered facilities in order for VUSD to provide adequate classroom space for students. No further response is required.

Response 17-69

Page 4.12.3-6 has been revised as follows: “As shown in **Table 4.12.3-1**, existing VUSD elementary schools serving the planning area are at or near capacity. Middle and high school students generated by the project could be accommodated at existing schools. The additional elementary students generated by new residential development would require additional school capacity in order to serve project residents.

~~However, this assumption is based on the assumption that no new schools would be developed and all 1,415 residential units would be developed at one time. In reality, these residential units are projected to be added between project approval and 2025. In addition, as discussed below, the VUSD monitors growth trends and capacity at its schools and makes adjustments as necessary.”~~

Response 17-70

Section 4.12.3 considers potential impacts to school facilities, which, as stated in this comment, would be fully mitigated through the payment of school facility fees. Potential impacts related to circulation, hazardous materials, noise, and other environmental issues are addressed in the appropriate section of the Draft EIR.

Response 17-71

See **Response 17-60**, above.

Response 17-72

As stated on page 4.12.4-1 of the Draft EIR, the Ventura River Trail traverses the planning area along its western boundary. Figure 4.12.4-1 has been revised in the Final EIR to clarify the location of this trail.

Response 17-73

The General Plan neither includes nor excludes recreational facilities that are not City-owned from the calculation of available recreation for the purposes of meeting the City's standards for park space.

Response 17-74

The clause regarding the state recommended standard of 3 acres per 1,000 residents is the Quimby standard per California Government Code Section 66477(a)(2).

Response 17-75

See **Response 17-74**, above.

Response 17-76

As stated in Goal 1.0 of the Bicycle Master Plan provided on page 4.12.4-4 of the Draft EIR, one key function of the City's bicycle facilities is recreation. The presence of the Ventura River Trail, which is both a key bicycle facility and an important recreational amenity within the planning area, illustrates the relationship of bicycle and recreational facilities.

Response 17-77

The parkland inventory referred to in this comment is provided in Table 4.11-18 of the adopted General Plan EIR. The parkland inventory includes Community, Montalvo, and Fill Parks, as well as City-owned linear parks.

Response 17-78

The approximately 600 acres of recreational facilities not included in the City's parkland inventory (including County facilities such as the Ventura County Fairgrounds and VUSD facilities) are not considered as contributing to meeting the City's per capita parkland standard. However, as many of these facilities serve a regional population, their mention in this section of the Draft EIR is appropriate. The Draft EIR indicates on page 4.12.4-9 that 37.5 acres of parkland, including 7.5 acres of neighborhood parks, would be required to serve the additional population generated by projected future development within the planning area at the City standard of 10 acres per 1,000 residents.

Response 17-79

The City requirement for parkland dedication stated in the comment applies to development of 4 or more acres in size. Section 24W.212.010 of the Westside Community Development Code requires the dedication of parkland for development of 2 or more acres in size. This requirement is thus more stringent than the Citywide requirement. The payment of fees under the Quimby Act or the dedication of parkland would be required of all projects within the planning area.

Response 17-80

The City's parkland standard of 10 acres per 1,000 residents is calculated on a Citywide basis rather than by individual communities within the City, as suggested in this comment. As indicated on page 4.12.4-10 of the Draft EIR, there would be an unmet local need for recreation facilities within the planning area. Mitigation measures are provided to reduce this potential impact to less than significant.

Response 17-81

Mitigation measure PARKS-1 on page 4.12.4-10 of the Draft EIR would require the designation of one or more parcels as Parks and Open Space (POS). This would directly result in the provision of additional parkland within the planning area. Mitigation measure PARKS-2 would amend the Westside Community Plan to establish a pilot program for joint use of VUSD facilities within the planning area during non-school hours, which would add additional recreational resources within the planning area. Revisions to PARKS-2 to include more definitive verbiage as follows:

MM PARKS-2 Amend Westside Community Plan Action 12.6.Z: Develop joint use agreements with the Ventura Unified School District for joint use of school parks and recreational space by adding the following additional provision: The City ~~should~~

shall coordinate and fund a pilot program for joint use at one or more of the Ventura Unified School District facilities in the Westside Community.

Response 17-82

Park facilities within parcels designated as POS could potentially be operated and maintained by a private enterprise. The City's Municipal Code for park and recreation uses does not require public operation, but establishes the permitted use and standards for both private and public enterprise. As with joint use of VUSD facilities, these resources, while not City-owned would provide recreational opportunities within the planning area. Additionally, the Open Space requirements outlined in Development Code section 24W.212 could provide for the development of a private park, maintained by a Maintenance Assessment District, but which is open to public access as part of a development agreement.

Response 17-83

Existing bicycle and pedestrian trails such as the Ventura River Trail and Brock Linear Park are important recreational amenities within the planning area. The Westside Community Plan would expand and extend these facilities, providing greater connectivity and new recreational opportunities for residents. Section 24W.212.030 provides standards for several types of public open space including playgrounds and mini-parks. See **Response 17-79**, above, regarding requirements for the provision of pocket parks. The Draft EIR does not suggest that improved access to City parks outside of the planning area through the extension of bicycle and pedestrian trails would provide neighborhood parks. Rather, it would facilitate access to these amenities for planning area residents.

Response 17-84

See **Response 17-60**, above.

Response 17-85

The term "arterial" has been deleted from the title of Table 4.13-1 of the Final EIR. Figure 3.0-7 illustrates the regulating plan and proposed circulation improvements within the planning area, and is not intended to show the proposed circulation network.

Response 17-86

The text of the Final EIR has been revised to indicate that the Ventura Intercity Service Transit Authority provides transit to a number of locations within the region as follows: "Ventura Intercity Service Transit Authority (VISTA) provides bus service between Ventura and Santa Barbara, and to a number of locations within the region, via the transit center at Pacific View Mall and other local stops in the City. Greyhound buses connect Ventura with other statewide and national destinations. ~~The Greyhound Station is located at 291 East Thompson Boulevard near Palm Street."~~

Response 17-87

References to the Greyhound bus station in Ventura have been removed from the text of the Final EIR. Please see **Response 17-86**, above.

Response 17-88

The General Plan policy referenced in this comment lists two high priority circulation projects within the planning area. The first, extending Cedar Street from Warner Street to south of Franklin Lane, would be implemented by the Cedar Street Extension proposed under the Westside Community Plan. The second, linking discontinuous segments of Cameron Street, would be implemented through the proposed pedestrian and bicycle connections provided for in the Westside Community Plan. No re-evaluation within the Draft or Final EIR is required.

Response 17-89

Tiering, as discussed in *State CEQA Guidelines* Section 15152, “refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.” The Draft EIR focuses on the specific changes in development within the planning area that would be permitted under the Westside Community Plan.

As discussed on page 4.13-9 of the Draft EIR, the traffic forecast for the Westside Community Plan was prepared using the Ventura Citywide traffic model. This model uses future land uses provided in the City’s General Plan along with circulation system assumptions to derive traffic forecast data. The traffic analysis for the General Plan accounted for much of the planned growth in the Westside Community Plan area. The traffic analysis utilizes and incorporates information from the 2005 General Plan Final EIR by reference for the 2025 No Project conditions. An additional traffic model run was conducted for the land use changes that are proposed as amendments to the General Plan. The results of this additional traffic model run are reported assuming the land use changes proposed in the Westside Community Plan as the project. The project’s impacts determined from the General Plan + Project and the General Plan (No Project) scenarios were added to the existing conditions to derive the Existing + Project scenario. The results show that that the project does not have any adverse impacts in both the short term as well as the long term.

Response 17-90

As stated in Table 4.13-3 of the Draft EIR, the City’s performance targets are level of service (LOS) E for freeway intersections and non-principal intersections on the Congestion Management Program (CMP) network and LOS D for all other principal intersections. The results from the General Plan traffic analysis

along with the results from the additional traffic model run for the land use changes proposed in the Westside Community Plan show that there are no adverse impacts in both the short term as well as the long term. As shown in Table 4.13-6, all of the studied intersections would operate at LOS D or better under the cumulative scenario. Since the City's performance targets would not be exceeded, the Draft EIR correctly concludes that cumulative impacts would be less than significant.

Response 17-91

As stated in Table 4.13-3 of the Draft EIR, the City's performance targets (i.e., thresholds of significance) are LOS E for freeway intersections and non-principal intersections on the CMP network and LOS D for all other principal intersections. General Plan EIR Table 4.12.-1, upon which the Westside EIR analysis is tiered, also states this performance criteria/threshold of significance. Therefore cumulative impact performance of the SR-33/Stanley Avenue intersection rated to perform at LOS D is beneath the LOS E threshold of significance and the impact would not result in a significant impact to the intersection.

Response 17-92

This comment recommends that a specific recommended traffic improvement be studied. The recommended alignment of VUSD headquarters with the end of Olive Street is not proposed in the Westside Community Plan. This comment will be forwarded to decision makers for their consideration.

Response 17-93

See **Response 17-90**, above.

Response 17-94

As shown in Table 4.13-5 in the Draft EIR, the SR-33 ramps at Stanley Avenue are forecast to operate at LOS A in the AM peak hour and LOS B in the PM peak hour with development forecast to occur under the Westside Community Plan. Table 4.13-6 shows that these ramps are forecast to operate at LOS C in the AM peak hour and LOS D in the PM peak hour. The City's performance target for freeway intersections is LOS E, as discussed in **Response 17-90**, above. Since both of these freeway intersections would meet City performance targets during the AM and PM peak hours, no mitigation at these ramps is required and would not create hazards.

Response 17-95

Traffic volumes for traffic analysis zones (TAZ) 208, 213, and 216 only are calculated because, as discussed previously in **Response 17-89**, the traffic forecast for the Westside Community Plan was prepared using the Ventura Citywide traffic forecasting model. This model uses the land uses provided in the City's General Plan along with circulation system assumptions to derive traffic forecast data. Areas where the underlying land use would change are identified in Figure 4.9-5. Because the model does not

already account for the traffic that would be generated by these changed land uses, Appendix 4.13 provides projected vehicle trips for the land uses in the Westside Community Plan in these TAZs.

Response 17-96

See **Response 17-89**, above.

Response 17-97

Data from Tables A and B provided in Appendix 4.13 to the Draft EIR is provided with explanatory discussion in Section 4.13 of the Draft EIR. Existing conditions at the study intersections are shown in Table 4.13-2, conditions with forecast development under the Westside Community Planning Project are shown in Table 4.13-5, and cumulative conditions at the General Plan's 2025 planning horizon are shown in Table 4.13-6. The intersection capacity utilization (ICU) methodology is discussed on pages 4.13-1 and 4.13-3. The number referred to in this comment indicates that trips forecast to be generated by the project would increase the ICU at the intersection of Ventura Avenue and Stanley Avenue would increase by 0.07, from 0.73 under existing conditions to 0.80 with project development. As discussed in Table 4.13-3, ICU increases of more than 0.01 at intersections that do not meet the City's performance targets. Because all study intersections would meet the City's performance targets, ICU increases at study intersections are omitted in Section 4.13.

Response 17-98

The TAZ map in Appendix 4.13 does, as stated in this comment identify Stanley Avenue in the incorrect location. This does not affect the completeness or accuracy of the analysis provided in the Draft EIR, and no further response is required.

Response 17-99

See **Response 17-89**, above.

Response 17-100

See **Response 17-60**, above.

Response 17-101

Figure 4.14.2-1 has been revised in the Final EIR to provide a legend to interpret the illustrated wastewater system improvements.

Response 17-102

Policy 12 X and revised Action 12.5.4 provided in the Westside Community Plan address public infrastructure and wastewater facilities. Action 12.5.4 states, "Update the 2005 Westside/Downtown Sewer Main Capacity Deficiency Fee Nexus Study, downstream wastewater capacity studies and Capital

Improvement Deficiency Study (CIDS) fees for the Westside Community to determine adequate capacity, supply, fireflow, and/or infrastructure improvements.” Responsibility for operation and maintenance of the planning area’s wastewater conveyance system belongs to the City’s Wastewater Department. The City’s adopted 2011–2017 Capital Improvement Plan identifies three sewer line replacement projects within the planning area that would replace approximately 10,000 feet of existing wastewater pipelines with upgraded lines that would ensure adequate capacity for the Westside community. Development under the Westside Community Plan would support these activities by providing a source of funding for identified sewer upgrade needs.

Response 17-103

See **Response 17-61**, above.

Response 17-104

See **Response 17-61**, above.

Response 17-105

State CEQA Guidelines Section requires “sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.” Technical studies at a level of detail equivalent to the proposed project are not required in order to allow this meaningful analysis. Table 5.0-1 on page 5.0-8 of the Draft EIR summarizes the development potential of Alternative 1. As stated on page 5.0-15 of the Draft EIR, the amount of development under Alternative 2 would be substantially the same as the proposed project. Page 5.0-18 of the Draft EIR states that the amount of growth for Alternative 3 would be similar to the project as proposed. Based on the development potential of the three alternatives, the comparative impacts of each with the proposed project can be meaningfully evaluated. The comparative impacts of the three alternatives are discussed in Subsection 5.4 and summarized in Table 5.0-2.

Response 17-106

Development under Alternative 1 would not implement portions of the Westside Development Code that provide for the development of public open space (see **Responses 18-17** and **18-79**, above). Alternative 1 would not implement the Shopfront Overlay, which would improve the planning area’s pedestrian scale—the primary aesthetic value of the planning area; and the Historic District Overlays, which would preserve the historic character of identified historic districts. The aesthetic benefits expected from implementation of the Westside Community Planning Project are a result of specific policies and development standards rather than a preference in zoning.

Response 17-107

No significant and unavoidable impacts were identified for the proposed project. Furthermore, as shown in Table 5.0-2 of the Draft EIR, the three alternatives analyzed would have the same relative impacts when compared to the proposed project.

As discussed in **Response 17-7**, above, implementation of the Westside Community Plan would be consistent with policies established in the City's General Plan that support the development of transect-based zoning and form-based development codes for the City's communities. Therefore, an alternative that implements such a code would be considered more consistent with the City's General Plan than an alternative that did not implement or only partially implemented such a code. Therefore, Alternative 2, which implements a form-based code within the entire planning area is considered the environmentally sensitive alternative based not on the speculative assumption that vehicle miles traveled would be reduced but on consistency with the City of Ventura's General Plan.

Response 17-108

On June 6, 2011, the City Council added policies to the Westside Community Plan that direct City staff to further analyze the possibility of developing a public park on one or more sites within the planning area. These policies were added to the Westside Community Plan and are discussed in the Draft EIR. Alternative 3 presents a modified version of the proposed project that removes from consideration some of the sites designated as potential park sites. This is not inconsistent with the City Council's direction.

Response 17-109

Cedar Street as it travels north from the southern boundary of the planning area currently terminates at Kellogg Street. It resumes south of Shoshone Street, terminating again north of Seneca Street. The Westside Community Plan proposed to connect these reaches of Cedar Street creating a thoroughfare that traverses the eastern portion of the planning area. The upgraded road would provide an alternative to Ventura Avenue for north/south travel in the eastern portion of the planning area. Page 4.13-13 correctly states that Cedar Street would be reclassified as a local street.

Response 17-110

The City of Ventura has adopted form-based codes that allow for substantial mixed-use development for the Downtown and Midtown communities. Therefore the adoption of a development code that allows for mixed uses in the Westside community would not be a precedent-setting action.

Response 17-111

The sentence referred to in this comment has been revised in the text of the Final EIR to read as follows: "Irreversible long-term environmental changes would accompany the ~~proposed conversion of a partially~~

~~disturbed, but primarily undeveloped area to a residential and industrial urban scale in-fill development site increased development intensity within the planning area as a result of project implementation."~~

Response 17-112

The property referred to in this comment has been cleared of agricultural operations and has been approved for development since 2007. No other agricultural parcels are located within the planning area. Therefore the Draft EIR correctly states that no agricultural uses are present.

Response 17-113

As discussed on page 8.0-4 of the Draft EIR, the Westside community has a high potential for the presence of archaeological resources. Therefore, General Plan requirements for archaeological studies and the suspension of development activity when previously unknown resources are discovered would be required of all development projects within the planning area. Compliance with existing City policies for the protection of archaeological resources would reduce impacts to archaeological resources to a less than significant level.

Response 17-114

See **Response 17-43** above.

Response 17-115

Oil well maps prepared by the California Department of Conservation (DOC) Division of Oil, Gas, and Geothermal Resources (DOGGR) indicate the presence of one active oil well within the Westside Community Plan area. This oil well is located on the western boundary of the planning area in a parcel subject to the POS Zone provided in the Westside Development Code. Future residential development would therefore not impair mineral extraction operations within the planning area.

From: Danica Dahm <danicalain@hotmail.com>
Date: January 27, 2012 7:36:17 PM GMT+01:00
To: <dward@cityofventura.net>
Subject: Westside planning

Dear Mr. Ward,

I am writing because I am concerned with the flaws in the Westside EIR. The traffic is a problem now at peak commute times at the Stanley Ave on and off ramps. Adding hundreds of homes would only make it worse. I also noticed that construction of 4-6 story buildings would be allowed, this would absolutely impact our view of the mountains and honestly that view is what makes this part of town special. Please also consider the need for open space and parks on the westside we need that to help create the community feel that Ventura Avenue lacks at this point. We are lucky to live close to the Deanza Middle School and that is where a lot of people go to play with their kids, but as you go down the avenue you lose that option of safe open space.

Please reconsider these topics, Thanks for your time Danica Dahm

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Letter No. 18: Dahma, Danica, January 27, 2012

Response 18-1

The City's adopted Level of Service Standard for the roadway network recognizes and assumes that delays will occur during peak commute hours. Delays on Stanley Avenue are expected to continue until the planned Stanley Avenue/Highway 33 Interchange improvements are constructed. See **Response 11-2**, above.

Response 18-2

Pedestrian views adjacent to structures in the T4.11 and T5.5 Zones are currently obstructed by existing structures, since one-story buildings obstruct most pedestrian views. As stated in Section 4.1, Aesthetics, of the Draft EIR, the primary aesthetic value of the planning area is its pedestrian scale, which would be preserved and enhanced under the Westside Community Plan. The footprint size limits provided in the Westside Development Code would preserve existing views across the project site and would reduce the potential "canyon effect" that results when taller structures are built to their full footprint at upper stories. Views of hillsides are afforded along streets that intersect Ventura Avenue. While the development of multistory buildings in the T4.11 and T5.5 Zones would further restrict existing limited views along Ventura Avenue, views down streets that intersect Ventura Avenue would remain.

Response 18-3

The City's parkland standard of 10 acres per 1,000 residents is applied Citywide, and does not apply to individual communities. As discussed in Section 4.12.4, Parks and Recreation, of the Draft EIR, three sites consisting of four parcels are under consideration for designation as Parks and Open Space (POS) within the planning area. As discussed on page 4.12.4-10 through 4.12.4-11, one or more of these sites would be designated POS either through implementation of mitigation measures PARKS-1 (under scenario one) or as part of the proposed project (scenario two). The Westside Community Plan would therefore provide additional park acreage within the planning area under either scenario.

From: "CHERYL_ENDO" <CHERYL_ENDO@patagonia.com>
To: dward@cityofventura.net
Sent: Thursday, January 19, 2012 5:13:47 PM
Subject: Westside Community Development Plan

Dear Mr. Ward,

Hello, thank you for your service to the community. I have recently moved to the City of Ventura after 7 years residing in the City of Santa Paula. I work on the edge of downtown at Patagonia, I have a 1 mile commute by bicycle each day. I purchased a home on the Westside on East Lewis street (5 houses from the hillside) exactly 1 year ago tomorrow. I moved there specifically because it was a dead end street. I have spent over \$20,000 in home improvements this year because I want to contribute to the beautification of the Westside. I enjoy living here immensely.

I have come to find out in the new plan that a street extension is proposed from Cedar to Stanley. I worry if this happens then it will be similar to Santa Paula's situations in some neighborhoods. Drive by shootings, crime increases and excessive speed tend to happen on streets that you can drive thru. Not to mention the devaluation of property due to all these things happening.

All of my current neighbors around me have children or are planning to have children, and we cannot afford to have people speeding through trying to get to Stanley by "taking a short cut" down my street because they were stuck behind a large truck on Cedar.

I don't understand a need for another street either. I would like the plan to concentrate on improving what we have.

1. Fix the potholes, install proper storm drainage and add more clearly marked crosswalks on Ventura Avenue. (Let's not have another Senior Citizen getting run over in the crosswalk like we had a few weeks ago)

2. Make the Stanley Ave on ramp to the West Bound Highway 33 not so scary, let's modernize.

3. Make Olive St safer by having clearly marked lines. (Center line and parking lines)

I ride my bike all over the West side. I've found Cedar St to be the most dangerous due to motorist speeding. If we cannot control the current speeds now, I think it will get worse if we have street extension along the hillside.

Could we please concentrate on adding quality of life items? I agree that adding commerce will increase visitors, but truly, out of town visitors can only spend so much money. We need to give them the whole deal. We should be making a considerable effort on beautification of our City.

1. Make the base of the hillside a biking, hiking and equestrian trail. Have the plan eventually tie into the planned Botanical Gardens at Grant Park. Plus, lets be realistic, the current bike path is ugly. You are constantly inhaling fumes from cars on the 33. If we give people a pretty place to ride, then they will stop and eat and drink at the many business planned for this area.

2. Plant some native trees please. A pretty city is a visited city. Look at Montecito, they have trees everywhere. Plus, we really should be looking at decreasing greenhouse gasses as well.

Also, what are we doing about recharging of groundwater in this new plan? My street has no underground storm drainage until you hit Cameron.

Let's take this opportunity to be cutting edge, let's make the Westside a cutting edge community redevelopment. Let's join up commerce, eco-responsibility and quality of life. Let's make the Westside a model community!

Thank you for your time and effort,

Cheryl Endo
285 E. Lewis St.
Ventura, CA
cheryl_endo@patagonia.com

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Letter No. 19: Endo, Cheryl, January 19, 2012

Response 19-1

The extension of Cedar Street, which is specifically cited as a key infrastructure project in General Plan Action 4.27, has existed on City planning documents for over 20 years and is a long-term project that is needed to accommodate the future traffic needs with anticipated growth and will be implemented contingent on funding.

Response 19-2

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 19-3

See **Response 11-3** above.

Response 19-4

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 19-5

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 19-6

The comment recommends changes to the Westside Community Plan and does not address the environmental analysis provided in the Draft EIR. Section 24W.208.023 of the Westside Development Code provides a streetscape standard alternative for the Cedar Street connector that includes a bike trail on the east side of the street. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 19-7

The Westside Development Code provides street and streetscape standards (see chapter 24W.208) that would provide trees at 25-foot intervals on most streets within the planning area. Greenhouse gases are analyzed in detail in Section 4.6, Greenhouse Gas Emissions. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 19-8

The comment addresses general subject areas, which received extensive analysis in the Draft EIR in Section 4.8, Hydrology and Water Quality. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. However, the comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

Response 19-9

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

From: "Mike Granaroli" <coffeewithmg@yahoo.com>
To: dward@cityofventura.net
Sent: Thursday, January 26, 2012 5:27:25 PM
Subject: Westside Planning

Dear Mr. Ward,

I am writing to note my concern that there are many flaws in the EIR for the Westside. Along with the planning for all of the new development, there seems to be no mention of a plan for improved street safety. ie; better lighting, stop signs, and signal lights. I am particularly concerned about the intersection at Ventura Avenue and Shoshone. Many children cross here to get to school as well as many elderly to get to the bus stop. I myself walk accross this street daily to get to work. This is a very dangerous intersection already. Has the increase in traffic been considered? How will all of these cars enter and exit the freeway? Stanley Avenue is already backed up in the morning and evening at prime "commute" time. There needs to be a plan for this.

1

The report also notes that there will be no impact on the views of the hillsides. How can this be, if they are proposing to continue to build 4, 5 and 6 story buildings?

2

As I stated in the first sentence, there are many flaws in this report. Please let this very important issues be reconsidered.

3

Thank you for your time,
Maureen Granaroli

Letter No. 20: Granarolli, Maureen January 26, 2012

Response 20-1

The Community Plan includes policies to improve the roadway design on Ventura Avenue to enhance safety for pedestrians and bicyclists and requires the City Public Works staff to undertake improvements as funding allows. See **Response 11-3**, above, regarding the Stanley Avenue/Highway 33 interchange improvements.

Response 20-2

Pedestrian views adjacent to structures in the T4.11 and T5.5 Zones are currently obstructed by existing structures, since one-story buildings obstruct most pedestrian views. As stated in Section 4.1, Aesthetics, of the Draft EIR, the primary aesthetic value of the planning area is its pedestrian scale, which would be preserved and enhanced under the Westside Community Plan. The footprint size limits provided in the Westside Development Code would preserve existing views across the project site and would reduce the potential "canyon effect" that results when taller structures are built to their full footprint at upper stories. Views of hillsides are afforded along streets that intersect Ventura Avenue. While the development of multistory buildings in the T4.11 and T5.5 Zones would further restrict existing limited views along Ventura Avenue, views down streets that intersect Ventura Avenue would remain.

Response 20-3

The City acknowledges your input and comment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

On Jan 28, 2012, at 1:42 AM, Pamela Huckins <pamelahuckins@gmail.com> wrote:

Dear Dave,

Here are a few of my concerns regarding the Westside Plan & Code Draft Environmental Impact Report:

Aesthetics - I am concerned about negative impacts on views, scenic resources, and other issues related to light and glare. I disagree with the findings of the DEIR that these valuable aesthetic attributes of West Ventura will not be adversely affected by the proposed Plan. Ventura Avenue *is* a view corridor. Travelers along the Avenue have views of hillsides, rolling terrain, and mountains encompassing a panorama from Grant Park, the mountains north of Ojai, and Taylor Ranch. The mass and density of structures along Ventura Avenue as proposed in the Plan would impede these views, particularly of the mass of structures allowable in the urban zones and the provision allowing an additional story in exchange for a plaza or other public space. The scenic resources visible from the view corridor of Ventura Avenue are an important component of the quality of life of Westside residents.

1

Historic/Cultural Resources - I am concerned, also, about potential negative impacts to our unique and irreplaceable historic and cultural resources. Again, I am not in full agreement with the findings of the DEIR. In particular, I am concerned about how aspects of the plan might impact the proposed residential conservation areas, the existing and proposed historic districts, the proposed industrial conservation area, portions of the Mission Aqueduct which remain within the Plan area, the remnants of the mission vineyard walls, and other Chumash-, mission-, agricultural-, and oil-era resources. Moreover, not every structure or resource of potential historic value was identified as such in the Westside Historic Context and Survey Report. I am concerned that under the proposed plan some of these potential resources may be at risk.

2

I appreciate your consideration of my concerns.

3

Respectfully,

Pam Huckins

--
Pamela Jill Huckins, Ph.D.
Historian of Art & Architecture
805 643 4449
pamelahuckins@gmail.com

Letter No. 21: **Huckins, Pam, January 28, 2012**

Response 21-1

See **Response 17-18**, above, regarding scenic views.

Response 21-2

See **Response 7-2**, above, regarding cultural resources.

CITY OF VENTURA

Westside Community Planning Project
Environmental Review
Comment Form

This form is provided for your convenience to make written comments regarding potential impacts on the community you believe may result from the proposed Westside Community Planning Project. Your comments will be considered by the City of Ventura in determining the issues to be addressed in the Environmental Impact Report (EIR) the City will be preparing on this proposed community plan. You may use this form in addition to, or instead of, making oral comments at this public meeting. After filling out the form, please leave it in the designated box prior to leaving this meeting or, prior to September 6, 2011, mail it to:

City of Ventura
Community Development Department
501 Poli Street, PO Box 99
Ventura, CA 93002

ATTN: Maggie Ide, Associate Planner

Please also provide your name and address so you can receive additional information on this project as the City's review progresses. Please provide your comments below:

DEAR MAGGIE, THANK YOU AND THE PLANNING DEPT.
FOR THE OUTREACH TO THE WESTSIDE ON THIS PROJECT.
I FEEL THE PLAN HAS TOO MANY HOUSING UNITS.
INDUSTRIAL PROPERTY OWNERS MUST BUILD UP TO FOUR STORIES
ALONG THE AVE. IF THEY WERE TO IMPROVE THEIR PROPERTY.
THIS TAKES UP IND. PROPERTY FOR BUILDING AND PARKING,
RESULTING IN LESS JOBS.
THE "EXCEPTION" TO EXISTING USES AND STRUCTURES
THAT ARE NOT CONFORMING AS A RESULT OF THE USE
CHANGE WOULD RESULT IN THE LOSS OF IND.
PROPERTY AND THE INCOME FROM OUR TWO AVENUE
PROPERTIES ALONE.

1

Name: W.B. PETE MARRIOTT JR
Address: 2604 N VENTURA AVE
VENTURA, CAL 93001

Please attach additional sheets if necessary

MARRIOTT PROPERTIES

2 OF 2

TWO CONCERNS ARE;

1. PROPERTY USED FOR OUTSIDE STORAGE OR WORK SHALL BE TERMINATED WITHIN FIVE YEARS FROM ADOPTION OF THE CODE CHANGE.

2

2. NON CONFORMING USE OF INDUSTRIAL PROPERTY WHEN VACANT FOR SIX MONTHS OR MORE WILL NOT BE ALLOWED.

3

THE AVENUE SHOULDN'T HAVE THESE SUNSET DATES. DOWNTOWN DOESN'T.

4

YOURS TRULY,

W. B. "PETE" MANNING JR.

2604 North Ventura Avenue, Ventura, California 93001
(805) 653-1123

Letter No. 22: Marriott, W. B. "Pete," Jr., undated

Response 22-1

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 22-2

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 22-3

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 22-4

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

On Jan 15, 2012, at 5:49 PM, jared mcentyre <jared_mcentyre@hotmail.com> wrote:

Hello Mr. Ward,

I am a west side resident concerned with the possible road extension from Cedar to Stanley. I am hoping you can tell me the city's current position on this potential development. I am concerned for the following reasons:

1. It will increase traffic in residential neighborhoods. Living on a dead end means that when we go outside we often see kids playing in the street outside their house because of low traffic. Many residents enjoy dead end streets because they are so peaceful. This road extension would disrupt the quiet, peaceful nature of 9 dead end streets and hundreds to thousands of residents.

1

2. It is costly and unnecessary. In a time when the city of Ventura is so strapped for cash, we can save *significant* money by not building this unnecessary street (do I remember correctly that the figure was several millions?!). We already have Ventura avenue, Olive and hwy 33 to connect people downtown, none of which move slowly due to high traffic.

2

3. It would hurt, rather than enhance our natural environment.

a. A better option would be a pedestrian/bike path that winds through a beautiful oak woodlands and native coastal sage scrub environment. Restoring the sizable area to natural habitat for the native species would be a wonderful improvement to our neighborhood and provide a unique service that is not available elsewhere. We have plenty of streets but virtually no accessible native green spaces. Residents use the path for walking their dogs and heading into the city, even though it is currently not much more than weeds and a dusty trail. They will use it even more if the trail is developed right.

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b. Water Quality: This open space currently serves to recharge groundwater supplies while the proposed road would increase polluted storm water runoff, adversely effecting our coastal ecosystems.

c. Air Quality: Finally, planting trees would contribute to Ventura's goal of reducing our city wide greenhouse gas emissions, while building a road would increase our emissions.

I understand you're looking at both options and want to state that a trail next to a street is different than just a trail in an oak woodlands. Having cars rush by, or even having to look at the street significantly takes away from the park setting. The Westside Redevelopment Plan clearly states that there should be preference to alternative forms of transportation and an increase in greenspace. Please think outside the box and do not add more roads! Thank you for your time and consideration. Please let me know the status of this proposed road or direct me to where I might be able to find the information I'm looking for.

4

Jared McEntyre
273 E. Lewis St.
Ventura, CA

Letter No. 23: McEntryre, Jared, January 15, 2012

Response 23-1

The comment addresses general subject areas, which received extensive analysis in Section 4.13, Transportation and Circulation, of the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. However, the comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

Response 23-2

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 23-3

The comment only expresses the opinions of the commenter. As discussed in Section 4.8, Hydrology and Water Quality, of the Draft EIR, the Westside Community Plan would not result in significant impacts related to stormwater runoff or groundwater recharge. Air quality and greenhouse gas impacts are analyzed in detail in Section 4.2 and 4.6, respectively, of the Draft EIR. As stated in those sections, project impacts would be less than significant.

The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 23-4

The comment only expresses the opinions of the commenter. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Suz Montgomery
260 Pacos St
Ventura, CA 93001
(805) 258-8000
Suznoni@hotmail.com

Dave Ward
City of Ventura
Community Development Department

Dear Dave,

This letter serves as my comments directly to the Ventura Westside Community Project Environmental Impact Report/DEIR.

My comments are directly and specifically focused on the parks in the Westside in Ventura.

Comment: Section 4.12.4.c contains this statement with reference to whether the City has adequate parkland to meet its standard of 10 acres of parks per 1,000 residents:

Included in this park planning goal are the non-City special use facilities (e.g., state beaches, the Ventura County Fairgrounds, and Ventura Unified School District sports fields) which would continue to provide approximately 600 acres of additional recreational parks and facilities that could be utilized by current and new residents.

This statement in the DEIR is false and should be omitted; any analysis in the DEIR based on this statement should be revised. The 2005 General Plan does not mention non-City special use facilities as being counted toward meeting the City's park standard. See 2005 Ventura General Plan, Chapter 6, Our Active Community, pages 6-1 through 6-6.

1

Comment: Section 4.12.4.c contains the statement that:

Dedication of parkland for new development and continued collection of required park fees on new development currently allows the City to address increased demand for parks associated with population growth.

The DEIR does not provide any definitive analysis to support this finding. While the City collects fees and taxes to pay for acquisition and build out development of new parks, and in some cases requires the dedication of land for parks, there is no basis in the DEIR for concluding that such efforts are sufficient to address increased demand for parks associated with population growth under the proposed Plan and Code. The DEIR must be revised to provide analysis which shows whether present City efforts are in fact adequate to meet the demands for park space created by the growth in the proposed project. If such measures are found inadequate, the DEIR must present measures to mitigate that impact of the proposed project.

2

Comment: On page 4.12.4-9, section 4.12.4.c of the DEIR discusses that the 2005 General Plan EIR found that particular areas of the city targeted for intensified residential development—development that would substantially increase demand per the 2005 General Plan EIR—were “largely lacking in local park facilities.” Among these areas targeted for intensification and lacking in local park facilities is Ventura Avenue in the defined project area. The DEIR fails miserably to quantify the existing unmet demand in the project area in order to place the impacts of the proposed Plan and Code in proper context.

3

Letter No. 24: Montgomery, Suz, undated

Response 24-1

Contrary to the commenter's assertion, the analysis of parks and recreation facilities provided in the Draft EIR is consistent with the City's 2005 General Plan Draft EIR, which states

The use of standards as reference measures does not imply that park acreage must necessarily be met entirely by City-owned facilities. In addition to recreation areas under City jurisdiction, substantial acreage within or adjacent to the Planning Area is held by public schools or county and state parks.²⁰

Response 24-2

As discussed in **Response 8-2**, above, the proposed project would provide new park acreage within the Westside Community Plan area through the dedication of one or more parks sites within the planning area and through joint use agreements with the Ventura Unified School District. Future development would be required to provide payment of required park fees and dedication of land on a case-by-case basis. The Westside Community Plan is consistent with General Plan policies requiring the provision of public open space (See Policy 12Y and following action items). The Draft EIR appropriately concludes that the Westside Community Plan, through the dedication of park space and the payment of applicable fees, would result in less than significant impacts related to the provision of park facilities.

Response 24-3

Potential impacts related to parks and recreation facilities are analyzed in detail in Section 4.12.4, Parks and Recreation, of the Draft EIR as well as existing parkland deficiencies. As discussed in **Response 8-2**, above, the City's parkland standard is applied Citywide rather than by community. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

²⁰ City of Ventura, 2005 General Plan EIR, (2005) 4.11-14.

Comments on the Draft EIR for the Westside Community Plan:

At the outset, I would like to point out that this document is confusing to the public as to the various planning areas, plans, and projects: proposed Westside Community Plan and Development Code, the Westside Redevelopment Area Project, Westside Community Planning Project area (1,094 acres), Westside Community Plan area (924 acres). The proposed Redevelopment Area (685 acres) is "mostly located within the Westside Community Plan area", but includes 36 acres in the City's Downtown Specific Plan Area. CEQA encourages public participation and an EIR that is available and understandable to the public.

This document is not easy to understand for many community members in the general public. It is difficult to understand what really is being discussed at times, as there are no actual projects; nevertheless, conclusions are being drawn as to future development, impacts (particular and cumulative), mitigations, or lack thereof.

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As set out above, with the several Plans, Areas, and Projects with various acreages, and the non-specificity of projects, the language in this document makes it difficult to discern, for the average citizen, what is actually being proposed. Therefore, I find that the overall intent of CEQA is not being met.

Despite these difficulties, I would like to comment on several areas. I have highlighted in yellow some proposed additional language, and asked some questions in bold parentheses.

Re: **EXECUTIVE SUMMARY**

I believe that there *were* areas of controversy during scoping and public hearings and comment. Members of the community are, and were, concerned that proposed building heights and mass would cut off access to light for pedestrians and adjacent neighbors. Similarly, views of the surrounding hillsides would be obstructed, and the aesthetic of the Westside would be compromised by "looming" relatively large development. Issues include greater setbacks and plantings, pedestrian-friendly streetscapes, lower building heights and density.

2

3.0.1 PROJECT OBJECTIVES

"The Westside Community Planning project includes **adoption of a redevelopment project area per California Redevelopment Law** (CRL) to assist the City in its efforts to revitalize the Westside Community. Implementation of policies and public improvements included within the Westside Redevelopment Area would occur through redevelopment tax increment financing...The Ventura City Council directed staff continue analysis for the purposes of CEQA of the whole of the Westside Community Planning project, including redevelopment, in **anticipation of continued authorization for local governments to adopt new project areas under California Redevelopment Law**. Therefore, the analysis contained in this EIR will consider elements of the Westside Community Planning project pertaining to redevelopment plan adoption." (emphasis added).

3

AB 26 suspended redevelopment and the city is required to wind down redevelopment, see Jan. 30th,

2012 Agenda: http://www.cityofventura.net/files/file/meetings/city_council/01-30-12/item%2001.pdf
http://www.cityofventura.net/files/file/meetings/city_council/01-30-12/item%2014.pdf

Therefore, a major premise of this DEIR is no longer valid, and calls into question the validity of the document, its analysis and conclusions. Under CEQA, when a significant material condition changes, or new material information becomes known, a revised or subsequent or supplemental EIR is required. **I believe that this change in redevelopment law warrants a recirculation of a revised DEIR for the Westside Community Plan. I request that the current DEIR be revised and its analysis be updated.**

3

Some further comments follow:

4.2.2 ENVIRONMENTAL SETTING

Regional Air Quality Setting

Air emissions are generated by a variety of sources in Ventura County. Include emissions from oil and gas production, particulates, and flaring. Also dust and particulates from agricultural practices; airplane emissions from local airports .

4

Table 4.2-1 Ambient Air Quality Standards

Hydrogen Sulfide 0.03 ppm, 1-hr avg. None Odor annoyance

Hydrogen sulfide is associated with oil and gas production. Health effects include neurological damage, possibly severe, even death. There is oil production in the vicinity of the project area , and gas flaring.

(There are old or abandoned oil wells within the proposed Westside Plan area. Have they been tested for leaking or remnant gases?)

4.4 CULTURAL (HISTORIC) RESOURCES

Comments RE: CULTURAL RESOURCES

The DEIR refers almost exclusively to historic resources and architecture, even in the title itself, leaving out the Native American inhabitants of the area, whose descendants may still live in and around Ventura, and have an interest in preservation of their culture and special sites. The DEIR is deficient in this regard.

5

"in the 1840s, most Spanish Europeans had fled the area, leaving the Indians at the Mission." Native Americans should thus be considered in the historic context as well as "pre-historic".

As stated "the project is the adoption of general plan amendments and a zoning code amendment", therefore it triggers SB 18 consultation with the local tribe, the Chumash, as to preservation of cultural resources and places.

The CA Native American Heritage Commission (NAHC) has contacts and guidelines for this purpose.

CA Office of Planning and Research (OPR) guidelines for CEQA and consultation process, for example:

- [GC 65352.3](#) Consultation: General Plan or Specific Plan adoption or amendment.
- [GC 65562.5](#) Consultation: Designation of Open Space.
- [GC65352.4](#) Definition of Consultation.

From http://opr.ca.gov/s_localandtribalintergovernmentalconsultation.php :

“State planning law requires cities and counties to consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Places. OPR’s consultation guidelines, background information, and training session information are all available online

- SB 18 (Chapter 905, Statutes of 2004) requires cities and counties to contact, and consult with California Native American tribes prior to amending or adopting any general plan or specific plan, or designating land as open space.
- OPR’s Tribal Consultation Guidelines (November 2005) contains information on how and when to conduct consultation with California Native American Tribes.

For purposes of consultation with tribes, as required by Government Code Sections 65352.3 and 65562.5, the Native American Heritage Commission (NAHC) maintains a list of California Native American Tribes with whom local governments must consult.”

(Has the City complied as to such consultation?)

There appears to be little or no consideration of cultural site preservation, per SB 18 guidelines. Some discussion is found under:

8.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

I would argue that potential Cultural/archaeological resources *are significant* both historically and in present-time, and should not be characterized as “effects found not to be significant”. This is disrespectful of an ancient culture that continues into the current era.

The following section demonstrates that there is knowledge of this resource:

8.0.2 CULTURAL RESOURCES Pre-Historic Resources

“Known archaeological sites, historic landmarks, and points of interest are present within the planning area, some of which may also contain subsurface cultural resources. Prior reports identify the areas west of Olive Street near the Ventura Rivers and throughout the project area along Ventura Avenue as sensitive areas for Native American Resources.”

The discussion about potential cultural sites and potential archaeological finds is inadequate, especially for areas identified as “sensitive areas for Native American Resources”. There is no mention of tribal consultation. There is no discussion of *in situ* preservation, preservation in place, as the preferred alternative (the failure to consider *in situ* preservation was recently litigated in Los Angeles, and the EIR was required to consider this).

The DEIR is also inadequate in its conclusory statement: “...policy, actions, and mitigation measures pertaining to archaeological resources in Chapter 9, *Our Creative Community* that would reduce the potential for impacts to less than significant.”

“If the artifacts are found to be significant, City shall conduct a data recovery program”. The Appellate Court found that a “data recovery program” may be insufficient, where *in situ* preservation should be considered.

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CEQA Guidelines: Section 15126.4. Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects.

(3) Public agencies should, whenever feasible, seek to avoid damaging effects on any historical resource of an archaeological nature. The following factors shall be considered and discussed in an EIR for a project involving such an archaeological site:

(A) Preservation in place is the preferred manner of mitigating impacts to archaeological sites...Preservation may also avoid conflict with religious or cultural values of groups associated with the site.

(B) Preservation in place may be accomplished by, but is not limited to, the following: 1. Planning construction to avoid archaeological sites; 2. Incorporation of sites within parks, greenspace, or other open space; 3. Covering the archaeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site; 4. Deeding the site into a permanent conservation easement.

Parks and open space are desired by the Westside community, with Chumash cultural heritage (sacred and cultural sites) as an additional educational and spiritual factor that should be considered, and that *must be* considered with a general plan amendment, per SB 18. Tribal consultation could identify sites to be preserved, possibly as open space or with a conservation easement for the tribe.

7

9.0 Under the listing of **Persons and Organizations consulted**, all appear to be related to architectural preservation:

Cultural (Historic) Resources

- Galvin Preservation Associates Inc.
- Andrea Galvin, Principal Architectural Historian
- Nicole Collum, Architectural Historian II
- Ben Taniguchi, Historian II
- Laura Vanaskie, Architectural Historian II
- Elyshia Dory, Architectural Historian II

Again, there is an apparent lack of tribal consultation, required for a general plan amendment. Without significant consultation, there is no justification to state that there are no significant impacts.

4.5 GEOLOGY AND SOILS

Prof. Keller of UCSB spoke (at Ventura Watershed U) of a newly discovered fault in the Ventura River area. Is this the "unnamed fault near Wadstrom" or another potentially hazardous fault?

8

4.7 Hazards and Hazardous Materials

Soil and Groundwater Contamination

Noting that..."there are contaminated Brownfield sites and gas conveyance lines running beneath the planning area. Within the planning area there are five oil wells, either active or abandoned. These oil wells may impact a localized area or land use in the vicinity of the well. Development and redevelopment proposed with the planning area could be impacted due to these oil wells." Also, contamination from industrial uses poses a potential issue, and perhaps not easily mitigated, despite the DEIR's assertion that these wells and contamination don't need mitigation.

9

4.9 Land Use and Planning

Catalyst site #3 Kellogg: Many members of the community would like the parcel to remain open space/park.

10

5.0 ALTERNATIVES

5.2 PROJECT OBJECTIVES

12.1 Our Natural Community

Goal: Support and enhance the native ecology, including special-status and endangered species, and create opportunities for habitat restoration, park and open space acquisition, and recreational uses in and along the Ventura River and its watershed .

Improve and increase a network of public open space to meet the national standard for park space per capita ratio. Protect existing open spaces, implement a prioritized program to use surplus properties and acquire land from willing sellers (!). Improve connectivity and access to Ventura River and hillsides using easements (including tribal), wildlife corridors and greenway linkages. Integrate natural resources management with recreational needs. Provide maintenance and security of parks, open space, and trails.

12.4, 12.6 ...the Ventura River Trail... **(what is this? The bike trail or a new River trail?)**

12.7 Our Healthy and Safe Community

(comment: *the current language is quite negative*)

Goal: Enhance air and water quality and reduce threats to public health and safety throughout the Westside Community through regulation of hazardous conditions, enhanced public safety services and facilities, and recreation.

11

12.9 Our Creative Community

Goal: Protect the cultural heritage, including that of Chumash Native Americans ...

"The Westside Community Planning Project includes the Westside Redevelopment Area Plan. The proposed Redevelopment Plan for the Westside Redevelopment Area Project details the activities proposed to be undertaken to eliminate blight and revitalize the Redevelopment Area."

(As above, is this Redevelopment language still appropriate after the CA Supreme Court decision doing away with redevelopment agencies statewide?)

"The Westside Redevelopment Area Plan is proposed for inclusion in the City's redevelopment program to meet the following goals:

(Is this language still relevant? If not, the DEIR needs to be significantly revised and recirculated.)

- eliminate the existing conditions of blight"...**(are these defined as to what is existing blight?)**

5.3 Per Section 4.0, Environmental Impact Analysis, of the Draft EIR, "after implementation of required

mitigation measures, no significant and unavoidable impacts would result from implementation of the proposed project”.

Based on the apparent lack of tribal consultation and compliance with State law (SB 18), inclusion of redevelopment language that is no longer relevant and is a significant material change in conditions under CEQA, and other inadequacies as above, how can such a conclusion be valid ?

11

CONCLUSION

In conclusion, this Draft EIR needs to be revised significantly to reflect the current state of dissolution of redevelopment. Clarification of proposed plan/project areas could be a result. Slightly less development might be a beneficial result. More attention must be given to tribal consultation in regard to potential cultural or sacred sites. The revised DEIR should then be recirculated for public comment.

12

Thank you for considering my comments.

13

Leslie Purcell
lesliepurcell@gmail.com

310-570-6569 c. Jan. 27, 2012

Letter No. 25: Purcell, Leslie, January 27, 2012

Response 25-1

The Westside Community Plan Draft EIR is a program EIR as provided for in Section 15168 of the *State CEQA Guidelines*. While no specific development projects are proposed at this time, the proposed project would provide a set of land uses and a detailed development code to guide future development within the planning area. See **Response 17-4**, above, regarding the Redevelopment Area Plan.

Response 25-2

Section 1.0, Executive Summary, of the Draft EIR provides a list of areas of public concern on pages 1.0-2 through 1.0-3, which includes those provided in this comment.

Response 25-3

See **Response 17-4** above regarding the Redevelopment Area Plan.

Response 25-4

The proposed Westside Community Planning Project does not itself propose the development of oil wells or other sources that would emit hydrogen sulfide. However, as the comment states, oil and gas production is in the vicinity of the project area, which results in hydrogen sulfide emissions. As shown in Table 4.2-1 of the Draft EIR, the US EPA does not have a National Ambient Air Quality Standard (NAAQS) for hydrogen sulfide. The State of California Ambient Air Quality Standard (CAAQS) for hydrogen sulfide is a 1-hour average of 0.03 ppm. The standard is set at this level to protect public health and to significantly reduce odor annoyance.²¹ Odor from hydrogen sulfide is detectible at a much lower levels than what would cause health impacts (see discussion in the next paragraph). Thus, the health impact associated with hydrogen sulfide listed in Table 4.2-1 is that of odor annoyance, which could occur at 0.03 ppm. According to the most recent CAAQS designations from the California Air Resources Board (CARB), the only nonattainment areas for hydrogen sulfide in the state are the Searles Valley Planning Area in San Bernardino County and the City of Sutter Creek in Amador County. The Searles Valley contains a trona complex that produces soda ash, borax, potash, and other chemicals from Searles Dry Lake, which is the source of the hydrogen sulfide emissions and the reason for the nonattainment status.²² The City of Sutter Creek has an abandoned mine, which is the source of the hydrogen sulfide emissions.²³ Both of these areas are not located in the same air basin as the proposed project and the

²¹ California Air Resources Board, "History of Hydrogen Sulfide Ambient Air Quality Standard," <http://www.arb.ca.gov/research/aaqs/caaqs/h2s/h2s.htm>. 2009.

²² California Air Resources Board, "Area Designations 1996 Regulatory Documents: Initial Statement of Reasons for Rulemaking," http://www.arb.ca.gov/regact/areades/96_97/area96.htm. 2008.

²³ California Air Resources Board, "California Air Basins – Mountain Counties: Where Does Air Pollution Reach Unhealthy Levels?," http://www.arb.ca.gov/knowzone/basin/basin_mountain_counties.swf. 2012.

sources responsible for the nonattainment status in these areas are not a part of the proposed project. Therefore, adverse impacts from hydrogen sulfide are not expected in the project area.

In response to a Congressional directive, the US Environmental Protection Agency (EPA) carried out a study to assess the hazards to public health and the environment resulting from the emission of hydrogen sulfide from the extraction of oil and natural gas. According to the US EPA study, approximately 90 percent of hydrogen sulfide in the atmosphere is naturally occurring due to the decomposition of dead plant and animal material by bacteria.²⁴ Hydrogen sulfide is also released from hot springs, volcanoes, and geothermal sources. Because hydrogen sulfide is a gas, the principal threat to human health is through inhalation exposure. Inhalation levels above 2.5×10^5 parts per billion (ppb) (250,000 ppb or 250 parts per million [ppm]) can result in health impacts, such as damage organs and the nervous system, and serious eye injury can occur at levels above 5×10^5 ppb (500,000 ppb or 500 parts per million [ppm]).²⁵ In relatively low concentrations between 3 and 20 ppb (0.003 and 0.02 ppm), the characteristic rotten-egg odor is detectible.²⁶

The US EPA study states that in “the oil and gas industry, [hydrogen sulfide] may be emitted or released during exploration, development, extraction, crude treatment and storage, transportation (e.g., pipeline), and refining.”²⁷ The study lists the following as routine emission sources for hydrogen sulfide from oil and gas extraction:

- Inefficient air emission control devices
- Tank venting due to diurnal temperature changes
- Volatilization
- Generation by sulfur-reducing bacteria in oil deposits
- Migration through poorly plugged wells

Potential accidental release sources include:

- Equipment failures, e.g., valves, flanges
- Piping ruptures due to corrosion, embrittlement, or stress
- Venting due to unanticipated pressure changes

²⁴ US Environmental Protection Agency, *Report to Congress on Hydrogen Sulfide Air Emissions Associated with the Extraction of Oil and Natural Gas*, EPA-453/R-93-045, (1993) III-4.

²⁵ *Ibid.*, p. III-5.

²⁶ *Ibid.*, p. III-5.

²⁷ *Ibid.*, p. ii.

The study notes that hydrogen sulfide is regulated under a number of statutes:

- It is listed as a hazardous substance under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA);
- It is listed in the Emergency Community Right-to-Know Act (EPCRA) for emergency planning and preparedness, community right-to-know reporting, and toxic chemical release reporting;
- Occupational Safety and Health (OSHA) general industry standards and National Institute for Occupational Safety and Health (NIOSH) work practices for worker exposure;
- Clean Air Act Section 112(r), which contains accidental release provisions.

The findings of the US EPA study indicate that “the potential for human and environmental exposures from routine emissions of [hydrogen sulfides] from oil and gas wells exists, but insufficient evidence exists to suggest that these exposures present any significant threat.”²⁸ The report states that accidental releases of hydrogen sulfide could have “serious consequences” under certain circumstances, but that the “likelihood (and thus the risk) of an accidental release...can be greatly reduced if facility owners/operators exercise the general duty and responsibility to design and operate safe facilities and if they comply with existing industry standards and practices, existing regulations, and future guidance and regulations.”²⁹

The Westside Community Plan Policy 12 F, Action 12.2.7, requires the establishment of “a cohesive strategy for redevelopment of former oil industrial areas along Stanley Avenue and Olive Street” and Policy 12 O, Action 12.3.14, requires the establishment of “a cohesive strategy for redevelopment of former oil industrial areas along Stanley Avenue and Olive Street to accommodate green and high tech sector industries.” Existing oil production would continue to comply with all applicable regulations. Redevelopment of former oil industrial areas would comply with applicable regulations regarding the redevelopment of such sites. Therefore, based on the above information, no additional requirements are necessary with respect to oil and gas production as it relates to hydrogen sulfide, and no significant impacts from hydrogen sulfide are expected for the proposed project.

Response 25-5

The Native American Heritage Commission was provided with the Notice of Preparation and the Draft EIR. Potential impacts related to cultural resources are analyzed in Section 8.0, Effects Found Not to Be Significant, of the Draft EIR. Potential impacts to these resources were determined to be less than significant with implementation of General Plan and Westside Community Plan policies.

²⁸ Ibid., p. iii.

²⁹ Ibid., p. iii.

Response 25-6

See **Response 25-5**, above.

Response 25-7

The Westside Community Plan policies referenced in this comment require archaeological assessments for all projects where cultural resources are likely to be located. This would allow development projects to avoid where possible or otherwise mitigate impacts to cultural resources prior to the commencement of construction activities as part of the subsequent environmental review that will be required for all projects within the planning area.

See **Response 25-5**, above, regarding SB 18 consultation.

Response 25-8

Known faults in the vicinity of the planning area are identified in Section 4.5, Geology and Soils, of the Draft EIR. It is not known what fault is referred to in this comment. Consequently, we cannot respond further to this comment.

Response 25-9

Section 4.7, Hazards and Hazardous Materials, of the Draft EIR considers potential impacts related to existing brownfields and ongoing industrial operations within the planning area. The comment addresses general subject areas, which received extensive analysis in the Draft EIR. The comment does not raise any specific issue regarding that analysis and, therefore, no more specific response can be provided or is required. However, the comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project.

Response 25-10

As shown in Figure 4.12.4-2 in the Draft EIR, the site referred to in this comment is a potential future park location.

Response 25-11

The Ventura River Trail is identified on page 4.12.4-1. See **Response 17-4**, above, regarding the Redevelopment Area Plan. See **Response 25-5**, above, regarding SB-18 consultation.

Response 25-12

The comment summarizes prior comments and states that the Draft EIR should be recirculated. Section 15088.5 of the *State CEQA Guidelines* requires the recirculation of a Draft EIR when “significant new information” is added to the EIR. No significant new information has been added to the EIR, and recirculation is therefore not required by CEQA.

Response 17-4 above addresses the removal of the Redevelopment Area Plan from the proposed project. Tribal consultation and cultural resources are addressed in **Response 25-5**, above.

Response 25-13

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

January 27, 2012

Mr. Dave Ward
Planning Manager
Community Development Department
City of Ventura
501 Poli Street
Ventura CA 93002

**Comments re: Draft Environmental Impact Report City of Ventura - Westside
Community Planning Project**

As a resident of the Westside, I have to say this plan is not our vision and it does not appear to me that this EIR is helping us get there. Also, I don't believe the public was provided with enough time and opportunity to participate fully in this review process with the holidays and the City closures during the 45 day period.

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1. RE: 4.1 Aesthetics. How can you say the multi-story buildings planned would NOT change the visual character of the area and that scenic vistas would not be impacted? Please reconsider. Of course, the tall buildings would significantly impact the character of the area. The hillside and mountain views that are special to all of us will be taken away by these tall buildings.

2

2. Re: 4.12.4 Parks and Recreation. As you know, parks and recreation services in this area are inadequate. How about somehow including fixing up Westpark or Harry Lyon Park? Parks in other parts of town are much nicer than parks in this community even though it should be argued that people here need them more.

3

3. RE: 4.13 Transportation and Circulation. In order to identify deficiencies on the roadway network resulting from the proposed project and evaluate feasible improvements, you must first identify the existing deficiencies. Please identify the deficiencies so that you can evaluate your impact on them? It doesn't seem reasonable to keep adding to existing deficiencies/problems and saying since the project is only adding to them, there is not a problem that needs to be addressed. Please note: much of Ventura Avenue is currently not safe for drivers, pedestrians, and shoppers. Many more stop-lights and lighting or better lighting on many streets and crosswalks is needed. Better bus shelters are needed. Ventura Avenue at Shoshone needs a stop-sign, better lighting, and lower speed limits to prevent more tragic fatalities. Hwy 33 on-ramp and off-ramp at Stanley Avenue needs to be improved. Please identify and evaluate the deficiencies and impacts to the deficiencies and mitigations to address them.

4

4. Re: 4.14.2 Wastewater: So, are you saying that the City's Wastewater Master Plan will address all existing storm drain deficiencies in the area AND the additional demand from the project without any impact to the community? That would be great.

5

5. Re: 5.0 Alternatives. How do these alternatives change anything really? I don't see it. Please provide meaningful detail and sufficient information to enable us to understand them and evaluate them and convince us that they cover a full (or reasonable) range of feasible alternatives.

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Thanks you for your hard work and your careful and considerate attention to all of our concerns,
Elva Rogers
Westside Resident, Ventura

7

Letter No. 26: Rogers, Elva, January 27, 2012

Response 26-1

The Draft EIR was circulated for the required 45-day review period beginning December 15, 2011, and ending January 30, 2012. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 26-2

See **Responses 17-17** and **17-18**, above, regarding potential impacts on views.

Response 26-3

See **Response 8-2**, above, regarding parks and recreation.

Response 26-4

The analysis under CEQA pertaining to transportation and circulation issues relates more to capacity rather than the operational issues identified by the commentator. The Westside Community Plan recognizes and incorporates policies to enhance safety. See **Response 20-1**, above.

Response 26-5

The City's Wastewater Master Plan does not address existing storm drain deficiencies in the planning area.

Response 26-6

See **Response 15-12**, above, regarding the alternatives considered in the Draft EIR.

Response 26-7

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

RECEIVED

JAN 19 2012

January 19, 2012

Margaret Ide
Associate Planner
City of San Buenaventura, Community Development Department

Community Development
PLANNING DIVISION

Dear Margaret,

I found the presentation on the Westside Community Plan and Code Public Workshop on the Draft EIR very informative and I appreciate your efforts toward community involvement. The presentation did raise some issues that I found troubling and want to pass my concerns on. Hopefully my comments will aid in the creation of a plan that best suits all of the area's stakeholders.

My Great-Great Grandfather purchased 92 acres of land around what is now Rocklite Rd in 1888. He built the family home there, ran a dairy and farmed lemon and walnut orchards. The property remains in the Selby family today and uses have evolved over time to reflect changing market demand and the desires of the owners. The property is currently zoned for industrial development and in keeping with that zoning we made substantial investments in buildings, streets, utilities and tenant improvements.

The new Westside Community Plan and Code appears to threaten the usability and viability of our family's long term asset. Specifically, the conversion of currently legal conforming uses to legal nonconforming uses, with the threat of future illegal use by way of regulatory action, causes us great concern. With the possibility of the eventual elimination of current uses on our property our right to conduct business and earn a living is severely compromised. We are unable to plan into the future and the jobs of approximately 100 employees, who are employed by us and our various tenants, are also in jeopardy.

Our long term goal is to develop the property in a way that benefits the owners, employees and Westside Community as a whole. While a retail center, office space or high density residential development (as dictated by the code) are worth considering, we are unwilling to blindly build to these uses without evidence of market demand and a belief that this is a higher and better use of the property. Many property owners have pursued aggressive development plans in recent years and have ended up failing, filing for bankruptcy or otherwise abandoning their effort. These failed projects have resulted in substantial financial losses, increasing disinterest in development, damage to communities and a loss of jobs. The Selby family has owned our Westside property for 124 years. We have seen neighbors come and go and our interest in the Westside is deep-rooted and involves a continuing commitment as long as there is family support.

We would be supportive of a code that allows us to continue and if needed, further improve our industrial uses since that is currently the highest and best use of our property. Our long term development plans may include commercial, office space and/or

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high density residential but any forcing towards those uses in the near future threatens our ability to earn a living and effectively manage our property.

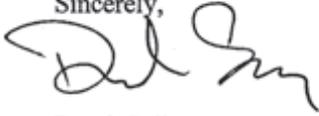
1

Thank you for your time and interest in the Westside.

—

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Sincerely,



Derek Selby
(805) 850-5888

Letter No. 27: Selby, Derek, January 19, 2012

Response 27-1

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

Response 27-2

The comment is noted. No further response is required given that the comment does not address or question the content of the Draft EIR.

City of Ventura
Community Development Department
501 Poli Street, P. O. Box 99
Ventura, Ca 93002

Attn: Maggie Idle, Associate Planner

Subject: Comment on Westside Community Planning Project

January 16, 2012

Dear Ms Idle:

It is our opinion that no changes be made to the current General Plan until its revision in 2015. The proposed westside community plans seem to be formulated to force legitimate businesses off their property. For the sole purpose of replacing them with subsidized housing, condos, apartments like those new ones already on the avenue with no parking. They make the avenue look like a Hodge-podge of various building architecture.

These alternatives 2 & 3 are forcing these businesses off by changing their zoning from industrial or commercial to residential, mixed use, or nonconforming. Or, in our case putting a alley way right though the middle of our property, though two of our buildings. This would ruin our property value and force us to close.

This alley serves no purpose other than to put us out of business. The few houses it leads to would only save pedestrians a short walk if they were walking that way.

The only true choose is Alternative #1 No Change.

Sincerely,

Glenn F. Stallings
Jim Stallings
1335 N. Ventura Ave
Ventura, California 93001
jfs1934@aol.com

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Letter No. 28: Stallings, Glenn F. and Jim, January 16, 2012

Response 28-1

The comment raises issues that do not appear to relate to any physical effect on the environment. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

From: "lori steinhauer" <lori.steinhauer@charter.net>
To: dward@cityofventura.net
Sent: Tuesday, January 24, 2012 12:27:15 AM
Subject: Westside Plan comments

Hello Dave,

I have reviewed the plan to the best of my ability and have the following comments:

Generally, I support the feedback of the Ventura Avenue group in the document.

Support slowing traffic and increasing pedestrian and bike awareness and regard along Ventura Avenue and throughout Westside.

Do not extend Cameron or Cedar.

Also, make sure to have enough safe parking that makes sense with traffic flow and traffic design - i.e. current design at Ventura Ave. and Shoshone is confusing traffic pattern, and i.e. I disagree with those who say remove parking to remove the cars - lets provide incentives for alternative transportation and not punishment for those who need to park - let's be a user-friendly city.

I would like to see building height at 4 stories.

I would like to see Canada Larga area stay OUTSIDE of city sphere of influence and remain county open lands.

1

These from Ventura Ave I support:
designate the Kellogg property as a public park
improve Westpark including replacing the handball courts
4 mini parks on the westside (see white paper)
preserve the entire Avenue School parcel (7.44 acres) as a future park
the city will recruit and facilitate opening a credit union on Ventura Avenue within 12 months
the city will facilitate opening a post office branch or a post office contract station on Ventura Avenue within 6 months
at least one city maintained wastebasket per block for each side of Ventura Avenue
more bus shelters
repaint the damn crosswalks
get rid of the smashed chain link mess in front of E P Foster School
police foot patrols in the evening to clear the vagrants off the sidewalks
surveillance cameras in neighborhoods with history of assaults, other crime
4 way stop sign at Shoshone

Thanks for listening!

2

Very Respectfully,

Lori Steinhauer
2411 Pima Lane
Ventura, CA 93001
805-512-6193

Letter No. 29: Steinhauser, Lori, January 24, 2012

Response 29-1

This comment letter provides a number of recommendations related to the Westside Community Planning Project. The comments provided address the Westside Community Plan and Development Code and rather than the Draft EIR. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

From: "lori steinhauer" <lori.steinhauer@charter.net>
To: "Dave Ward" <dward@ci.ventura.ca.us>
Sent: Friday, January 27, 2012 1:29:33 PM
Subject: Re: Westside Plan comments

01/28/12
Hi Dave,

Here is some additional input from me.

First, in addition to my previous recommendations, I support the 01/26/12 letter sent to you by The City Project.

Secondly, here are some additional points I support. You may get something similar from others - I have customized the list with my added input, and I agree with this list 100% in relation to environmental, economic, cultural/historical, quality-of-life impacts! Read on, and thanks for listening! Lori

The Westside Plan doesn't meet the community's needs because:

1. Adds 1,400 new homes (TOO MANY) but few full time jobs.
2. Does very little to make Ventura Avenue safer for drivers, pedestrians and shoppers.
3. Doesn't fix the Stanley freeway offramp or onramp.
4. Doesn't add any park space to the Westside.
5. Doesn't fix up Westpark or Harry Lyon Park. Parks in other parts of town are nicer - why not ours?
6. Doesn't do anything to fix basic public service shortages. We have streets with no streetlights, and other streets where the lights are too dim. Doesn't add a traffic signal near the market. Doesn't require better bus shelters. Doesn't fix storm drain problems.
7. City wants "high tech" and "green" business to come to the Westside - I'm OKAY WITH SOME OF THAT. The residents want stores with everyday services - a bank, a credit union, a post office, a copy shop, more retail.
8. The views of the hillsides and mountains we all love will be taken away by the plan's obsession with tall urban buildings. Not two stories but three, four, five story buildings. ABSOLUTELY UNACCEPTABLE!
9. The Alternatives really don't change anything. Ventura Avenue stays the same but the neighborhoods get less hassle. That's all?
10. The Plan forces a complete change of Ventura Avenue to a fancy modernist style. The industrial jobs, the auto service jobs, and the oilfield jobs will be pushed out in the hope that rich, new-tech jobs will come in. Why? NOT OKAY. WE LIKE OUR FLAVOR.

01/24/12

I will pass this along to Miguel, who runs that group. That is the one I'm talking about.

One very important addition. PRESERVE THE HILLSIDES as well as ALL THE OPEN SPACE POSSIBLE.:)

Thanks, Dave and team!

Lori

Letter No. 30: Steinhauser, Lori, January 27, 2012

Response 30-1

This comment letter provides a number of recommendations related to the Westside Community Planning Project. The comments provided address the Westside Community Plan and Development Code and rather than the Draft EIR. The comment will be included as part of the record and made available to the decision makers prior to a final decision on the proposed project. However, because the comment does not raise an environmental issue, no further response is required.

January 26, 2012

Hand Delivered January 27, 2012

Ms. Margaret Ide, Associate Planner
City of San Buenaventura Community Development Department
501 Poli Street
Ventura, CA 93002-0099

Re: Environmental Impact Report-Westside Community Planning Project

Dear Ms. Ide:

I recently discovered the Westside Community Planning Environmental Impact Report and understand that I have until 5PM January 27, 2012, which happens to be tomorrow, to comment on this report. I have not had the time to read the entire report; however, I would like to comment on the Section 4.10 – Noise.

1

On page 4.10-2, it states that noise diminishes at a rate of 6 db(A) for each doubling of distance from the source to the receptor at acoustically hard sites such as concrete (Highway 33). It also states that noise was measured at 75.5 CNEL at 75 feet from Highway 33 at South Stanley Avenue (page 4.10-11). Noise in my neighborhood was measured on Monday, October 10, 2011, which was a Federal holiday and I feel was not indicative of a typical day, from the NE corner of Shoshone/Taos (page 4.10-8), which is approximately 800 feet from the 33 freeway. My house located at 326 Pacos Street is less than 300 feet from the freeway. Additionally, there is one house closer to the freeway than mine, which would put it at probably less than 225 feet from the roadway.

Additionally, if you were to take the measurements on a nice Sunday with the increased motorcycle traffic racing down the 33 freeway at high speed, which I also understand increases noise levels, you would understand my concern about a development that would increase the cars, trucks, and motorcycles on the 33 freeway.

2

I don't pretend to understand all the details of noise measurements; however, any additional developments down the 33 freeway would increase the volume and subsequently noise, which would bother me, as it currently bothers me now. The small park next to the 33 freeway pictured on the aerial photo provided of my development, which the homeowners in my neighborhood share in the cost of maintaining as a special assessment on our property taxes, appears to do nothing to mitigate the sound. I would like to see a sound wall put up next to the freeway to damper the sound. The park, which looks nice, is currently not utilized; I believe this is due to the noise from the freeway. I realize sound walls are expensive and cost is currently a major issue, but before any developments were to be implemented, I feel this needs to happen.

I appreciate your consideration in reading my letter and I would like to buy you a cup of coffee at Djangos (they have great coffee) some Sunday morning to listen to the noise. I would also like to say, other than the noise from the freeway, that I love my house and my neighborhood.

Sincerely,



Mary Carini
326 Pacos Street
Ventura, CA 93001
(805) 320-9541



FANHD Residential Property Disclosure Reports

For VENTURA COUNTY

Property Address: 326 PACOS ST ,
VENTURA, VENTURA COUNTY, CA
("Property")

APN: 068-0-164-255
Report Date: 08/31/2009
Report Number: 600392

AERIAL PHOTO COVER PAGE



This map is provided for convenience only to show the approximate location of the Property and is not based on a field survey.

NOTE TO READER: *High-resolution aerial photographs are obtained through periodic surveys by low-altitude aircraft. Surveys are repeated at intervals of several years, and their coverage is limited to populated areas. On rare occasions, the air photo on this page will display a black area, or vacant land where buildings now exist. In these cases, the photo happens to be at the edge of the survey coverage area, or it shows land that has been developed since the time of the latest aerial survey. We apologize for these rare instances, which are beyond our control.*

©2008 – First American Real Estate Disclosures, LLC - 200 Commerce Irvine, CA 92602 Phone: (800) 527 0027 Fax: (800) 854 9625

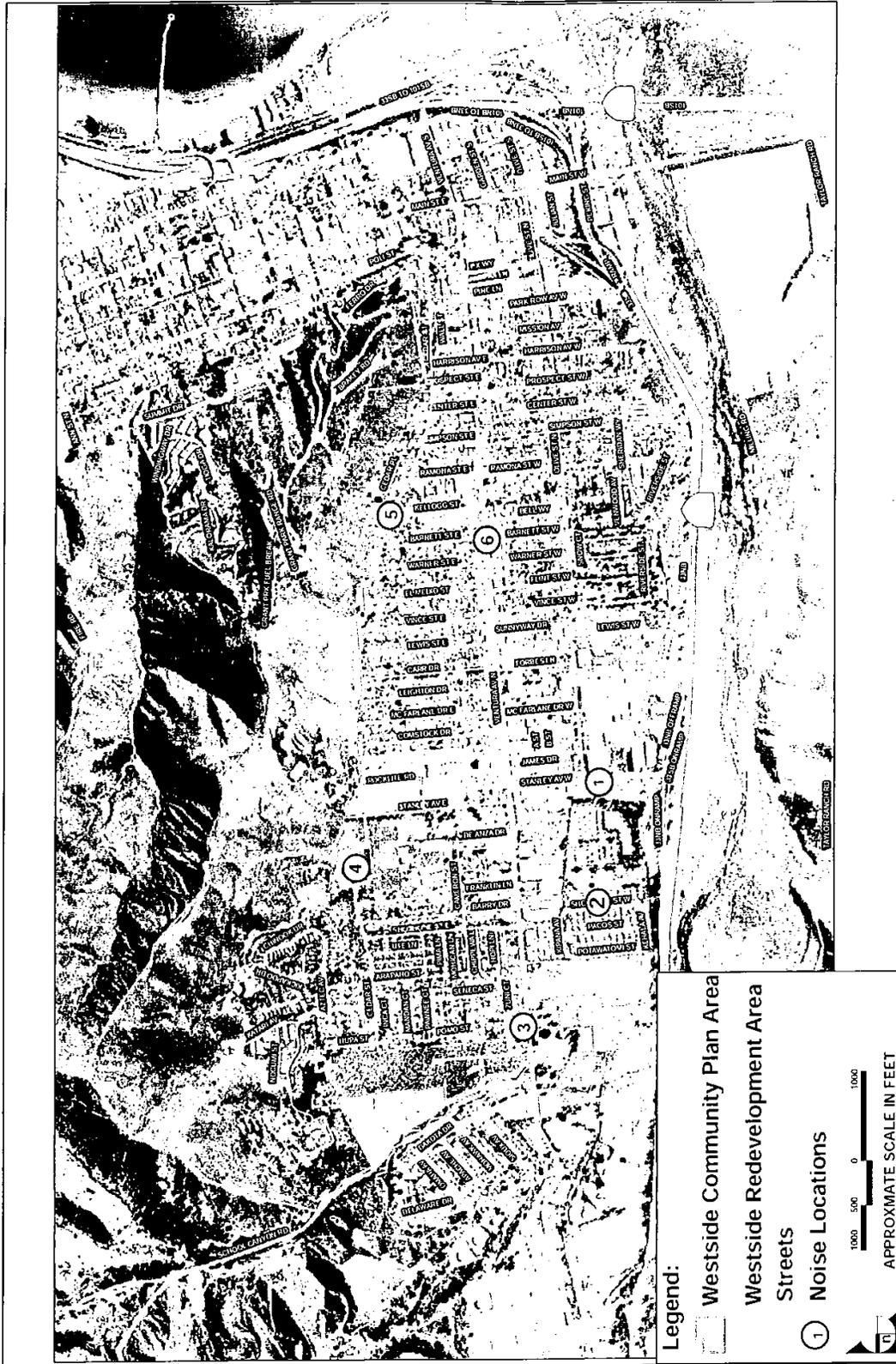


FIGURE 4.10-4

Noise Monitor Locations

0145-017-10/11

Letter No. 31: Carini, Mary, January 26, 2012

Response 31-1

This comment is an introduction to comments that follow. No further response is required.

Response 31-2

Modeled noise levels at State Route 33 represent existing conditions. As indicated in this comment, the noise was measured at 75.5 community noise equivalent (CNEL) 75 feet from the Highway 33 at South Stanley Avenue was conducted for the project on October 10, 2011, which was the date of the federal Columbus Day holiday. This holiday is not observed by the City and County of Ventura, by the Ventura County Unified School District, or by most major businesses in Ventura County. Banks, courts, and post offices are closed in observance of the holiday. It is therefore unlikely to have substantially affected monitored noise levels on the day that noise measurements were taken. It is estimated that the project should result in an increase in the noise level of 1.3 A-weighted decibels (db(A)) CNEL. As stated on page 4.10-1 of the Draft EIR, changes in noise level of less than 3 dB(A) are not noticed by the human ear. Therefore, while noise levels at the modeled location at State Route 33 and South Stanley Avenue would remain higher than the state land use compatibility guidelines for noise shown in Figure 4.10-5 of the Draft EIR, the increase in noise level would not be noticeable. Furthermore, as shown in Table 4.10-5 of the Draft EIR, in areas with an existing ambient noise level of 65 dB(A) or more, only noise increases of 1.5 decibels (dB) or more are considered significant. The Draft EIR therefore concludes that the Westside Community Planning Project would not cause noise increases in excess of these standards.

Additionally, the Sycamore Village tract was the subject of prior environmental analysis adopted by the City on April 7, 1997 and subsequent noise analysis in January 1998. That noise study found that five homes on the western side of the property, with backyards facing State Route 33, were affected by noise level above the 65 dB (A) threshold and recommended mitigation accordingly. Furthermore, the study concluded that the second row home, of which yours is one, are either distant enough and/or are shielded by the first row of homes so that levels are within stated thresholds given traffic-noise levels.

LAW OFFICES

LABOWE, LABOWE & HOFFMAN, LLP

A LIMITED LIABILITY PARTNERSHIP OF AN INDIVIDUAL AND PROFESSIONAL CORPORATIONS

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MAILING ADDRESS
POST OFFICE BOX 26428
LOS ANGELES, CALIFORNIA 90026-0428
FACSIMILE (213) 975-1145

IN REPLY REFER TO:

January 27, 2012

VIA FIRST CLASS MAIL
AND E-MAIL
dward@cityofventura.net

Mr. Dave Ward, Planning Manager
City of San Buenaventura
501 Poli Street
P. O. Box 99
Ventura, CA 93002-0099

Re: **Comment on the Westside Community Planning Project Draft EIR**
Our Clients: Scott Rouse, Susan Stein and Andrew Stein (collectively "the Rouse Group")

Dear Mr. Ward:

We represent the Rouse Group, the 50% owners of the following denoted vacant property, located on the north side of Kellogg Street, between Ventura Avenue and Cameron Street (as well as an adjoining 0.65 acre residential lot that fronts onto East Barnett Street), which is identified as *Catalyst Site #3, Kellogg Site* in both the *Draft Westside Community Plan*, and the *Westside Community Planning Project Draft EIR*:

- A. P. No. 071-0-031-110 (Lots 1 - 7 & 34: 0.57 acre at the NE corner of Ventura Ave. & Kellogg St.)
- A. P. No. 071-0-031-100 (Lots 35-43: 1.62 acres fronting onto the north side of Kellogg St. to Cameron St.)

We have also been in contact with legal counsel for the remaining 50% owners of these parcels, all of whom concur and join in the objections set forth below.

On behalf of all 100% of the owners, we strongly object to the proposed *Alternate Park Open Space* zoning overlay which currently recommends for our clients above noted property, as this designation will undoubtedly have an extremely negative effect on our clients' long term property value (which is, of course, directly tied to the property's development and economic potential).

On behalf of all 100% of the owners, we also strongly object to the lower density *T3.6 - Neighborhood General 6* zoning, which has recently been proposed for the 1.62 acre portion of our property that fronts onto Kellogg Street, instead of the previously proposed *T4.11 - Urban General 11* zoning which is more consistent with that property's 2005 General Plan Land Use designation of *Neighborhood High (21-54 du/acre)*. *T3.6 - Neighborhood General 6* zoning, as currently defined, does not allow for development more than two stories in height (*T4.11* allows

1

2

Mr. Dave Ward, Planning Manager
City of San Buenaventura
January 27, 2012
Page Two

3 stories), and therefore effectively prohibits residential development within the density range specified in the General Plan. This not only will have an extremely negative effect on our clients' property value, but will also severely impede the City's goal of providing adequate housing opportunities in conformance with its General Plan.

2

While we understand that the final zoning designation for all of the Westside properties will be determined and approved by the City Council later this year, at this time we respectfully request that the City instruct its EIR consultant to analyze the potential development and housing unit yield of our *Catalyst Site #3, Kellogg Site* property under *T4.11 - Urban General 11* zoning, which would facilitate development at a level that is consistent with its current *Neighborhood High (21-54 dwelling units per acre)* designation in the 2005 General Plan.

3

By retaining its previous commitment to higher density housing opportunities in infill locations, the City can help meet its housing needs, while preserving legitimate open space and agricultural lands.

Thank you for your consideration of our comments and requests above.

Very truly yours,

LABOWE, LABOWE & HOFFMAN, LLP



Richard W. Labowe
RWL:lg

cc: Scott Rouse (via e-mail)
Jose Boxer, Esq. (via e-mail)
Raul Montes, Esq. (via e-mail)
Judge Robert Letteau (ret.) (via e-mail)

Letter No. 32: Labowe, Richard W., January 27, 2012

Response 32-1

This comment is an introduction which identifies the properties owners of the parcels in questions. No further response is required.

Response 32-2

This comment identifies the effect of proposed rezoning on the development potential and property value of affected parcels. The comment is noted. The comment does not address the CEQA content of the Draft EIR. No further response is required.

Response 32-3

The comment requests additional speculative zoning analysis outside the scope of the Draft EIR. No further response is required.

3.0 REVISIONS TO THE DRAFT EIR

3.0.1 INTRODUCTION

This section contains the revised pages of the Draft EIR. Whenever applicable, responses to comments have been incorporated into the text of the Draft EIR. All new text appears in “underline type” and all deleted text appears in “~~strike through~~” type. Additionally, revisions are indicated by a revision bar in the margin of the page.

The following pages have been changed:

3.0-3	4.11-1
3.0-4	4.11-12
3.0-6 (Figure 3.0-2)	4.12.3-1 through 4.12.3-2
4.2-4 through 4.2-8b	4.12.3-6
4.2-28 through 4.2-28a	4.12.4-1 through 4.12.4-2a
4.2-30 through 4.2-33a	4.12.4-3 (Figure 4.12.4-1)
4.2-35 through 4.2-35a	4.12.4-10
4.8-4 (Figure 4.8-2)	4.13.1-1 through 4.13.1-2
4.9-35	4.14.1-1
4.10-20 (Figure 4.10-6)	4.14.2-5 (Figure 4.14.2-1)
4.10-22 through 4.10-23	7.0-1

Ventura County and Ojai to the north; to Highway 101 which connects the greater Ventura City area to Los Angeles to the south; and Santa Barbara County to the north. **Figure 3.0-1, Regional Location Map**, illustrates the regional location of the Westside Community Plan area.

Figure 3.0-2, Westside Community Plan and Redevelopment Plan Areas, illustrates the boundary of the Westside Community Plan area and the proposed boundary of the Redevelopment Area. The total Westside Community Planning project area is approximately 1,094 acres, including streets and public rights-of-way. This total includes 36 acres within the Redevelopment Area that are subject to the Downtown Specific Plan.

The Westside Community Plan area contains approximately 924 acres, excluding streets and public rights of way, and approximately 1,058 acres including streets and public rights of way. The Westside Community Plan area is generally bounded by the steep hillsides to the east, Highway 33 to the west, Park Row Avenue to the south, and ~~Ottawa~~ Ottawa Street to the north. The Community Plan area is bordered on the north by the City's North Avenue District as identified in the 2005 General Plan, and on the south by Downtown Ventura and the Downtown Specific Plan Area.

The proposed Redevelopment Area contains approximately 685 acres, excluding streets and public rights of way, and approximately 695 acres including streets and public rights of way. It is mostly located within the Westside Community Plan area, but extends south of the Westside Community Plan area to include approximately 36 acres in the City's Downtown Specific Plan Area not included in the City's existing redevelopment project area. The proposed Redevelopment Area excludes newer residential neighborhoods in the northeastern portion of the Westside Community Plan area. The proposed Redevelopment Area begins at the southern end of Ventura Avenue just south of Park Row Avenue and north of Fix Way and Wall Street. Moving north, the Redevelopment Area generally includes properties between the bluffs and State Route 33 to the area just south of ~~Barry~~ Shoshone Drive on the east side of Ventura Avenue and Dakota Drive on the west side of Ventura Avenue.

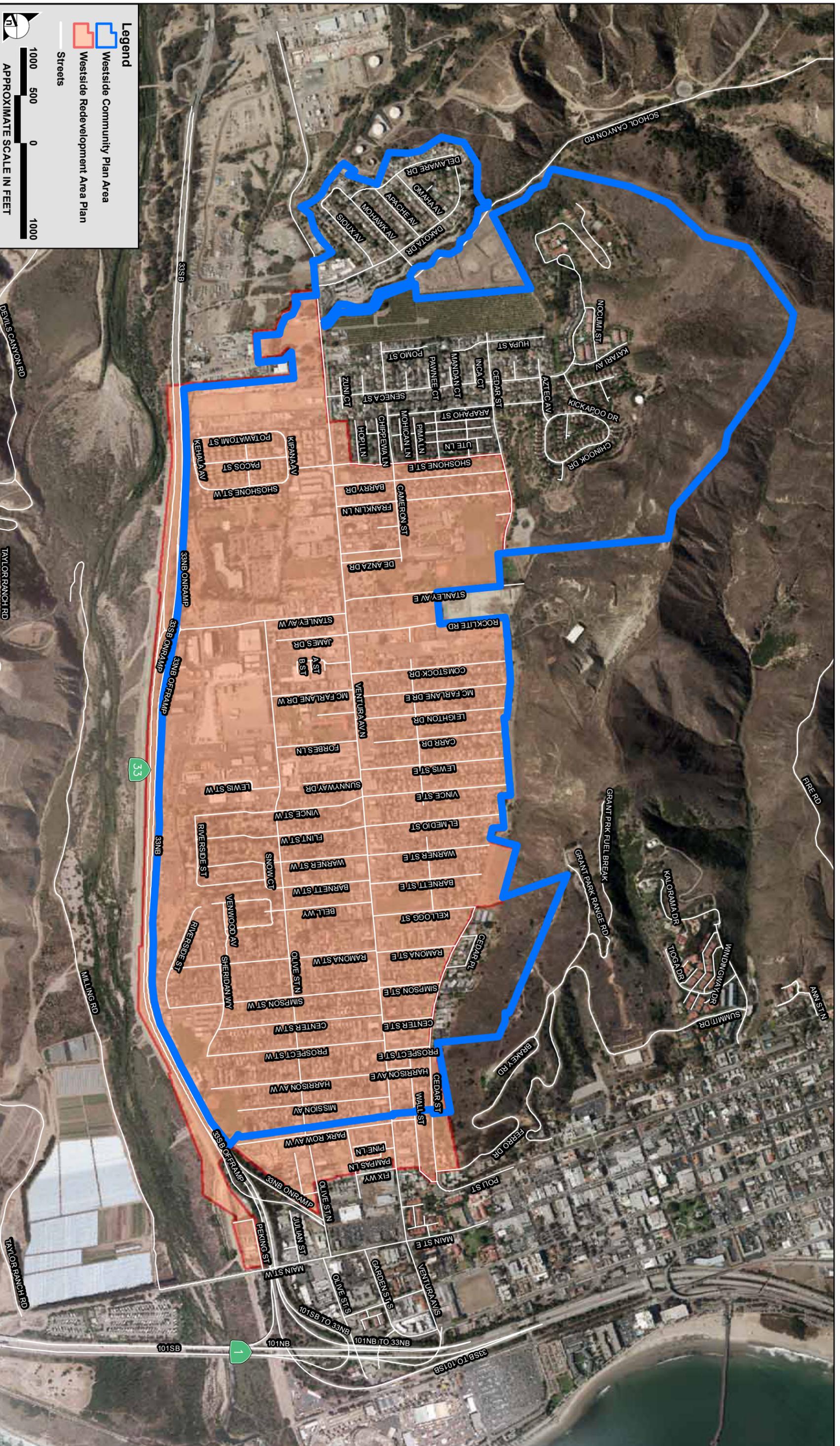
3.0.3 PROJECT SITE AND SETTING

The existing character of the Westside Community is the result of historical development of the area in the early 1900s. As a result of the discovery of oil, the pattern of development and industrial character of the area was established. The Westside community was primarily developed with housing for workers in the oil fields present in the North Avenue area, north of the Westside community area, where development primarily consisted of oil-related industrial uses. By the 1970s, oil production and oil industry support uses began to decline in the area.

The Westside Community is characterized by an interconnected, pedestrian-scale grid of workforce housing neighborhoods dating back to the early part of the 20th century. This community is divided into eastern and western halves by Ventura Avenue. Several disconnected alleyways and frequently spaced narrow residential streets provide residents with pedestrian-oriented paths to access Ventura Avenue, the primary roadway serving the area. Along Ventura Avenue, commercial development ranges from small single-story shops to larger two- and three-story mixed-use buildings. There are often abrupt transitions between industrial and residential land uses, coupled with a discontinuous pattern of industrial land uses along Ventura Avenue and Olive Street with a result being an inconsistent pattern of building massing and scale along Ventura Avenue north of Stanley Avenue. The primary connection between Ventura Avenue and State Route 33 is Stanley Avenue. Stanley Avenue is home to the Ventura Unified School District headquarters and bus operations center, Ventura County Community College District headquarters, and industrial uses.

Existing development in the Westside Community Plan area is estimated by the City of Ventura to be approximately:

- 4,184 dwelling units;
- 298,181 square feet of retail uses;
- 8,332 square feet of office uses;
- 1,056,977 square feet of industrial uses; and
- 422,658 square feet of civic/institutional/educational/religious uses.



Westside Community Plan and Redevelopment Plan Areas

FIGURE 3.0-2

Air Pollutant	Concentration/Averaging Time		Most Relevant Health Effects
	State Standard (CAAQS)	Federal Primary Standard (NAAQS)	
Sulfates	25 µg/m ³ , 24-hr avg.	None	(a) Decrease in ventilatory function, (b) Aggravation of asthmatic symptoms, (c) Aggravation of cardio-pulmonary disease, (d) Vegetation damage, (e) Degradation of visibility, and (f) Property damage
Hydrogen Sulfide	0.03 ppm, 1-hr avg.	None	Odor annoyance
Vinyl Chloride ³	0.01 ppm, 24-hr avg.	None	Known carcinogen

Source: South Coast Air Quality Management District, Final Program Environmental Impact Report for the 2007 Air Quality Management Plan, (2007) Table 3.1-1, p. 3.1-3.

µg/m³ = microgram per cubic meter; ppm = parts per million by volume; hr = hour.

¹ On January 25, 2010, the US EPA promulgated a new 1-hour NO₂ standard. The new 1-hour standard is 0.100 parts per million (188 micrograms per cubic meter [µg/m³]) and became effective on April 12, 2010.

² On June 3, 2010, the US EPA issued a new 1-hour SO₂ standard. The new 1-hour standard is 0.075 parts per million (196 µg/m³). The US EPA also revoked the existing 24-hour and annual standards citing a lack of evidence of specific health impacts from long-term exposures. The new 1-hour standard becomes effective 60 days after publication in the Federal Register.

³ CARB has identified lead and vinyl chloride as "toxic air contaminants" with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

Generally, the sources for hydrogen sulfide emissions include decomposition of human and animal wastes and industrial activities, such as food processing, coke ovens, kraft paper mills, tanneries, and petroleum refineries. There are no such uses or sources associated with the proposed project. Similarly, the sources for vinyl chloride emissions include manufacturing of plastic products, hazardous waste sites, and landfills; and there are no such uses or sources associated with the proposed project. As a result, there is no need for any further evaluation of the hydrogen sulfide or vinyl chloride emissions associated with this project. Motor vehicles and paints used to be a source of lead; however, unleaded fuel and unleaded paints have virtually eliminated lead emissions from residential and commercial land use projects. As a result, there is no need for any further evaluation of lead emissions with respect to the proposed project.

Local Air Quality Setting

To identify ambient concentrations of the criteria pollutants, the VCAPCD operates air quality monitoring stations throughout Ventura County. These stations are located in El Rio, Ojai, Piru, San Nicolas Island, Simi Valley, Thousand Oaks, and Ventura. The monitoring stations located closest to the Westside Community Planning Area and the most representative of the area are located at Emma Wood State Beach in the City of Ventura and Rio Mesa School in the community of El Rio. Both stations monitor O₃ while the Simi Valley monitoring station also monitors NO₂, PM10, and PM2.5. In addition, data from the monitoring station located in the City of Ojai, which monitors O₃, PM10, and PM2.5, is used to identify ambient concentrations of the criteria pollutants in the project area. CO monitoring was eliminated in Ventura County in 2004 as part of network changes in response to the proposed National Monitoring Strategy set forth by the US EPA. The decision to eliminate CO monitoring was approved by

both the US EPA and CARB. Ventura County has met the CO standard for some time now. In addition, SO₂ monitoring in Ventura County was eliminated in 2004 because ambient concentrations were low and SO₂ monitors are not required for State Implementation Plan (SIP) or maintenance planning.² In addition, lead monitoring is not conducted in the County and the US EPA has agreed that the VCAPCD is not subject to lead monitoring requirements.³

A summary of the monitored values for O₃, NO₂, PM₁₀, and PM_{2.5} at the Ventura, Ojai, and El Rio monitoring stations for the past three years is presented in **Table 4.2-2, Local Ambient Air Pollutant Concentrations**. The values show that the Ventura, Ojai, and El Rio monitoring stations have registered values above state and/or federal standards for O₃ and that the Ojai and El Rio stations have ~~station has~~ registered values above state standards for PM₁₀.

Traffic-congested roadways and intersections have the potential for the generation of high, localized CO levels in the proximity of a roadway (i.e., CO hotspots). Based on the traffic impact analysis prepared for the proposed project (see **Appendix 4.13**), no studied intersection is currently operating at an unacceptable level of service (e.g., Level of Service [LOS] of E or F).⁴ Therefore, no CO hotspots currently exist throughout the studied roadway intersections.

b. Regulatory Framework

Air quality within the SCCAB is addressed through the efforts of various federal, state, regional, and local government agencies. These agencies work jointly, as well as individually, to improve air quality through legislation, regulations, planning, policymaking, education, and other programs. The agencies primarily responsible for improving the air quality within the SCCAB (Ventura County Area) include the US EPA, CARB, Southern California Association of Governments (SCAG), VCAPCD, and the City of Ventura.

² Ventura County Air Pollution Control District, *2011 Ambient Air Monitoring Network Plan*, (2011) 14.

³ Ventura County Air Pollution Control District, *2011 Ambient Air Monitoring Network Plan*, (2011) 21.

⁴ Ventura County Air Pollution Control District, *Ventura County Air Quality Assessment Guidelines*, Section 6.4.1, (2003). This document may be downloaded from the VCAPCD website: http://www.vcapcd.org/environmental_review.htm.

**Table 4.2-2
Local Ambient Air Pollutant Concentrations**

Pollutant	Standards ¹	Year		
		2008	2009	2010
VENTURA MONITORING STATION				
OZONE (O₃)				
Maximum 1-hour concentration monitored (ppm)		0.083	0.080	0.098
Maximum 8-hour concentration monitored (ppm)		0.071	0.067	0.069
Number of days exceeding state 1-hour standard	0.09 ppm	0	0	1
Number of days exceeding state 8-hour standard	0.070 ppm	1	0	0
Number of days exceeding federal 8-hour standard	0.075 ppm	0	0	0
<u>OJAI MONITORING STATION</u>				
<u>OZONE (O₃)</u>				
<u>Maximum 1-hour concentration monitored (ppm)</u>		<u>0.093</u>	<u>0.102</u>	<u>0.099</u>
<u>Maximum 8-hour concentration monitored (ppm)</u>		<u>0.084</u>	<u>0.095</u>	<u>0.083</u>
<u>Number of days exceeding state 1-hour standard</u>	<u>0.09 ppm</u>	<u>0</u>	<u>2</u>	<u>1</u>
<u>Number of days exceeding state 8-hour standard</u>	<u>0.070 ppm</u>	<u>29</u>	<u>20</u>	<u>10</u>
<u>Number of days exceeding federal 8-hour standard</u>	<u>0.075 ppm</u>	<u>12</u>	<u>11</u>	<u>7</u>
<u>RESPIRABLE PARTICULATE MATTER (PM10)</u>				
<u>Maximum 24-hour concentration monitored (µg/m³)</u>		<u>62.4</u>	<u>37.8</u>	<u>46.6</u>
<u>Annual average concentration monitored (µg/m³)</u>		<u>20.7</u>	<u>18.3</u>	<u>15.2</u>
<u>Number of samples exceeding state standard</u>	<u>50 µg/m³</u>	<u>1</u>	<u>0</u>	<u>0</u>
<u>Number of samples exceeding federal standard</u>	<u>150 µg/m³</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>FINE PARTICULATE MATTER (PM2.5)</u>				
<u>Maximum 24-hour concentration monitored² (µg/m³)</u>		<u>36.9</u>	<u>28.7</u>	<u>33.3</u>
<u>Annual average concentration monitored (µg/m³)</u>		<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<u>Number of samples exceeding federal standard</u>	<u>35 µg/m³</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
EL RIO MONITORING STATION				
OZONE (O₃)				
Maximum 1-hour concentration monitored (ppm)		0.086	0.099	0.083
Maximum 8-hour concentration monitored (ppm)		0.074	0.077	0.073
Number of days exceeding state 1-hour standard	0.09 ppm	0	1	0
Number of days exceeding state 8-hour standard	0.070 ppm	1	1	1
Number of days exceeding federal 8-hour standard	0.075 ppm	0	1	0
NITROGEN DIOXIDE (NO₂)				
Maximum 1-hour concentration monitored (ppm)		0.052	0.051	0.060
Annual average concentration monitored (ppm)		0.008	0.008	0.007
Number of days exceeding state 1-hour standard	0.18 ppm	0	0	0
RESPIRABLE PARTICULATE MATTER (PM10)				
Maximum 24-hour concentration monitored (µg/m ³)		79.8	99.9	61.5
Annual average concentration monitored (µg/m ³)		26.2	25.6	21.7
Number of samples exceeding state standard	50 µg/m ³	3	2	1
Number of samples exceeding federal standard	150 µg/m ³	0	0	0
FINE PARTICULATE MATTER (PM2.5)				
Maximum 24-hour concentration monitored (µg/m ³)		23.4	19.7	21.4
Annual average concentration monitored (µg/m ³)		10.1	10.2	8.5
Number of samples exceeding federal standard	35 µg/m ³	0	0	0

Source: California Air Resources Board, "Air Quality Data Statistics," <http://www.arb.ca.gov/adam/>. 2011.

¹ Parts by volume per million of air (ppm), micrograms per cubic meter of air (µg/m³), or annual arithmetic mean (aam).

² Fine particulate matter levels reported for the Ojai monitoring station are based on measurements using state methods. Measurements using federal methods are not available; therefore, the number of samples exceeding federal standards, which must be based on federal sampling methods, cannot be determined. The County is designated as Attainment/Unclassified for the federal PM2.5 standards.

Federal

US Environmental Protection Agency

The US EPA is responsible for enforcing the federal Clean Air Act and the NAAQS. The US EPA regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain locomotives. The US EPA also maintains jurisdiction over emissions sources outside state waters (outer continental shelf), and establishes national emissions standards for vehicles. As part of its enforcement responsibilities, the US EPA requires each state with areas that do not meet the NAAQS to prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the federal standards. The SIP must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution, using a combination of performance standards and market-based programs within the period identified in the SIP. The US EPA formally classifies air basins as attainment or nonattainment based on whether the region meets or exceeds the NAAQS. The US EPA makes area designations for seven criteria pollutants: O₃, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, and lead. The status of the Basin with respect to attainment with the NAAQS is summarized in **Table 4.2-3, Attainment Status – South Central Coast Air Basin (Ventura County)**.

**Table 4.2-3
Attainment Status – South Central Coast Air Basin (Ventura County)**

Pollutant	Federal	State
Ozone (O ₃)	Nonattainment (<u>Severe [1-hour]</u> , <u>Serious [8-hour]</u>)	Nonattainment (Severe [1 hour])
Nitrogen Dioxide (NO ₂)	Attainment/Unclassified	Attainment
Carbon Monoxide (CO)	Attainment/Unclassified	Attainment
Sulfur Dioxide (SO ₂)	Attainment/Unclassified	Attainment
Respirable Particulates (PM ₁₀)	Unclassified	Nonattainment
Fine Particulates (PM _{2.5})	Attainment/Unclassified	Nonattainment
Lead (Pb)	Unclassified	Attainment
Sulfates (SO ₄)	–	Attainment
Hydrogen Sulfide (H ₂ S)	–	Unclassified
Vinyl Chloride	–	Unclassified
Visibility-Reducing Particles	–	Unclassified

Sources:

California Air Resources Board, "Area Designations Maps/State and National," <http://www.arb.ca.gov/design/adm/adm.htm>. 2011.

US Environmental Protection Agency, "Air Quality Maps," <http://www.epa.gov/region9/air/maps/index.html>. 2011.

In response to rapid population growth and the associated rise in motor vehicle operations, the 1990 Clean Air Act Amendments addressed tailpipe emissions from automobiles, heavy-duty engines, and diesel fuel engines. The amendments established more stringent standards for hydrocarbons, nitrogen oxides (NO_x), and CO emissions in order to reduce the levels of these pollutants in heavily

populated areas. Under the 1990 Clean Air Act Amendments, new fuels were required to be less volatile, contain less sulfur (regarding diesel fuel), and have higher levels of oxygenates (oxygen-containing substances to improve fuel combustion). The US EPA also has regulatory and enforcement jurisdiction over emission sources beyond state waters (outer continental shelf), and those that are under the exclusive authority of the federal government, such as aircraft, locomotives, and interstate trucking. Due to the lack of a substantial reduction in hazardous emissions under the 1977 Clean Air Act, the 1990 Clean Air Act Amendments include regulations for reducing impacts from 189 listed hazardous air pollutants (HAPs) that are carcinogenic, mutagenic, and/or reproductive toxicants. The 1990 Clean Air Act Amendments also affects major stationary sources and area emissions sources requiring use of Maximum Achievable Control Technology (MACT) to reduce HAP emissions and their associated health impacts.

Conformity

The General Conformity Rule established under the federal Clean Air Act Section 176(c)(4) ensures that actions taken by the federal government in nonattainment and maintenance areas do not interfere with a state's plans to meet the NAAQS. The VCAPCD has adopted the conformity regulations as Regulation XI, Rules 220 and 221. According to the U.S. EPA, the General Conformity Rule applies to all Federal actions that are taken in designated nonattainment or maintenance areas, with three exceptions:⁵

- Actions covered by the transportation conformity rule;
- Actions with associated emissions below specified de minimis levels; and
- Other actions which are either exempt or presumed to conform.

Transportation conformity, required by the Clean Air Act Section 176(c), ensures that federal funding and approval are given to highway and transit projects that are consistent with (i.e., "conforms to") the air quality goals established by a state air quality implementation plan (SIP). Transportation conformity means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the NAAQS. Transportation conformity requirements apply only to Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) actions on highway and transit

⁵ U.S. Environmental Protection Agency, "General Conformity: Frequently Asked Questions," <http://www.epa.gov/oar/genconform/faq.html>. 2011.

projects, as defined in 40 CFR 93.101.⁶ Therefore, a project in a nonattainment or maintenance area that is not a FHWA/FTA project would be subject to general conformity, rather than transportation conformity.

De minimis levels are defined in 40 CFR 93.153 and establishes minimum thresholds for which a conformity determination must be performed. De minimis levels are established for individual criteria pollutants based on the nonattainment status of the region. Ventura County is serious nonattainment for the 8-hour federal ozone standard and severe nonattainment for the federal 1-hour ozone standard. The County is attainment or unclassified for all other federal criteria pollutants (unclassified areas are treated as attainment areas for regulatory purposes). The General Conformity de minimis levels for Ventura County are provided in **Table 4.2-3a, General Conformity De Minimis Levels.**

Table 4.2-3a
General Conformity De Minimis Levels

<u>Pollutant</u>	<u>NAAQS Attainment Status</u>	<u>Annual Emissions (tons/year)</u>
<u>Ozone (VOC)</u>	<u>Nonattainment (Severe)</u>	<u>25</u>
<u>Ozone (NOx)</u>	<u>Nonattainment (Severe)</u>	<u>25</u>

Source: 40 CFR 93.153.

Federal Actions that are exempt from the General Conformity Regulations include the following:

- Actions covered by transportation conformity;
- Actions with emissions clearly at or below de minimis levels;
- Actions listed as exempt in the rule; or
- Actions covered by a Presumed-to-Conform approved list.

No actions for the Westside Community Planning Project require federal government or federal agency approval and no actions require a conformity analysis. Therefore, the discussion provided above is included for informational purposes but does not require that the project undergo conformity analysis.

⁶ 40 CFR 93.101 defines a FHWA/FTA project as “any highway or transit project which is proposed to receive funding assistance and approval through the Federal-Aid Highway program or the Federal mass transit program, or requires [FHWA] or [FTA] approval for some aspect of the project, such as connection to an interstate highway or deviation from applicable design standards on the interstate system.”

State

California Air Resources Board

CARB is a branch of the California Environmental Protection Agency (Cal/EPA) that oversees air quality planning and control throughout California. It is primarily responsible for ensuring the implementation of the California Clean Air Act (CCAA), responding to federal Clean Air Act requirements, and regulating emissions from motor vehicles and consumer products within the state. In addition, CARB also sets health-based air quality standards and control measures for toxic air contaminants (TACs). However, the focus of most of the board's research goes toward automobile emissions, as they are the largest contributor to air pollution in California. CARB establishes new standards for vehicles sold in California and for various types of equipment available commercially. CARB also sets vehicle fuel specifications to reduce vehicular emissions.

The CCAA established a legal mandate for air basins to achieve the CAAQS by the earliest practical date. Health and Safety Code Section 39607(e) requires CARB to establish and periodically review area designation criteria. These designation criteria provide the basis for CARB to designate areas of the state as attainment, nonattainment, or unclassified according to state standards. CARB makes area designations for 10 criteria pollutants: O₃, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, sulfates, lead, hydrogen sulfide, and visibility-reducing particles.⁷ The status of the Basin with respect to attainment with the CAAQS is summarized in **Table 4.2-3**.

County

Local governments, such as the City of Ventura, have the authority and responsibility to reduce air pollution through their police power and land use decision-making authority. Specifically, local governments are responsible for the mitigation of emissions resulting from land use decisions and for the

⁷ California Air Resources Board, "Area Designations (Activities and Maps)," <http://www.arb.ca.gov/desig/desig.htm>. 2010. According to California Health and Safety Code, Section 39608, "state board, in consultation with the districts, shall identify, pursuant to subdivision (e) of Section 39607, and classify each air basin which is in attainment and each air basin which is in nonattainment for any state ambient air quality standard." Section 39607(e) states that the State shall "establish and periodically review criteria for designating an air basin attainment or nonattainment for any state ambient air quality standard set forth in Section 70200 of Title 17 of the California Code of Regulations. California Code of Regulations, Title 17, Section 70200 does not include vinyl chloride; therefore, CARB does not make area designations for vinyl chloride.

and 12 V and related actions would reduce VMT. In addition, the project would largely result in infill development of residential, commercial, office, and industrial uses that would increase density and land use diversity (e.g., mixed use). Emission reductions associated with the VMT reduction policies and infill development were included in CalEEMod as mitigation. The measures that were applied in CalEEMod include increased density, increased diversity, and improved pedestrian network. The modeling results are provided in **Table 4.2-5, Estimated Operational Emissions**. Model output files are provided in **Appendix 4.2**.

As shown in **Table 4.2-5**, long-term operational emissions would exceed the VCAPCD thresholds of significance for ROC and NO_x. The impacts are considered potentially significant and a mitigation measure is required to reduce the impacts to less than significant levels. This mitigation measure is provided as **MM AQ-1**. While the VCAPCD does not have numerical thresholds of significance for particulate matter, it should be noted that the project's mobile source PM10 emissions are primarily emitted as fugitive emission from paved road dust. According to the results from CalEEMod, less than 5 percent of the mobile source PM10 emissions are from exhaust combustion (see **Appendix 4.2**). The majority of the project's mobile source PM2.5 emissions, which are substantially less than the PM10 emissions, are combustion-related emissions, such as diesel particulate matter. According to the results from CalEEMod, approximately 70 percent of the mobile source PM2.5 emissions are from exhaust combustion (see **Appendix 4.2**). This is consistent with data from CARB that indicates emissions of fugitive dust consist primarily of PM10 and exhaust emissions from fossil-fuel combustion consists primarily of PM2.5.¹⁸ Health effects from mobile source particulate matter are associated with exhaust emissions from combustion, which are discussed under significance threshold AQ-4.

¹⁸ California Air Resources Board, "California Emission Inventory and Reporting System (CEIDARS) – Particulate Matter (PM) Speciation Profiles – Summary of Overall Size Fractions and Reference Documentation," <http://www.arb.ca.gov/ei/speciate/dnldopt.htm>. 2011. Refer to spreadsheet file download "PMSIZE," which contains profiles for paved road dust and diesel vehicle exhaust. The data indicates that paved road dusts consists primarily of particles greater than 2.5 microns in diameter and diesel vehicle exhaust consists primarily of particles less than 2.5 microns in diameter.

**Table 4.2-5
Estimated Operational Emissions**

Emission Source	ROC	Emissions in Pounds per Day				
		NO _x	CO	SO _x	PM10	PM2.5
Summertime Emissions						
Mobile Sources	50.37	73.80	338.49	1.11	128.82	5.82
Energy (Natural Gas)	0.72	6.18	3.00	0.03	0.51	0.51
Area Sources	55.44	1.35	118.08	0.00	0.66	0.66
Summertime Emission Totals	106.53	81.33	459.57	1.14	129.99	6.99
VCAPCD Thresholds	25	25	—	—	—	—
Exceeds Threshold?	YES	YES	—	—	—	—
Wintertime Emissions						
Mobile Sources	55.35	78.09	353.94	1.05	128.85	5.82
Energy (Natural Gas)	0.72	6.18	3.00	0.03	0.51	0.51
Area Sources	55.44	1.35	118.08	0.00	0.66	0.66
Wintertime Emissions Totals	111.51	85.62	475.02	1.08	130.02	6.99
VCAPCD Thresholds	25	25	—	—	—	—
Exceeds Thresholds?	YES	YES	—	—	—	—

*Source: Impact Sciences, Inc. Emissions calculations are provided in Appendix 4.2.
Totals in table may not appear to add exactly due to rounding in the computer model calculations.*

Construction Emissions

The VCAPCD has not adopted significance thresholds for construction impacts because of their temporary nature; therefore, impacts would be Class III, Not Significant. Nevertheless, implementation of

sensitive receptors. It is not possible to predict where all future development might occur, but virtually any new development within the Westside Community Planning Area is likely to be adjacent to or near one or more sensitive receptors. The VCAPCD recommends construction projects that emit more than 25 pounds per day of ROG or NO_x implement standard mitigation measures to reduce construction-related emissions associated with individual developments. As construction emissions could potentially exceed 25 pounds per day, and consistent with the 2005 General Plan, Action 7.23, the project is required to implement VCAPCD-recommended construction mitigation measures to reduce impacts. These mitigation measures are provided as **MM AQ-2**, ~~and **MM AQ-3**~~, and **MM AQ-3a**.

The Westside Community Planning Area is largely built out. Development may involve the demolition of existing older structures that were constructed with asbestos containing materials (ACMs). Demolition activity that disturbs friable asbestos could potentially create health hazards for receptors in the vicinity of individual demolition sites. However, all demolition activity involving ACMs is required to be conducted in accordance with VCAPCD Rule 62.7, which requires VCAPCD notification and use of licensed asbestos contractors to remove all ACMs prior to demolition. Compliance with Rule 62.7 on all future construction activity would reduce ACM impacts to a less than significant level.

Mitigation Measures

The following mitigation measures shall be implemented to reduce long-term operational and temporary construction impacts to a less than significant level:

MM AQ-1 The VCAPCD *Ventura County Air Pollution Control District Air Quality Assessment Guidelines* recommend that all development projects with significant air quality impacts fully mitigate excess emissions through funding measures for at least three years. The VCAPCD guidelines provide an updated cost of \$7.05 for ROG and \$10.27 for NO_x (January 2011 Consumer Price Index (CPI) at 228.652), for every pound in excess of VCAPCD thresholds. Westside Community Planning Area developers shall contribute to a Transportation Demand Management (TDM) fund to be used to develop regional programs to offset air pollutant emissions. The total amount that would be contributed to the TDM fund is \$657,655. Payment of fees shall occur prior to issuance of building permits.

The amount provided by residential development would be about 68.7 percent of this total (based on the estimated residential portion of VMT), or \$451,809. The amount provided by commercial development would be 26 percent of the total, or \$205,846. Applicants for residential developments that would generate a net increase in units

seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants to prevent excessive fugitive dust.

- Signs limiting traffic to 15 miles per hour or less shall be posted on site.
- During periods of winds 25 miles per hour or greater (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties) or at the direction of the City, all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off site or on site. The site superintendent/supervisor shall use discretion in conjunction with the VCAPCD in determining when winds are excessive.
- Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day if visible soil material is carried over to adjacent streets and roads.
- Personnel involved in grading operations, including contractors and subcontractors, should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.

MM AQ-3 During construction, contractors shall comply with the following measures, as feasible, to reduce NO_x and ROC from heavy equipment as recommended by the VCAPCD in its *Ventura County Air Quality Assessment Guidelines*:

- Minimize equipment idling time.
- Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications.
- Lengthen the construction period during smog season (May through October) to minimize the number of vehicles and equipment operating at the same time.
- Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, if feasible.

MM AQ-3a Westside Community Planning Area developers shall be required to consult with the VCAPCD on construction projects that involve grading activity and shall address construction health impacts pursuant to VCAPCD guidance, which may include a screening health risk assessment or a formal health risks assessment in accordance with the *Ventura County Air Quality Assessment Guidelines*. Projects that would result in significant health impacts are required to implement mitigation measures consistent with recommendations in the *Ventura County Air Quality Assessment Guidelines*.

Residual Impacts

Class II, Significant but Mitigable.

AQ-3 Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Class II, Significant but Mitigable)

- A project that may cause an ambient air quality standard (state or federal) to be exceeded, or makes a substantial contribution to an already exceeded air quality standard. Substantial is defined as making measurably worse an existing state or federal ambient air quality standard that is exceeded; and/or
- A project with emissions greater than two pounds per day of ROC or two pounds per day of NO_x during operation that is found to be inconsistent with the AQMP will have a significant cumulative air quality impact. Inconsistent projects are usually those that cause the existing population to exceed the population forecasts contained in the most recently adopted AQMP.¹⁹

Analysis

As previously discussed, the project would be consistent with the population projections used in the 2007 AQMP. However, as shown in **Table 4.2-4**, long-term operational emissions from development of the allowed land uses in the Westside Community Planning Area would exceed 25 pounds per day of ROC and NO_x. Because the Basin is in nonattainment for the state and federal O₃ standards, a project that creates individually significant air quality impacts would also contribute to cumulatively significant air impacts. Therefore, the project would have cumulatively significant impacts with respect to ROC and NO_x emissions. Mitigation measure **MM AQ-1** would reduce operational emissions to less than significant levels. Furthermore, mitigation measures **MM AQ-2**, **MM AQ-3**, and **MM AQ-3a** would reduce construction-related emissions and associated impacts. As result, the project would be mitigated to less than significant levels.

Mitigation Measures

See **MM AQ-1**, **MM AQ-2**, **MM AQ-3**, and **MM AQ-3a** above.

Residual Impacts

Class II, Significant but Mitigable.

¹⁹ Ventura County Air Pollution Control District, *Ventura County Air Quality Assessment Guidelines*, (2003), 3-2, 3-3.

AQ-4 Would the project expose sensitive receptors to substantial pollutant concentrations? (Class II, Significant but Mitigable)

CO Hotspots Analysis

According to the VCAPCD guidelines, a CO hotspot screening analysis should be conducted for intersections that are currently operating, or are expected to operate at LOS E or F.²⁰ According to the traffic impact analysis for the project, none of the studied intersections would operate at or below LOS E

²⁰ Ventura County Air Pollution Control District, *Ventura County Air Quality Assessment Guidelines*, (2003) 6-4.

Quality and Land Use Handbook states that it is up to lead agencies to balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.²²

CARB has determined that adverse health effects are generally elevated near heavily traveled roadways. Although this recommendation is not mandated by state law, the CARB guidance document, *Air Quality and Land Use Handbook*, recommends that lead agencies, where possible, avoid citing new sensitive land uses (including schools) within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day.²³ Motor vehicles emit three compounds that constitute a majority of the known health risks: diesel particulate matter from trucks (which is emitted primarily as PM_{2.5}), and benzene and 1,3-butadiene from passenger vehicles.²⁴ Mitigation measures are recommended for projects that are not consistent with the CARB siting recommendations for new sensitive land uses near freeways and heavily traveled roadways.

Although the Westside Development Code allows certain types of industrial uses, such as recycling, processing, and collection facilities and manufacturing, it is unknown if they would actually be developed. Nonetheless, as the potential for the development of these types of sources exists in the Westside Community Planning Area, the impact is considered to be potentially significant. Mitigation measure **MM AQ-4** is recommended to reduce the impact to a less than significant level. It should be noted that the 2005 General Plan implements Actions 7-20, 7-21, 7-24, and 7-25, which requires projects to ensure that point sources are located at safe distances from sensitive receptors, ensures that mixed-use projects do not pose significant health risks, requires that approval of projects be granted only when it is demonstrated that health risks are less than significant, and requires feasible mitigation measures for significant impacts. The proposed mitigation is consistent with these General Plan Action items.

San Joaquin Valley Fever Analysis

Some health problems, particularly those of the eye and respiratory tract may be aggravated by fugitive dust. Such health problems include Coccidioidomycosis (also known by its common name, Valley Fever). Valley fever is contracted through breathing spores that become airborne through disturbance of the soil.

²² California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, (2005) 4.

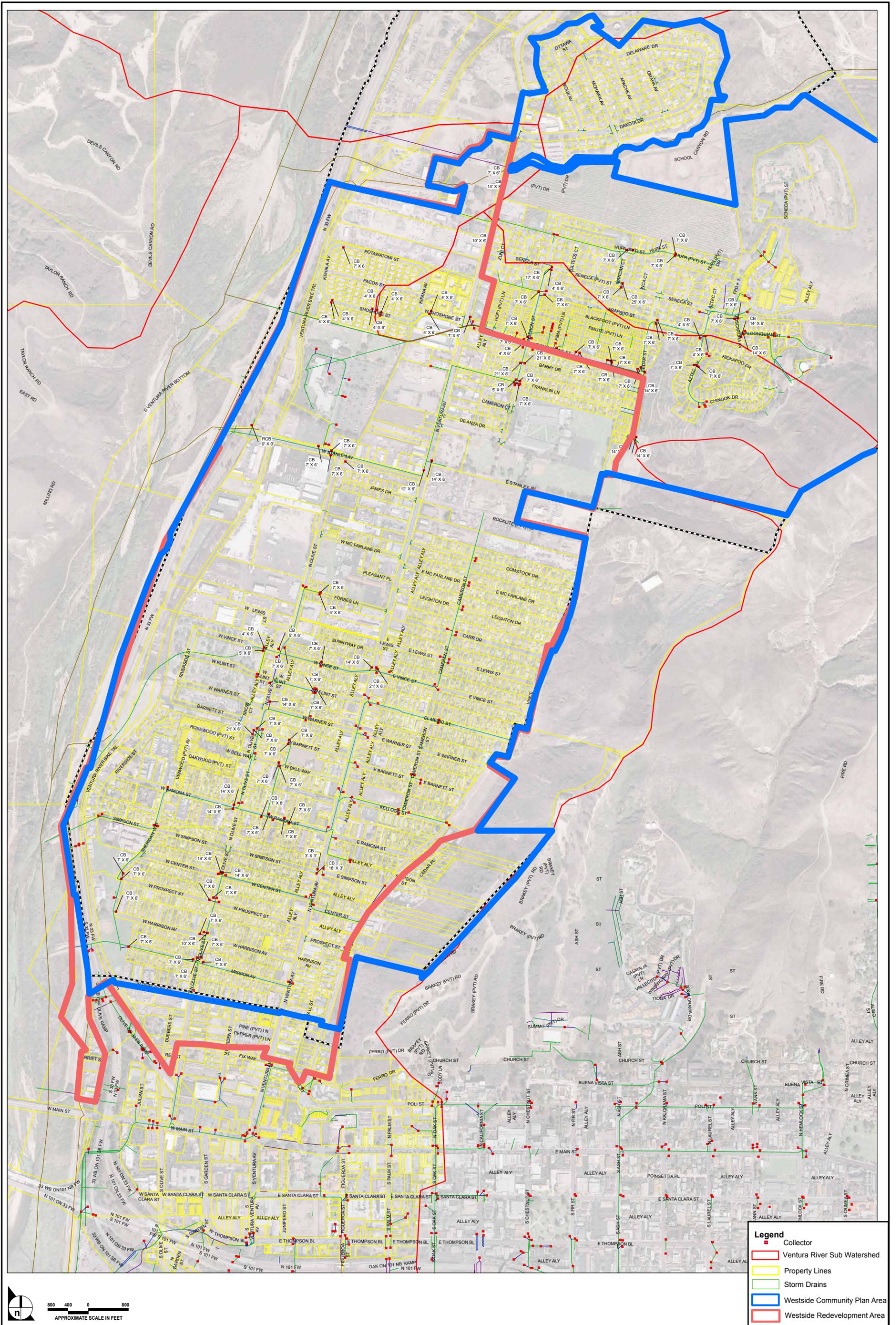
²³ California Air Resources Board, *Air Quality and Land Use Handbook*, (2005) 8-9. The 2002 study of impacts along the San Diego (I-405) Freeway and the Long Beach (I-710) Freeway cited by CARB in its *Air Quality and Land Use Handbook* found a substantial reduction in pollutant concentrations, relative exposure, and health risk beyond 300 feet.

²⁴ California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, (2005) 9.

However, Ventura County is not recognized as an area where Coccidioidomycosis is highly endemic.²⁵ The only large-scale outbreak in the County occurred in Simi Valley between January 24 and March 15, 1994, following the Northridge earthquake due to uncontrolled dust clouds created by landslides.²⁶ Grading associated with the proposed project would not result in fugitive dust emissions on the level of the Northridge earthquake. However, upon review of the factors that could potentially result in Valley Fever impacts, development that may occur in the Westside Community Planning Area may result in the disturbance of the top soil of undeveloped land that could contain the Valley Fever fungus, which is one of the factors listed above. Consequently, the project is conservatively assumed to have a potentially significant impact with respect to Valley Fever and mitigation measure **MM AQ-5** is required to reduce this impact to a less than significant level. It should be noted that mitigation measure **MM AQ-2** would also reduce Valley Fever impacts.

²⁵ Eileen Schneider and others, "A Coccidioidomycosis Outbreak Following the Northridge, Calif. Earthquake," *Journal of American Medicine* Vol. 277, No. 11 (March 19, 1997): 904.

²⁶ *Ibid.*

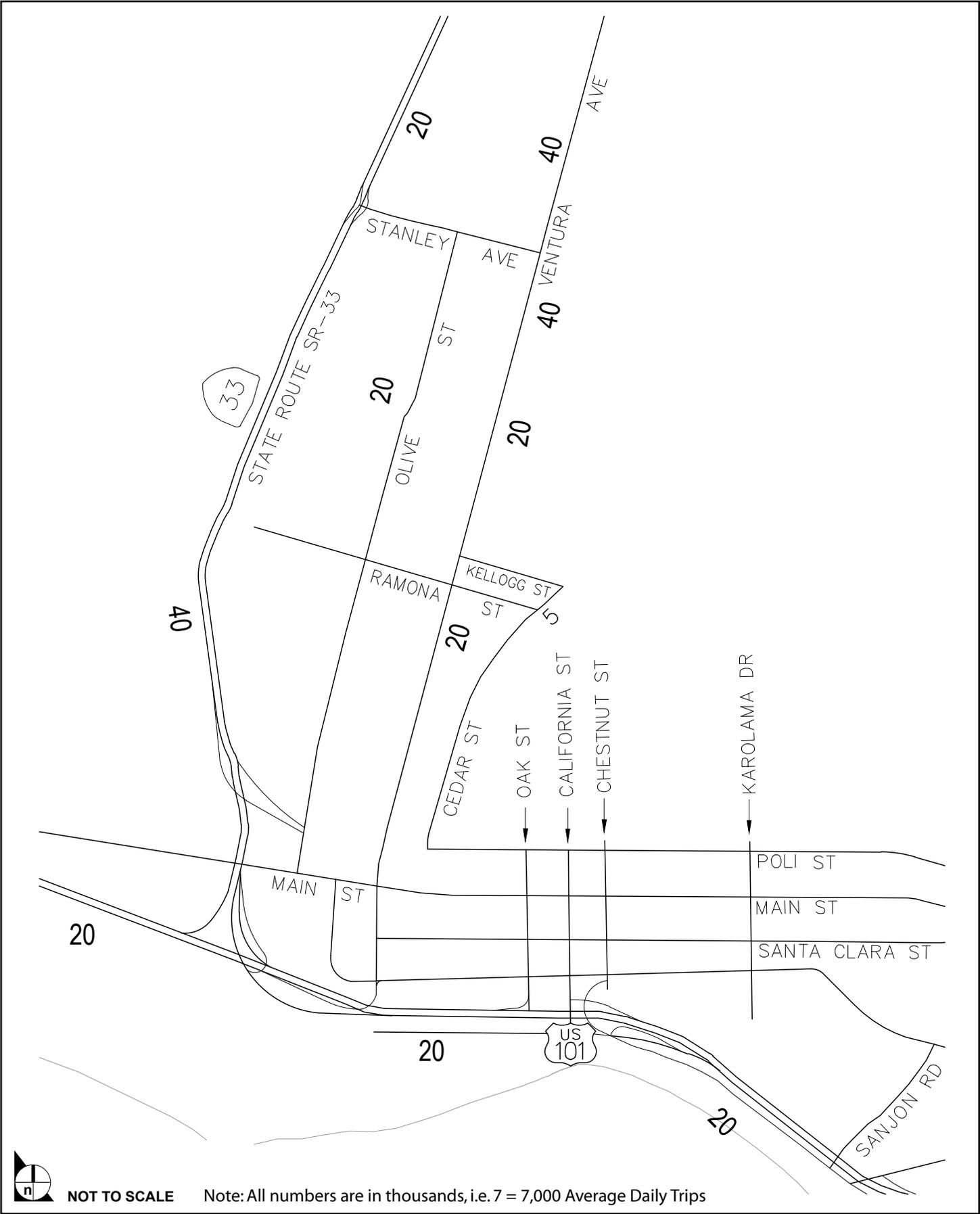


SOURCE: Hawks & Associates

FIGURE 4.8-2

West Ventura Area Catch Basins

Goal	Consistency Analysis
Open Space and Habitat	
<p>Ensure a sustainable ecology by protecting and enhancing the region's open space infrastructure and mitigate growth and transportation related impacts by:</p> <ul style="list-style-type: none"> - Conserving natural lands that are necessary to preserve the ecological function and value of the region's ecosystems - Conserving wildlife linkages as critical components of the region's open space infrastructure - Coordinating transportation and open space to reduce transportation impacts to natural lands <p>Enhance the region's parks, trails, and community open space infrastructure to support the aesthetic, recreational and quality-of-life needs, providing the highest level of service to our growing region by:</p> <ul style="list-style-type: none"> - Creating new community open space that is interconnected, accessible, equitably distributed, provides public health benefits, and meets the changing and diverse needs of communities - Improving existing community open space through urban forestry and other programs that provide environmental benefits <p>Preserve the productivity and viability of the region's agricultural lands while supporting a sustainable economy and region by:</p> <ul style="list-style-type: none"> - Maintaining a viable level of agriculture to support economic and food supply needs for the region while supporting sustainable energy, air quality, and transportation policies - Promote and support a locally grown food system by encouraging community farming initiatives that use sustainable farming practices 	<p>The Westside Community Plan provides for the preservation of undeveloped hillside land currently designated for low-density residential development. Designated existing parks and open space would be preserved under the plan. The Westside Community Plan provides policies supporting the Ventura River Multi-Species Habitat Conservation Plan (see Action 12.1.3) and resource conservation generally (see Action 12.1.4). The proposed project would increase the amount of protected open space within the planning area and is consistent with this goal.</p> <p>The Westside Community Plan provides for the preservation of undeveloped hillside land currently designated for low-density residential development. Designated existing parks and open space would be preserved under the plan. The Westside Community Plan would provide for the expansion of existing trails connecting to the Ventura River (Action 12.1.1, 12.1.2, 12.4.8), to adjacent hillside areas (Action 12.4.13, 12.6.6) and throughout the planning area (see analysis for Policy 4B above). The proposed project is consistent with this goal.</p> <p>The Westside Community Plan provides for the preservation of undeveloped hillside land currently designated for low-density residential development. Designated existing parks and open space would be preserved under the plan. One parcel currently developed with agricultural uses would be designated for urban development on the 2005 General Plan Land Use Map, as well as having been so designated for urban development in the City's 1989 Comprehensive Plan, and the County of Ventura's General Plan. As a subject parcel of a Statement of Overriding Consideration adopted for the 2005 General Plan Final EIR, the project specific Mitigated Negative Declaration for this parcel found impacts to agricultural resources less than significant. The proposed project would increase the amount of protected open space within the planning area and is consistent with this goal.</p>
Water	
<p>Develop sufficient water supplies through environmentally sustainable imports, local conservation and conjunctive use, reclamation and reuse to meet the water demands created by continuing growth</p> <p>Achieve water quality improvements through implementation of land use and transportation policies and programs that promote water stewardship and eliminate water impairments and waste in the region</p>	<p>The Westside Community Plan would require new development to implement low-impact development (LID) techniques (Action 12.1.5, 12.5.1) that would increase opportunities for groundwater recharge. Where appropriate, new development will install infrastructure (purple pipe) for potential reclaimed water use. In addition, future development will address water efficiency goals established in the City's 2010 Urban Water Management Plan and Water Efficiency Plan. The proposed project is consistent with this goal.</p> <p>Future development under the Westside Community Plan would be required to use the City's current master plan and hydrological-hydraulic model to evaluate water supply to determine capacity, supply and infrastructure requirements (Action 12.5.4). The proposed project is consistent with this goal.</p>
Energy	



NOT TO SCALE

Note: All numbers are in thousands, i.e. 7 = 7,000 Average Daily Trips

SOURCE: City of Ventura – September 2011

FIGURE 4.10-6

Trip Distribution

facilities are generally tolerant of higher noise levels, some facilities where quiet and solitude are part of the intended recreational experience may be negatively affected by increased noise levels. Existing recreational facilities within the planning area consist of active play areas in an urban setting, and would not be considered facilities where quiet is necessary for the intended recreational experience. Therefore, considering the location of existing parks and uses and the types of development permitted under the Westside Community Planning Project, impacts to existing recreational facilities would be considered less than significant.

Roadway Noise

Vehicular noise could potentially affect sensitive receptors within the Westside Community Planning Project area, as well as sensitive receptors located along the roadway system. The Federal Highway Administration Noise Prediction Model (FHWA-RD-77-108) was used to calculate roadway noise based on the distribution of traffic volumes identified by the City for the proposed project. Noise generated by traffic volumes with and without the project along roadway segments was calculated. Model results are shown in **Table 4.10-6, Roadway Noise in the Planning Area**. As shown, noise increases resulting from the project range from a 0.0 to 1.3 dB(A). The noise-level increases along the analyzed roadway segments would occur below the identified noise thresholds in **Table 4.10-4**, thus resulting in less than significant impacts. For these reasons, this impact is considered to be less than significant.

**Table 4.10-6
Roadway Noise in the Planning Area**

Roadway	Segment	Existing (CNEL)	Existing Plus Project (CNEL)	Change
EAST-WEST				
Stanley Avenue	SR-33/Olive Street	63.7	64.4	0.7
Stanley Avenue	Olive Street/Ventura Avenue	63.7	65.0	1.3
US 101	West SR 33	77.5	78.2	0.7
US 101	East SR 33	78.7	79.4	0.7
US 101	East California Street	79.5	80.2	0.7
NORTH-SOUTH				
SR 33	North Stanley Avenue	74.1	74.1	0.0
SR 33	South Stanley Avenue	75.5	76.8	1.3
Olive Street	Stanley Avenue/Ramona Street	56.4	57.1	0.7
Olive Street	Ramona Street/Main Street	59.5	59.5	0.0

Roadway	Segment	Existing (CNEL)	Existing Plus Project (CNEL)	Change
Ventura Avenue	North Stanley Avenue	60.8	60.8	0.0
Ventura Avenue	Stanley Avenue/Vince Street	63.4	64.7	1.3
Ventura Avenue	Vince Street/Kellogg Street	63.4	64.1	0.7
Ventura Avenue	Ramona Street/Main Street	62.0	62.0	0.0
Cedar Street	Kellogg Street/Ramona Street	57.7	57.7	0.0
Cedar Street	Ramona Street/Poli Street	60.1	60.8	0.7

Note:

CNEL = Community Noise Equivalent Level

Source: Impact Sciences, model calculations are in **Appendix 4.10**.

Stationary/Point Source Noise

Industrial Land Uses

A number of industrial land uses are present within the planning area. The noise generated at existing uses would generally continue unless the site will ultimately be used for other purposes. The Westside Community Plan area identifies four key underutilized sites available for public and private investment to stimulate additional investment in this community. These are discussed in more detail in **Section 3.0, Project Description**, and shown in **Figure 3.0-4, Economic Catalyst Sites**. Three of the catalyst sites currently include industrial uses and the fourth site is vacant. The catalyst sites and potential changes to land use are briefly described below.

Catalyst Site #1: Selby: 15 acres for mixed-use development with ground floor commercial and second or third story office above the ground floor. The eastern portion of the property could support high density residential to create a true mixed used development that would be a showcase for travelers as they exit the freeway at Stanley.

Catalyst Site #2: Industrial area south of Stanley Avenue, along Olive Street to be focus of economic development efforts to encourage green and high technology job recruitment to the City.

Catalyst Site #3: Kellogg: 2-acre site for live/work development oriented to artists lofts, with neighborhood services. With its central location on the Avenue, urban plaza and park space fronting the Avenue is a community desired component of this catalyst site.

Catalyst Site #4: School District/AERA: portions of 90-acre site that includes 4-5 acre Avenue School site to be considered for mixed-use development to provide transition between industrial uses to the north and newer residential and commercial uses to the south.

4.11 POPULATION, HOUSING, AND EMPLOYMENT

4.11.1 INTRODUCTION

This section analyzes the impacts of the Westside Community Planning Project on population, housing, and employment in the City of Ventura. Information from the 2010 US Census, California Department of Finance, and Southern California Association of Governments was used to prepare the following analysis.

4.11.2 ENVIRONMENTAL SETTING

a. Existing Population, Housing and Employment

Between 2000 and 2010, the population of the City of Ventura increased from 100,916 residents to 106,433 residents, an increase of 5,517 residents, or approximately 5.5 percent over a 10-year period.¹ The California Department of Finance (DOF) estimates the City's 2011 population at 107,124 residents.² The City's average household size was 2.6 residents in 2010,³ and is estimated at 2.65 residents for 2011.⁴

Between 2000 and 2010, the number of housing units in the City of Ventura increased from 39,803 to 42,795, an increase of 2,992 housing units, or approximately 7.5 percent over a 10-year period.⁵ The DOF estimates the City's 2011 housing supply at ~~48,230~~42,830 units.⁶ DOF is currently revising its estimates of population and housing to reflect data from the 2010 US Census, and it is likely that the 2011 estimate will be revised down.

The Southern California Association of Governments (SCAG) adopted growth forecast provided in the 2008 Regional Transportation Plan (RTP) projects a 2010 employment population of 69,211 for the City of Ventura.

¹ Southern California Association of Governments, *Profile of the City of San Buenaventura*, (2011) 3.

² California Department of Finance, "E-5 City/County Population and Housing Estimates 2010–2011 with 2010 Census Benchmark" (2011).

³ Southern California Association of Governments, *Profile of the City of San Buenaventura*, (2011) 8.

⁴ California Department of Finance, "E-5 City/County Population and Housing Estimates 2010–2011 with 2010 Census Benchmark" (2011).

⁵ California Department of Finance, "E-5 City/County Population and Housing Estimates 2000–2010 with 2000 Benchmark" (2010).

⁶ California Department of Finance, "E-5 City/County Population and Housing Estimates 2010–2011 with 2010 Census Benchmark" (2011).

foot per employee factors for these land use types.⁸ This would result in an estimated 2025 Citywide employment population of 70,246. This is well within the SCAG 2008 RTP employment population projections for 2025.

Action 12.2.2 in the Westside Community Plan area identifies four key underutilized sites available for public and private investment to stimulate additional investment in this community. These are discussed in more detail in **Section 3.0, Project Description** and are shown in **Figure 3.0-5, Economic Catalyst Sites**. ~~Should one or more of these sites be developed, they will increase the housing supply and employment opportunities in the City for improved jobs housing balance.~~

The General Plan and Westside Community Plan contain numerous other goals, policies, and actions supporting the creation of housing and employment opportunities within the planning area. The 2005 General Plan includes various policies that encourage mixed use and infill development and would be expected to reduce vehicle miles traveled (VMT) and associated air pollutant emissions compared to previous low density development within the City. Impacts related to population growth would therefore be less than significant (Class III, Not Significant).

Mitigation Measures

No mitigation measures are required

Residual Impacts

Impacts would be Class III, Not Significant.

PH-2 Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Class III, Not Significant)

Analysis

The City of Ventura is proposing the Westside Community Planning Project to implement the City's General Plan by adopting the Westside Community Plan and the Westside Development Code. The Westside Community Plan provides direction on requirements and development standards for new development, policies, and actions to implement the Development Plan vision and goals, and the Westside Community Development Code regulates the types and intensities of development and land uses within the Westside Community Plan area. No specific development projects are proposed at this

⁸ Southern California Association of Governments, *Employment Density Study, Summary Report*, (2001). Prepared by The Natelson Company, Inc. in association with Terry A. Hayes Associates.

4.12.3 Public Schools

4.12.3.1 INTRODUCTION

This section analyzes the impacts of the Westside Community Planning Project on public educational services in the City of Ventura. Information provided by the Ventura Unified School District was used to prepare the following analysis.

4.12.3.2 ENVIRONMENTAL SETTING

a Ventura Unified School District

The Ventura Unified School District (VUSD) operates public schools serving the planning area. School attendance is determined by geographic boundaries. Students within the planning area would attend EP Foster, Sheridan Way, Sunset, and Will Rogers Elementary Schools; De Anza Middle School; and Ventura High School. The locations of these schools are shown in **Figure 4.12.3-1, Ventura Unified School District School Locations**. However, parents of students living within VUSD boundaries may choose to enroll students at any VUSD school, based on available capacity. **Table 4.12.3-1, Ventura Unified School District School Enrollment and Capacities**, provides student enrollment at the schools serving the planning area.

**Table 4.12.3-1
Ventura Unified School District School Enrollment and Capacities**

School	2009–2010		
	Enrollment	Design Capacity	Remaining Capacity
EP Foster Elementary School	513	503	-10
Sheridan Way Elementary School	529	552	23
Sunset Elementary School	345	413	68
Will Rogers Elementary School	391	417	26
Elementary School Total	1,778	1,885	107
De Anza Middle SAGE Charter School	472	850	378
Ventura High School	2,105	2,481	376

Sources: Educational Data Partnership, <http://www.ed-data.k12.ca.us> (enrollment); Dave Marshall, VUSD Director of Facilities (capacity).

New development within the VUSD service area would generate new students who would need to be accommodated in VUSD schools. VUSD forecasts the student generation for all new residential development at the following rates:

- 0.22 elementary school student per residential unit
- 0.09 middle school student per residential unit
- 0.11 high school student per residential unit

b. Regulatory Framework

State

The California Department of Education (CDE) has traditionally been responsible for the funding of local public schools. To assist in providing facilities to serve students generated by new development projects, the state passed Assembly Bill (AB) 2926 in 1986.¹ AB 2926 allowed school districts to collect impact fees from developers of new residential and commercial/industrial building space. These development fees are deemed to be “full and complete school facilities mitigation,”² for impacts caused by new development. The legislation also recognized the need for fees to be adjusted periodically to keep pace with inflation. The legislation indicated that the State Allocation Board will set the maximum fees according to the adjustment for inflation in the statewide index for school construction.

California State Allocation Board

The State Allocation Board authorizes school districts to collect developer fees to mitigate the impact of new development on school costs. Levels of developer fee contribution are determined by the State Allocation Board and increase annually. Current state statutes dictate that school districts have the authority to levy statutory or Level I fees on new development at rates of ~~\$2.63~~\$3.20 per square foot of new residential development and ~~\$0.42~~\$0.51 per square foot for commercial and industrial development. Because these Level I fees often do not generate sufficient funding for new schools, districts may use Level II fees to generate one-half the cost of providing new school facilities. Use of Level II fees assumes that the state will provide the other half of the cost of new schools through the issuance of general obligation bonds.

¹ State of California, *Government Code*, Sec. 66000 et seq.

² State of California, *Government Code*, Sec. 65996.

SCH-1 Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for public schools?

Analysis

New residential development forecast to occur under the Westside Community Plan would add an estimated 1,415 new residential units. Based on VUSD student generation rates, **Table 4.12.3-2, Project Student Generation**, shows the number of new students that would be generated by development forecast to occur under the Westside Community Planning Project.

**Table 4.12.3-2
Project Student Generation**

	Student Generation Rate	Units	Project Student Population
Elementary School Student	0.22	1,415	312
Middle School Students	0.09	1,415	128
High School Students	0.11	1,415	156
Total			596

As shown in **Table 4.12.3-1**, existing VUSD elementary schools serving the planning area are at or near capacity. Middle and high school students generated by the project could be accommodated at existing schools. The additional elementary students generated by new residential development would require additional school capacity in order to serve project residents. ~~However, this assumption is based on the assumption that no new schools would be developed and all 1,415 residential units would be developed at one time. In reality, these residential units are projected to be added between project approval and 2025. In addition,~~ As discussed below, the VUSD monitors growth trends and capacity at its schools and makes adjustments as necessary.

The implementation of the goal, policies, and actions for the Westside Community Plan area, identified above, would support VUSD's education services in the planning area. The portion of the Westside Redevelopment Project area located outside the Westside Community Plan area is located within the City's adopted Downtown Specific Plan area. The Downtown Specific Plan also contains an action that would support the provision of school services. No specific development projects are proposed or

4.12.4 PARKS AND RECREATION

4.12.4.1 INTRODUCTION

This section analyzes the impacts of the Westside Community Planning Project on parks and recreation services in the City of Ventura.

4.12.4.2 ENVIRONMENTAL SETTING

a Physical setting

The City of Ventura parks system includes more than 800 acres of parkland and facilities serving various interests, including sailing, surfing, tennis, league sports, skateboard parks, playgrounds, and picnic areas. Parks within the Westside Community Planning Project area include Harry A. Lyon Park, which provides tennis and basketball courts, baseball fields, a 10-acre open space area, restrooms, and barbecue areas, and Westpark Community Center and Park, which currently contains a lighted multipurpose field, two handball courts, children's play area, horseshoe pits, a skateboard park, restrooms, and a recreation center. The handball courts at this park are being removed. Grant Park, a 107-acre park that offers limited amenities, is located adjacent to the southeastern corner of the planning area. The Ventura River Trail, a pedestrian and bicycle path that links the Ojai Valley and Coastal Omer Rains Trail to create a longer 17-mile bike path, runs the length of the planning area along its western boundary. Brock Linear Park extends from the western boundary along Shoshone Street to Cedar Street, and south along Cedar Street to a terminus north of Stanley Avenue. These parks and recreational facilities are shown in **Figure 4.12.4-1, Ventura Westside Park Locations**.

b. Regulatory Framework

Municipal Code

The City has an established parks and recreation facilities fee in accordance with Section 66477 of the Subdivision Map Act, commonly referred to as the Quimby Act. These fees fund the development of recreational facilities throughout the City. **Table 4.12.4-1, Parks and Recreation Facilities Tax Fees,** shows the fees the City currently assesses for new residential development under its Parks and Recreation Facilities Tax:

Table 4.12.4-1
Parks and Recreation Facilities Tax Fees

<u>Number of Bedrooms</u>	<u>Fee</u>
<u>1</u>	<u>\$170.00</u>
<u>2</u>	<u>\$230.00</u>
<u>3</u>	<u>\$370.00</u>
<u>4 or more</u>	<u>\$530.00</u>
<u>Mobile home pad</u>	<u>\$100.00</u>

Source: City of Ventura, Municipal Code Section
4.145.040

Other fees that would finance development of new parks and recreation facilities include the City's Service Area Park Mitigation Fee (Municipal Code Chapter 4.215) and the Public Park Fee (Municipal Code Chapter 4.230).

General Plan

Chapter 6, *Our Active Community*, is one of 10 chapters of the City's 2005 General Plan. This chapter includes the following City's goals and policies with respect to parks and recreation facilities:

- | | |
|------------|--|
| Policy 6A | Expand the park and trail network to link shoreline, hillside, and watershed areas. |
| Action 6.1 | Develop new neighborhood parks, pocket parks, and community gardens as feasible and appropriate to meet citizen needs, and require them in new development. |
| Action 6.2 | Require higher density development to provide pocket parks, tot lots, seating plazas, and other aesthetic green spaces. |
| Action 6.3 | Work with the County to plan and develop trails that link the City with surrounding open space and natural areas, and require development projects to include trails when appropriate. |
| Action 6.7 | Work with the County of Ventura to initiate efforts to create public trails in the hillsides. |

- Action 6.9 Require dedication of land identified as part of the City's Linear Park System in conjunction with new development.
- Action 6.11 Update standards for citywide public parks and open space to include an expanded menu of shared park types, and identify locations and potential funding sources for acquiring new facilities in existing neighborhoods.
- Policy 6B Ensure equal access to facilities and programs.
- Action 6.14 Improve facilities at City parks to respond to the requirements of special needs groups.
- Policy 6C Provide additional gathering spaces and recreation opportunities.
- Action 6.17 Update and create new agreements for joint use of school and City recreational and park facilities.



SOURCE: Google Earth - 2011

FIGURE 4.12.4-1

Park Locations



Scenario One: All three sites (four parcels) designated as T3.6, T4.11 and T5.5 respectively

Under Scenario One, park and open space uses would not be planned and permitted use on these parcels. Instead, residential and mixed-use land uses would be the permitted and conditionally permitted uses for future development or redevelopment parcels under the Westside Plan and Westside Development Code. Under the proposed Development Code, all three proposed zones, T3.6, T4.11 and T5.5, would require future development to provide payment of required park fees and dedication of land for parks on a case-by-case basis. While these requirements reduce impacts to a less than significant level Citywide as analyzed in the 2005 General Plan Certified Final EIR, it would not necessarily result in the provision of additional park space within the Westside Community that would adequately meet recreational needs at the neighborhood level. As a result there would be a localized unmet recreation need for the Westside Community.

Mitigation Measures

Implementation of the following measures would provide additional park facilities within the Westside Community and ensure existing parks in the Westside Community are not subject to substantial deterioration as result of increased use from the increase in population projected to result from the Westside Community Plan and Development Code.

MM PARKS-1 Designate one or all of the 3 sites (4 parcels) proposed for Parks and Open Space (POS) land use as identified under Scenario 2 during the adoption of the Westside Community Plan and Development Code. Future development or redevelopment of any of these sites would be required to comply with permitted and conditionally permitted uses, development standards and permit processing requirements, including design review.

MM PARKS-2 Amend Westside Community Plan Action 12.6.Z: *Develop joint use agreements with the Ventura Unified School District for joint use of school parks and recreational space* by adding the following additional provision: The City ~~should~~ shall coordinate and fund a pilot program for joint use at one or more of the Ventura Unified School District facilities in the Westside Community.

Residual Impacts

Implementation of one or both of these mitigation measures would improve the recreational opportunities available within the Westside Community as future development and population growth

4.13 TRANSPORTATION AND CIRCULATION

4.13.1 INTRODUCTION

This section assesses the impacts of the Westside Community Planning Project (proposed project) upon the local transportation and circulation system. Potential impacts related to the roadway system, public transit, and bicycle and pedestrian facilities are discussed in this section. The primary purpose of the traffic analysis is to identify the deficiencies on the roadway network resulting from the proposed project and to evaluate feasible improvements to remedy those deficiencies, if any. The traffic analysis utilizes and incorporates information from the 2005 General Plan Final EIR by reference. Intersection capacity utilization worksheets and other traffic data are included in Appendix 4.13.

4.13.2 ENVIRONMENTAL SETTING

a. Introduction to Traffic Analysis

Performance Criteria Definitions

Level of service (LOS) is a concept developed to quantify the degree of comfort afforded to drivers as they travel on a given roadway. The degree of comfort includes such elements as travel time, number of stops, total amount of stopped delay, etc. As defined in the Transportation Research Board, National Research Council's *Highway Capacity Manual* (HCM 2000), six grades are used to denote the various LOS and are denoted as A through F. **Table 4.13-1, Level of Service of Arterial Roads**, describes the six grades of LOS for arterial roadways. Arterial Intersection Performance Standards are discussed in more detail in subsection **4.13.3b, Methodology**, later in this section.

The analysis of the arterial road system is based on intersection capacity since this is the defining capacity limitation on an arterial highway system. Levels of service for arterial roadway intersections are determined based on operating conditions during the AM and PM peak hours. The intersection capacity utilization (ICU) methodology is applied using peak hour volumes and the geometric configuration of the intersection. This methodology sums the V/C ratios for the critical movements of an intersection and is generally compatible with the intersection capacity analysis methodology outlined in the HCM 2000.

Table 4.13-1
Level of Service of Arterial Roads¹

LOS	Description
A	LOS A describes primarily free-flow operations at average travel speeds, usually about 90 percent of the free-flow speed for the given street class. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Control delay at signalized intersections is minimal.
B	LOS B describes reasonably unimpeded operations at average travel speeds, usually about 70 percent of the free-flow speed for the street class. The ability to maneuver within the traffic stream is only slightly restricted, and control delays at signalized intersections are not significant.
C	LOS C describes stable operations; however, ability to maneuver and change lanes in midblock locations may be more restricted than at LOS B, and longer queues, adverse signal coordination, or both may contribute to lower average travel speeds of about 50 percent of the free-flow speed for the street class.
D	LOS D borders on a range in which small increases in flow may cause substantial increases in delay and decreases in travel speed. LOS D may be due to adverse signal progression, inappropriate signal timing, high volumes, or a combination of these factors. Average travel speeds are about 40 percent of free-flow speed.
E	LOS E is characterized by significant delays and average travel speeds of 33 percent or less of the free-flow speed. Such operations are caused by a combination of adverse signal progression, high signal density, high volumes, extensive delays at critical intersections, and inappropriate signal timing.
F	LOS F is characterized by urban street flow at extremely low speeds, typically one-third to one-fourth of the free-flow speed. Intersection congestion is likely at critical signalized locations, with high delays, high volumes, and extensive queuing.

Source: Highway Capacity Manual 2000, Transportation Research Board, National Research Council.

¹ The average travel speed along an urban street is the determinant of the operating LOS. The travel speed along a segment, section, or entire length of an urban street is dependent on the running speed between signalized intersections and the amount of control delay incurred at signalized intersections. The following general statements characterize LOS along urban streets and show the relationship to free flow speeds (FFS).

Arterial Street System

The Westside Community Planning Area street system is shown on **Figure 3.0-7, Westside Community Regulating Plan**, in **Section 3.0, Project Description**.

The major highway and streets within the project site are described below.

US 101 extends from Ventura County north through Santa Barbara County and south through Los Angeles County. The closest access to the proposed project area from U.S. 101 is SR-33. Additional access to the proposed project area from U.S. 101 is from California Street.

State Route (SR) 33 is primarily a north/south highway that stretches over 57 miles from US 101 in the City through Ojai to the Ventura/Santa Barbara County line.

Ventura Avenue is a two-lane collector with a center turn lane and parking and sidewalks on both sides.

4.14.1.1 INTRODUCTION

This section describes the water supply and services for the Westside Community Planning Project area. This section is based on information obtained from various water related reports for the City of San Buenaventura (Ventura) for the planning area. The Ventura River, Casitas Municipal Water District, and groundwater wells are sources of water for the City of Ventura.

4.14.1.2 ENVIRONMENTAL SETTING

a. Potable Water

City of Ventura

The City's water system provides reliable and clean drinking water and fire protection to over 113,000 residents and 32,000 service connections through an infrastructure of three treatment plants, 23 booster pump stations, 31 treated water reservoirs, 11 Ventura River and groundwater wells, over 380 miles of pipelines, and a connection to the Casitas Municipal Water District (CMWD). The California Department of Public Health (Public Health) and the United States Environmental Protection Agency (US EPA) oversee the regulatory requirements that have any impact on the water system.¹ The City's 2010 water supply was comprised of five water sources: The CMWD; the Ventura River Foster Park Area (Foster Park) through surface water intake and upper Ventura River Groundwater Basin/Subsurface Intake and Wells; and three groundwater basins. In addition to the current water supply sources, the City has a contracted Table A,² an amount of 10,000 acre-feet per year (afy) of State Water Project (SWP) water with the California Department of Water Resources (DWR). To date, the City has not received delivery of its annual SWP allocations, and it is not certain if, or when, facilities would ever be constructed to transport SWP water to the City.³ The amount of water supplied to meet City demand in 2010 was 17,351 acre-feet (af), and was supplied by ~~Calleguas~~ Casitas Municipal Water District (CMWD), the Ventura River, and groundwater sources.

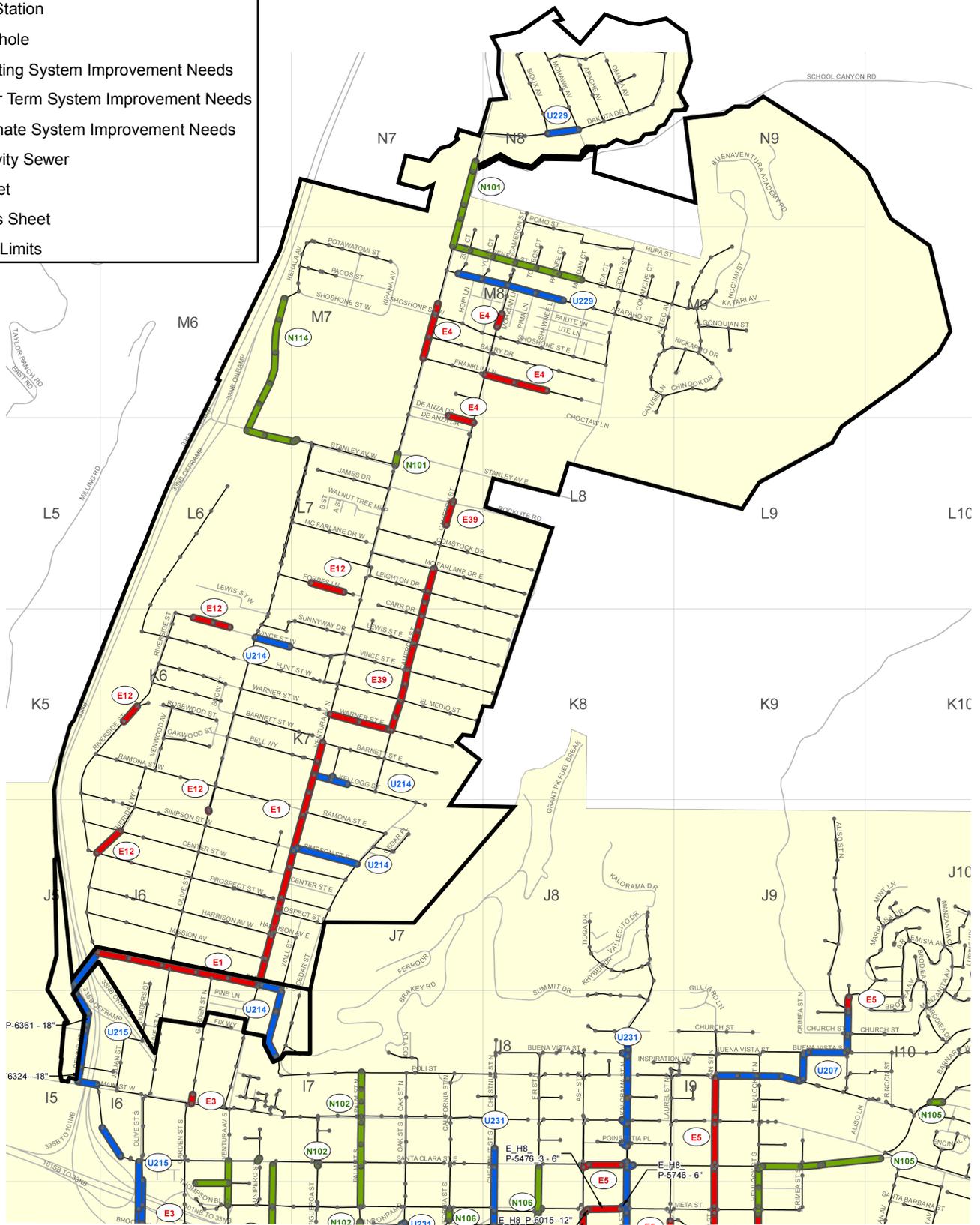
¹ City of Ventura, *2011-2017 Capital Improvement Plan*, January 24, 2011.

² The SWP has contracts to deliver 4.17 million afy to 29 contracting agencies. Table A is the original SWP water right amount.

³ City of Ventura, *2010 Urban Water Management Plan (UWMP)*, Section 3.3

Legend

- PS Lift Station
- Manhole
- Existing System Improvement Needs
- Near Term System Improvement Needs
- Ultimate System Improvement Needs
- Gravity Sewer
- Street
- Atlas Sheet
- City Limits



3000 1500 0 3000
APPROXIMATE SCALE IN FEET

SOURCE: Kennedy/Jenks Consultants – December 2010

FIGURE 4.14.2-1

Wastewater Collection System Improvement Recommendations

7.0 SIGNIFICANT IRREVERSIBLE EFFECTS ON THE ENVIRONMENT

INTRODUCTION

Use of nonrenewable resources during the initial and continued phases of a proposed project may be irreversible if a large commitment of these resources makes their restoration thereafter unlikely. According to Section 15126.2(c) of the California Environmental Quality Act (CEQA) Guidelines, irretrievable commitment of such resources is to be evaluated to ensure that their consumption by a proposed project is justified. In addition, this section must also identify any irreversible damage caused by environmental accidents associated with the proposed project.

7.1 DISCUSSION

The construction and use of residential, commercial, and industrial uses would irreversibly commit construction materials and nonrenewable energy resources to the purposes of the specific plan. These energy resource demands would be used for construction, heating, and cooling of buildings, transportation of people and goods, as well as lighting and other associated energy needs. Nonrenewable and slowly renewable resources used by the planning area land uses and improvements would include, but are not limited to, lumber and other forest products, sand and gravel, asphalt, petrochemical construction materials, steel, copper, lead and other metals, and water. A marginal increase in the commitment of facility maintenance services would also be required. Planning area impacts related to consumption of nonrenewable and slowly renewable resources are considered to be less than significant because development within the planning area would not use unusual amounts of energy or construction materials.

Irreversible long-term environmental changes would accompany the increased development intensity within the planning area as a result of project implementation ~~proposed conversion of a partially disturbed, but primarily undeveloped area to a residential and industrial urban scale in-fill development site~~. Changes would include a significant change in the visual character of the site associated with landform modification and increased building height and bulk, an increase in local and regional traffic with associated increase in air pollution emissions and noise levels, volume of solid waste generation, volume of wastewater generation, and an increase in water and energy consumption. The project would require additional school space and recreational opportunities. Although the project site is partially disturbed, it contains natural open space areas that have biological habitat of value. It is unlikely that the existing environmental conditions would be restored to their original condition subsequent to project development; however, mitigation measures are proposed throughout **Section 4.0** of this EIR to minimize the effects of the development impacts.

4.0 MITIGATION MONITORING PROGRAM

PROJECT NAME: Westside Community Plan FILE NUMBERS: _____

APPROVAL DATE: _____ ENVIRONMENTAL IMPACT REPORT No.: SCH# 2010121047

The following environmental mitigation measures were incorporated into the approval for this project in order to mitigate potentially significant environmental impacts. A completed and signed checklist for each mitigation measure indicates that this mitigation measure has been complied with and implemented and fulfills the City of Santa Clarita's monitoring requirements with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6). The mitigation measures are numbered consistently with the project's Environmental Impact Report.

**Table 2
Mitigation Monitoring Program**

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
AIR QUALITY	4.2-30	MM-AQ-1 The VCAPCD Ventura County Air Pollution Control District <i>Air Quality Assessment Guidelines</i> recommends that all development projects with significant air quality impacts fully mitigate excess emissions through funding measures for at least three years. The VCAPCD guidelines provide an updated cost of \$7.05 for ROG and \$10.27 for NOx (January 2011 Consumer Price Index (CPI) at 228.652), for every pound in excess of VCAPCD thresholds. Westside Community Planning Project area developers shall contribute to a Transportation Demand Management (TDM) fund to be used to develop regional programs to offset air pollutant emissions. The total amount that would be contributed to the TDM fund is \$657,655. Payment of fees shall occur prior to issuance of building permits. The amount provided by residential development would be about 68.7% of this total (based on the estimated residential portion of VMT), or \$451,809. The amount provided by commercial development would be 26% of the total, or \$205,846. Applicants for residential developments that would generate a net increase in units would pay \$319.30 per unit (assuming 1,415 residential units). Applicants for commercial and industrial development that would generate a net increase in building area would pay \$603.49 per 1000 square foot (assuming a total of 341,091 square feet). These fee estimates include an adjustment for inflation, but may be further adjusted by the City over time if development totals or emission factors change.	Applicant to submit proof of payment	Community Development Department	Prior to issuance of building permits	

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
<p><i>Violate air quality Standard</i></p> <p>AIR QUALITY (CONTINUED)</p>	4.2-31	<p>MM-AQ-2</p> <p>The following control measures provided in the VCAPCD Ventura County Air Quality Assessment Guidelines to minimize the generation of fugitive dust (PM10 and PM2.5), ROC, and NOX during construction activities shall be implemented during construction of developments in the Westside Community Planning Project area:</p> <p>The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.</p> <p>Pre-grading/excavation activities shall include watering the areas to be graded or excavated before grading or excavation operations commences. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.</p> <p>Fugitive dust produced during grading excavation and construction activities shall be controlled by the following activities:</p> <p>(a) All trucks shall be required to cover their loads as required by California Vehicles Code Section 23114.</p> <p>(b) All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization material, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.</p> <p>Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants to prevent excessive fugitive dust.</p>	Site inspection	Building and Safety Department	Ongoing during construction	

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
AIR QUALITY (CONTINUED)						
<i>Violate air quality Standard</i>		<p>MM-AQ-2 cont'd Signs limiting traffic to 15 miles per hour or less shall be posted on site. During periods of winds 25 miles per hour or greater (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties) or at the direction of the City, all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off site or on site. The site superintendent/supervisor shall use discretion in conjunction with the VCAPCD in determining when winds are excessive. Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day if visible soil material is carried over to adjacent streets and roads. Personnel involved in grading operations, including contractors and subcontractors, should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.</p>				
	4.2-32	<p>MM-AQ-3 During construction contractors shall comply with the following measures, as feasible, to reduce NOX and ROC from heavy equipment as recommended by the VCAPCD in its Ventura County Air Quality Assessment Guidelines: Minimize equipment idling time. Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications. Lengthen the construction period during smog season (May through October) to minimize the number of vehicles and equipment operating at the same time. Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, if feasible.</p>	Site inspection	Building and Safety Department	During construction	

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
AIR QUALITY (CONTINUED)						
		MM AQ-3a Westside Community Planning Area developers shall be required to consult with the VCAPCD on construction projects that involve grading activity and shall address construction health impacts pursuant to VCAPCD guidance, which may include a screening health risk assessment or a formal health risks assessment in accordance with the Ventura County Air Quality Assessment Guidelines. Projects that would result in significant health impacts are required to implement mitigation measures consistent with recommendations in the Ventura County Air Quality Assessment Guidelines.				
<i>Exposure to substantial pollutant concentration</i> s	4.2-36	MM-AQ4 Westside Community Planning Project area developers shall be required to conduct a screening and/or refined health risk assessment for projects that are not consistent with the CARB siting recommendations for new sensitive land uses. Projects that would result in health impacts are required to implement mitigation measures. Appropriate measures may include, but are not limited to, the following: <ul style="list-style-type: none"> • Site design changes; • Increased separation/buffer distances; • High efficiency particulate air (HEPA) filters, electrostatic air filters, or other equivalent air filters; • Relocation of air intake vents away from sources of TACs; • Add-on pollution control equipment, such as oxidation catalysts, filters and/or scrubbers; • Idling limitations for diesel-fueled trucks and/or equipment; • Alternative-fueled trucks and/or equipment (electrification, bio-diesel, compressed or liquefied natural gas, etc.). 	Submission of screening analysis or HRA	Community Development Department	Prior to subsequent project approval	

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
<p>AIR QUALITY (CONTINUED)</p> <p>Exposure to substantial pollutant concentrations</p>	4.2-36	<p>MM-AQ-5</p> <p>During heavy grading, construction contractors shall comply with the following measures, as feasible to reduce potential Valley Fever impacts:</p> <ul style="list-style-type: none"> • Restrict employment for grading activities to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection); • Hire crews from local populations where possible, since it is more likely that they have been previously exposed to the fungus and are therefore immune; • Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations; • Require that the cabs of grading and construction equipment be air-conditioned or enclosed with sufficient ventilation and particulate matter filtration systems; • Require crews to work upwind from excavation sites where possible; Where acceptable to the fire department, control weed growth by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering; • During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with environmentally safe dust control agents. 	Site inspection	Building and Safety Department	Ongoing during construction	

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
AIR QUALITY (CONTINUED)						
Create objectionable odors	4.2-37	<p>MM-AQ-6</p> <p>Westside Community Planning Project area developers shall be required to conduct an odors assessment for projects that may result in odorous emissions or odor impacts to sensitive receptors. Projects that would result in odorous emissions or odor impacts are required to implement mitigation measures. Appropriate measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Site design changes; • Process changes; • Enclosures for odor-generating activities; • Use of odor control technologies, such as filters and/or scrubbers; • Implementation of an odor abatement plan. 	Development plan review	Community Development Department	Prior to subsequent project approval	
BIOLOGICAL RESOURCES						
Affect wildlife movement and nursery sites	4.3-35	<p>MM BIO-1</p> <p>Active nests of native bird species are protected by the Migratory Bird Treaty Act (16 U.S.C. 704) and the California Fish and Game Code (Section 3503). If activities associated with construction or grading of previously undeveloped parcels are planned during the bird nesting/breeding season, generally January through March for early nesting birds (e.g., Coopers hawks or hummingbirds) and from mid-March through September for most bird species, the applicant shall have a qualified biologist conduct surveys for active nests. To determine the presence/absence of active nests, pre-construction nesting bird surveys shall be conducted weekly, beginning 30 days prior to initiation of ground-disturbing activities, with the last survey conducted no more than three days prior to the start of clearance/construction work. If ground-disturbing activities are delayed, additional pre-construction surveys shall be conducted so that no more than three days have elapsed between the survey and ground-disturbing activities.</p>	Submission of survey report; field verification of buffer areas	Community Development Department CDFG	30 days prior to ground disturbance	

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
BIOLOGICAL RESOURCES (CONTINUED)						
		MM BIO-1 cont'd Surveys shall include examination of trees, shrubs, and the ground for nesting birds. Several bird species such as killdeer and nighthawks are known to nest on bare ground. Protected bird nests that are found within or adjacent to the construction zone shall be protected by a buffer deemed suitable by a qualified biologist, and verified by the California Department of Fish and Game. Typically, a 300-foot buffer is required for most species and a 500-foot buffer for raptor species. Buffer areas shall be delineated with orange construction fencing or other exclusionary material that would inhibit access within the buffer zone. Installation of the exclusionary material delineating the buffer zone shall be verified by a qualified biologist prior to initiation of construction activities. The buffer zone shall remain intact and maintained while the nest is active (i.e., occupied or being constructed by the adults bird(s)) and until young birds have fledged and no continued use of the nest is observed, as determined by a qualified biologist.				
<i>Affect wildlife movement and nursery sites</i>	4.3-35	MM BIO-2 No earlier than 30 days prior to the commencement of construction activities on previously undeveloped parcels within Westside Community Planning area, a pre-construction survey should be conducted by a qualified biologist to determine if active roosts of special-status bats are present on or within 300 feet of the project disturbance boundaries. Should an active maternity roost be identified (in California, the breeding season of native bat species is generally from April 1 through August 31), the roost should not be disturbed and construction within 300 feet should be postponed or halted, until the roost is vacated and juveniles have fledged. Surveys should include structures and large trees (particularly trees 12 inches in diameter or greater at 4.5 feet above grade with loose bark or other cavities). Trees and rocky outcrops should be surveyed by a qualified bat biologist (i.e., a biologist holding a CDFG collection permit and a Memorandum of Understanding with CDFG allowing the biologist to handle bats). If active maternity roosts or hibernacula are found, the occupied site should be avoided (i.e., not removed) by the project. If avoidance of the	Submission of survey report; field verification of on-site measures	Community Development Department CDFG	30 days prior to construction activities	

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
BIOLOGICAL RESOURCES (CONTINUED)						
		<p>MM BIO-2 cont'd</p> <p>maternity roost must occur, the bat biologist should survey (through the use of radio telemetry or other CDFG approved methods) for nearby alternative maternity colony sites. If the bat biologist determines in consultation with and with the approval of CDFG that there are alternative roost sites used by the maternity colony and young are not present, then no further action is required.</p> <p>If a maternity roost will be impacted by the project, and no alternative maternity roosts are in use near the site, substitute roosting habitat for the maternity colony should be provided on, or in close proximity to, the project site no less than three months prior to the eviction of the colony.</p> <p>Large concrete walls (e.g., on bridges) on south or southwestern slopes that are retrofitted with slots and cavities are an example of structures that may provide alternative potential roosting habitat appropriate for maternity colonies. Alternative roost sites must be of comparable size and proximal in location to the impacted colony. CDFG should also be notified of any hibernacula or active nurseries within the construction zone. If non-breeding bat hibernacula are found in trees scheduled to be removed or in crevices in rock outcrops within the grading footprint, the individuals should be safely evicted, under the direction of a qualified bat biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by the bat biologist (e.g., installation of one-way doors). In situations requiring one-way doors, a minimum of one week should pass after doors are installed and temperatures should be sufficiently warm for bats to exit the roost because bats do not typically leave their roost daily during winter months in southern coastal California. This action should allow all bats to leave during the course of one week. Roosts that need to be removed in situations where the use of one-way doors is not necessary in the judgment of the qualified bat biologist in consultation with CDFG should first be disturbed by various means at the direction of the bat biologist at dusk to allow bats to escape during the darker hours, and the roost tree should be removed or the grading should occur the next day</p>				

Mitigation Monitoring Program

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
BIOLOGICAL RESOURCES (CONTINUED)						
		<p>MM BIO-2 cont'd</p> <p>(i.e., there should be no less or more than one night between initial disturbance and the grading or tree removal). These actions should allow bats to leave during nighttime hours, thus increasing their chance of finding new roosts with a minimum of potential predation during daylight.</p> <p>If an active maternity roost is located on a project site, and alternative roosting habitat is available, the demolition of the roost site must commence before maternity colonies form (prior to March 1) or after young are flying (after July 31) using the exclusion techniques described above.</p> <p>Any special-status species bat day roost sites found by a qualified biologist during pre-construction surveys, to be directly (within project disturbance footprint) or indirectly (within 300 feet of project disturbance footprint) impacted are to be mitigated with creation of artificial roost sites. The project applicant should establish (an) alternative roost site(s) within suitable preserved open space located at an adequate distance from sources of human disturbance.</p>				

Mitigation Monitoring Program

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
Generate greenhouse gases	4.6-31	<p>MM-GHG-1 Westside Community Planning Project area developers shall be required to reduce GHG emissions by implementing the following measures:</p> <ul style="list-style-type: none"> • All land uses shall be required to implement CAPCOA Level 1 mitigation measures. Level 1 measures include the following: <ul style="list-style-type: none"> - Bicycle parking for multi-family residential, office, and retail uses; - Transit stops for planned routes; - Energy Star roofs; - Energy Star appliances; - Title 24 compliance; - Water use efficiency measures. • Residential land uses shall be required to provide and install certified Energy Star appliances or similarly rated energy-efficient appliances. • Residential and commercial land uses shall be required to provide and install low-flow toilets and low-flow showers. 	Development plan review	Community Development Department	Prior to subsequent project approval	

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
HAZARDS AND HAZARDOUS MATERIALS						
Hazardous materials release	4.7-17	MM-HAZ-1 All buildings to be demolished or refurbished shall be surveyed and sampled for asbestos-containing building materials by a licensed asbestos abatement contractor. If asbestos-containing building materials are determined to be present in the structures to be demolished, all asbestos-containing material materials shall be removed under acceptable engineering methods and work practices by the licensed asbestos abatement contractor prior to demolition. These practices include, but are not limited to, containment of the area by plastic, negative air filtration, wet removal techniques and personal respiratory protection and decontamination. The process shall be designed and monitored by a California Certified Asbestos Consultant. The abatement and monitoring plan shall be developed and submitted for review and approval by the appropriate regulatory agencies (currently the City Building Official and Ventura County Air Pollution Control District) and shall include all on-site structures with ACBMs.	Submission of removal process plan; site inspection	Building and Safety Department/ VCAPCD	Prior to demolition of structures	
Hazardous materials release	4.7-18	MM-HAZ-2 Prior to the demolition or redevelopment of buildings, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with local, state, and federal regulations.	Site inspection	Building and Safety Department	Prior to demolition of structures	
PUBLIC SERVICES – PARKS AND RECREATION						
Require new parks to maintain service ratio	4.12.4-10	MM-PARKS-1 Designate one or all of the 3 sites (4 parcels) proposed for Parks and Open Space (POS) land use as identified under Scenario 2 during the adoption of the Westside Community Plan and Development Code. Future development or redevelopment of any of these sites would be required to comply with permitted and conditionally permitted uses, development standards, and permit processing requirements, including design review.	Submission of revised Westside Community Plan and Development Code	Community Development Department	Prior to project approval	

Mitigation Monitoring Program

Potential Significant Impact	EIR Page No.	Mitigation Measure	Method of Review Verification	Responsible Agency	Timing	Status of Implementation
PUBLIC SERVICES – PARKS AND RECREATION (CONTINUED)						
<i>Require new parks to maintain service ratio</i>	4.12.4-10	MM-PARKS-2 Amend Westside Community Plan Action 12.6.Z Develop joint use agreements with the Ventura Unified School District for joint use of school parks and recreational space by adding the following additional provision: The city shall coordinate and fund a pilot program for joint use at one or more of the Ventura Unified School District facilities in the Westside Community.	Submission of revised Westside Community Plan	Community Development/ Ventura Unified School District	Prior to project approval	
TRANSPORTATION AND CIRCULATION						
<i>Hazard due to a design feature</i>	4.13-14	MM-TRAF-1 Prior to construction of the extension of Cedar Street, an engineering and mobility analysis shall be completed by a certified traffic engineer to determine the most efficient design. This analysis shall be contained in a written report containing design analysis and technical considerations and/or recommendations to the street design and shall be submitted to, and approved by, the City Traffic Engineer.	Submission of engineering and mobility analysis report	City Traffic Engineer	Prior to construction of Cedar Street extension	

