

City of Ventura

Pilot Concert Series

Final

Environmental Impact Report

SCH # 2014031011

EIR-3-14-20666



July 2014

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Pilot Concert Series**

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July 2014



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Pilot Concert Series
Final
Environmental Impact Report

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EXECUTIVE SUMMARY

This document is an environmental impact report (EIR) examining the environmental impacts associated with the Pilot Concert Series proposed by the City of Ventura. Contact information for the City is provided below.

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This Executive Summary summarizes the characteristics of the proposed Pilot Concert Series, alternatives, environmental impacts associated with the proposed project, recommended mitigation measures, and the level of significance of impacts after mitigation.

PROJECT SYNOPSIS

Project Proponent

Mark Hartley
34 North Palm Street
Ventura, CA 93001

Project Description

Project Characteristics

The proposed Pilot Concert Series is a one-time pilot project that would ~~only~~ include 12 events during one calendar year. In conjunction with the Pilot Concert Series, the promoter has requested an exemption from the City Noise Ordinance ~~in order~~ to allow concerts that would generate noise exceeding current Noise Ordinance standards.

City staff would gather data regarding the success and impacts of the Pilot Concert Series and share this information with the City Council following completion of the ~~pilot project~~ Series. Based in part on this data, the City Council would decide whether or not to ~~continue~~ authorize the concerts ~~series~~ in future years. Any approval of future concerts and extension of the proposed Noise Ordinance exemption beyond the one-year ~~pilot program~~ Concert Series would require subsequent discretionary approval by the City Council.

Project Objectives

The City's objectives for the proposed Pilot Concert Series are as follows:

- *To capitalize on the unique location of the upper parking lot behind Ventura City Hall, which offers scenic views of Downtown Ventura, the ocean, and the Channel Islands*



- *To provide an attraction that would bring out of town visitors to Downtown Ventura as a tourist destination*
- *To enhance business opportunities for lodging, restaurants, bars, and retail establishments in downtown Ventura*
- *To integrate art and culture into the fabric of Downtown everyday life by nurturing creative and artistic expression in the public realm (Goal No. 2 of the Downtown Specific Plan)*
- *To market Ventura and build its reputation as an artistic, creative, and fun city*

Required Approvals

- *Certification of the EIR*
- *Approval of an agreement with ~~the a~~ Summer Concert Series promoter*
- *Approval from the Parks Manager, pursuant to Municipal Code Section 20.020.510*
- *Approval of an amendment to City of Ventura ~~Zoning~~ Noise Ordinance*

ALTERNATIVES

This EIR examines three alternatives, as described below.

- *Alternative 1: No Project*
- *Alternative 2: 85 dBA Sound Limit*
- *Alternative 3: Ventura Fairgrounds Site*
- *Alternative 4: Ventura State Beach Site*

The No Project alternative would be environmentally superior overall ~~since~~ because it would have no environmental impacts, ~~h~~ However, it would not meet any of the project objectives. Alternative 2 (85 dBA Sound Limit) and Alternative 3 (Ventura Fairgrounds Site) are environmentally superior to the proposed project ~~since~~ because they would reduce overall noise impacts. However, the concert promoter has indicated that acts would not sign contracts with that limit. Therefore, Alternative 2 would not meet the basic project objectives. while Alternative 3 would not meet objectives related to better utilizing the upper parking lot behind City Hall, bringing visitors to and enhancing business opportunities in Downtown Ventura, or integrating art and culture into the fabric of Downtown. Alternative 4's environmental impacts would be similar to those of the proposed project, but this alternative would not meet several project objectives.

AREAS OF PUBLIC CONTROVERSY

Areas of public controversy, as noted in EIR scoping comments, include concerns about noise, ~~and~~ wildlife, fire buffer vegetation clearance, soil erosion, ingress and egress for emergency vehicles, and increased traffic and demand for parking. These issues are discussed in the Initial Study (Appendix A) and in the EIR as appropriate. Table 1-1 in Section 1.0, *Introduction*, lists specific comments received and where they are addressed.



SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table ES-1 lists the potentially significant environmental impacts of the proposed project, proposed mitigation measures, and residual impacts. Impacts are categorized by classes. Class I impacts are defined as significant, unavoidable adverse impacts, which require a statement of overriding considerations pursuant to Section 15093 of the *CEQA Guidelines* if the project is approved. Noise is the only Class I impact associated with the proposed project. Class II impacts are significant adverse impacts that can be feasibly mitigated to less than significant levels and that require findings to be made under Section 15091 of the *CEQA Guidelines*.

**Table ES-1
 Summary of Significant Environmental Impacts and Mitigation Measures**

| Impact | Mitigation Measures | Significance After Mitigation |
|---|---|-------------------------------------|
| Noise | | |
| <p>The Pilot Concert Series would be exempt from the City's Noise Ordinance restrictions. Although a sound control plan would be implemented as part of the Pilot Concert Series, sound levels generated by concerts would exceed current Noise Ordinance restrictions at the most affected receptors (residences immediately east and west of the concert site). Therefore, the noise impact of the Pilot Concert Series would be Class I, significant and unavoidable.</p> | <p>N-1 An inspection shall be completed before the start of the concert or event to check on the general organization and layout. The Event Organizer or designated City representative shall reduce sound levels if <u>it is necessary for compliance with the Noise Ordinance exemption that limits noise to an hourly average of 95 dBA at the sound board.</u> they are satisfied that it is necessary for compliance with the noise limitations contained in the City of Ventura noise regulations (Section 10.650.130 of the Ventura Municipal Code) in order to prevent unreasonable disturbance to nearby sensitive receptors.</p> <p>N-2 All amplified sound in the open air or within the proposed tent shall finish no later than 10 PM.</p> <p>N-3 The Event Organizer and/or the City of Ventura shall ensure that all persons (including individual sound engineers) involved with the sound system are informed of applicable sound control limits in order to ensure compliance with applicable noise standards <u>the 95 dBA hourly average limit measured at the sound board.</u> Throughout the concert, the Event Organizer or the City of Ventura shall continuously monitor sound levels over the duration of the event. Subsequent to each concert, the Event Organizer and the City of Ventura shall review the noise monitoring data collected during the concert and shall adjust sound levels at subsequent concerts to ensure that noise levels do not exceed maximum allowable noise levels <u>an hourly average of 95 dBA at the sound board.</u></p> | <p>Significant and Unavoidable.</p> |



**Table ES-1
 Summary of Significant Environmental Impacts and Mitigation Measures**

| Impact | Mitigation Measures | Significance After Mitigation |
|--|---|-------------------------------|
| | <p>N-4 Unrestricted access to the front of stage position and backstage areas shall be allowed at all times to the Event Organizer, a noise consultant (if on-site), and City of Ventura representatives for the purpose of sound level measurements, and to allow communications with the noise consultant, sound engineer, or any other responsible party.</p> <p>N-5 Prior to the initial concert, the Event Organizer shall provide a phone number to the residents of the nearest residential properties for placing complaints about noise. All noise complaints received shall be logged and shall be submitted to the City of Ventura Department of Planning and Community Development within 24 hours of receipt. As necessary, sound levels shall be adjusted at subsequent concerts to ensure that noise levels remain at or below applicable maximum noise levels <u>an hourly average of 95 dBA at the sound board.</u></p> <p>N-6 The Event Organizer shall have full control over traders or other organizations operating on-site during concerts. At the request of the City of Ventura, or in response to a complaint received during or after a concert event, the Event Organizer shall arrange for the volume to be reduced or the playing to cease, or if necessary, the equipment to be confiscated.</p> | |
| BIOLOGICAL RESOURCES | | |
| <p>The proposed Pilot Concert Series could have potentially significant impacts to nesting birds when vegetation clearance on the hillsides is completed within 100 feet of all combustible tents or other structures. This is a <i>Class II, significant but mitigable</i> impact.</p> | <p>BIO-1 Vegetation clearance should take place outside of the February 1 – August 31 bird nesting season. If vegetation clearance is proposed within nesting habitat and within the breeding season, a pre-construction bird nesting survey shall be completed by a qualified biologist. The survey shall be completed no more than one week prior to vegetation clearing to determine the locations of nesting birds. If active nests are found, a suitable buffer (e.g. 200-300 feet for common raptors; 30-50 feet for passerines) shall be established around active nests and no construction-vegetation clearance shall be allowed within the buffer until a qualified biologist has determined that the nest is no longer active (e.g. the nestlings have fledged and are no longer reliant on the nest). Encroachment into the buffer may occur at the discretion of a qualified biologist.</p> | <p>Less than significant.</p> |



**Table ES-1
 Summary of Significant Environmental Impacts and Mitigation Measures**

| Impact | Mitigation Measures | Significance After Mitigation |
|--|---|-------------------------------|
| | <p>If ground disturbing activities are scheduled to commence during the non-nesting season (September 1 to January 31), no preconstruction surveys or additional measures are required.</p> | |
| <p align="center">HAZARDS AND HAZARDOUS MATERIALS</p> | | |
| <p>The proposed concert series would expose people or structures to a significant risk or loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The project could have impacts related to wildfire hazards. However, implementation of a 100-ft fire clearance would reduce impacts to less than significant. Therefore, project related wildfire hazard impacts would be Class II, significant but mitigable impact.</p> | <p>HAZ-1 The proposed project shall dedicate a minimum 20-foot wide fire access lane, construct a pre-fabricated secondary egress stairway in the southwestern portion of the project site, complete vegetation clearance within 100 feet of all combustible tents or other structures, and provide a water supply at 1,500 gpm with 20 psi. These improvements shall be completed prior to use of the project site for any concert. The project shall also comply with all other applicable sections of the CA Fire Code (CFC) <u>and the CA Building Code (CBC) as amended by the City of Ventura.</u></p> | <p>Less than significant.</p> |
| <p align="center">TRANSPORTATION/TRAFFIC</p> | | |
| <p>The twelve proposed concert events would not worsen the <u>LOS-level of service</u> at any intersection within the vicinity of the project site due to the events being held during non-peak hour periods (i.e. between 6-7 pm and between 10-11 pm). However, temporary impacts on Downtown traffic both before and after the proposed events were identified as potentially significant. <u>Implementation of the project would not adversely affect pedestrian or bicycle facilities.</u> Compliance with measures TRANS-1 and TRANS-2 would reduce potential impacts to a less than significant level. This is a Class II, significant but mitigable impact.</p> | <p>TRANS-1 The City of Ventura Department of Community Development shall require the promoter to implement the following traffic and circulation control measures before, during, and after the proposed concert events:</p> <ul style="list-style-type: none"> • <i>A traffic control officer shall be assigned at the intersection of the City Hall driveway and Poli Street before and after the concerts to control vehicular and pedestrian traffic flows.</i> • <i>The City Hall driveway shall be reconfigured to provide one outbound lane, one inbound lane and a pedestrian walkway area before and after the concerts. The reconfiguration would utilize post-tube delineators (eg. "candle sticks") and signage to direct vehicles and pedestrians onto the site.</i> • <i>Before each concert, signage shall be posted at the VIP parking lot to indicate that the City Hall parking lot is reserved. The signage shall state "VIP Parking Only – No Public Parking".</i> • <i>Before each concert, the small driveway located west of the main City Hall driveway shall be closed to pedestrian and vehicular traffic.</i> • <i>"No Event Parking" signs shall be placed at the entrance to the residential neighborhoods on Cedar Street/Ferro Drive, Chestnut Street/Poli</i> | <p>Less than significant.</p> |



**Table ES-1
 Summary of Significant Environmental Impacts and Mitigation Measures**

| Impact | Mitigation Measures | Significance After Mitigation |
|--------|---|-------------------------------|
| | <p><i>Street, Fir Street/Poli Street, Ash Street/Poli Street, Poli Street/Brakey Road, Kalorama Street/Poli Street, and as necessary within the residential areas located south of Poli Street. Figure 6 shows the location of the proposed signage.</i></p> <p>TRANS-2 The City of Ventura and/or the promoter shall develop and implement an informational outreach campaign providing vehicle parking, ADA access and parking, and pedestrian circulation information. At a minimum, this public information campaign shall specify:</p> <ul style="list-style-type: none"> • <i>Recommended event arrival times.</i> • <i>VIP parking lot locations and restrictions.</i> • <i>Map of downtown Ventura parking lot locations.</i> • <i>Accessible parking space program and reservation system.</i> • <i>Drop-off location and shuttle availability for patrons with disabilities.</i> • <i>Public drop-off location(s).</i> • <i>Parking restrictions in adjacent neighborhoods.</i> | |



1.0 INTRODUCTION

This document is a ~~Draft-Final~~ Environmental Impact Report (EIR) that evaluates the proposed Pilot Concert Series located in the City of Ventura, California. The Final EIR includes responses to written comments on the Draft EIR (see Section 8.0) and shows changes to the Draft EIR text in underline/strikethrough format. The proposed project was previously evaluated in a Draft Mitigated Negative Declaration (MND) that was circulated for public review from June 15, 2012 through July 5, 2012 (the project was known as the “Summer Concert Series” at that time). Based on comments received on the Draft MND and a concern that the concert promoter would not be able to comply with noise mitigation measures needed to comply with the City’s Noise Ordinance, the project was shelved at that time.

The promoter is now requesting an exemption from the City’s Noise Ordinance that would allow concerts to generate noise exceeding ~~the normal~~ Noise Ordinance restrictions. Based on this request the City determined that the Pilot Concert Series could have significant noise impacts and decided to prepare a focused EIR for the project. In all other respects, the proposed project has not changed since 2012; therefore, other than for the issue of noise, the analysis contained in the previously prepared MND continues to apply ~~generally~~.

This section describes: (1) the purpose and legal authority of the EIR; (2) the scope and content of the EIR; (3) lead, responsible, and trustee agencies; and (4) the environmental review process required under the California Environmental Quality Act (CEQA). The proposed Pilot Concert Series is described in detail in Section 2.0, *Project Description*.

1.1 PURPOSE AND LEGAL AUTHORITY

The proposed Pilot Concert Series, including the requested exemption from the City’s Noise Ordinance, requires the discretionary approval of the City of Ventura. Therefore, it is subject to the requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines*, the purpose of this EIR is to serve as an informational document that:

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

This EIR has been prepared as a Project EIR pursuant to Section 15161 of the *CEQA Guidelines*. A Project EIR is appropriate for a specific development project. As stated in the *CEQA Guidelines*:

This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project, including planning, construction, and operation.

The EIR serves as an informational document for the public and City of Ventura decision-makers. The process will culminate with hearings to consider certification of a Final EIR and approval of the project.



1.2 EIR SCOPE AND CONTENT

As discussed above, a Draft MND was circulated for the proposed Pilot Concert Series in 2012. That document was accompanied by an Initial Study (IS) that concluded that all of the project’s impacts could be mitigated to below a level of significance. Subsequent to public circulation of the Draft IS-MND, it was determined that the project’s noise impacts could not be mitigated and, therefore, may be significant. Consequently, the City decided to prepare a focused EIR to address the project’s potentially significant noise impact.

The City prepared a Notice of Preparation (NOP) of a Draft EIR and distributed the NOP to affected agencies and the public for the required 30-day period on March 5, 2014. The City received thirteen letters, emails, or calls in response to the NOP. Table 1-1 summarizes the issues relevant to the EIR that were identified in the NOP comments received and where the issues raised are addressed. The NOP, Initial Study, and NOP comment letters received are included in Appendix A.

**Table 1-1
 NOP Comment Issues**

| Issue | EIR Section |
|---|----------------------------|
| Noise pollution and wildlife | Initial Study (Appendix A) |
| Fire buffer vegetation clearance | Initial Study (Appendix A) |
| Soil Erosion | Initial Study (Appendix A) |
| Ingress and egress for emergency vehicles | Initial Study (Appendix A) |
| City Noise Ordinance Amendment | Noise (Section 4.0) |
| Noise impacts to local residents | Noise (Section 4.0) |
| Increased traffic noise | Noise (Section 4.0) |
| Increased parking demands | Initial Study (Appendix A) |

The City also held an EIR scoping meeting at Ventura City Hall on March 13, 2014 in order to solicit comments from the public on the proposed project. About 20 individuals attended and several provided comments. Comments were received in the form of written and verbal transmission. Table 1-2 summarizes these comments as recorded by staff present and provides notes on comments. Some comments were combined due to topic similarity and many did not pertain directly to the EIR or specific environmental concerns.

**Table 1-2
 Summary of Scoping Meeting Comments**

| Comment Topic | Notes |
|---|---|
| Biological Resources <ul style="list-style-type: none"> • Noise pollution impacting wildlife in Grant Park and Ventura Botanical Gardens • Fire buffer vegetation clearance | The Initial Study (IV. Biological Resources) determined potential noise impacts to special status species would be less than significant. Vegetation clearance required by the Ventura Fire Department could significantly impact bird species; therefore, impacts would be potentially significant unless |



**Table 1-2
 Summary of Scoping Meeting Comments**

| | |
|--|---|
| | mitigated. After implementation of Mitigation Measure (BIO-1), impacts would be less than significant. This discussion is available in the Initial Study (IV. Biological Resources). |
| Soil Erosion | Soil disturbances resulting from brush clearing for fire safety prevention measures would be minimal. The brush clearance would have to be completed in conformance with existing Ventura Fire Department standards that would address any concerns about soil erosion associated with brush clearance activities. These standards are discussed in detail in the Initial Study (VI. Geology and Soils, b). |
| Public Safety – <ul style="list-style-type: none"> • Ingress and egress for emergency vehicles | Projects must undergo Fire Department plan reviews prior to final approval to ensure that site access for emergency response is adequate. The Ventura Fire Department has reviewed the site plan. As a result, the project is required to dedicate a 20-foot fire access lane, construct a pre-fabricated secondary egress stairway in the southwestern portion of the project site and comply with other applicable sections of the CA Fire Code <u>and the CA Building Code (CBC) as amended by the City of Ventura.</u> Compliance with Mitigation Measure HAZ-1, discussed in the Initial Study (Hazards and Hazardous Materials g.) would reduce impacts to a less than significant level. |
| Noise – <ul style="list-style-type: none"> • City Noise Ordinance Amendment • Effects on local residents • Music emitting from more than one source • Traffic noise | The proposed Noise Ordinance Amendment is discussed in Section 4.0 Noise. The estimated concert series noise levels could therefore exceed the City’s current noise standards for Zone II and impacts would be potentially significant, as discussed in Section 4.0 Noise. |
| Transportation/Traffic – <ul style="list-style-type: none"> • Increased parking demands • Event parking on residential streets | A traffic and parking management plan has been developed for the proposed project. Project related parking demand estimates were developed for a maximum of 1,900 concert attendees. Assuming 10% of the event guests would utilize alternative transportation to access the site or would draw from existing entertainment activity that occurs in the downtown Ventura area, the parking study determined that existing plus project parking demands during the week would occupy 68% of the total spaces available in the downtown area and on Saturday 85% of the total spaces would be occupied. To help manage vehicle parking within the City Hall parking lot, only paid VIP parking and event staff would be allowed to utilize this parking lot. The Initial Study (XVI. Transportation/Traffic) determined impacts to parking supply within the downtown area would be less than significant. Mitigation Measure TRANS-2 in the Initial Study (XVI. Transportation/Traffic) would address parking restrictions in adjacent neighborhoods. |
| Economic Impacts | Economic Impacts are not an environmental impact that can be classified as significant by CEQA (Section 15064). |



Because no new potentially significant or unavoidable environmental impacts were identified as part of the EIR scoping process, Section 4.0 this EIR focuses on the issue of noise. In addition, the EIR recommends feasible mitigation measures that would reduce impacts to the degree feasible.

Section 5.0 of this EIR addresses growth inducing effects and significant irreversible environmental changes, as required by CEQA. That section also summarizes issues for which the Initial Study (see Appendix A) identified potentially significant impacts and recommended mitigation measures to reduce such impacts to below a level of significance. These issues include biological resources and transportation/traffic/parking.

The *Alternatives* section of the EIR (Section 6.0) was prepared in accordance with Section 15126.6 of the *CEQA Guidelines* and focuses on alternatives that could address project impacts and that respond to suggestions made during the scoping process. Alternatives evaluated include the CEQA-required “No Project” scenario and two alternative sites for the proposed Pilot Concert Series.

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

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

1.3 LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

The *CEQA Guidelines* require the identification of “lead,” “responsible,” and “trustee” agencies. The City of Ventura is the “lead agency” for the project because it has the principal responsibility for approving the project.

A “responsible agency” is a public agency other than the “lead agency” that has discretionary approval authority over the project (the *CEQA Guidelines* define a public agency as a state or local agency and specifically exclude federal agencies from the definition). There are no responsible agencies for the project.

A “trustee agency” refers to a state agency having jurisdiction by law over natural resources affected by a project. The California Department of Fish and Game (CDFG) is a trustee agency and has authority over nests and nesting birds within the survey area of the project.



1.4 ENVIRONMENTAL REVIEW PROCESS

The environmental review process, as required under CEQA, is presented below.

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



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



2.0 PROJECT DESCRIPTION

This document is a Draft Environmental Impact Report (EIR) that evaluates the proposed Pilot Concert Series in the City of Ventura, California. The proposed project involves up to 12 outdoor concerts in the upper parking lot behind Ventura City Hall. A temporary fabric tent of approximately 20,000 square feet to provide seating for up to 1,900 individuals and would include a stage, office building, restrooms, concession stand, VIP-parking area, and an open picnic area. Prior to concert events, vegetation on adjacent slopes will be cleared to provide a 100-foot fire clearance. In conjunction with the Pilot Concert Series, the concert promoter (project proponent) is requesting an exemption from the City's Noise Ordinance that would allow for amplified music exceeding Noise Ordinance standards during concert events. This section describes the project location, characteristics of the site and the proposed development, project objectives, and the approvals needed to implement the project.

2.1 PROJECT PROPONENT

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34 North Palm Street
Ventura, California 93001

2.2 LEAD AGENCY

City of Ventura
501 Poli Street
Ventura, California 93002-0099

2.3 PROJECT LOCATION

The project site is located on the upper parking lot behind Ventura City Hall, at 501 Poli Street, Ventura, California. The site location within Ventura is shown on Figure 2-1. The location of the upper parking lot within the neighborhood is shown on Figure 2-2.

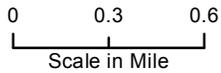
2.4 CURRENT SITE CHARACTERISTICS

The project site has a General Plan designation of SP – Specific Plan and is zoned T.6.1 – Urban Core. The site is a surface parking lot used by the City of Ventura as an overflow parking lot at Ventura City Hall. The upper parking lot is located approximately 450 feet behind Ventura City Hall and approximately 30 feet above the primary (lower) City Hall parking lot. Slopes in-between the upper and lower parking lots are vegetated with disturbed California Sagebrush Scrub (*Artemisia californica* Shrubland Alliance). Associate shrub species *Artemisia californica* and Lemonade Berry Scrub (*Rhus integrifolia* Shrubland Alliance) are dominated by *Rhus integrifolia*. This habitat is broken up by additional non-native plants including freeway iceplant (*Carpobrotus edulis*), tree tobacco (*Nicotiana glauca*), summer mustard (*Hirschfeldia incana*), and forms a more open canopy.





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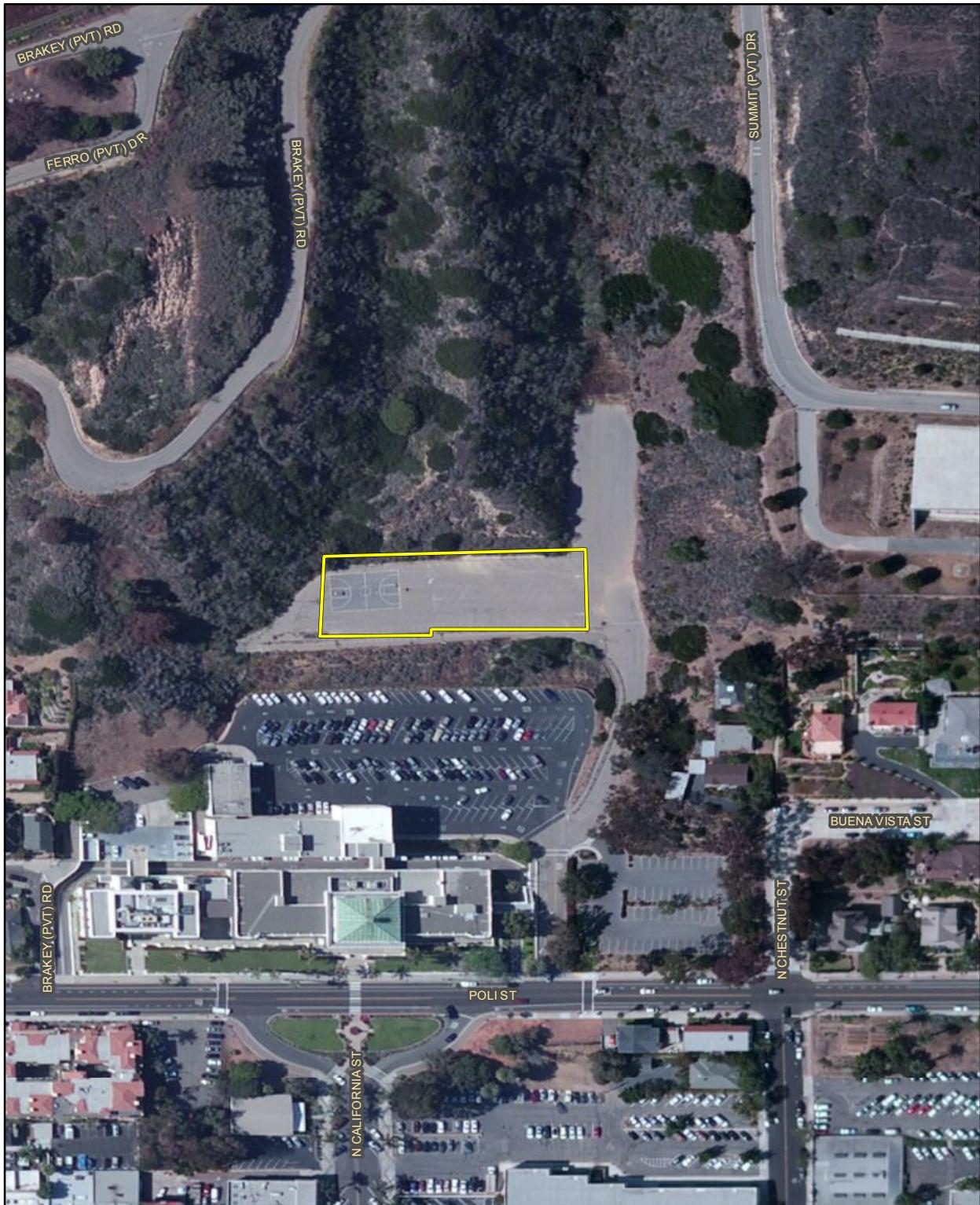


Site Location within City of Ventura

Figure 2-1

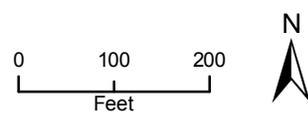
City of Ventura





Imagery provided by ESRI and its licensors © 2014.

 Project Boundary



Site Specific Location within Neighborhood

Figure 2-2

City of Ventura

2.5 PROJECT CHARACTERISTICS

The proposed project involves two primary components: (1) the Pilot Concert Series to be held at the Ventura City Hall upper parking lot; and (2) an amendment to the City's Noise Ordinance to exempt the Pilot Concert Series from current Noise Ordinance standards. Both components are described below.

The proposed Pilot Concert Series is a one-time pilot project that would only include a maximum of 12 events during one calendar year (anticipated to occur over a period of about six months). City staff would gather data regarding the success and impacts of the Pilot Concert Series and share this information with the City Council following completion of the pilot project. Based in part on this data, the City Council would decide whether or not to continue the concert series in future years. Any approval of future concerts and extension of the proposed Noise Ordinance exemption beyond the one-year pilot program would require subsequent discretionary approval by the City Council.

2.5.1 Pilot Concert Series

The Pilot Concert Series would involve holding up to 12 outdoor concerts in the upper parking lot behind Ventura City Hall. To accommodate concerts, a temporary fabric tent of approximately 20,000 square feet would be installed within the upper parking lot area. The concert tent would provide seating for up to 1,900 individuals and would include a stage, office building, restrooms, concession stand, VIP parking area, and an open picnic area. ~~A pre-fabricated secondary egress stairway would also be installed on the existing slope below the upper parking lot area.~~ Adjacent slopes would be cleared of vegetation to establish a 100-foot fire clearance area. The approximate locations of the various facilities proposed are shown on Figure 2-3.

2.5.2 Noise Ordinance Exemption

In conjunction with the Pilot Concert Series, the promoter has requested an amendment to the City of Ventura Noise Ordinance (Municipal Code Section 10.650.170 Exemptions). The amendment would add the Pilot Concert Series to the list of exemptions in the Noise Ordinance. The proposed text of the exemption reads as follows:

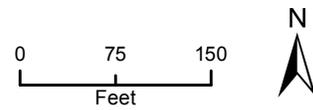
***Pilot Concert Series.** Amplified sound generated by the Pilot Concert Series located in the Ventura City Hall upper parking lot shall be exempt from the provisions of this Chapter and shall be subject to a sound control plan. For purposes of this Section, the Pilot Concert Series is defined as a single series of no more than twelve outdoor concerts taking place over the course of six months. The sound control plan shall be approved by the Community Development Director and shall include provisions regarding onsite sound monitoring, curfew, sound and bass noise limits, penalties for exceeding curfew and sound limits, and public complaints. Sound levels for the stage must be kept at or below an hourly average of 95 dBA at the "front of house" mixing board.*





Imagery provided by ESRI and its licensors © 2014.

-  Project Boundary
-  Sound Stage
-  100-ft Clearance Area



Approximate Stage Location and Clearance Area

Figure 2-3

City of Ventura

This exemption would allow noise exceeding the Noise Ordinance limits during concert events at the project site. The proposed exemption would not provide any specific noise restrictions on neighboring properties, but would limit sound levels associated with concerts to an hourly average of 95 dBA as measured at the “front of house” mixing board onsite. This exemption would apply only to the Pilot Concert Series ~~and for only one year.~~

2.6 PROJECT OBJECTIVES

The City’s objectives for the proposed project are as follows:

- *To capitalize on the unique location of the upper parking lot behind Ventura City Hall, which offers scenic views of downtown Ventura, the ocean, and the Channel Islands*
- *To provide an attraction that would bring out of town visitors to Downtown Ventura as a tourist destination*
- *To enhance business opportunities for lodging, restaurants, bars, and retail establishments in Downtown Ventura*
- *To integrate art and culture into the fabric of Downtown everyday life by nurturing creative and artistic expression in the public realm (Goal No. 2 of the Downtown Specific Plan)*
- *To market Ventura and build its reputation as an artistic, creative, and fun city*

2.7 REQUIRED APPROVALS

Implementation of the proposed Pilot Concert Series would require the following discretionary approvals from the City of Ventura:

- *Certification of the EIR*
- *Approval of an agreement with ~~the a Summer~~ Concert Series promoter*
- *Approval from the Parks Manager, pursuant to Municipal Code Section 20.020.510*
- *Approval of an amendment to City of Ventura ~~Zoning~~ Noise Ordinance*

No approvals from other agencies are required.



3.0 ENVIRONMENTAL SETTING

This section describes the current environmental conditions in Ventura and the project site vicinity. A more detailed description of the noise setting can be found in Section 4.0, *Noise Environmental Impact Analysis*.

3.1 REGIONAL SETTING

The City of Ventura has an estimated 2013 population of 108,294 (California Department of Finance, January 2008). Ventura is situated 25 miles southeast of Santa Barbara and 60 miles northwest of Los Angeles. Ventura is situated between the Pacific Ocean, the Ventura foothills, and lies between the Ventura and Santa Clara rivers. The City is located at the western edge of the Oxnard Plain, an alluvial plain that covers over 200 square miles in the southern portion of Ventura County. Much of the City is on relatively flat coastal plain, but steeply sloped hills abut the northern portion of the community. The western portion of the City stretches north along the Ventura River and is characterized by a narrow valley with steeply sloped areas along both sides.

Ventura has a Mediterranean climate and the coastline helps to produce moderate temperatures year round, with rainfall concentrated in the winter months. Ocean breezes cool the region in the summer and warm it in the winter. Average daytime summer temperatures in the area are usually in the high 70s to 80s (Fahrenheit). Nighttime low temperatures during the summer are typically in the high 50s to low 60s, while the winter high temperature tends to be in the 60s. Characteristic of Ventura's semi-marine microclimate, the winter low temperatures are in the 40s. Annual average rainfall in Ventura is about 15 inches. The region is subject to various natural hazards, including earthquakes, landslides, flooding, and wildfires.

3.2 PROJECT SITE SETTING

The Pilot Concert Series project site is located above Ventura City Hall, within the City of Ventura's 2007 Downtown Specific Plan area (see Figure 3-1). The project site is located within the southern boundary of Grant Park and the proposed Ventura Botanical Gardens (VBG). Undeveloped hillsides are located north of the project site. Ventura City Hall and its associated parking areas are located immediately to the south. Commercial, multi-family residential, and single-family residential uses are located south, east, and west of the project site. The Ventura Freeway (U.S. 101) is approximately 0.4 miles from the project site and provides regional access to the City.

3.3 CUMULATIVE PROJECTS

CEQA defines cumulative impacts as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project and other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. For example, traffic impacts of two nearby projects may be insignificant when analyzed separately, but could have a significant impact when analyzed together. Cumulative impact analysis allows the EIR to





Source: City of Ventura, Downtown Specific Plan

Project Location within the Downtown Ventura Specific Plan

Figure 3-1
 City of Ventura

provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

Table 3-1 summarizes the planned and pending development in Ventura, including commercial, industrial, institutional, mixed use, and residential development. It is anticipated that projects outside of Ventura's Downtown would not have synergistic effects with the proposed Pilot Concert Series. Therefore, the cumulative impact analysis contained in this EIR primarily considers planned and pending projects located within Downtown Ventura. These projects are listed in Table 3-2 the locations of the projects are shown on Figure 3-2.

In addition to the projects listed in Table 3-2, another planned project that may have cumulative effects in conjunction with the Pilot Concert Series is the VBG Master Plan, a Master Plan for the creation of a botanical garden with an ecological emphasis on the Ventura Coast and its relationship to regions of the world which share its Mediterranean biome. The VBG Master Plan represents the VBG's plan for gardens and associated facilities that would be developed in phases over the roughly 30-year life of the Master Plan as funding is secured and the needs of VBG and the public evolve. VBG, Inc. proposes to lease 106.98 acres of land from the City on property known as Grant Park, including Ventura City Hall's upper parking lot. The VBG Master Plan includes the following elements: gardens; trails; and support facilities including buildings and vehicular circulation and parking areas. The VBG would be organized into six different garden areas (California Garden, Chilean Garden, Mediterranean Garden, Australia Garden, Cape Garden, and The Ramble) and four different zones (Welcome Zone, Heritage Zone, Discovery Zone, and Horticulture Zone). The gardens would contain plantings representative of their respective biomes, as well as trails and other garden features. All buildings proposed under the Master Plan would be located within the four zones, which would each serve a different visitor-serving function. The Ventura City Hall upper parking lot is designated in the Master Plan as a Welcome Zone with a planned Visitor Center, Book and Gift Shop, Plant Sales, and Café. During Phase 1 of the Master Plan, which is projected to be carried out during 2015-2017, the Master Plan calls for installing interim facilities at the Welcome Zone. All other Master Plan activities are projected to be carried out in future phases (2018-2044), which would occur after the end of the end of the Pilot Concert Series.

Table 3-1
Planned and Pending Development
City of Ventura

| Land Use | Development Potential |
|---------------|-----------------------|
| Commercial | 147,793 sf |
| Industrial | 368,997 sf |
| Institutional | 320,000 sf |
| Mixed Use | 967 units |
| Residential | 2,422 units |

Source: City of Ventura, Community Development Planning Projects, updated October 28, 2013; accessed March, 2014.
<http://www.cityofventura.net/cd/planning/pendingprojects>



**Table 3-2
 Planned and Pending Projects in the Project Site Vicinity**

| Project | Location | Project Description |
|--|-----------------------------------|---|
| 1. Matilija Investment Group – 221 N. Garden | 221 N. Garden Street | 28 Condominiums |
| 2. Ventura Cannery Apts | 130 N. Garden Street | Mixed Use - Condominiums/ 2,156 sq. ft. Commercial |
| 3. Santa Clara Street Urban Renewal | 72 W. Santa Clara Street | 21 Condominium |
| 4. MAR-Y-CEL | NEC Thompson Blvd./Ventura Avenue | Mixed Use Development with 138 units and 5,375 sq.ft. of commercial space |
| 5. Ventura Downtown Housing | 120 E. Santa Clara Street | 260 Apartments |
| 6. V2V Ventures – Palm & Santa Clara | 300 E. Santa Clara Street | Mixed Use - Condominiums/6,175 sq.ft. Commercial |
| 7. Palm & Poli Associates | SWC Palm Street/Poli Street | Mixed Use - Condominiums/ 1,200 sq.ft. Commercial |
| 8. Matilija Investment Group – 11 S. Ash | 11 S. Ash Street | 15 Condonimiums |
| 9. Risi Condominiums | 809 E. Front Street | 6 Condominiums |
| 10. Rexford Condominiums | 918 E. Thompson Blvd. | 25 Condominiums |
| 11. Hemlock Apartments | 264-274 Hemlock Street | 23 Apartments |
| 12. Santa Clara Apartments | 1254-1268 E. Santa Clara Street | 8 Apartments |

Source: City of Ventura, Community Development Planning Projects, updated October 28, 2013; accessed April 2014. <http://www.cityofventura.net/cd/planning/pendingprojects>.

The above list does not include the Ventura Botanical Gardens Master Plan, which is described in detail on page 3-3.





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Planned/Pending Projects in the Site Vicinity

Figure 3-2
City of Ventura

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4.0 NOISE IMPACT ANALYSIS

This section addresses the impact of the noise generated by the proposed Pilot Concert Series on nearby noise-sensitive land uses. This section considers the Summer Weekend Sound Monitoring Report, Downtown Entertainment Area dated September 18, 2013, conducted by Criterion Environmental, Inc. on behalf of the City of Ventura. This study is included in full in Appendix B.

The assessment begins with a description of the current noise setting, followed by an analysis of the project's effect within that issue area. The first subsection of the impact analysis identifies the methodologies used and the "significance thresholds," which are those criteria to determine whether potential effects are significant. The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation.

Under CEQA, project impacts can be classified as follows:

Class I, Significant and Unavoidable: An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the State CEQA Guidelines.

Class II, Significant but Mitigable: An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings to be made under §15091 of the State CEQA Guidelines.

Class III, Not Significant: An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.

Class IV, No Impact or Beneficial: An effect that would reduce existing environmental problems or hazards or no change in environmental conditions would occur.

Following each environmental effect discussion is a listing of recommended mitigation measures (if required) and the residual effects or level of significance remaining after implementation of the measures. In cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed as a residual effect. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other future development in the project area.



4.1 SETTING

4.1.1 Overview of Sound Measurement and Effects

Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz).

The sound pressure level is measured on a logarithmic scale with the 0 dBA level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dBA, and a sound that is 10 dBA less than the ambient sound level has no effect on ambient noise. Because of the nature of the human ear, a sound must be about 10 dBA greater than the reference sound to be judged as twice as loud. In general, a 3 dBA change in community noise levels is noticeable, while 1-2 dBA changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40-50 dBA, while those along arterial streets are in the 50-60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations.

Noise levels typically attenuate (or drop off) at a rate of 6 dBA per doubling of distance from point sources such as loudspeakers. Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA per doubling of distance.

In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). Typically, Leq is summed over a one-hour period.

The time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the daytime. Two commonly used noise metrics – the Day-Night average level (Ldn) and the Community Noise Equivalent Level (CNEL) – recognize this fact by weighting hourly Leqs over a 24-hour period. The Ldn is a 24-hour average noise level that adds 10 dBA to actual nighttime (10 PM to 7 AM) noise levels to account for the greater sensitivity to noise during that time period. The CNEL is identical to the Ldn, except it also adds a 5 dBA penalty for noise occurring during the evening (7 PM to 10 PM).

Noise can have a variety of deleterious effects, including annoyance, stress, and in extreme cases, hearing loss. Sounds of less than 75 dBA, even after long exposure, are unlikely to cause hearing loss. However, long or repeated exposure to sounds at or above 85 decibels can cause

hearing loss. The louder the sound, the shorter the amount of time it takes for noise-induced hearing loss to occur.

4.1.2 Noise Regulation

The City of Ventura has adopted a Noise Ordinance and a General Plan Noise Element to regulate noise. The Downtown Specific Plan also includes policy guidance relevant to noise. Applicable policies and standards are described below.

a. Ventura Noise Ordinance. The City of Ventura Noise Ordinance (Municipal Code § Chapter 10.650) prohibits unnecessary, excessive, or annoying noise in the City. The Ordinance does not control traffic noise on public rights-of-way, but applies to all noise sources located on private property, including traffic noise. As part of the Ordinance, properties within the City are assigned a noise zone based on their corresponding land use. “Noise-sensitive” properties are designated as Noise Zone I; residential properties are designated Noise Zone II; commercial properties are included in Noise Zone III, and industrial/agricultural districts are designated as Noise Zone IV. The Ordinance also limits the amount of noise generated by uses during normal operation that may affect surrounding areas. Table 4-1 shows the allowable exterior noise levels and corresponding times of day for each of the identified noise zones.

**Table 4-1
 Noise Zone Exterior Noise Limits**

| Designated Zone | | Time Interval | Exterior Noise Levels (dBA) |
|-----------------|-----------------------------|----------------|-----------------------------|
| Zone I | Noise sensitive properties | 7 a.m.—10 p.m. | 50 |
| | | 10 p.m.—7 a.m. | 45 |
| Zone II | Residential properties | 7 a.m.—10 p.m. | 50 |
| | | 10 p.m.—7 a.m. | 45 |
| Zone III | Commercial properties | 7 a.m.—10 p.m. | 60 |
| | | 10 p.m.—7 a.m. | 55 |
| Zone IV | Industrial and agricultural | Anytime | 70 |

Source: City of Ventura Municipal Code, Section 10.650.130B.

The noise standards shown in Table 4-1 apply to any noise-generating activity that exceeds the applicable level for a cumulative period of more than 30 minutes in any hour. For noise levels that last less than 30 minutes, the standards are as follows:

- *The exterior noise levels plus 5 dB for a total period of more than 15 minutes in any consecutive 60 minutes;*
- *The exterior noise levels plus 10 dB for a total period of more than 5 minutes in any consecutive 60 minutes; or*



- *The exterior noise levels plus 15 dB for a total period of more than 1 minute in any consecutive 60 minutes; or*
- *The exterior noise levels plus 20 dB for any period of time.*

Noise Zone II standards would apply to the proposed Pilot Concert Series since the project site is between residential zoned properties to the east and west. Current noise standards for Zone II permit noise less than 50 dBA between 7:00 AM and 10:00 PM and noise less than 45 dBA between 10:00 PM and 7:00 AM.

Section 10.650.150 of the Ordinance exempts construction activities from the above standards, provided that they are conducted between 7 A.M. and 8 P.M. Construction activity is permitted between the hours of 8 pm and 7 am, provided that the noise levels do not exceed the standards specified in Table 4-1.

b. General Plan Noise Element/Downtown Specific Plan. Both the Ventura General Plan Noise Element and the Downtown Specific Plan include policies and standards regarding noise. Figure 4-1 shows acceptable noise levels for land uses in the City from the Noise Element based on the CNEL. Normally acceptable noise exposure for residential – low density single family or duplex is 60 dBA CNEL with conditionally acceptable noise exposure up to 70 dBA CNEL. Normally acceptable noise exposure for residential – multi-family is 65 dBA CNEL with conditionally acceptable noise exposure up to 70 dBA CNEL.

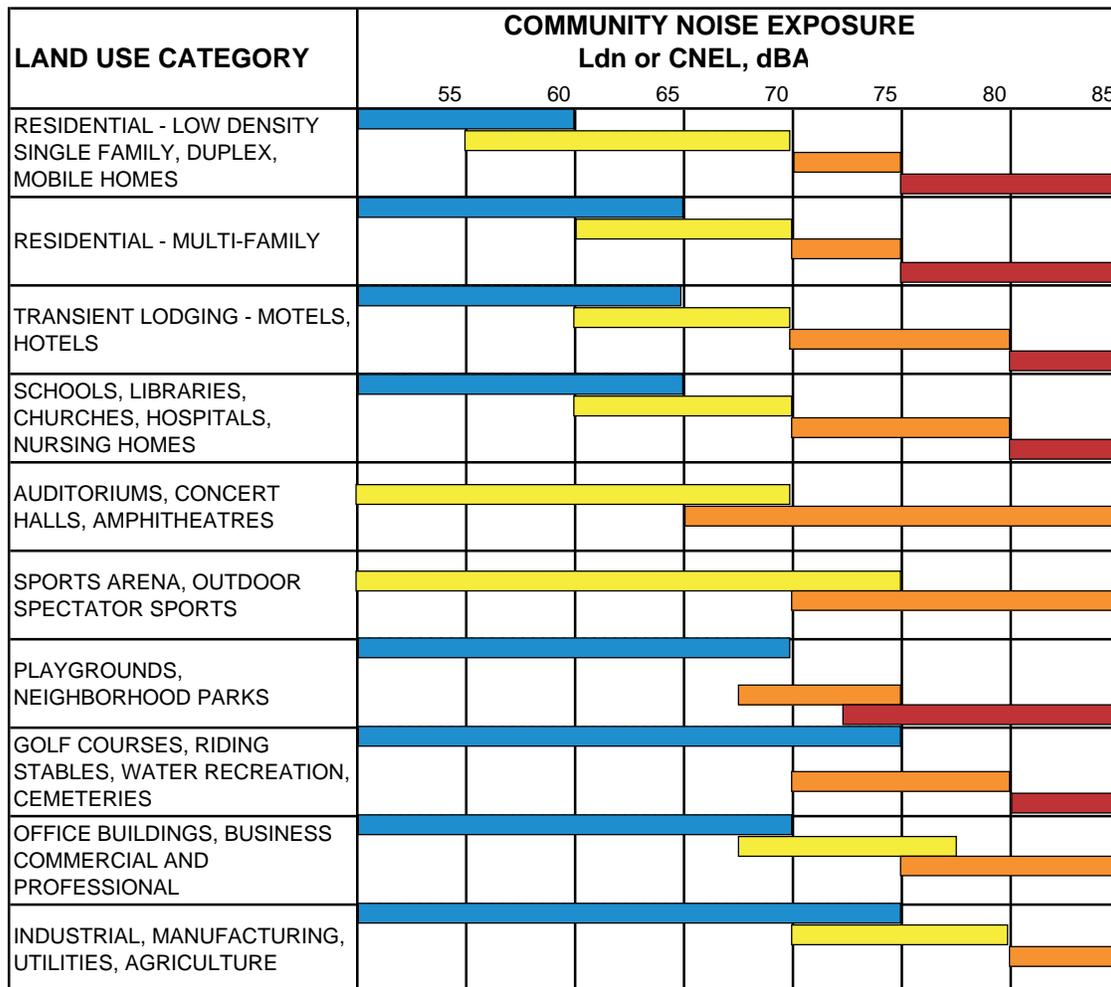
Denotation of a land use as “clearly acceptable” implies that the highest noise level in that range is the maximum desirable for existing or conventional construction that does not incorporate any special acoustical treatment. In general, evaluation of land use that fall into the “normally acceptable,” “conditionally acceptable,” or “normally unacceptable” noise environments should analyze other potential factors that would affect the noise environment. These include consideration of the type of noise source, the sensitivity of the noise receptor, the noise reduction likely to be provided by structures, and the degree to which the noise source may interfere with speech, sleep, or to other activities characteristic of the land use.

The Downtown Ventura Specific Plan recommends updating the City’s Noise Ordinance (Action Item 1.20) to take into account nighttime noise generated in areas where commercial and entertainment uses are concentrated.

4.1.2 Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Residences, hospitals, schools, guest lodging, and libraries are most sensitive to noise intrusion and, therefore, have more stringent noise exposure targets than manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance. The nearest sensitive receptor in the vicinity of the project site include single family residences located immediately east of the project site on Buena Vista Street and west of the project site on Brakey Road and Jody Lane. Additional single and multiple family residences are located along both sides of Poli Street.





NORMALLY ACCEPTABLE
 Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

NORMALLY UNACCEPTABLE
 New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design

CONDITIONALLY ACCEPTABLE
 New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

CLEARLY UNACCEPTABLE
 New construction or development should generally not be undertaken.

Guidelines for the Preparation and Content of Noise Elements of the General Plan, California Office of Planning and Research, 2003.

Noise Compatibility Matrix

Figure 4-1

4.1.3 Noise Sources and Levels in the Project Site Vicinity

Noise sources are those that emit noise which can be heard from nearby properties. Noise sources often include roadways, construction sites, industrial uses, etc. Traffic on major roads such as Poli Street and Main Street is a major contributor to noise in the Downtown area. Activity in the Downtown entertainment area along Main Street also generates noise that can be audible in the vicinity of the project site.

Criterion Environmental, Inc. measured existing noise levels in Ventura’s Downtown entertainment area from June to August, 2013. The purpose of the survey was to obtain sound monitoring data during the summer to help the City understand the ambient noise levels in the Downtown area and to identify establishments that may be contributing to excessive noise.

Of the 11 locations at which Criterion took measurements, three are in and around the Ventura City Hall and the adjacent residential districts north of Poli Street: (1) Buena Vista Street between Fir Street and Chestnut Street; (2) Chestnut Street and Poli Street; and (3) City Hall parking lot. Table 4-2 summarizes the noise levels measured at those locations.

**Table 4-2
Downtown Ventura Noise Measurement Results**

| Location | Nighttime Results (dBA Leq) | | | | | | Daytime Results (dBA Leq) | | | | | |
|---|-----------------------------|---------|--------|---------|-------|--------|---------------------------|---------|--------|---------|-------|--------|
| | June 7 | June 21 | July 5 | July 19 | Aug 2 | Aug 16 | June 9 | June 23 | July 7 | July 21 | Aug 4 | Aug 18 |
| Buena Vista Street (between Fir Street and Chestnut Street) | 45-52 | 47-52 | 45-53 | 45-55 | 46-50 | 48-52 | 48-55 | 48-55 | 48-55 | 48-54 | 48-55 | 48-54 |
| Chestnut Street/Poli Street | 51-53 | 48-53 | 50-53 | 51-58 | 49-56 | 52-59 | 50-54 | 49-54 | 49-54 | 51-56 | 49-54 | 52-55 |
| | 60-66 | 60-66 | 60-66 | 70 | 59-65 | 60-66 | 62-67 | 62-67 | 62-66 | 60-64 | 62-66 | 62-70 |
| City Hall Parking Lot | 50 | 45-52 | 49-52 | 46-52 | 45-51 | 45-52 | 53 | 48-53 | 50-55 | 50-56 | 48-53 | 50-55 |

Source, Criterion Environmental, Inc., September 18, 2013. For Chestnut Street/Poli Street, the lower ranges are measurements without traffic noise while the higher ranges are measurements with traffic noise.

Measured noise levels at and around City Hall generally exceeded the City’s daytime and nighttime residential standards (50 dBA and 45 dBA, respectively). Based on these data, residences in the vicinity of the project site are generally exposed to ambient sound levels in excess of City standards due to existing noise sources.

4.2 IMPACT ANALYSIS

4.2.1 Methodology and Thresholds of Significance

The analysis of noise impacts focuses upon the impact of concert events on nearby noise-sensitive land uses (residences). The Initial Study found other potential impacts related to noise, including the temporary construction-related noise, would not be significant.

The analysis estimates noise from concert events at nearby residences based on the maximum



level allowed under the proposed Noise Ordinance exemption (hourly average of 95 dBA at the mixing board) and the distance to affected residences east and west of the project site. The stage and speakers were assumed to be in the eastern portion of the project site facing west. The mixing board was assumed to be 100 feet west of the stage. Sound levels at residences to the west were assumed to drop at a rate of 6 dBA per doubling of distance. Because the residences to the east would be behind the stage/speakers, it is anticipated that additional distance attenuation may occur at those locations. According to www.soundadvice.info, sound levels measured at the side of the stage behind the P.A. system for a major music festival were about 3 dBA lower than at the mixing board. Based on this, an additional 3 dBA drop in addition to the standard 6 dBA per doubling of distance due to distance has been assumed for residences immediately east of the project site. This is considered a conservative estimate because, although sound systems vary, it is anticipated that most sound systems will have directional speakers that limit sound behind the stage to some degree. Also, it should be noted that none of the sound level estimates account for any attenuation that may occur due to the presence of intervening topography. Only one of the residences to the west and two residences to the east actually have direct lines-of-sight to the project site.

To determine the significance of project noise impacts, forecast sounds levels at the nearest residences were compared to current City of Ventura Noise Ordinance standards. Sound levels are considered significant if noise exceeds 50 dBA during daytime hours (7 AM to 10 PM) or 45 dBA during nighttime hours (10 PM to 7 AM).

4.2.2 Project Impacts and Mitigation Measures

As proposed, the Pilot Concert Series would be exempt from the City's Noise Ordinance restrictions. Although a sound control plan would be implemented as part of the Pilot Concert Series, sound levels generated by concerts would exceed current Noise Ordinance restrictions at the most affected receptors (residences immediately east and west of the concert site). Therefore, the noise impact of the Pilot Concert Series would be Class I, significant and unavoidable.

The proposed Pilot Concert Series involves up to 12 concerts to be held at the upper parking lot behind Ventura City Hall. The concert promoter has requested an exemption from the City's Noise Ordinance restrictions because, based on sound levels measured at other similar facilities (Libbey Bowl in Ojai and the Santa Barbara Bowl in Santa Barbara), it is anticipated that sound levels associated with individual concerts would exceed allowable levels under the Noise Ordinance at the most affected receptors. Sound levels associated with these two similar facilities are discussed below.

Libbey Bowl

Libbey Bowl is located in Libbey Park in downtown Ojai, on the east side of Signal Street, south of Ojai Avenue and north of Santa Ana Drive. It has a seating capacity of approximately 1,000. Libbey Bowl is home to the Ojai Music Festival, a classical music festival held every summer. Surrounding land uses include residences on Signal Street and Montgomery Street to its east, west, and south; Libbey Park on its north side; businesses, including shops and restaurants, along Ojai Avenue; and the rest of Libbey Park to its south. Rincon Consultants took one 20-



minute noise measurement adjacent to Libbey Bowl during a concert on Saturday, June 4th, 2011 between 9:14 p.m. and 9:34 p.m. The measurement location was on the west side of Signal Street, 20 feet north of the Ojai Valley Trail, about 115 feet west of the stage and 38 feet northeast of the nearest residence (which is located about 140 feet southwest of the Libbey Bowl stage). Signal Street was closed to vehicular traffic during the concert, and only one vehicle passed the measurement location during the reading. The Leq during the reading was 57.2 dBA.

Based on a 57.2 dBA Leq at 140 feet, the Leq at the receptor that could be most affected by the Pilot Concert Series (about 170 feet from the eastern end of the concert site¹) would be about 56 dBA. This measurement level suggests the potential for concerts to generate noise exceeding the City's 50 dBA standard for residential uses. In addition, Pilot Concert Series events could be larger than those at the Libbey Bowl concert (1,900 attendees versus 1,000) and would likely generate higher noise levels.

Santa Barbara Bowl

The Santa Barbara Bowl is located at 1122 N. Milpas Street in Santa Barbara, about 800 feet north of the corner of Anapamu Street and Milpas Street. It is operated by the nonprofit Santa Barbara Bowl Foundation (Foundation). It has a seating capacity of 4,569, and can accommodate a range of performances, from classical and folk music to rock concerts. While this venue can accommodate larger events than the proposed 1,900-seat venue for the Pilot Concert Series, it is in a similar setting. Immediately surrounding land uses include residences located within approximately 450 to 1,000 feet of the stage on all sides. Concerts at the Santa Barbara Bowl include performances such as rock concerts capable of producing high noise levels.

The Santa Barbara Bowl is operated under a lease agreement between the Foundation and Santa Barbara County. The most recent lease agreement, approved by the Santa Barbara County Board of Supervisors on May 17, 2011, contains a Sound Control Plan laying out sound level limits, permitted hours of operation, and noise monitoring requirements for the Bowl. The Sound Control Plan requires that the L10 and L1 dB (A) noise levels (the A-weighted sound level exceeded 10% and 1% of the specified measurement period) measured at the mixing board within the audience area of the Bowl not exceed 100 dB (A) and 105 dB (A), respectively. It also requires that nighttime performances, Sunday through Thursday, conclude (meaning all amplification equipment shall be turned off) no later than 10:00 p.m., and that nighttime performances on Friday, Saturday, and all Fiesta week shall conclude no later than 10:30 p.m. Noise levels are monitored by a Sound Control Officer employed by the Foundation, with any violations being reported to the Foundation and fines being assessed on the performing artist.

Concerts at the Santa Barbara Bowl have been known to meet or exceed these sound level limits. For example, a concert at the Bowl in November 1992 had an L1 of 98.8 dBA, an L10 of 95.8 dBA, and an Leq of 92.4 dBA (Santa Barbara County Board of Supervisors, May 2011). These noise levels were recorded at the mixing board, which is about 120 feet from the stage (Santa Barbara Bowl website, June 2011).

Based on a 92.4 dBA Leq at 120 feet, the Leq at the receptor that could be most affected by the Pilot Concert Series (about 170 feet from the eastern end of the project site) would be about 89

¹ The 170 feet is the approximate distance from the eastern end of the project site to the nearest residential property.



dBA. Again, Pilot Concert Series events would be smaller than those at the Santa Barbara Bowl, but this measurement level suggest the potential for noise associated with concerts to exceed City standards.

Forecast Sound Levels from the Pilot Concert Series

For the most part, the location of the Pilot Concert Series project site is in a canyon area above Ventura City Hall and limits exposure of ~~noise to~~ residences and other noise-sensitive uses to noise. However, a limited number of residences both east and west of the project site could be exposed to concert-related noise. These include several single family residences to the east along the north side of Buena Vista Street as well as single family residences to the west along Jody Lane and Brakey Road (see Figure 4-2). The closest residential property to the east is about 272 feet from the anticipated location of the mixing board (roughly 170 feet from the eastern edge of the project site). The closest residential property to the west is about 516 feet from the location of the mixing board (roughly 200 feet from the western edge of the project site).

The proposed exemption from the Ventura Noise Ordinance restrictions would allow for exceedance of the current City noise standards for concert events. However, the exemption would limit noise levels during concert events to 95 dBA at the “front of house” mixing board. Table 4-3 shows the estimated noise levels at the nearest receptor locations based on this 95 dBA level and the distance from the mixing board to each location.

**Table 4-3
 Projected Sound Levels at Nearby Receptors**

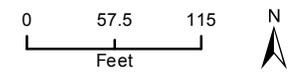
| Receptor Location | Estimated Distance from Stage/ Mixing Board | Estimated Sound Level |
|--------------------------|--|------------------------------|
| 1 | 516 feet | 81 dBA |
| 2 | 523 feet | 81 dBA |
| 3 | 683 feet | 78 dBA |
| 4 | 272 feet | 83 dBA |
| 5 | 393 feet | 80 dBA |
| 6 | 308 feet | 82 dBA |
| 7 | 326 feet | 82 dBA |

Projected sound levels assume 95 dBA 100 feet from the stage and a 6 dBA reduction per doubling of a distance. For receptors east of the site (locations 4-7) sound levels are reduced by an additional 3 dBA since the sound systems would be directed to the west. Estimated sound levels do not account for intervening topography or barriers and are, therefore, conservative.





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- Project Boundary
- Sound Stage
- X Mixing Board
- Distance From Mixing Board to Sensitive Receptor
- + Sensitive Receptor

Noise Sensitive Receptors

Figure 4-2
 City of Ventura

As shown in Table 4-3, estimated noise levels at the seven receptor locations would range from about 78 to 83 dBA based on a 95 dBA level at the mixing board. This would exceed both the daytime (50 dBA) and nighttime (45 dBA) exterior residential standards contained in the City's Noise Ordinance. Concerts are anticipated to end by 10 PM so the nighttime standards would not apply; nevertheless, concert-related noise levels are expected to exceed the City's current noise standards for Zone II (residences) and also exceed ambient sound levels at residences immediately east and west of City Hall, which are generally in the 48-56 dBA range (see Table 4-2). Because concerts would occur only periodically and would not cause repeated or long-term exposure to excessive noise, they would not be expected to cause hearing damage for affected residents, particularly if they remain indoors where levels would be at least 15-20 dBA lower than outdoors. Nevertheless, exterior noise levels approaching 85 dBA and interior levels in the 60-70 dBA range may be disturbing to residents immediately east and west of the project site.

Conclusions

Based on the above analysis, the proposed Pilot Concert Series, including the proposed exemption from the City Noise Ordinance, would generate noise exceeding the current City residential standards at adjacent residential properties both east and west of the project site. The number of potentially affected residences would be limited due to the location of the concert site behind Ventura City Hall. In addition, the number events would be limited to 12 and the pilot program would only occur for one year unless extended by the City Council based on a future action. Nevertheless, the exceedance of Noise Ordinance standards and associated disturbance to adjacent residents would be a *significant and unavoidable* impact.

Mitigation Measures

The following mitigation measures are required to reduce noise impacts associated with the proposed Pilot Concert Series to the maximum degree feasible.

- N-1 An inspection shall be completed before the start of the concert or event to check on the general organization and layout. The Event Organizer or designated City representative shall reduce sound levels if it is necessary for compliance with the Noise Ordinance exemption that limits noise to an hourly average of 95 dBA at the sound board. ~~they are satisfied that it is necessary for compliance with the noise limitations contained in the City of Ventura noise regulations (Section 10.650.130 of the Ventura Municipal Code) in order to prevent unreasonable disturbance to nearby sensitive receptors.~~
- N-2 All amplified sound in the open air or within the proposed tent shall finish no later than 10 PM.
- N-3 The Event Organizer and/or the City of Ventura shall ensure that all persons (including individual sound engineers) involved with the sound system are informed of applicable sound control limits in order to ensure compliance with the 95 dBA hourly average limit measured at the sound



~~board applicable noise standards.~~ Throughout each concert, the Event Organizer or the City of Ventura shall continuously monitor sound levels over the duration of the event. Subsequent to each concert, the Event Organizer and the City of Ventura shall review the noise monitoring data collected during the concert and shall adjust sound levels at subsequent concerts to ensure that noise levels do not exceed and hourly average of 95 dBA at the sound board. ~~maximum allowable noise levels.~~

- N-4 Unrestricted access to the front of stage position and backstage areas shall be allowed at all times to the Event Organizer, a noise consultant (if on-site), and City of Ventura representatives for the purpose of sound level measurements, and to allow communications with the noise consultant, sound engineer, or any other responsible party.
- N-5 Prior to the initial concert, the Event Organizer shall provide a phone number to the residents of the nearest residential properties for placing complaints about noise. All noise complaints received shall be logged and shall be submitted to the City of Ventura Department of Planning and Community Development within 24 hours of receipt. As necessary, sound levels shall be adjusted at subsequent concerts to ensure that noise levels remain at or below an hourly average of 95 dBA at the sound board. ~~applicable maximum noise levels.~~
- N-6 The Event Organizer shall have full control over traders or other organizations operating on-site during concerts. At the request of the City of Ventura, or in response to a complaint received during or after a concert event, the Event Organizer shall arrange for the volume to be reduced or the playing to cease, or if necessary, the equipment to be confiscated.

Significance After Mitigation

Outside of limiting sound levels from concerts to levels that would not cause an exceedance of the City Noise Ordinance standards, mitigation beyond implementation of the proposed sound control plan is not available. Implementation of the proposed sound control plan would reduce the effect of sound generated by the proposed Pilot Concert Series to the degree feasible and adoption of the proposed exemption from sound limitations contained in the City's Noise Ordinance would ensure that Noise Ordinance violations would not occur. Nevertheless, sound generated by the Pilot Concert Series would exceed current Noise Ordinance limits at the most affected receptors; therefore, the project's impact would be significant and unavoidable. It should be noted, however, that the Pilot Concert Series, as proposed, would occur for only one year (12 events). The City Council would examine noise and other data associated with the Pilot Concert Series prior to consideration of authorizing ~~the Concerts Series for~~ in subsequent years. Also, Section 6.0 considers a range of alternatives to the proposed project, one of which would limit sound levels from concert events to an hourly average of 85 dBA rather than the 95 dBA hourly average proposed.



4.2.3 Cumulative Impacts

Planned and pending development in the City is described in Section 3.0, *Environmental Setting*. A number of residential and commercial development projects are planned in the Downtown area. In addition, implementation of portions of the VGB Master Plan may occur within the timeframe of the Pilot Concert Series. However, planned and pending development does not include other major noise generators. Moreover, because the proposed project would only involve periodic activity and that would occur for only an approximately six-month period, it would not contribute to ongoing or long-term cumulative impacts. Therefore, although the proposed project's noise impact would be significant, the project would not make a considerable contribution to any cumulative long-term noise impacts.



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5.0 OTHER CEQA-REQUIRED DISCUSSIONS

This section discusses other issues for which CEQA requires analysis in addition to the specific issue area (noise) discussed in Section 4.0. These additional issues include: (1) the potential to induce growth; (2) significant and irreversible impacts on the environment identified in EIR; and (3) significant environmental impacts on the identified in the Initial Study for which mitigation is available to reduce impacts to below a level of significance.

5.1 GROWTH INDUCING EFFECTS

Section 15126.2(d) of the *CEQA Guidelines* requires that EIRs discuss the potential for projects to induce population or economic growth, either directly or indirectly. CEQA also requires a discussion of ways in which a project may remove obstacles to growth. This section also mandates a discussion of the potential characteristic of the proposed project to facilitate other activities that could affect the environment, either individually or cumulatively.

5.1.1 Economic and Population Growth

As discussed in Section 2.0, *Project Description*, the Pilot Series Concert EIR would involve up to 12 outdoor concerts in the upper parking lot behind Ventura City Hall in either 2014 or 2015. The proposed project is a series of concert events that would accommodate up to 1,900 attendees during 12 concert events. The project does not have a residential component and would not induce population growth.

The Pilot Concert Series would directly generate a limited number of temporary jobs at the concert venue itself. In addition, by bringing up to 1,900 people into Downtown Ventura for concerts, it is anticipated to bring customers to certain Downtown businesses on concert nights. These economic benefits would, however, be limited to the 12 nights during which concerts would occur and are not anticipated to be sufficient to induce new economic development or expansion of existing businesses. As such, although the proposed Pilot Concert Series is anticipated to generally benefit Downtown businesses, these economic benefits are not expected to induce substantial physical changes to the environment.

5.1.2 Removal of Obstacles to Growth

The proposed Pilot Concert Series would involve 12 concert events at the upper parking lot behind Ventura City Hall. This action would not require expansion of roads or other infrastructure, nor would it open up new areas to development. The requested exemption from the City of Ventura Noise Ordinance would apply only to the Pilot Concert Series and would not allow other property owners in the City to undertake activities that would exceed sound levels allowed by the Noise Ordinance. Consequently, the proposed Pilot Concert Series would not remove any obstacles to growth.



5.2 IRREVERSIBLE ENVIRONMENTAL EFFECTS

The CEQA *Guidelines* require that EIRs evaluating projects involving amendments to public plans, ordinances, or policies contain a discussion of significant irreversible environmental changes. CEQA also requires decision makers to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve a project. This section addresses non-renewable resources, the commitment of future generations to the proposed uses, and irreversible impacts associated with the proposed development.

Construction facilitated by the proposed Pilot Concert Series site plan would involve the use of building materials and energy, some of which are non-renewable resources. The Pilot Concert Series would involve the construction of a temporary fabric tent of approximately 20,000 square feet, a pre-fabricated secondary egress stairway on the existing slope below the upper parking lot area, and ancillary facilities within the upper parking lot area. Consumption of resources for the proposed Pilot Concert Series is not unique to the proposed project and would be similar to that associated with other concerts of similar capacities. It is not anticipated that the Pilot Concert Series would significantly affect local or regional building material energy supplies.

Implementation of the proposed project would not directly commit future generations to similar uses because the Pilot Concert Series would be temporary. If approved, the project would involve up to 12 outdoor concerts and a Noise Ordinance exemption that would apply only to this 12-event concert series. The project would involve the removal of vegetation within a 100-foot buffer zone around the concert venue as required by the Ventura Fire Department. However, as discussed below and in the Initial Study in Appendix B, impacts associated with this vegetation removal can be reduced to below a level of significance with proposed mitigation measures.

As discussed in Section 4.0, the Pilot Concert Series would involve sound levels that exceed the levels currently allowed under the City's Noise Ordinance. The potential to generate sound levels that would cause temporary disturbance to nearby residences is identified as a significant and unavoidable impact of the proposed project. However, the proposed exemption from the Noise Ordinance sound restrictions would allow for this impact for the 12-event series. In addition, it should again be noted that the exemption only applies to one 12-event concert series to be held in either 2014 or 2015. The City Council would need to approve another agreement with the promoter and an extension of the proposed Noise Ordinance exemption in order to allow the concert series to continue in subsequent years. Consequently, although significant, the proposed project's noise impact would be reversible.

5.3 SIGNIFICANT AND MITIGATED ENVIRONMENTAL EFFECTS

In addition to noise, the evaluation of environmental effects conducted as part of the Initial Study for the Pilot Concert Series identified potentially significant impacts related to the following environmental factors: biological resources, wildfire hazards, and traffic circulation. All of the significant impacts identified, however, were found to be less than significant with implementation of mitigation measures. The specific significant impacts within each of this issue areas and associated mitigation are summarized below.



5.3.1 Biological Resources

As discussed in Item IV, Biological Resources, of the Initial Study, the analysis of biological resource impacts did not identify the limited removal of California Sagebrush Scrub or Lemonade Berry Scrub to be conducted for fire clearance as a significant environmental impact. However, the analysis identified a high potential for nests and nesting birds protected by the California Fish and Game Code and protected by the federal Migratory Bird Treaty Act exists within the survey area. Several bird species were observed onsite using the natural vegetation for cover and foraging resources, including California towhee, Cooper's hawk, song sparrow, and northern flicker. Impacts to nesting birds were identified as *potentially significant unless mitigated* and the following mitigation measure is proposed to reduce such impacts to a less than significant level.

BIO-1 To avoid impacts to nesting birds, vegetation clearance should take place outside of the February 1 – August 31 bird nesting season. If vegetation clearance is proposed within nesting habitat and within the breeding season, a pre-construction bird nesting surveys shall be completed by a qualified biologist. The survey shall be completed no more than one week prior to vegetation clearing to determine the locations of nesting birds. If active nests are found, a suitable buffer (e.g. 200-300 feet for common raptors; 30-50 feet for passerines) shall be established around active nests and ~~no construction-vegetation clearance shall be allowed within the buffer until a qualified biologist has determined that the nest is no longer active (e.g. the nestlings have fledged and are no longer reliant on the nest). Encroachment into the buffer may occur at the discretion of a qualified biologist.~~

~~If ground disturbing activities are scheduled to commence during the non-nesting season (September 1 to January 31), no preconstruction surveys or additional measures are required.~~

5.3.2 Hazards and Hazardous Materials

The Initial Study also found the proposed project would expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The City conducted a Fire Behavior Analysis for the project site and surrounding environment (included as Appendix D). This study concluded that the impacts related to wildfire hazards would be *potentially significant unless mitigated*. Mitigation Measure HAZ-1 is proposed to reduce impacts to a less than significant level.

HAZ-1 The proposed project shall dedicate a minimum 20-foot wide fire access lane, ~~construct a pre-fabricated secondary egress stairway in the southwestern portion of the project site,~~ complete vegetation clearance within 100 feet of all combustible tents or other structures, and provide a water supply at 1,500 gpm with 20 psi. These improvements shall be completed prior to use of the project site for any concert. The project



shall also comply with all other applicable sections of the CA Fire Code (CFC) and the CA Building Code (CBC) as amended by the City of Ventura.

5.3.3 Transportation/Traffic

Associated Transportation Engineers prepared a traffic and parking management plan for the proposed project, which would include up to 12 concert events. The project's anticipated volume of vehicle trips was compared to vehicle trip generation forecasts provided in the City of Ventura 2005 General Plan EIR. The proposed project would generate a total of 669 vehicle trips per concert. These trips would be generated during non-peak hour periods (i.e. between 6-7 PM and between 10-11 PM) and thus would not worsen the level of service (LOS) at any intersection within the vicinity of the project site. The project would not adversely affect pedestrian or bicycle facilities. Nevertheless, temporary impacts on Downtown traffic both before and after the proposed events were identified as *potentially significant unless mitigated*. Compliance with Mitigation Measures TRANS-1 and TRANS-2 would reduce potential impacts to a less than significant level.

- TRANS-1** The City of Ventura Department of Community Development shall require the promoter to implement the following traffic and circulation control measures before, during, and after the proposed concert events:
- *A traffic control officer shall be assigned at the intersection of the City Hall driveway and Poli Street before and after the concerts to control vehicular and pedestrian traffic flows.*
 - *The City Hall driveway shall be reconfigured to provide one outbound lane, one inbound lane and a pedestrian walkway area before and after the concerts. The reconfiguration would utilize post-tube delineators (eg. "candle sticks") and signage to direct vehicles and pedestrians onto the site.*
 - *Before each concert, signage shall be posted at the VIP parking lot to indicate that the City Hall parking lot is reserved. The signage shall state "VIP Parking Only – No Public Parking".*
 - *Before each concert, the small driveway located west of the main City Hall driveway shall be closed to pedestrian and vehicular traffic.*
 - *"No Event Parking" signs shall be placed at the entrance to the residential neighborhoods on Cedar Street/Ferro Drive, Chestnut Street/Poli Street, Fir Street/Poli Street, Ash Street/Poli Street, Poli Street/Brakey Road, Kalorama Street/Poli Street, and as necessary within the residential areas located south of Poli Street. Figure 6 shows the location of the proposed signage.*

- TRANS -2** The City of Ventura and/or the promoter shall develop and implement an informational outreach campaign providing vehicle parking, ADA access and parking, and pedestrian circulation information. At a minimum, this public information campaign shall specify:



- *Recommended event arrival times.*
- *VIP parking lot locations and restrictions.*
- *Map of downtown Ventura parking lot locations.*
- *Accessible parking space program and reservation system.*
- *Drop-off location and shuttle availability for patrons with disabilities.*
- *Public drop-off location(s).*
- *Parking restrictions in adjacent neighborhoods.*



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6.0 ALTERNATIVES

As required by Section 15126.6 of the *CEQA Guidelines*, this section of the EIR examines a range of reasonable alternatives to the proposed Pilot Concert Series. The analysis focuses on alternatives that could address the project's unavoidably significant noise impact as well as on alternatives suggested by the community at the March 13, 2014 EIR scoping meeting.

The following alternatives are evaluated in this EIR:

- *Alternative 1: No Project*
- *Alternative 2: 85 dBA Sound Limit*
- *Alternative 3: Ventura Fairgrounds Site*
- *Alternative 4: Ventura State Beach Site*

Each alternative is described and analyzed below. Following the discussion of the various alternatives is a discussion of the environmentally superior alternative. Additional alternatives beyond those discussed herein have not been identified.

6.1 ALTERNATIVE 1: NO PROJECT

Under this alternative the proposed project would not be implemented and no alterations to the project site would occur. The upper parking lot and adjacent hillsides would remain in their current condition and no concerts would be held.

Since no concerts would be held, this alternative would eliminate the unavoidably significant noise impact associated with the proposed Pilot Concert Series. No change from current noise conditions would occur.

The proposed project's significant, but mitigable impacts related to biological resources, wildfire hazards, and transportation would also be eliminated under this alternative. Although the project's impacts can be reduced to below a level of significance with proposed mitigation measures, this alternative's impact would be lower.

Overall, this alternative would be environmentally superior to the proposed project since it would avoid all of the project's impacts. It would not, however, meet project objectives related to better utilizing the upper parking lot, providing an attraction that would bring visitors to and enhance business opportunities in Downtown Ventura, or integrating art and culture into the fabric of Downtown.

6.2 ALTERNATIVE 2: 85 dBA SOUND LIMIT

This alternative would be identical to the proposed Pilot Concert Series except the sound level limitation would be an hourly average of 85 dBA at the mixing board rather than the 95 dBA hourly average limit proposed as part of the requested Noise Ordinance exemption. All



physical changes that would occur under this alternative would be identical to those of the proposed project.

Maximum noise levels would be 10 dBA lower under this alternative than under the proposed project. Consequently, the most affected residence to the east of the project site would be expected to experience maximum hourly average noise levels in the 70-73 dBA range while the most affected residence to the west would experience maximum hourly average noise levels in the 68-71 dBA range. Such levels would still exceed current Noise Ordinance standards for residential zones; therefore, noise levels could still be disturbing to nearby residents. However, the sound level ranges that would be experienced at the most affected residences would be well under the 85 dBA level at which hearing damage can occur. Noise mitigation required for the proposed project would apply to this alternative and would reduce impacts to the degree feasible. Nevertheless, although noise impacts would be lower than those of the proposed project, impacts would be significant and unavoidable.

This alternative would generally have the same biological, wildfire hazard, and transportation impacts as the proposed project, although the reduction in allowable sound levels would incrementally reduce the potential for disturbance to wildlife. Mitigation measures required for the proposed project would apply and would reduce these impacts to below a level of significance.

Overall, this alternative's impacts would be of similar magnitude to those of the proposed Pilot Concert Series. Noise impacts would be significant and unavoidable, but would be lower than those of the proposed project. Consequently, this alternative would be environmentally superior to the proposed project. ~~Assuming that concerts at the 85 dBA level would still be viable, this alternative would meet all of the project's objectives. However, the concert promoter has indicated that such a sound level limitation is infeasible because acts would not sign contracts with that limit. In addition, because the venue is small, the mixing board would likely be closer to the speakers than at other venues with similar noise limitations.~~

6.3 ALTERNATIVE 3: VENTURA FAIRGROUNDS SITE

This alternative would involve holding a concert series at the Ventura County Fairgrounds (see Figure 6-1) rather than at the upper parking lot behind Ventura City Hall. Although a specific location within the Fairgrounds has not been identified, the Fairgrounds include several stages that could serve as venues for concerts. Consequently, construction of facilities to accommodate the concert series would not be necessary. Vegetation clearance on the hillsides behind City Hall would not be needed either.

It is anticipated that maximum noise levels at the Fairgrounds site would be the same as what is proposed as part of the project (hourly average of 95 dBA at the mixing board). The noise sensitive uses nearest to the Fairgrounds site are the Beachfronter condominiums on the south side of Harbor Boulevard, about 1,200 feet from the eastern edge of the Fairgrounds. Assuming a 95 dBA level at the eastern edge of the Fairgrounds, the maximum hourly average levels at this most affected residential location would likely be in the 70-75 dBA range (noise levels could be even lower depending upon the configuration of the stage and presence of intervening barriers). The 70-75 dBA range is about 10 dBA lower than the level projected at the residences

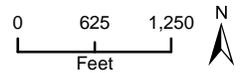




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-  Project Boundary
-  Alternate Sites

Alternative Sites

Figure 6-1
City of Ventura



most affected by the proposed project. Therefore, although such levels would continue to exceed Noise Ordinance standards, the highest levels experienced by affected receivers would be lower. Mitigation measures required for the proposed project would apply and would reduce impacts to the degree feasible. Nevertheless, although impacts would be somewhat lower than those of the proposed project, they would still be significant and unavoidable.

This alternative would not involve any of the biological resource or wildland fire impacts associated with the proposed project. In addition, although this alternative would generate a similar number of vehicle trips, it would have less overall impact on the Downtown roadway network since concert attendees would be expected to go directly to the Fairgrounds site where there is ample parking rather than seeking parking in Downtown. Mitigation measures for these issue areas required for the proposed project would not apply.

Overall, this alternative would be environmentally superior to the proposed project since it would incrementally reduce noise impacts and would avoid the project's significant, but mitigable impacts in other issue areas. This alternative would not, however, meet project objectives related to better utilizing the upper parking lot, providing an attraction that would bring visitors to and enhance business opportunities in Downtown Ventura, or integrating art and culture into the fabric of Downtown.

6.4 ALTERNATIVE 4: VENTURA STATE BEACH SITE

This alternative would involve holding a concert series at the Ventura State Beach at Harbor Boulevard and San Pedro Street (see Figure 6-1) rather than at the upper parking lot behind Ventura City Hall. Although a specific location within the State Beach has not been identified, it is anticipated that the central picnic area would be utilized. Construction of facilities similar to those proposed as part of the proposed project would be needed to accommodate the concert series at this location. However, vegetation clearance on the hillsides behind City Hall would not be needed.

It is anticipated that maximum noise levels at the State Beach site would be the same as what is proposed as part of the project (hourly average of 95 dBA at the mixing board). The noise sensitive uses nearest to the State Beach site are the residences along the east side of San Pedro Street, directly across the street from the eastern edge of the State Beach. Assuming that the concert venue would be set up roughly in the middle of the picnic area at the State Beach, the distance from the venue to the nearest residences would be about 400 feet. Based on this distance, a 95 dBA level at the mixing board would be expected to result in hourly average noise levels of about 80-85 dBA at these most affected residences. This is about the same as the level projected at the residences most affected by the proposed project. The number of potentially affected residences is somewhat higher since there would be no shielding of noise due to topography at the State Beach site. Mitigation measures required for the proposed project would apply and would reduce impacts to the degree feasible. Nevertheless, as with the proposed project, maximum sound levels would exceed Noise Ordinance standards and noise impacts would be significant and unavoidable .

This alternative would not involve the biological resource or wildland fire impacts associated with the proposed project. Holding concerts at the State Beach could involve impacts to wildlife



species in that location; however, as with the proposed project, conducting appropriate pre-construction surveys and avoidance of nesting birds and other species would reduce such impacts to below a level of significance.

This alternative would generate a similar number of vehicle trips as the proposed project, but would have less overall impact on the Downtown roadway network since concert attendees would be expected to go directly to the State Beach where there is ample parking rather than seeking parking in Downtown. Transportation mitigation measures required for the proposed project would not apply.

Overall, this alternative's environmental impacts would be similar to those of the proposed project. Noise impacts would be about the same as those of the proposed project. This alternative would not meet project objectives related to better utilizing the upper parking lot, providing an attraction that would bring visitors to and enhance business opportunities in Downtown Ventura, or integrating art and culture into the fabric of Downtown.

6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The No Project alternative would be environmentally superior overall since it would have no environmental impacts. However, as discussed above, that alternative would not meet any of the project objectives.

Among the other alternatives, Alternatives 2 (85 dBA Sound Limit) and Alternative 3 (Ventura Fairgrounds Site) are environmentally superior to the proposed project since they would reduce overall noise impacts. Alternative 2 would reduce overall noise impacts and would have similar impacts in other respects. Alternative 3 would reduce overall noise impacts and would eliminate most of the other project impacts. ~~Alternative 2 would meet the basic project objectives. However, the concert promoter has indicated that acts would not sign contracts with that limit; therefore, Alternative 2 would not meet the basic project objectives. In addition, as noted previously, Alternative 3 would not meet objectives related to better utilizing the upper parking lot behind City Hall, bringing visitors to and enhancing business opportunities in Downtown Ventura, or integrating art and culture into the fabric of Downtown.~~

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7.2 REPORT PREPARERS

This EIR was prepared by the City of Ventura with the assistance of Rincon Consultants, Inc., Lilly Rudolph, AICP, Senior Planner, and Jeffrey Lambert, AICP, Community Development Director, managed the preparation of the EIR for the City. Consultant staff involved in the preparation of the EIR and/or Initial Study are listed below.

Joe Power, AICP CEP, Principal
Christy Sabdo, Senior Environmental Planner
Sara Kopp, Associate Environmental Planner
Cher Batchelor, Senior Biologist
Julie Broughton, Senior Biologist
Steven Hongola, Senior Biologist
Wade Sherman, Graphics Technician
Kevin Howen, Graphics Technician



8.0 RESPONSES TO COMMENTS ON THE DRAFT EIR

This section includes the comment letters on the Draft EIR for the proposed Pilot Concert Series and the City of Ventura's responses to the comments. The City received four comment letters on the Draft EIR. Commenters and the page on which each comment letter can be found are listed below.

| Commenter | Page Number |
|-----------------------|-------------|
| 1. Frank Irving | 8-2 |
| 2. Stephanie Washburn | 8-4 |
| 3. Randall Richman | 8-6 |
| 4. Dr. Michael Peck | 8-10 |

The response to each comment letter immediately follows the individual letter. Where a letter includes more than one comment, the comments have been addressed individually and are numbered sequentially (e.g., 1.1, 1.2).



Letter 1

Frank Irving
Voice message

- Hopes the City isn't paying for anything
- Will there be a \$1 million bond for potential damage, trash
- Make sure promoters' names are mentioned.
- Promoters should pay for stop signs at Kalorama and Main
- Citizens are placed second. Hope community is put first in this decision.
- City should pay \$0.

Letter 1

Commenter: Frank Irving

Date: Undated voice message

The commenter states concerns about whether the City will be paying for anything for the concert series, asks whether there would be a bond for potential damage and trash, requests that the promoters' names be mentioned, and states that the promoters should pay for stop signs at Kalorama and Main.

The concert series would be funded by the concert promoter, but the City is not requiring a bond for potential damage. The promoter's name and address are listed on page 2-1 of Draft EIR Section 2.0, *Project Description*. New stop signs at the Main Street/Kalorama Street intersection are not proposed because the transportation/traffic analysis prepared as part of the Initial Study for the project (see Item XVI of the Initial Study in Draft EIR Appendix A) did not identify a traffic significant project impact at that location.



Zimbra**lrudolph@ci.ventura.ca.us**

NO. 2014031011

From : Stephanie Washburn <washburnsp@gmail.com>

Thu, May 01, 2014 01:47 PM

Subject : NO. 2014031011**To :** lrudolph@cityofventura.netLetter 2

Hello Ms Rudolph,

I'm writing because i'm very concerned about the concert series starting up this summer.

I live on Fir Street and am already contending with noise from Main Street bands playing on the weekend, the race cars at the track, and especially the very loud and polluting fireworks from the fair in the summer. I have a baby who is already frequently woken up by these events, particularly the fireworks. I'm sure I'm not the only one trying to get children to sleep at that time.

I really hope you can reconsider.

Thanks,
Stephanie Washburn

Letter 2

Commenter: Stephanie Washburn

Date: May 1, 2014

The commenter states concerns about noise from the pilot concert series and requests that the City reconsider whether or not the concert series should be held.

Noise impacts associated with the pilot concert series are addressed in Section 4.0 of the Draft EIR. As acknowledged in the Draft EIR, concerts are anticipated to generate sound levels exceeding current City Noise Ordinance standards at nearby properties during the 12 concert events. The promoter has requested an exemption from the Noise Ordinance and several mitigation measures have been provided to reduce the effect of concert-related sound to the maximum degree feasible. Nevertheless, the impact is identified as unavoidably significant due to the Noise Ordinance standard exceedance. Consequently, City decisionmakers would need to adopt a Statement of Overriding Considerations setting forth the reasons that they believe the project's benefits outweigh the significant noise impact if they decide to approve the pilot concert series.

No final decision regarding approval of the pilot concert series has been made. City decisionmakers will consider this concern as they contemplate approval of the project.



Zimbra

lrudolph@ci.ventura.ca.us

Re: Pilot concert EIR objections

From : Lilly Rudolph <lrudolph@ci.ventura.ca.us>

Thu, May 22, 2014 10:51 AM

Subject : Re: Pilot concert EIR objections**To :** RandRich55@aol.com

Letter 3

Thank you Randall.

From: RandRich55@aol.com**To:** lrudolph@ci.ventura.ca.us**Sent:** Thursday, May 22, 2014 9:54:42 AM**Subject:** Pilot concert EIR objections

Dear Lilly,

My objections to the Rincon EIR sound report are as follows:

1. Lack of transparency between promoter Hartley who has raised thousands of dollars for the re-election and election of many council members, the Council choosing Rincon, who in turn reports back with what the Council wants to read...that everything is ok with the project. However, the sound will decimate the ecology surrounding the tent for hundreds of yards. Thousands of people and cars will negatively impact the surrounding residents who currently have quiet enjoyment of their streets and homes.
2. The original EIR in 2012 had an opinion from one of the tenants of the Promoter (address 21 S. California St) which is an indirect conflict of interest in my opinion.
3. The secondary safety escape bridge that was required originally by the fire department is now miraculously waived. The danger of a raging forest fire remains.
4. If this project is approved, disclosures would have to be made in real estate sale escrows noting the series, possibly resulting in tens of millions of dollars reduction of property values of the hundreds of homes that surround the development.
5. This contract, worth possibly \$250,000, was not bid out to other promoters, possibly a violation of the Uniform Commercial Code and/or Ventura Law.
6. The project is not handicap-capable and accessible due to the steep terrain.
7. Finally, the promoter needs to pay their past bills in full, due to at least a handful of contracts outstanding, available on request, before the courtesy of more business is extended to them by the City.

Thank you,

Randall Richman, resident

From : RandRich55@aol.com

Thu, May 22, 2014 09:54 AM

Subject : Pilot concert EIR objections**To :** lrudolph@ci.ventura.ca.us

Dear Lilly,

My objections to the Rincon EIR sound report are as follows:

1. Lack of transparency between promoter Hartley who has raised thousands of dollars for the re-election and election of many council members, the Council choosing Rincon, who in turn reports back with what the Council wants to read...that everything is ok with the project. However, the sound will decimate the ecology surrounding the tent for hundreds of yards. Thousands of people and cars will negatively impact the surrounding residents who currently have quiet enjoyment of their streets and homes.
2. The original EIR in 2012 had an opinion from one of the tenants of the Promoter (address 21 S. California St) which is an indirect conflict of interest in my opinion.
3. The secondary safety escape bridge that was required originally by the fire department is now miraculously waived. The danger of a raging forest fire remains.
4. If this project is approved, disclosures would have to be made in real estate sale escrows noting the series, possibly resulting in tens of millions of dollars reduction of property values of the hundreds of homes that surround the development.
5. This contract, worth possibly \$250,000, was not bid out to other promoters, possibly a violation of the Uniform Commercial Code and/or Ventura Law.
6. The project is not handicap-capable and accessible due to the steep terrain.
7. Finally, the promoter needs to pay their past bills in full, due to at least a handful of contracts outstanding, available on request, before the courtesy of more business is extended to them by the City.

Thank you,

Randall Richman, resident

Letter 3

Commenter: Randall Richman

Date: May 22, 2014

Response 3.1

The commenter states concerns about a lack of transparency between the promoter and the City Council and suggests that the Draft EIR states that “everything is ok with the project.”

The concern about a lack of transparency between the promoter and City Council is noted, but does not relate to the environmental analysis contained in the Draft EIR or the Draft EIR’s adequacy.

Contrary to what the commenter suggests, the Draft EIR identifies an unavoidably significant noise impact associated with the pilot concert series due to the potential for concerts to generate sound levels exceeding current Noise Ordinance standards. City decisionmakers would need to adopt a Statement of Overriding Considerations setting forth the reasons that they believe the project’s benefits outweigh the significant noise impact if they decide to approve the pilot concert series. Impacts related to biological resources and transportation/ traffic are addressed in the Initial Study contained in Draft EIR Appendix A (see items IV and XVI of the Initial Study). These issues and mitigation measures are also summarized in Draft EIR sections 5.3.2 and 5.3.3. Although potentially significant impacts related to both of these issues have been identified, mitigation has been provided to reduce such impacts to a less than significant level.

Response 3.2

The commenter states an opinion that the original EIR in 2012 had an opinion from one of the tenants of the promoter that is an indirect conflict of interest. The commenter is presumably referring to the Initial Study-Mitigated Negative Declaration (IS-MND) prepared in 2012. The comment about a conflict of interest is noted, although it is not clear what opinion the commenter is referencing or how this relates to the Draft EIR analysis and conclusions.

Response 3.3

The commenter states that the secondary safety escape bridge that was required originally by the fire department is now waived, but indicates that the danger of a raging forest fire remains. The project includes brush clearance as required by the fire department and would comply with all applicable sections of the CA Fire Code (CFC) and the CA Building Code (CBC) as amended by the City of Ventura

Response 3.4

The commenter states that if the proposed project is approved, disclosures would have to be made in real estate sale escrows noting the series, possibly resulting in reduction of property values. This opinion is noted, but does not relate to the Draft EIR analysis or conclusions. As



required by the California Environmental Quality Act (CEQA), the EIR is focused on the project's potential environmental impacts. Social and economic issues are not within CEQA's purview.

Response 3.5

The commenter states that the contract with the promoter was not bid out to other promoters, which the commenter indicates may be a violation of the Uniform Commercial Code and/or Ventura Law. This comment is noted, but does not relate to the Draft EIR analysis or conclusions.

Response 3.6

The commenter states that the project is not handicap-capable and accessible due to the steep terrain. The pilot concert series would comply with applicable requirements of the Americans with Disabilities Act (ADA). Measure TRANS-2 in Section 5.3.3 of the Draft EIR specifies that the promoter must develop and implement an informational outreach campaign providing, among other things, ADA access and parking.

Response 3.7

The commenter states an opinion that the promoter needs to pay past bills in full before the courtesy of more business is extended to them by the City. This opinion is noted, but does not relate to the Draft EIR analysis or conclusions.



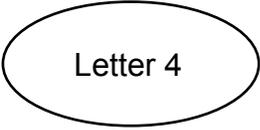
Zimbra

lrudolph@ci.ventura.ca.us

Yes on Pilot Concert Series

From : Mike Peck <drmpeck@yahoo.com>

Fri, Apr 25, 2014 11:56 AM

Subject : Yes on Pilot Concert SeriesLetter 4**To :** lrudolph@cityofventura.net**Reply To :** Mike Peck <drmpeck@yahoo.com>

Dear Mr. Rudolph,

I support the Pilot Concert Series for Ventura. As a business owner on Main Street I feel that music concerts will bring life and culture to our city!

Sincerely, Dr. Michael Peck

Letter 4

Commenter: Dr. Michael Peck

Date: April 25, 2014

The commenter states support for the pilot concert series. No response is necessary.



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Appendix A

*Initial Study, Notice of Preparation,
and Responses to the Notice of Peparation*

Initial Study

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INITIAL STUDY

This Initial Study addresses the proposed Pilot Concert Series located in the City of Ventura. The Initial Study was originally circulated for public review along with a proposed Mitigated Negative Declaration (MND) in 2012 (the project was then known as the “Summer Concert Series”). However, because of concerns about the ability of the promoter to comply with noise mitigation measures included in the Initial Study, the project was never approved and the MND was never adopted.

The promoter is now requesting an exemption from the City’s Noise Ordinance that would allow the Pilot Concert Series to proceed. In all other respects the project is the same as what was considered in the 2012 Initial Study-MND. Consequently, other than for the issue of noise, the analysis of the project’s impacts included in the 2012 Initial Study remains generally valid. The issue of noise is now considered in detail in an environmental impact report (EIR). Discussions of other issues contained in the Initial Study generally have not changed, though minor editorial changes and clarifications have been made. In addition, additional analysis has been added in some instances to address concerns raised during the scoping process for the EIR (see Section 1.0, *Introduction*, of the EIR for further discussion).

1. **Project title:** Pilot Concert Series
2. **Lead agency name and address:** City of Ventura
501 Poli Street
Ventura, CA 93002
3. **Contact Person and Phone Number:** Jeffrey Lambert, AICP
Community Development Director
805-658-4723
4. **Project location:** Upper Parking Lot behind City Hall
501 Poli Street
Ventura, CA 93001
5. **Project sponsor’s name and address:** Mark Hartley
34 North Palm Street
Ventura, CA 93001
6. **General Plan designation:** SP - Specific Plan
7. **Zoning:** T.6.1 - Urban Core
8. **Description of project:**

Concert promoters are proposing to host up to 12 outdoor concerts in the upper parking lot behind Ventura City Hall in either 2014 or 2015. The project would construct a temporary fabric tent of approximately 20,000 square feet and ancillary facilities within the upper parking lot area. In addition, the project would complete vegetation clearance



on the adjacent slopes to establish a 100 foot fire clearance area. The concert tent would provide seating for up to 1,900 individuals and would include a stage, office building, restrooms, concession stand, VIP parking area, and an open picnic area. Figures 1-3 show the location of the project site and illustrate existing uses on and around the site. Figure 4 shows the proposed site plan for the project.

The project also includes an Amendment to the City of Ventura Noise Ordinance, Section 10.650.170 Exemptions, adding the Pilot Concert Series to the list of exemptions. In lieu of meeting the City's noise standards, the Pilot Concert Series would be required to submit a sound control plan, which includes provisions regarding on-site sound monitoring, curfew, sound, and bass noise limits, penalties for exceeding curfew and sound limits, and public complaints. Sound levels for the stage would be required to be kept at or below 95 dB(A) at the "front of house" mixing board.

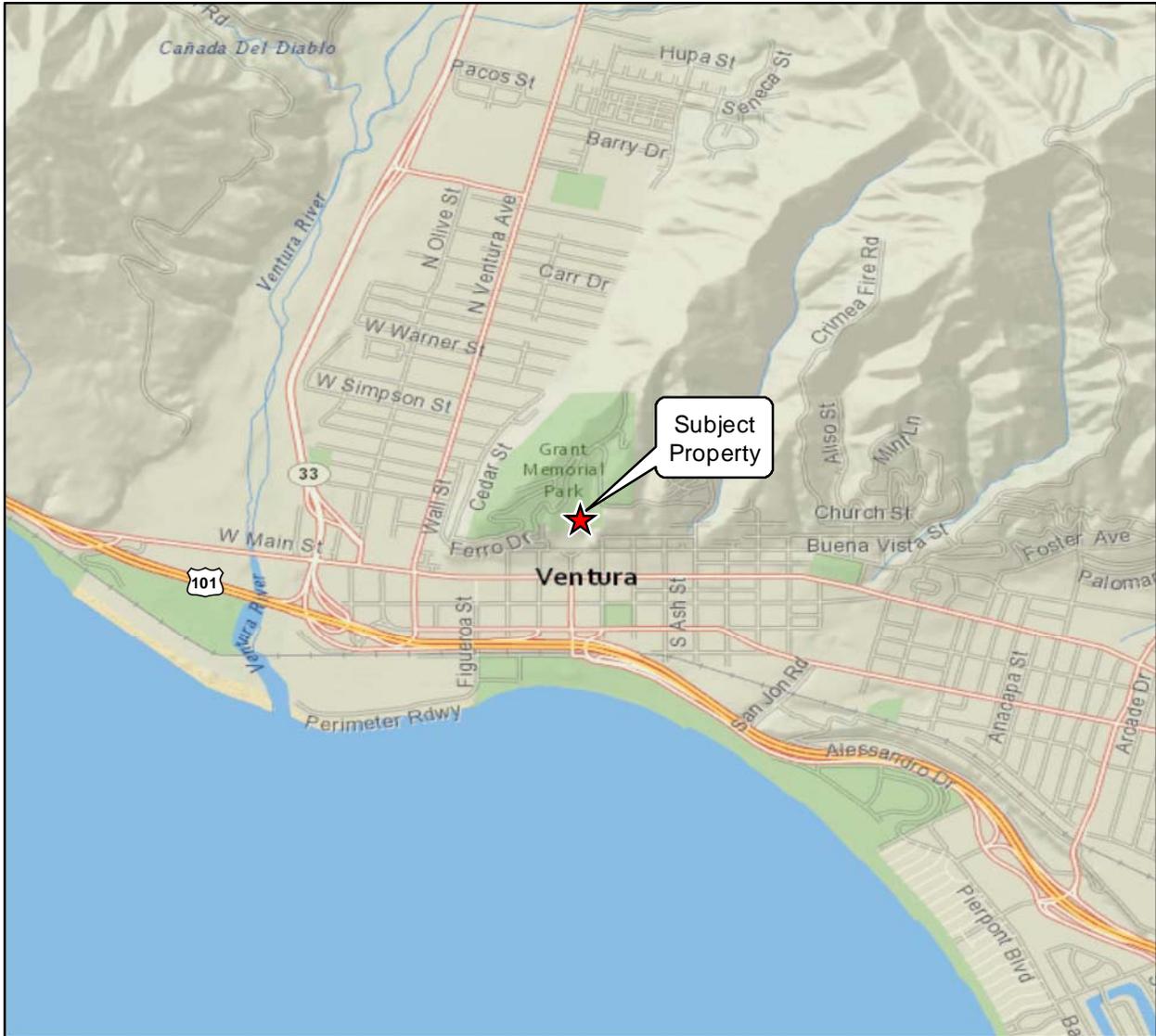
9. Surrounding land uses and setting:

Undeveloped hillsides are located north of the project site. Ventura City Hall and its associated parking areas are located to the south. Commercial, multi-family residential, and single-family residential are located east and west of the project site.

10. Other public agencies whose approval is required:

None.





Imagery provided by National Geographic Society, ESRI and its licensors © 2012.

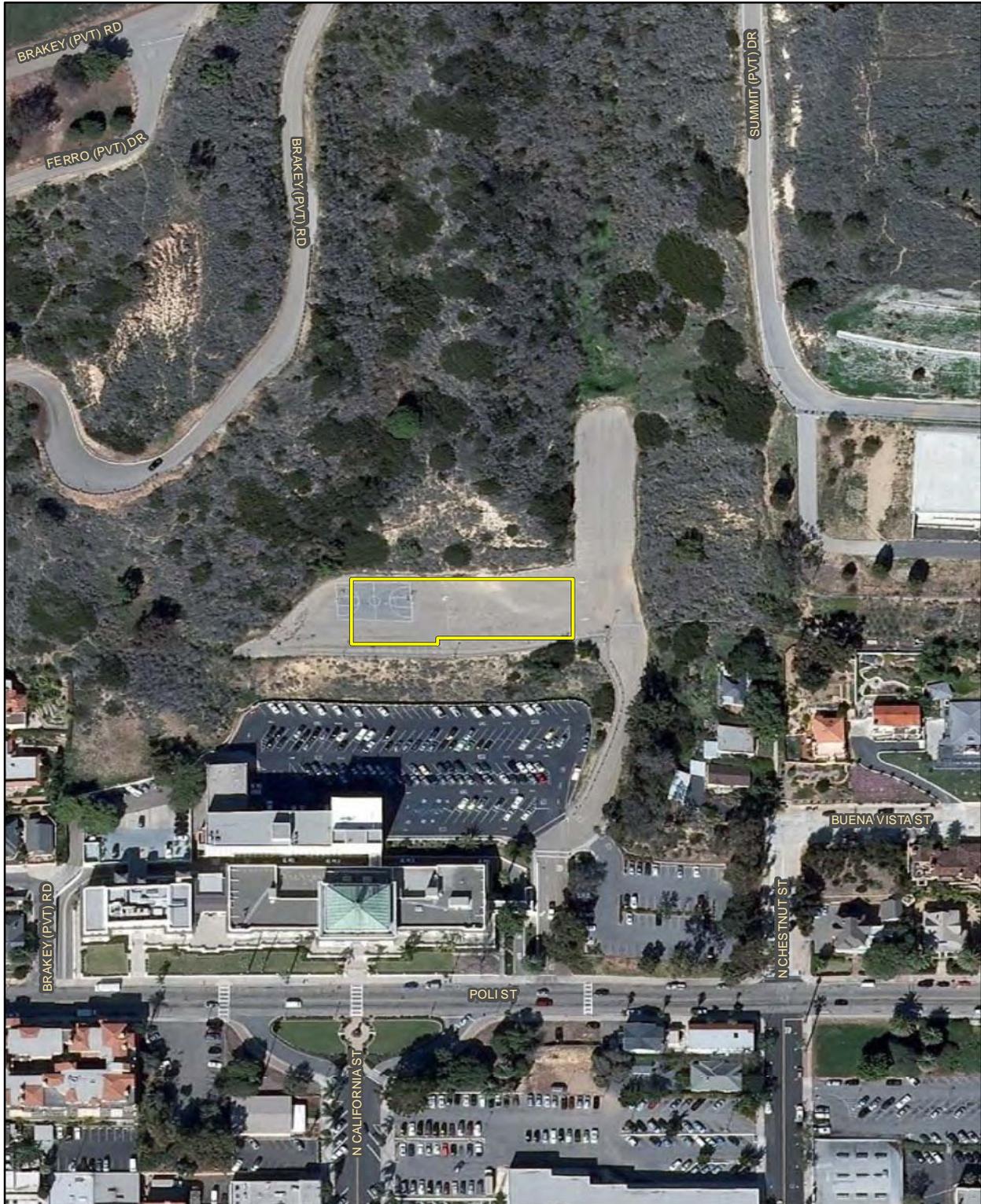
0 0.3 0.6
Scale in Mile



Vicinity Map

Figure 1

City of Ventura



Imagery provided by National Geographic Society,
ESRI and its licensors © 2012.

 Project Boundary

0 100 200
Feet



Project Location Map

Figure 2

City of Ventura



Photograph 1 - View north



Photograph 2 - View west



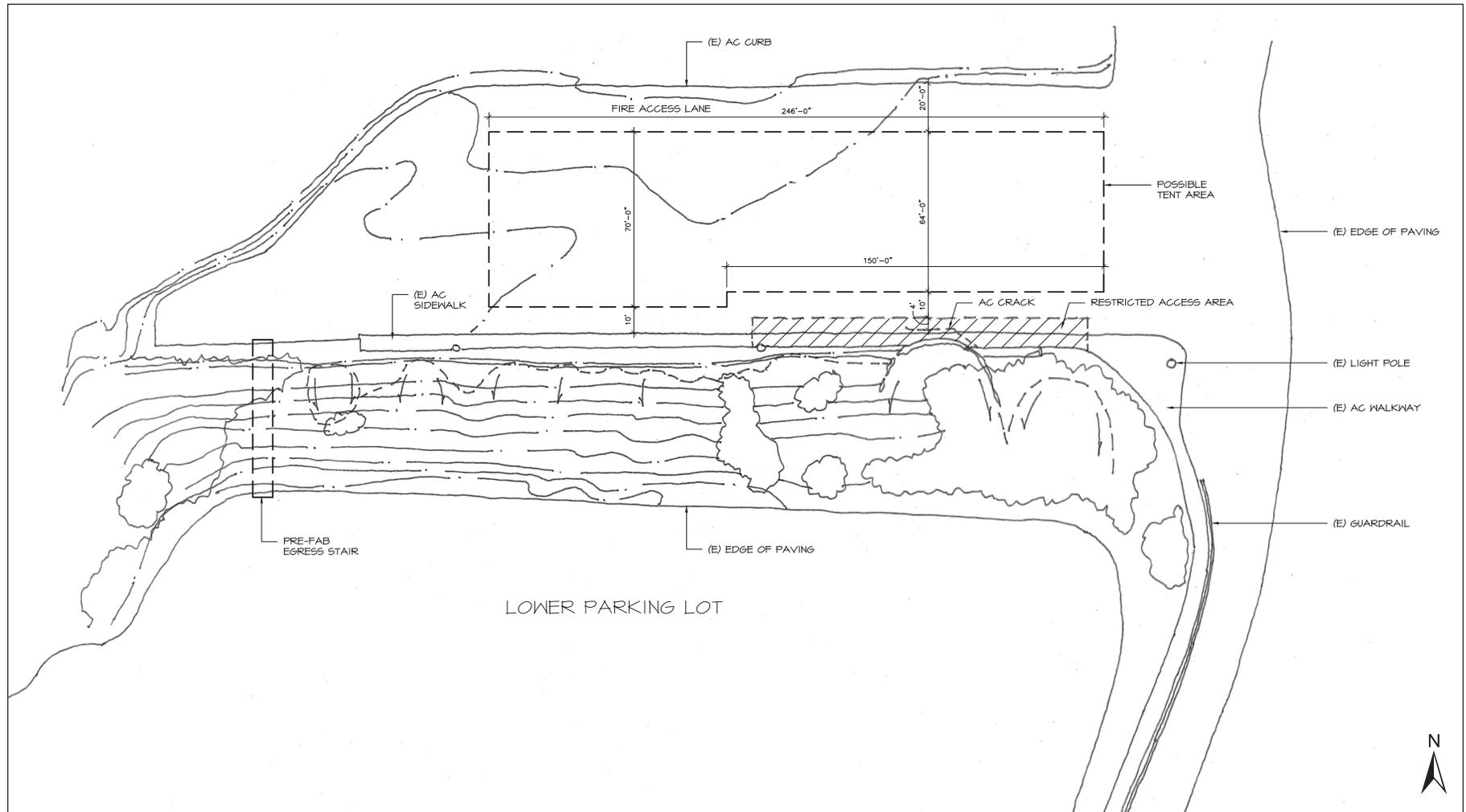
Photograph 3 - View east



Photograph 4 - View south

Site Photographs





ENVIRONMENTAL FACTORS AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is “Potentially Significant” or “Potentially Significant Unless Mitigation Incorporated” as indicated by the checklist on the following pages.

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



DETERMINATION:

On the basis of this initial evaluation:

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

Signature

April 1, 2014
Date

Jeffrey Lambert, Community Development Director
Printed Name



ENVIRONMENTAL CHECKLIST

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| I. AESTHETICS – Would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) The project site is currently developed as a vehicle parking lot and is currently used by the City of Ventura as an overflow parking lot for Ventura City Hall. The parking lot has been graded flat and paved and is located approximately 450 feet behind Ventura City Hall and approximately 30 feet above the primary City Hall parking lot. The site is surrounded by natural and graded slopes. The scenic vista nearest to the project site is Grant Park, which is located approximately 900 feet northwest and approximately 220 feet above the project site. In addition, the project site provides a partial view of the Pacific Ocean (looking to the southeast). The physical improvements required to create the desired concert venue would be temporary and would occur entirely within the paved portions of the parking lot and would not be prominently visible from Grant Park. In addition, the proposed tent and other ancillary facilities would not obstruct views of or from Grant Park, as it is located approximately 220 feet below this vista. In addition, the project site and the proposed concert facilities would be sufficiently screened from view by the existing City Hall structures and natural vegetation surrounding the project site. **Therefore, the proposed project would have no impact on scenic vistas.**

b) Ventura City Hall is a registered California Historic Landmark (# 847) and is listed on the National Register of Historic Places (NPS-71000211). The temporary concert improvements would occur within an existing parking lot, which is not considered a scenic resource or historic resource. Furthermore, the parking lot is located approximately 450 feet behind City Hall and thus would not be prominently visible from City Hall’s Poli Street frontage.

Due to fire safety concerns, the Ventura Fire Department would require vegetation clearance within the surrounding hillside areas. A 100-foot clearance zone would be required, as measured from all combustible portions of the tent seating area (measured horizontally). Portions of this vegetation clearance area may be visible from areas surrounding the project site.



However, vegetation clearing would be temporary in nature and would not substantially degrade views of mature trees, rock outcroppings, the Pacific Ocean, or any other scenic resources within the project area. **The proposed project would have no impact on scenic resources.**

c) The project site is developed as a paved parking lot and it is surrounded by developed properties. The proposed construction of a temporary fabric tent along with other ancillary concert venue facilities within this existing parking lot and as part of the overall City Hall property would not degrade the visual character or quality of the site, as the facility would be set back approximately 450 feet from the City Hall's main entrance on Poli Street. In addition, the site is more than 900 feet from and below Grant Park. Moreover, the proposed project would not impede any views of the Pacific Ocean from the residential uses located immediately adjacent to the project site's eastern boundary. **Therefore, the proposed project would have no impact on the visual character of the site or its surroundings.**

d) The project site is currently developed as a paved parking lot. There are no existing light fixtures present on-site. However, the existing City Hall facilities and adjacent commercial and residential uses generate light along the site's southern, western, and eastern property lines. The proposed concert venue improvements would introduce exterior lighting, in the form of parking lot lighting, stage lighting, pedestrian walkway lighting, and other safety related lighting. These light sources are not anticipated to have a significant impact on the night sky, as they would contribute to the existing background light levels already present as a result of the surrounding urban development. During daytime concerts, glare from additional vehicles parked within the existing parking lots and the surrounding City Streets could increase the reflected sunlight during certain times of the day. However, these impacts would be similar to those already experienced during the daily occupation of parking spaces within the City Hall parking lot and the surrounding areas. **Light and glare impacts would therefore be less than significant.**

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

II. AGRICULTURE AND FOREST

RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the



| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project: | | | | |
| a) Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a-e) The proposed project would involve temporary improvements to an existing parking lot. A review of the Farmland Mapping and Monitoring Program maps prepared by the California Department of Conservation was conducted, confirming that the project site is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The property is not zoned for agricultural use or subject to a Williamson Act contract. The project site is not used for timber production. **No impact would occur.**



| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| III. AIR QUALITY -- Would the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) The Ventura County AQMP relies on the most recent population estimates developed by the Metropolitan Planning Organization (MPO). SCAG acts as the MPO for Ventura County. The current population for the City of Ventura is 107,124 persons (SCAG, 2011). The projected 2025 population under the 2005 General Plan is 126,153 for the year 2025. This is within the 2007 AQMP population projections for the City. Although the proposed concert venue could attract approximately 1,900 concert goers at each event, the attendees would either already live in Ventura or would be traveling to Ventura specifically for the event. Therefore, the concert series would not induce population growth in the City. **Therefore, the project would have no impact on the applicable air quality plan.**

b-c) No construction related air quality impacts would occur during concert related improvements. The proposed tent and other ancillary concert facilities are temporary improvements that are pre-fabricated, which allow the site to be improved for concerts without the use of heavy equipment.

The temporary air quality emissions associated with the proposed project were estimated using the CalEEMod air quality modeling program (version 2011.1). Operational air quality impacts were calculated based upon a review the project's parking demand. Associated Transportation Engineers, Inc. (ATE) prepared a Traffic and Parking Management Plan for the project (included as Appendix E). This study concluded that each concert would require parking for approximately 669 vehicles (ATE 2012). As a result, a total of 669 vehicle trips were utilized as



the operational input value in the CalEEMOD air quality modeling program. Appendix A contains the air quality modeling assumptions and detailed results. Operational emissions were determined based on the air quality model’s outputs for mobile source emissions. Mobile emissions are those associated with vehicle trips. The project’s estimated operational emissions are presented in Table 1. **The project would not generate emissions exceeding any Ventura County Air Pollution Control District thresholds; therefore, the project’s operational impact would be less than significant.**

Table 1
Operational Emissions (pounds per day)

| Criteria Pollutants | ROG | NO_x |
|---|------------------|-----------------------|
| Mobile Emissions | 3.53 | 5.79 |
| Energy Emissions | 0 | 0 |
| Area Emissions | 0 | 0 |
| Gross Emissions | 3.75 | 2.45 |
| <i>VCAPCD Thresholds</i> | <i>75</i> | <i>100</i> |
| <i>Exceed VCAPCD Thresholds?</i> | <i>NO</i> | <i>NO</i> |

Source: Ventura County APCD Air Quality Assessment Guidelines. 2003.

Areas with high vehicle density, such as congested intersections and parking garages, have the potential to create high concentrations of CO, known as CO hot spots. A project’s localized air quality impact is considered significant if CO emissions create a hot spot where either the California one-hour standard of 20 parts per million (ppm) or the federal and state eight-hour standard of 9.0 ppm is exceeded. This typically occurs at intersections having a level of service (LOS) of E or F. According to the Caltrans *Transportation Project-Level Carbon Monoxide Protocol* (1997), a detailed CO screening analysis should be conducted when project-generated traffic worsens a signalized intersection from LOS A, B, C or D to E or F or when a project is likely to worsen air quality at a signalized intersection.

As discussed above and in Section XVI, *Transportation/ Traffic*, the proposed project would generate a total of 669 vehicle trips up to 12 times during an approximately 6-month period. These trips would be generated during non peak-hour periods (i.e. between 6-7 PM and between 10-11 PM) and thus would not worsen the peak hour LOS from LOS A, B, C, or D to E or F at any intersection within the vicinity of the project site. Given that project traffic would not create permanent congestion at any intersection; project-generated traffic would not significantly worsen air quality at intersections within the vicinity of the project site. **Therefore, impacts related to CO hotspots would be less than significant.**

d) Certain population groups are considered particularly sensitive to air pollution. Sensitive receptors consist of land uses that are more likely to be used by these population groups. Sensitive receptors include health care facilities, retirement homes, school and playground facilities, and residential areas. Although sensitive receptors are located nearby, including



private residences to the east, the proposed project would not expose them to substantial pollutant concentrations. As discussed in sections b-c, the project would not result in an exceedance of any thresholds for construction or operational emissions, nor would project operation create a CO hotspot. **No impact would occur.**

e) The proposed Pilot Concert Series would not generate any objectionable odors. Temporary concerts are not identified in Table 6-3 of the 2003 VCAPCD *Air Quality Assessment Guidelines*. This table identifies land uses that may generate significant levels of odors. Outdoor concerts are not referenced in this table and therefore it is unlikely that the proposed project would generate objectionable odors affecting a substantial number of people. **No impact would occur.**

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|---|---|---|-------------------------------------|
| IV. <u>BIOLOGICAL RESOURCES</u> -- | | | | |
| Would the project: | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



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

IV. BIOLOGICAL RESOURCES --

Would the project:

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

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

The project site is a vehicle parking lot used by the City of Ventura as an overflow parking lot as part of Ventura City Hall. The parking lot is located approximately 450 feet behind Ventura City Hall and approximately 30 feet above the primary City Hall parking lot and is surrounded by natural and graded slopes. Rincon Senior Biologists Cher Batchelor and Julie Broughton performed a site visit on June 6, 2012 to assess sensitive biological resources currently onsite, and record observations of plant and wildlife species. The study area included the existing overflow parking lot and a 100-foot buffer area from the edge of the existing paved parking lot into the surrounding undeveloped hillsides.

Prior to the site visit, Rincon conducted a search of the California Department of Fish and Game's (CDFG's) California Natural Diversity Database (CNDDDB) utilizing the RareFind3 software (updated June 2012) for the Ventura, California USGS Quadrangle and an approximate 5-mile radius around the project site. This database search was conducted to account for special-status species tracked by CDFG in the area and with potential to occur at the project site. Rincon also referenced the *Opportunities and Constraints Analysis for the Ventura Botanical Gardens* (Sespe Consulting Inc. November 2011) for which Rincon conducted botanical, wildlife, and habitat surveys.

a-c) The project site and 100-foot perimeter study area is dominated by two habitat types: California sagebrush scrub (*Artemisia californica* Shrubland Alliance) dominated by *Artemisia californica* and lemonade berry scrub (*Rhus integrifolia* Shrubland Alliance) dominated by *Rhus integrifolia*. California sagebrush scrub forms an intermittent to continuous canopy and includes an herbaceous layer that is variable both seasonally and annually. This alliance typically occurs on steep slopes but may also occur on rarely flooded, low-gradient deposits along streams. It occurs on alluvial or colluvial derived shallow soils.

A variation of this plant community, disturbed California sagebrush scrub, was observed between the project site and the main City Hall parking lot to the south. While the associate shrub species were present, the habitat was broken up by additional non-native plants including freeway iceplant (*Carpobrotus edulis*), tree tobacco (*Nicotiana glauca*), and summer mustard (*Hirschfeldia incana*), and it forms a more open canopy.

Lemonade berry scrub forms an intermittent to continuous evergreen canopy on the steep canyon slopes surrounding the project site. This alliance typically occurs on gentle to abrupt



slopes and coastal bluffs of variable aspect in loam and clay soils. Associate species observed onsite within this alliance include California sagebrush, ash coast buckwheat, leafy California buckwheat, laurel sumac (*Malosma laurina*), Plummer's baccharis, and purple sage. CDFG identifies this plant community as sensitive because of its limited distribution.

The County of Ventura considers locally important or sensitive plant communities to be oak woodlands, plant communities associated with riparian or wetland habitat, and rare plant communities (those with a global/state ranking of 1 to 3). California sagebrush scrub is ranked as G5/S5 and Lemonade Berry Scrub is ranked as G3/S3. Therefore, lemonade berry scrub is considered a sensitive habitat by the County of Ventura. **However, due to the limited distribution of this plant community within the project site and 100-foot perimeter study area and the greater blocks of this habitat existing immediately north of the study area, impacts to this sensitive plant community would be less than significant. Furthermore, no federally designated critical habitat is mapped within five miles of the project site and no critical habitat or wetlands would be impacted by the proposed project.**

No special-status wildlife species were observed onsite. The special-status wildlife species tracked by CNDDDB within five miles of the project site include monarch butterfly (G5/S3, overwintering, tracked 1.25 miles west of the site), Mexican long-tongued bat (CDFG Species of Special Concern [SSC], approximately 3 miles south of the site), and pallid bat (CDFG SSC, approximately 4 miles south of site). Bryant's woodrat (formerly San Diego desert woodrat; CDFG Species of Special Concern [SSC], approximately 2 miles north of site) typically erects middens in dense coast prickly pear and/or rock outcrop habitat. Although this coast prickly pear occurs within the 100-foot perimeter study area, and this species has been found (within the adjacent southwestern portion of botanical gardens property) by Rincon during surveys conducted as support for the *Opportunities and Constraints Analysis Ventura Botanical Gardens*, the density of the prickly pear at the subject location is not sufficient to support the Bryant's woodrat. Mexican long-tongued bat and pallid bat are not expected onsite due to lack of preferred habitat. Monarch butterfly overwintering roosts are not expected within the study area due to a lack of protected roosting trees. While a couple of scattered eucalyptus are present within the 100-foot perimeter study area, they are not dense enough to provide protection for Monarch butterfly. While special-status wildlife species are not expected within the study area, their absence cannot be confirmed. However, the temporary removal of vegetation within the area immediately surrounding the paved parking lot would not substantially reduce populations of special status wildlife. **Therefore, impacts would be less than significant.**

Noise may negatively affect special status wildlife species by interfering with essential behaviors such as breeding and foraging. As noted above, the potential for special status species to be present adjacent to the project site is low. Wildlife habitat in general is widespread throughout the hillsides that surround the site, beyond the project area that would be affected by noise. In addition, the area adjacent to the project site is subject to existing noise disturbances from vehicles and recreational uses. Based on these facts, project-related noise would not be expected to substantially reduce populations of sensitive wildlife species adjacent to the project site. **Therefore, potential noise impacts to special status species would be less than significant.**



A high potential for nests and nesting birds protected by the California Fish and Game Code and protected by the federal Migratory Bird Treaty Act exists within the survey area. Several bird species were observed onsite using the natural vegetation for cover and foraging resources, including California towhee, Cooper's hawk, song sparrow, and northern flicker. Migratory bird species are expected to nest onsite during the nesting/breeding season. **The vegetation clearance required by the Ventura Fire Department could significantly impact bird species; therefore, impacts would be potentially significant unless mitigated. After implementation of Mitigation Measure (BIO-1), impacts would be less than significant.**

BIO-1 To avoid impacts to nesting birds, vegetation clearance should take place outside of the February 1 - August 31 bird nesting season. If vegetation clearance is proposed within nesting habitat and within the breeding season, a pre-construction bird nesting surveys shall be completed by a qualified biologist. The survey shall be completed no more than one week prior to vegetation clearing to determine the locations of nesting birds. Avoidance of nests and construction monitoring will reduce the potential for impact to nesting birds. If active nests are found, a suitable buffer (e.g. 200-300 feet for common raptors; 30-50 feet for passerines) shall be established around active nests and no vegetation clearance shall be allowed within the buffer allowed until a qualified biologist has determined that the nest is no longer active (e.g. the nestlings have fledged and are no longer reliant on the nest). Encroachment into the buffer may occur at the discretion of a qualified biologist.

d) The project site is a fully improved paved parking lot surrounded on three sides by urban development. Therefore, the temporary use of the parking lot area for up to 12 concerts over an approximately 6-month period would not impact wildlife movement. While it is evident that the natural hillsides surrounding the project site are used by wildlife, the proposed vegetation clearance within the 100-foot perimeter surrounding the project site would not significantly affect wildlife movement. **Impacts would be less than significant.**

e) One special-status plant species (several individuals), Plummer's baccharis (*Baccharis plummerae* var. *plummerae*, California rare Plant Rank 4.3), was observed onsite within the lemonade berry scrub at the northeast boundary of the paved parking lot. Other special-status perennial and/or annual herbs may be present onsite, as coastal sage scrub provides habitat for species such as Catalina mariposa-lily and club-haired mariposa-lily. While the June 6, 2012 survey was not conducted during the optimal blooming period for most special status plant species, Rincon conducted protocol rare plant surveys in 2011 as part of the environmental studies performed for the *Opportunities and Constraints Analysis for the Ventura Botanical Gardens*, which included the subject study area. The only special-status plant species observed during the 2011 surveys and the current 2012 survey is Plummer's baccharis. **The proposed project would impact a few Plummer's baccharis individuals, but would not eliminate an entire population or reduce the population to an unsustainable level; therefore, impacts to this species would be less than significant.**

No protected trees were observed within the project boundary or the 100-foot perimeter study area. **No impact to protected trees would result from the proposed project.**



f) The project site is not within any habitat conservation plan area or any other regional planning areas. Therefore, the project would not conflict with any adopted local or regional conservation plans. **No impact would occur.**

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| V. <u>CULTURAL RESOURCES</u> -- | | | | |
| Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a-d) No ground disturbance would occur as part of the proposed project. The proposed tent structures and ancillary concert equipment would be placed on the existing parking lot surface. Supplemental support or anchoring systems may be needed for the tent structures, but these components would not be permanently installed on the existing parking lot surface or the surrounding natural slopes. The project would not affect the historic significance of the adjacent City Hall structure. **Therefore, no impact to cultural resources would occur.**

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| VI. <u>GEOLOGY AND SOILS</u> – | | | | |
| Would the project: | | | | |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| VI. <u>GEOLOGY AND SOILS</u> – | | | | |
| Would the project: | | | | |
| other substantial evidence of a known fault? | | | | |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code, creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a (i,ii)). The project site is not located within the boundaries of an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act of 1972 (California Geological Survey 2011). A slope stability assessment was prepared by Earth Systems Southern California, which confirmed that there are no known active or potentially active faults traversing the project site. Additionally, the City’s General Plan and the County of Ventura Non-Coastal Zoning Ordinance do not identify any earthquake fault zones on or adjacent to the project limits.

Ground shaking resulting from activity on local faults would likely be felt within the project site. Therefore, all concert related facilities constructed temporarily on-site would be required to comply with applicable provisions of the most recently adopted version of the California Building Code (CBC), the City’s building regulations, and applicable County building regulations. **Adherence to these regulations would ensure that seismic related impacts would be less than significant.**



a(iii) Liquefaction describes the phenomenon where groundshaking works cohesionless soil particles into a tighter packing, which induces excess pore pressure. These soils may acquire a high degree of mobility and lead to structurally damaging deformations. Liquefaction usually begins below the water table, but after liquefaction has developed, the groundwater table will rise and cause the overlying soil to mobilize. Liquefaction typically occurs in areas where the groundwater is less than 30 feet from the surface and where the soils are composed of poorly consolidated fine to medium sand. Based on a review of Ventura County's Coastal Plan Area - Liquefaction Hazards Map (County of Ventura 2002), the project site is not susceptible to liquefaction. In addition, the project does not involve any permanent construction. **No impact would occur.**

a (iv) Earth Systems Southern California prepared an evaluation of fire truck loads and concentrated people loads on slope stability. The slope separating the upper parking lot (project site) from the lower parking lot has a history of surficial instability and therefore was the subject of this study. The slope was created mostly by cut grading and is composed of soft bedrock units from the Saugus formation, which dip to the south approximately 40 degrees (Earth Systems Southern California 2012). The slope shows effects of shallow instability (1-2 feet) at most areas below the crest, with isolated areas showing evidence of instability up to 5 feet in depth. An acceptable factor of safety (1.20) for this slope area was achieved by assuming at least a 6-foot setback of fire department vehicles or the tent seating/stage area from the slope areas exhibiting signs of failure. For reference, the six-foot setback is approximated by the existing cable area that prevents autos from entering the zone near the slump area. The study also concluded that concentrated people loads should be kept at least 4 feet north of the existing slump area and that concentrated loads from canopy supports (if used) may need to be accommodated by pier foundations if positioned near the slope edge. The project site plan shows a 10-foot setback from concert tent to the area of surficial slope failure, which is consistent with the recommendations contained in the slope stability analysis prepared by Earth Systems Southern California. In addition, the fire access lane is proposed on the north side of the project site, approximately 74 feet away from the area of surficial slope failure. **Therefore, the potential for impacts related to landslides would be less than significant.**

b) The temporary nature of the proposed concert series would not require any on-site grading or other soil disturbances within the existing parking lot and soil disturbances from temporary brush clearing needed for fire safety prevention measures would be minimal. The Ventura City Fire Department conditions of approval for the proposed project require brush clearance within 100 feet of the proposed concert tent structure. While vegetated hillsides are within the 100 foot buffer and will have to be cleared, the clearance would be completed in conformance with the Fire Department's IS 333 Form (What to Plant for Fire and Flood - A Landscape Guide for Hillside Residents) and the FHR pamphlet (Fire Hazard Reduction Program Guidelines). Both of these documents recommend completing brush clearance using different zones within the 100 foot clearance area. This method balances the need for soil stabilization and fire hazard reduction. Specifically, the IS 333 describes clearing flammable native vegetation down to approximately 18 inches in height and the use of mulch where areas are entirely cleared. The FHR pamphlet allows for the preservation of native shrubs within the 100-foot clearance area, provided that they are spaced at a distance equal to three times their diameter, but in no event closer than 18 feet. Completing brush clearance activities in accordance with these existing City standards would address any concerns about soil erosion associated with brush clearance activities. The Fire Department would ensure the project's compliance with these standards as



part of its standard condition compliance activities. Therefore, the proposed concert series would not result in substantial erosion or loss of topsoil. **Impacts would be less than significant.**

c) Subsidence is the sudden sinking or gradual downward settling of the earth’s surface with little or no horizontal movement. Subsidence is caused by a variety of activities, which include, but are not limited to, withdrawal of groundwater, pumping of oil and gas from underground, the collapse of underground mines, liquefaction, and hydrocompaction. The temporary nature of the proposed concert series would not require any on-site grading or other soil disturbances within the existing parking lot that could contribute to subsidence.

As discussed above, the existing slope located south of the existing project site shows evidence of shallow surficial slope failure. Adherence to the proposed site plan would establish the appropriate setbacks to achieve an acceptable factor of safety for the project site. **Therefore, impacts related to unstable soils would be less than significant.**

d) According to the County of Ventura’s General Plan Hazards Appendix, expansive soils are scattered throughout Ventura County. However, their potential impact on structures is limited to just a few developed areas: portions of the Ojai Valley, the Camarillo Hills, and areas around the community of Moorpark (County of Ventura, 2011). **Therefore, impacts related to expansive soils would be less than significant.**

e) The proposed project does not include any improvements that would require the use of septic systems. **Therefore, no impact would occur.**

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

VII. GREENHOUSE GAS EMISSIONS -
 Would the project:

| | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a, b) As discussed in Section II, *Air Quality*, the temporary concert series would not generate construction-related air pollutant emissions that have the potential to exceed established air quality thresholds. The traffic associated with these activities would, however, generate minor quantities of greenhouse gas (GHG) emissions through the burning of fossil fuels or other emissions of GHGs. The operational GHG emissions for the project have been quantified below and compared to recommended thresholds of significance.



Mobile source GHG emissions were estimated using the traffic and parking demand study prepared by ATE. Based on the CalEEMod model estimate (included in Appendix A), the project would result in approximately 90.83 metric tons of Carbon Dioxide Equivalent (CDE) units from mobile emissions. This represents approximately 0.00002% of California’s total 2004 tons per year in CDE units. The City of Ventura has not adopted formal GHG emissions thresholds that apply to land use projects and no GHG emission reduction plans have been adopted in the City of Ventura. Nevertheless, the estimated project-related GHG emissions would be lower than the threshold of 10,000 metric tons per year (SCAQMD, “Proposed Tier 3 Screening Levels – Commercial/Industrial Projects, September 2010). In addition, the proposed project would be lower than the County of San Luis Obispo APCD’s most stringent greenhouse gas emission threshold of 1,150 metric tons per year (SLO APCD CEQA Air Quality Handbook 2012). **Impacts associated with GHG emissions would be less than significant.**

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

VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



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

VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

hazard for people residing or working in the project area?

| | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a-b) The project site is currently developed as a paved vehicle parking lot. The proposed concert series would involve the construction of a temporary concert stage, tent seating areas, and other ancillary concert-related improvements. The concerts would not involve the routine transport, use, or disposal of hazardous materials.

In the unlikely scenario that licensed vendors bring some hazardous materials to and from the project site, they would be required to provide all appropriate documentation for all hazardous waste that is transported in connection with project-site activities (as required by the City’s Municipal Code). This would achieve compliance with the existing hazardous materials regulations. In addition, any hazardous wastes produced onsite would be subject to requirements associated with accumulation time limits, proper storage locations and containers, and proper labeling. As part of any removal of any hazardous waste from the site, hazardous waste generators are required to use a certified hazardous waste transportation company, which must ship hazardous waste to a permitted facility for treatment, storage, recycling, or disposal. Compliance with applicable regulations would ensure impacts associated with the use, transport, storage, and sale of hazardous materials would not be significant. **No impact would occur.**

c) The proposed concert series would not handle hazardous wastes in the vicinity of an existing school. **No impact would occur.**

d) According to the Envirostar database maintained by the Department of Toxic Substances Control (<http://www.envirostor.dtsc.ca.gov/public/>), the project site is not included in a list of hazardous material sites. Therefore, the proposed Pilot Concert Series would not create a significant hazard to the public or the environment. **No impact would occur.**



e,f) The project site is not located within an airport land use plan, or within 2 miles of a public or private airport. Therefore, the proposed Pilot Concert Series would not create an airport-related safety hazard. **No impact would occur.**

g) The proposed project has been reviewed by the City of Ventura Fire Department with respect to emergency response and evacuation. As a result of this review, the proposed project is required to dedicate a 20-foot fire access lane, complete vegetation clearance within 100 feet of all combustible tents or other structures, provide a water supply at 1,500 gpm with 20 psi, and would comply with all other applicable sections of the CA Fire Code (CFC). **After compliance with Mitigation Measure HAZ-1 below, impacts would be less than significant.**

h) The City of Ventura conducted a Fire Behavior Analysis for the project site and surrounding environment (included as Appendix D). This study concluded that the proposed project site is located within Ventura’s Very High Fire Hazards Severity Zone and therefore requires “careful planning, mitigation and preparation” to deal with the potential for wildlife and other emergencies. **Therefore, impacts would be potentially significant unless mitigated. Compliance with Mitigation Measure HAZ-1 would reduce impacts to a less than significant level.**

HAZ-1 The proposed project shall dedicate a minimum 20-foot wide fire access lane, complete vegetation clearance within 100 feet of all combustible tents or other structures, and provide a water supply at 1,500 gpm with 20 psi. These improvements shall be completed prior to use of the project site for any concert. The project shall also comply with all other applicable sections of the CA Fire Code (CFC) and the CA Building Code (CBC) as amended by the City of Ventura.

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|-------------------------------------|
| IX. <u>HYDROLOGY AND WATER QUALITY</u> | | | | |
| – Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| IX. <u>HYDROLOGY AND WATER QUALITY</u> | | | | |
| – Would the project: | | | | |
| pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | | | | |
| d) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a-f) The proposed project would not alter absorption rates, drainage patterns, or runoff as a result of temporary construction of concert venue facilities. No changes to the existing paved parking lot surface, surrounding slopes, or existing drainage infrastructure is proposed as part of the project. Any runoff resulting from storm events occurring during any of the proposed concerts would be collected and conveyed in the existing storm drain infrastructure already in place as part of City Hall. Because of the lack of any grading at the project site, the proposed project would not be required to comply with the Ventura Countywide Stormwater Quality



Management Program, the National Pollution Discharge Elimination System (NPDES) Permit No. CAS004002, and Ventura Stormwater Quality Management Ordinance No. 4142.

Therefore, no impact would occur.

g-i) The project site is not located within a floodplain and the proposed project would not impede or redirect flood flows (FEMA 2008). According to the City of Ventura 2005 General Plan, no flooding conditions have been identified on the project site. **Therefore, no impact with respect to flooding would occur.**

j) Seiches are oscillations of the surface of inland bodies of water that vary in period from a few minutes to several hours. Seismic excitations can induce such oscillations. Tsunamis are large sea waves produced by submarine earthquakes or volcanic eruptions. Since the site is not located close to an inland body of water, **no impact from seiches would occur.** Furthermore, the project site is located outside of the tsunami hazard zone maps established by the California Department of Conservation for the City of Ventura (http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/Ventura/Documents/Tsunami_Inundation_Ventura_Quad_Ventura.pdf). This is expected, as the project site is approximately 134 feet above sea level. **No impact would occur.**

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|-------------------------------------|
| X. <u>LAND USE AND PLANNING</u> -- | | | | |
| Would the proposal: | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with an applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) The proposed project would not physically divide an established community, as it would be located entirely within the boundaries of an existing paved parking lot. Furthermore, to address concerns regarding overflow parking spilling into adjacent residential neighborhoods, the project is proposing to place "No Event Parking" signs at the intersections of Cedar Street/Ferro Drive, Poli/Chestnut Street, Poli/Fir Street, Poli/Ash Street, Poli/Kalorama Street, and Poli/Brakey Road. Event Staff would also be placed at the above referenced intersections to enforce the event parking restriction. **Therefore, no impact would occur.**



b) The proposed project is located within the SP General Plan Land Use Designation. Therefore, the Downtown Ventura Specific Plan along with the City of Ventura’s General Plan policies would apply. Goal No. 2 of the Downtown Specific Plan intends to integrate art and culture into the fabric of Downtown everyday life by nurturing creative and artistic expression in the public realm. This is also consistent with the 2005 City of Ventura Cultural Plan policies. The proposed concerts would be consistent with this goal, as it would increase public participation in the cultural life of Downtown Ventura. The Downtown Specific Plan also recommends updating the City’s Noise Ordinance (Action Item No. 1.20), which should take into account nighttime noise generated in areas where commercial and entertainment uses are concentrated. The Pilot Concert Series could generate noise exceeding the City of Ventura Noise Standards. Impacts related to noise and the City’s Noise Ordinance are addressed in Section 4.0 of the EIR. The proposed Pilot Concert Series would not conflict with any other plans, policies or regulations. **Impacts would be less than significant.**

c) The 2005 City of Ventura General Plan does not identify any natural resources meriting preservation on the project site or the immediate vicinity. Furthermore, the project site and the immediate vicinity have a zoning designation of T.6.1 – Urban Core, which correlates to a high level of urban development. No applicable habitat conservation plan or natural community conservation plan is applicable to the project site. **No impact would occur.**

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

XI. MINERAL RESOURCES --

Would the project:

| | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a-b) Neither the project site nor the immediate vicinity has active aggregate mining operations. **No impact would occur.**



| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|-------------------------------------|--|-------------------------------------|-------------------------------------|
| XII. NOISE – Would the project result in: | | | | |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels above levels existing without the project? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, c, d) The State of California Department of Health Services, Environmental Health Division, has published *Guidelines for Noise and Land Use Compatibility* (the *State Guidelines*). The State Guidelines indicate that residential land uses and other noise-sensitive receptors should generally be located in areas where outdoor ambient noise levels do not exceed 65 to 70 dB(A) (CNEL or Ldn¹). Section 10.650.130 of the Ventura Municipal Code prohibits unnecessary, excessive, or annoying noise in the City. Furthermore, the City of Ventura Municipal Code, Section 10.650.130(b) (1), establishes exterior noise level standards for receiving properties. These standards are shown in Table 2.

¹ Decibel (dB) is the unit used for measuring noise. dB(A) is the A-weighted decibel, which is the decibel with the sound pressure scale adjusted to conform with the frequency response of the human ear. Ldn is a 24-hour average noise level that adds 10 dB(A) to noise levels occurring between 10 PM and 7 AM to account for increased sensitivity to noise during those hours. CNEL is similar, but also adds 5 dB(A) to noise occurring from 7 PM to 10 PM.



Table 2
Noise Zone Exterior Noise Limits

| | Designated Zone | Time Interval | Exterior Noise Levels |
|-----------------|-----------------------------|----------------------|------------------------------|
| Zone I | Noise sensitive properties | 7 a.m.—10 p.m. | 50 |
| | | 10 p.m.—7 a.m. | 45 |
| Zone II | Residential properties | 7 a.m.—10 p.m. | 50 |
| | | 10 p.m.—7 a.m. | 45 |
| Zone III | Commercial properties | 7 a.m.—10 p.m. | 60 |
| | | 10 p.m.—7 a.m. | 55 |
| Zone IV | Industrial and agricultural | Anytime | 70 |

Source: City of Ventura Municipal Code, Section 10.650.130

Noise Zone II standards would apply to the proposed Pilot Concert Series because residentially zoned properties are located immediately east and west of the project site. Current noise standards for Zone II permit noise less than 50 dB(A) between 7:00 AM and 10:00 PM and noise less than 45 dB(A) between 10:00 PM and 7:00 AM. The following additional standards from Section 10.650.130(b) (2) also currently apply:

Noise level limits. Unless otherwise provided in this article, no person shall operate or cause to be operated any source of sound at any location within the city, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person which causes the noise level when measured on any receiving property to exceed the following noise level limits:

- (a) *The exterior noise levels for that land use, as specified in subsection B.1. above [referring to the noise limits in Table 2], for a total period of more than 30 minutes in any consecutive 60 minutes;*
- (b) *The exterior noise levels plus 5 dB for a total period of more than 15 minutes in any consecutive 60 minutes;*
- (c) *The exterior noise levels plus 10 dB for a total period of more than 5 minutes in any consecutive 60 minutes; or*
- (d) *The exterior noise levels plus 15 dB for a total period of more than 1 minute in any consecutive 60 minutes; or*
- (e) *The exterior noise levels plus 20 dB for any period of time.*

Noise levels generated by the Pilot Concert Series could exceed levels allowed in Zone II by the City Noise Ordinance. **Therefore, impacts would be potentially significant. Although the**



proposed project includes an amendment to the Noise Ordinance that would allow for exceedance of these standards for concert events, this issue will be studied in a Focused EIR for Noise.

b) The proposed Pilot Concert Series would not involve substantial construction or other types of activities that would generate substantial groundborne vibration. Impacts related to groundborne vibration would be **less than significant**.

e-f) The project site is not within an airport land use plan or in the vicinity of private airstrip. **Therefore, no impact would occur.**

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

XIII. POPULATION AND HOUSING —

Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) The proposed project is a temporary use that would occur for an approximately 6-month period during one calendar year. The concerts would be individual events that would draw its attendees from within the City of Ventura and the surrounding cities. No new commercial, residential, or extension of roads or other infrastructure would be required for the proposed project. **Therefore, no impact would occur.**

b-c) The proposed concert venue would be constructed on an existing paved parking lot. Therefore, no housing or people would be displaced. **No impact would occur.**



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

XIV. PUBLIC SERVICES

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

| | | | | |
|-----------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| i) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| v) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a(i) As discussed above in Section VIII(h), *Hazards and Hazardous Materials*, the project would need to comply with the required mitigation measure (HAZ-1) and the additional Fire Department Conditions of Approval (included in Appendix D) and other applicable provisions of the California Fire Code. Furthermore, the City monitors fire department staffing levels on an annual basis as part of the City Council’s budgeting process to ensure that police protection continues to be provided during special events and as development occurs within the City. **The proposed project’s compliance with the mitigation measures and applicable conditions of approval would ensure that fire protection impacts would be less than significant.**

a(ii) Police service to the project site would be provided by the Ventura Police Department. The proposed project would be a temporary use, which includes up to 12 concerts within an approximately 6-month period. During these special events, a temporary increase in police staffing could be required. To help offset the potential need for additional police staffing during the proposed events, the project proponent is proposing to utilize Event Staff to assist with crowd control and other event enforcement issues. Furthermore, the City monitors police staffing levels on an annual basis as part of the City Council’s budgeting process to ensure that police protection continues to be provided during special events and as development occurs within the City. **Therefore, the project would have a less than significant impact on police services.**



a(iii-v) As discussed in Population and Housing, the proposed temporary concert series would not increase the City’s population. **Therefore, the project would have no impact on schools, parks, or other public facilities.**

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

XV. RECREATION --

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a-b) The proposed project is a temporary use that would occur within the City of Ventura over an approximately 6-month period. The concerts are proposed on an existing paved parking lot within the existing City Hall complex. The project would not increase the City’s total population and therefore would not increase the use of City parks or require the construction of new City parks that could potentially impact the environment. To the contrary, the project would improve recreational opportunities in the City. **No impact would occur.**

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

XVI. TRANSPORTATION / TRAFFIC --

Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |



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

XVI. TRANSPORTATION / TRAFFIC --

Would the project:

management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a-b) Associated Transportation Engineers prepared a traffic and parking management plan for the proposed project, which would include approximately 12 concert events (6 weekday and 6 weekend) over an approximately 6-month period. The concert events are anticipated to attract up to 1,900 patrons during the hours of 7 p.m. and 10 p.m. The project's anticipated volume of vehicle trips was compared to vehicle trip generation forecasts provided in the General Plan EIR. The proposed project would generate a total of 669 vehicle trips approximately 12 times during the concert period. These trips would be generated during non-peak hour periods (i.e. between 6-7 pm and between 10-11 pm) and thus would not worsen the LOS at any intersection within the vicinity of the project site. **Despite the relatively small number of vehicle trips associated with the temporary concert events, temporary impacts on downtown traffic both before and after the proposed events could temporarily result in a significant impact to downtown area intersections unless mitigated. Compliance with measures TRANS-1 and TRANS-2 would reduce potential impacts to a less than significant level.**

TRANS-1 The City of Ventura Department of Community Development shall require the project applicant to implement the following traffic and circulation control measures before, during, and after the proposed concert events:



- *A traffic control officer shall be assigned at the intersection of the City Hall driveway and Poli Street before and after the concerts to control vehicular and pedestrian traffic flows.*
- *The City Hall driveway shall be reconfigured to provide one outbound lane, one inbound lane and a pedestrian walkway area before and after the concerts. The reconfiguration would utilize post-tube delineators (eg. "candle sticks") and signage to direct vehicles and pedestrians onto the site.*
- *Before each concert, signage shall be posted at the VIP parking lot to indicate that the City Hall parking lot is reserved. The signage shall state "VIP Parking Only – No Public Parking".*
- *Before each concert, the small driveway located west of the main City Hall driveway shall be closed to pedestrian and vehicular traffic.*
- *"No Event Parking" signs shall be placed at the entrance to the residential neighborhoods on Cedar Street/Ferro Drive, Chestnut Street/Poli Street, Fir Street/Poli Street, Ash Street/Poli Street, Poli Street/Brakey Road, Kalorama Street/Poli Street, and as necessary within the residential areas located south of Poli Street. Figure 5 shows the location of the proposed signage.*

TRANS -2 The City of Ventura and/or the Event Organizer shall develop and implement an informational outreach campaign providing vehicle parking, ADA access and parking, and pedestrian circulation information. At a minimum, this public information campaign shall specify:

- *Recommended event arrival times.*
- *VIP parking lot locations and restrictions.*
- *Map of downtown Ventura parking lot locations.*
- *Accessible parking space program and reservation system.*
- *Drop-off location and shuttle availability for patrons with disabilities.*
- *Public drop-off location(s).*
- *Parking restrictions in adjacent neighborhoods.*

To encourage bicycle use, free bicycle parking would be provided in the eastern City Hall parking lot. To encourage pedestrian access to the proposed concert events, signage would be placed within the downtown area directing pedestrians to the east side of California Street, up to Poli Street and then east to the concert venue behind City Hall. The above described traffic and circulation measures would help to ensure that vehicle traffic associated with the proposed concert events would not significantly impact downtown roadways or intersections. **Impacts would be less than significant.**

Project related parking demand estimates were developed for a maximum of 1,900 concert attendees. It was assumed that approximately 10% of the event guests would utilize alternative transportation (walk, bicycle, taxi, drop-off/pick up) to access the site or would draw from existing entertainment activity that currently occurs in the downtown Ventura area. The remaining 90% were assumed to travel to the downtown area via automobile. Using an average vehicle occupancy rate of 2.5 people per vehicle and a staff parking demand of 21 spaces, each concert event was assumed to require 669 parking spaces.



Figure 5



The project related parking demand was added to existing parking demands for weekdays and Saturday evening periods to determine if adequate parking would be available within the vicinity of the project site. The parking demand study determined that during the week, existing plus project parking demands would occupy 68% of the total spaces available in the downtown area (1,585 spaces occupied out of 2,320 spaces). On Saturday evenings, existing plus project parking demands would occupy 85% of the total spaces available in the downtown area (1,967 spaces occupied out of 2,320 spaces). Adequate parking was found to be available in the downtown public parking areas and the City Hall parking lot to support the parking demand associated with the proposed project. To help manage vehicle parking within the City Hall parking lot, only paid VIP parking and event staff would be allowed to utilize this parking lot. VIP parking passes would be sold and only parking-pass holders and event staff would be allowed to enter the site. Adequate handicapped parking areas would be also provided at the City Hall parking lot. These spaces would be allocated via a reservation system, similar to the VIP parking spaces. In addition, a shuttle system would transport attendees requiring assistance from the parking lot area to the concert area. **Impacts to parking supply within the downtown area would be less than significant.**

c) The proposed project would not introduce substantial volumes of traffic to the downtown area or significantly increase the number of people concentrated in the downtown area. **No impact to air traffic patterns would occur.**

d) Intersections within the immediate vicinity of the project site would be temporarily modified slightly to more efficiently convey vehicle, pedestrian, and bicycle traffic to and from the concert venue. The temporary modifications primarily include supplemental signage and the use of safety cones to slightly re-configure select roadways and/or intersections in close proximity to the project site. **Therefore, the project would not impact intersection and/or roadway safety within the downtown area.**

e) The City of Ventura Fire Department has developed conditions of approval for the proposed project, which would ensure adequate emergency access is provided to the project site at all times. In addition, overflow parking within the adjacent residential neighborhoods would be prohibited. The project site would have a high level of internal accessibility and its roadway designs are considered safe. Emergency vehicles would be able to pass through the project area without obstruction. **No impact would occur.**

f) Downtown Ventura is a pedestrian and bicycle friendly district, where vehicle traffic speeds are reduced and pedestrian/bicycle friendly infrastructure exists to promote the non-vehicular modes of travel. Vehicle parking is provided as part of a “park-once” district, where multiple activities can be accomplished on foot before returning to one’s vehicle. As described above, the proposed project would encourage pedestrian and bicycle travel to and from the concert site as a way to help manage congestion in the downtown area. In addition, public shuttle services to and from the project site are proposed as a way to further manage congestion in and around the concert venue. Therefore, the proposed project would be consistent with the congestion management policies established for the downtown area. **No impact would occur.**



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

a-e) The proposed project would not require expansion of existing water or wastewater infrastructure, nor would it require modification to existing drainage infrastructure present within the overall City Hall complex. In accordance with the Fire Department conditions of approval, the proposed project would be required to provide a temporary 4" water supply line specifically dedicated for fire suppression. This line would be an extension of the existing fire suppression infrastructure already present within the overall City Hall site. **Therefore, no impact would occur.**

f) Waste disposal for the special event would be accommodated by the City's franchise trash hauler. The landfills closest to the project site are the Toland Road Landfill and the Simi Valley



Landfill. Both of these landfills have available permitted solid waste disposal capacity through 2027. **Therefore, no impact would occur.**

g) In 2006, the most recent year for which information is available, the City diverted 70 percent of its solid waste from landfills as part of its compliance with the requirements of AB 939. In addition, the City has implemented numerous waste reduction programs. These include concrete/asphalt recycling, green waste and wood recycling, grass cycling, 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. The City operates a Household Hazardous Waste Collection Program to collect hazardous and electronic waste from Ventura households and businesses, and provides household battery recycling containers for public use at various City facilities. The solid waste generated by the proposed project would be collected by EJ Harrison in conformance with applicable solid waste disposal regulations. **No impact would occur.**

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE —

| | | | | |
|--|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a) The project is proposed on an existing paved parking lot, which contains no biological resources. However, the required fire department vegetation clearance would occur within an adjacent natural hillside, which does contain biological resources. However, mitigation



measures have been required (**Mitigation Measure BIO-1**) to reduce potential impacts to biological resources to a less than significant level. **With mitigation, potential impacts of the project on fish or wildlife habitats would be less than significant.**

b) The proposed project, in combination with planned development under the Ventura Botanical Gardens Master Plan, would require fire clearance of portions of the hillside above City Hall. However, the 100-foot clearance zone would encompass the same areas requiring clearance for near-term facilities proposed under the Master Plan. Due to the temporary nature and limited scope of direct physical impacts to the environment associated with the project, other impacts of associated with the Pilot Concert Series are project-specific in nature. **Consequently, the project generally would not contribute to significant cumulative impacts; nevertheless, cumulative noise impacts are discussed in the focused EIR.**

c) In general, impacts to human beings are associated with air quality, hazards and hazardous materials, and noise impacts. As detailed in the preceding responses, the proposed project would not result, either directly or indirectly, in adverse hazards related to air quality and hazardous materials. However, noise impacts could be potentially significant and therefore mitigation would be required. Potential impacts related to wildfire and traffic on nearby residents can be reduced to below a level of significance, but noise impacts would be unavoidable. **Therefore, impacts to human beings would be potentially significant.**



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Appendix A
Air Quality Modeling



Ventura Summer Concert Series
Ventura County, Summer

1.0 Project Characteristics

1.1 Land Usage

| Land Uses | Size | Metric |
|-----------|------|--------|
| City Park | 4 | Acre |

1.2 Other Project Characteristics

| | | | | | |
|---------------------|-------|----------------------------------|-----|------------------------|----------------------------|
| Urbanization | Urban | Wind Speed (m/s) | 2.6 | Utility Company | Southern California Edison |
| Climate Zone | 8 | Precipitation Freq (Days) | 31 | | |

1.3 User Entered Comments

- Project Characteristics -
- Land Use - Summer Concert Series near City Hall
- Construction Phase - No construction
- Vehicle Trips - 669 trips per day - 167.25 x 4 acres
- Water And Wastewater - No water use
- Solid Waste -

2.0 Emissions Summary

2.2 Overall Operational

Unmitigated Operational

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-------------|-------------|--------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------------|-----------|-------------|-------------|-----------------|
| Category | lb/day | | | | | | | | | | lb/day | | | | | |
| Area | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | | 0.00 |
| Energy | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | 0.00 | 0.00 |
| Mobile | 3.53 | 5.79 | 29.96 | 0.04 | 4.72 | 0.20 | 4.92 | 0.16 | 0.20 | 0.36 | | 4,034.91 | | 0.23 | | 4,039.64 |
| Total | 3.53 | 5.79 | 29.96 | 0.04 | 4.72 | 0.20 | 4.92 | 0.16 | 0.20 | 0.36 | | 4,034.91 | | 0.23 | 0.00 | 4,039.64 |

Mitigated Operational

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-------------|-------------|--------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-----------------|-----------|-------------|-------------|-----------------|
| Category | lb/day | | | | | | | | | | lb/day | | | | | |
| Area | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | | 0.00 |
| Energy | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | 0.00 | 0.00 |
| Mobile | 3.53 | 5.79 | 29.96 | 0.04 | 4.72 | 0.20 | 4.92 | 0.16 | 0.20 | 0.36 | | 4,034.91 | | 0.23 | | 4,039.64 |
| Total | 3.53 | 5.79 | 29.96 | 0.04 | 4.72 | 0.20 | 4.92 | 0.16 | 0.20 | 0.36 | | 4,034.91 | | 0.23 | 0.00 | 4,039.64 |

3.0 Construction Detail

3.1 Mitigation Measures Construction

4.0 Mobile Detail

4.1 Mitigation Measures Mobile

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-----------|-----------|-----------|-----------|---------------|--------------|------------|----------------|---------------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Category | lb/day | | | | | | | | | | lb/day | | | | | |
| Mitigated | 3.53 | 5.79 | 29.96 | 0.04 | 4.72 | 0.20 | 4.92 | 0.16 | 0.20 | 0.36 | | 4,034.91 | | 0.23 | | 4,039.64 |
| Unmitigated | 3.53 | 5.79 | 29.96 | 0.04 | 4.72 | 0.20 | 4.92 | 0.16 | 0.20 | 0.36 | | 4,034.91 | | 0.23 | | 4,039.64 |
| Total | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

4.2 Trip Summary Information

| Land Use | Average Daily Trip Rate | | | Unmitigated | Mitigated |
|-----------|-------------------------|----------|--------|-------------|------------|
| | Weekday | Saturday | Sunday | Annual VMT | Annual VMT |
| City Park | 0.00 | 669.00 | 0.00 | 204,031 | 204,031 |

| | | | | | |
|-------|------|--------|------|---------|---------|
| Total | 0.00 | 669.00 | 0.00 | 204,031 | 204,031 |
|-------|------|--------|------|---------|---------|

4.3 Trip Type Information

| Land Use | Miles | | | Trip % | | |
|-----------|------------|------------|-------------|------------|------------|-------------|
| | H-W or C-W | H-S or C-C | H-O or C-NW | H-W or C-W | H-S or C-C | H-O or C-NW |
| City Park | 9.50 | 7.30 | 7.30 | 33.00 | 48.00 | 19.00 |

5.0 Energy Detail

5.1 Mitigation Measures Energy

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|------------------------|-----------|-----------|-----------|-----------|---------------|--------------|------------|----------------|---------------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Category | lb/day | | | | | | | | | | lb/day | | | | | |
| NaturalGas Mitigated | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | 0.00 | 0.00 |
| NaturalGas Unmitigated | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | 0.00 | 0.00 |
| Total | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

5.2 Energy by Land Use - NaturalGas

Unmitigated

| | NaturalGas Use | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|----------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-------------|-----------|-------------|-------------|-------------|
| Land Use | kBTU | lb/day | | | | | | | | | | lb/day | | | | | |
| City Park | 0 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | 0.00 | 0.00 |
| Total | | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | 0.00 | 0.00 |

Mitigated

| | NaturalGas Use | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|----------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-------------|-----------|-------------|-------------|-------------|
| Land Use | kBTU | lb/day | | | | | | | | | | lb/day | | | | | |
| City Park | 0 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | 0.00 | 0.00 |
| Total | | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | 0.00 | 0.00 |

6.0 Area Detail

6.1 Mitigation Measures Area

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-----------|-----------|-----------|-----------|---------------|--------------|------------|----------------|---------------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Category | lb/day | | | | | | | | | | lb/day | | | | | |
| Mitigated | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | | 0.00 |
| Unmitigated | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | | 0.00 |
| Total | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

6.2 Area by SubCategory

Unmitigated

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|-----------------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-------------|-----------|-------------|-----|-------------|
| SubCategory | lb/day | | | | | | | | | | lb/day | | | | | |
| Architectural Coating | 0.00 | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | | | | | | 0.00 |
| Consumer Products | 0.00 | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | | | | | | 0.00 |
| Landscaping | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | | 0.00 |
| Total | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | | 0.00 |

6.2 Area by SubCategory

Mitigated

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4 | N2O | CO2e | |
|-----------------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|----------|-------------|-----------|-------------|-----|------|-------------|
| SubCategory | lb/day | | | | | | | | | | lb/day | | | | | | |
| Architectural Coating | 0.00 | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | | | | | | | 0.00 |
| Consumer Products | 0.00 | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | | | | | | | 0.00 |
| Landscaping | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | | | 0.00 |
| Total | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | | 0.00 | | | 0.00 |

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Vegetation

**Ventura Summer Concert Series
Ventura County, Annual**

1.0 Project Characteristics

1.1 Land Usage

| Land Uses | Size | Metric |
|-----------|------|--------|
| City Park | 4 | Acre |

1.2 Other Project Characteristics

| | | | | | |
|---------------------|-------|----------------------------------|-----|------------------------|----------------------------|
| Urbanization | Urban | Wind Speed (m/s) | 2.6 | Utility Company | Southern California Edison |
| Climate Zone | 8 | Precipitation Freq (Days) | 31 | | |

1.3 User Entered Comments

- Project Characteristics -
- Land Use - Summer Concert Series near City Hall
- Construction Phase - No construction
- Vehicle Trips - 669 trips per day - 167.25 x 4 acres
- Water And Wastewater - No water use
- Solid Waste -

2.0 Emissions Summary

2.2 Overall Operational

Unmitigated Operational

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|-------------|--------------|--------------|-------------|-------------|--------------|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Area | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Energy | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Mobile | 0.09 | 0.15 | 0.81 | 0.00 | 0.11 | 0.01 | 0.12 | 0.00 | 0.01 | 0.01 | 0.00 | 90.69 | 90.69 | 0.00 | 0.00 | 90.78 |
| Waste | | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.07 | 0.00 | 0.07 | 0.00 | 0.00 | 0.15 |
| Water | | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | 0.09 | 0.15 | 0.81 | 0.00 | 0.11 | 0.01 | 0.12 | 0.00 | 0.01 | 0.01 | 0.07 | 90.69 | 90.76 | 0.00 | 0.00 | 90.93 |

2.2 Overall Operational

Mitigated Operational

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|-------------|--------------|--------------|-------------|-------------|--------------|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Area | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Energy | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Mobile | 0.09 | 0.15 | 0.81 | 0.00 | 0.11 | 0.01 | 0.12 | 0.00 | 0.01 | 0.01 | 0.00 | 90.69 | 90.69 | 0.00 | 0.00 | 90.78 |
| Waste | | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.07 | 0.00 | 0.07 | 0.00 | 0.00 | 0.15 |
| Water | | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | 0.09 | 0.15 | 0.81 | 0.00 | 0.11 | 0.01 | 0.12 | 0.00 | 0.01 | 0.01 | 0.07 | 90.69 | 90.76 | 0.00 | 0.00 | 90.93 |

3.0 Construction Detail

3.1 Mitigation Measures Construction

4.0 Mobile Detail

4.1 Mitigation Measures Mobile

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-----------|-----------|-----------|-----------|---------------|--------------|------------|----------------|---------------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Mitigated | 0.09 | 0.15 | 0.81 | 0.00 | 0.11 | 0.01 | 0.12 | 0.00 | 0.01 | 0.01 | 0.00 | 90.69 | 90.69 | 0.00 | 0.00 | 90.78 |
| Unmitigated | 0.09 | 0.15 | 0.81 | 0.00 | 0.11 | 0.01 | 0.12 | 0.00 | 0.01 | 0.01 | 0.00 | 90.69 | 90.69 | 0.00 | 0.00 | 90.78 |
| Total | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

4.2 Trip Summary Information

| Land Use | Average Daily Trip Rate | | | Unmitigated | Mitigated |
|--------------|-------------------------|---------------|-------------|----------------|----------------|
| | Weekday | Saturday | Sunday | Annual VMT | Annual VMT |
| City Park | 0.00 | 669.00 | 0.00 | 204,031 | 204,031 |
| Total | 0.00 | 669.00 | 0.00 | 204,031 | 204,031 |

4.3 Trip Type Information

| Land Use | Miles | | | Trip % | | |
|-----------|------------|------------|-------------|------------|------------|-------------|
| | H-W or C-W | H-S or C-C | H-O or C-NW | H-W or C-W | H-S or C-C | H-O or C-NW |
| City Park | 9.50 | 7.30 | 7.30 | 33.00 | 48.00 | 19.00 |

5.0 Energy Detail

5.1 Mitigation Measures Energy

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|-------------------------|-----------|-----------|-----------|-----------|---------------|--------------|------------|----------------|---------------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Electricity Mitigated | | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Electricity Unmitigated | | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| NaturalGas Mitigated | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| NaturalGas Unmitigated | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

5.2 Energy by Land Use - NaturalGas

Unmitigated

| | NaturalGas Use | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|----------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Land Use | kBTU | tons/yr | | | | | | | | | | MT/yr | | | | | |
| City Park | 0 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

5.2 Energy by Land Use - NaturalGas

Mitigated

| | NaturalGas Use | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e | |
|--------------|----------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Land Use | kBTU | tons/yr | | | | | | | | | | MT/yr | | | | | | |
| City Park | 0 | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

5.3 Energy by Land Use - Electricity

Unmitigated

| | Electricity Use | ROG | NOx | CO | SO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-----------------|---------|-----|----|-----|-------------|-------------|-------------|-------------|
| Land Use | kWh | tons/yr | | | | MT/yr | | | |
| City Park | 0 | | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | | | | | | 0.00 | 0.00 | 0.00 | 0.00 |

5.3 Energy by Land Use - Electricity

Mitigated

| | Electricity Use | ROG | NOx | CO | SO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-----------------|---------|-----|----|-----|-------------|-------------|-------------|-------------|
| Land Use | kWh | tons/yr | | | | MT/yr | | | |
| City Park | 0 | | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | | | | | | 0.00 | 0.00 | 0.00 | 0.00 |

6.0 Area Detail

6.1 Mitigation Measures Area

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio- CO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-----------|-----------|-----------|-----------|---------------|--------------|------------|----------------|---------------|-------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Category | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Mitigated | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Unmitigated | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

6.2 Area by SubCategory

Unmitigated

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4 | N2O | CO2e |
|-----------------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| SubCategory | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Architectural Coating | 0.00 | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Consumer Products | 0.00 | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Landscaping | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

Mitigated

| | ROG | NOx | CO | SO2 | Fugitive PM10 | Exhaust PM10 | PM10 Total | Fugitive PM2.5 | Exhaust PM2.5 | PM2.5 Total | Bio- CO2 | NBio-CO2 | Total CO2 | CH4 | N2O | CO2e |
|-----------------------|-------------|-------------|-------------|-------------|---------------|--------------|-------------|----------------|---------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| SubCategory | tons/yr | | | | | | | | | | MT/yr | | | | | |
| Architectural Coating | 0.00 | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Consumer Products | 0.00 | | | | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Landscaping | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | 0.00 | 0.00 | 0.00 | 0.00 | | 0.00 | 0.00 | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

7.0 Water Detail

7.1 Mitigation Measures Water

| | ROG | NOx | CO | SO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Category | tons/yr | | | | MT/yr | | | |
| Mitigated | | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Unmitigated | | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | NA |

7.2 Water by Land Use

Unmitigated

| | Indoor/Outdoor Use | ROG | NOx | CO | SO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|--------------------|---------|-----|----|-----|-------------|-------------|-------------|-------------|
| Land Use | Mgal | tons/yr | | | | MT/yr | | | |
| City Park | 0 / 0 | | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | | | | | | 0.00 | 0.00 | 0.00 | 0.00 |

7.2 Water by Land Use

Mitigated

| | Indoor/Outdoor Use | ROG | NOx | CO | SO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|--------------------|---------|-----|----|-----|-------------|-------------|-------------|-------------|
| Land Use | Mgal | tons/yr | | | | MT/yr | | | |
| City Park | 0 / 0 | | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Total | | | | | | 0.00 | 0.00 | 0.00 | 0.00 |

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

| | ROG | NOx | CO | SO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| | tons/yr | | | | MT/yr | | | |
| Mitigated | | | | | 0.07 | 0.00 | 0.00 | 0.15 |
| Unmitigated | | | | | 0.07 | 0.00 | 0.00 | 0.15 |
| Total | NA |

8.2 Waste by Land Use

Unmitigated

| | Waste Disposed | ROG | NOx | CO | SO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|----------------|---------|-----|----|-----|-------------|-------------|-------------|-------------|
| Land Use | tons | tons/yr | | | | MT/yr | | | |
| City Park | 0.34 | | | | | 0.07 | 0.00 | 0.00 | 0.15 |
| Total | | | | | | 0.07 | 0.00 | 0.00 | 0.15 |

Mitigated

| | Waste Disposed | ROG | NOx | CO | SO2 | Total CO2 | CH4 | N2O | CO2e |
|--------------|----------------|---------|-----|----|-----|-------------|-------------|-------------|-------------|
| Land Use | tons | tons/yr | | | | MT/yr | | | |
| City Park | 0.34 | | | | | 0.07 | 0.00 | 0.00 | 0.15 |
| Total | | | | | | 0.07 | 0.00 | 0.00 | 0.15 |

9.0 Vegetation

Appendix B

Biological Resources Survey Memorandum





Rincon Consultants, Inc.

Environmental Scientists Planners Engineers

M E M O R A N D U M

■ Ventura

180 North Ashwood Avenue
Ventura, California 93003
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F A X 6 4 4 4 2 4 0
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F A X 5 4 7 0 9 0 1
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Monterey, California 93940
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8 3 1 3 3 3 0 3 4 0
info@rinconconsultants.com
www.rinconconsultants.com

Date: June 6, 2012

To: Jasch Janowicz, Rincon Consultants, Inc. Senior Planner

Organization: Rincon Consultants, Inc.

From: Julie Broughton, Senior Biologist

Email: jbroughton@rinconconsultants.com

cc: Cher Batchelor, Rincon Consultants, Inc. Senior Biologist

Re: **Biological Resources for the City of Ventura's Summer Concert Series Tent Location**

Rincon Consultants, Inc. summarizes herein the biological resources observed at the proposed location for the City of Ventura's Summer Concert Series. The purpose of the biological survey was to consider any biological resources that may be a constraint to the placement of an approximately 20,000-square-foot temporary fabric tent constructed within the overflow upper parking lot area behind Ventura City Hall complex. This biological survey was conducted in response to City of Ventura Fire Department draft Fire Department Conditions (dated April 11, 2012) requiring a 100-foot vegetation clearance from all proposed locations of combustible tents prior to the installation of the tents. The following discussion indicates the potential for regulated resources to occur onsite; however, identification of potential special-status species or habitat is based on a suitability analysis level only and does not include definitive surveys for the presence or absence of the species that may be present.

The project site is a vehicle parking lot used by the City of Ventura as an overflow parking lot as part of the Ventura City Hall complex. The parking lot is located approximately 250 feet behind Ventura City Hall and approximately 30 feet above the primary City Hall parking lot and is surrounded by natural and graded slopes. Rincon Senior Biologists, Cher Batchelor and Julie Broughton, performed a site visit on June 6, 2012 to assess sensitive biological resources currently onsite, and record observations of plant and wildlife species. The study area included the existing overflow parking lot and a 100-foot buffer area from the edge of the existing paved parking lot into the surrounding undeveloped hillsides.

Prior to the site visit, Rincon conducted a search of the California Department of Fish and Game's (CDFG's) California Natural Diversity Database (CNDDDB) utilizing the RareFind3 software (updated June 2012) for the Ventura, California USGS Quadrangle and an approximate 5-mile radius around

the project site. This database search was conducted to account for special-status species tracked by CDFG in the area and with potential to occur at the project site. Rincon also referenced the *Opportunities and Constraints Analysis for the Ventura Botanical Gardens* (Sespe Consulting Inc. November 2011) for which Rincon conducted botanical, wildlife, and habitat surveys as support.

Sensitive Habitats and Critical Habitat

The project site and 100-foot perimeter study area was dominated by two habitat types: California Sagebrush Scrub (*Artemisia californica* Shrubland Alliance) dominated by *Artemisia californica* and Lemonade Berry Scrub (*Rhus integrifolia* Shrubland Alliance) dominated by *Rhus integrifolia*.

California Sagebrush Scrub forms an intermittent to continuous canopy and includes an herbaceous layer that is variable both seasonally and annually. This alliance typically occurs on steep slopes but may also occur on rarely flooded, low-gradient deposits along streams. This alliance occurs on alluvial or colluvial derived shallow soils. Important associate shrub species observed contributing to this plant community and observed on site include coyote brush (*Baccharis pilularis*), intermediate morning-glory (*Calystegia macrostegia* ssp. *intermedia*), Plummer's baccharis (*Baccharis plummerae* var. *plummerae*), coast prickly pear (*Opuntia littoralis*), California bush sunflower (*Encelia californica*), ash coast buckwheat (*Eriogonum cinereum*), leafy California buckwheat (*Eriogonum fasciculatum* var. *foliolosum*), sawtooth goldenbush (*Hazardia squarrosa* var. *grindelioides*), giant wildrye (*Leymus condensatus*), bush monkeyflower (*Mimulus aurantiacus* var. *aurantiacus*), lemonade berry (*Rhus integrifolia*), and purple sage (*Salvia leucophylla*). Within this plant community patches of coast prickly pear were observed although not abundant enough to be mapped as a distinct habitat. California Sagebrush Scrub is the most abundant plant community on the project site and perimeter areas, and this plant community covers most of the slopes of varying aspect. A variation of this plant community, disturbed California Sagebrush Scrub, was observed between the proposed project site and the main City Hall parking lot to the south. While the associate shrub species were present, the habitat was broken up by additional non-native plants including freeway iceplant (*Carpobrotus edulis*), tree tobacco (*Nicotiana glauca*), and summer mustard (*Hirschfeldia incana*), and it forms a more open canopy.

Lemonade Berry Scrub forms an intermittent to continuous evergreen canopy on steep canyon slopes onsite. This alliance typically occurs on gentle to abrupt slopes and coastal bluffs of variable aspect in loam and clay soils. Associate species observed onsite within this alliance include California sagebrush, ash coast buckwheat, leafy California buckwheat, laurel sumac (*Malosma laurina*), Plummer's baccharis, and purple sage. This plant community is identified by CDFG as sensitive because of its limited distribution.

The County of Ventura considers locally important or sensitive plant communities as oak woodlands, plant communities associated with riparian or wetland habitat, and rare plant communities (those with a global/state ranking of 1 to 3). California Sagebrush Scrub is ranked as G5/S5 and Lemonade Berry Scrub is ranked as G3/S3. Therefore, Lemonade Berry Scrub is considered a sensitive habitat by the County of Ventura. Due to the limited distribution of this plant community within the subject project site and 100-foot perimeter study area and the greater blocks of this habitat existing immediately north of the study area, impacts to this sensitive plant community is considered a less than significant impact.

No federally designated critical habitat is mapped within five miles of the project site and no critical habitat will be impacted by the proposed project.

Special-Status Plants and Protected Trees

One special-status plant species (several individuals), Plummer's baccharis (*Baccharis plummerae* var. *plumnerae*, California rare Plant Rank 4.3), was observed onsite within the Lemonade Berry Scrub at the northeast boundary of the paved parking lot. Other special-status perennial and/or annual herbs may be present onsite, as coastal sage scrub provides habitat for species such as Catalina mariposa-lily and club-haired mariposa-lily. While the timing of the June 6, 2012 survey was not conducted during the optimal blooming period for most special status plant species, Rincon conducted protocol rare plant surveys in 2011 as part of the environmental studies performed for the *Opportunities and Constraints Analysis for the Ventura Botanical Gardens*, which included the subject study area. The only special-status plant species observed during the 2011 surveys and the current 2012 survey is Plummer's baccharis. The proposed project will impact a few Plummer's baccharis individuals, but will not eliminate an entire population or reduce the population to an unsustainable level; therefore, impacts to this species is a less than significant impact.

No protected trees were observed within the project boundary or the 100 foot perimeter study area and no protected trees will be impacted by the proposed project.

Potential for Special-Status Wildlife

No special-status wildlife species were observed onsite. The special-status wildlife species tracked by CNDDDB within five miles of the project site include, monarch butterfly (G5/S3, overwintering, tracked 1.25 miles west of the site), Mexican long-tongued bat (CDFG Species of Special Concern [SSC], approximately 3 miles south of the site), and pallid bat (CDFG SSC, approximately 4 miles south of site). Bryant's woodrat (formerly San Diego desert woodrat; CDFG Species of Special Concern [SSC], approximately 2 miles north of site) typically erects middens in dense coast prickly pear and/or rock outcrop habitat. Although this coast prickly pear occurs within the 100-foot perimeter study area, and this species has been found (within the adjacent southwestern portion of botanical gardens property) by Rincon during surveys conducted as support for the *Opportunities and Constraints Analysis Ventura Botanical Gardens*, the density of the prickly pear at the subject location is not sufficient to support the Bryant's woodrat. Mexican long-tongued bat and pallid bat are not expected onsite due to lack of preferred habitat. Monarch butterfly overwintering roosts are not expected within the study area due to a lack of protected roosting trees. While a couple scattered eucalyptus exist within the 100-foot perimeter study area, they are not dense enough to provide protection. While special-status wildlife species are not expected within the study area, their absence cannot be confirmed. As such, potential impacts to special-status wildlife species are potentially significant but mitigable.

Nesting Birds

A high potential for nests and nesting birds protected by the California Fish and Game Code and protected by the federal Migratory Bird Treaty Act exists within the survey area. Several bird species were observed onsite using the natural vegetation for cover and foraging resources, including California towhee, Cooper's hawk, song sparrow, and northern flicker. Migratory bird species are expected to nest onsite during the nesting/breeding season. As such, potential impacts to protected nesting birds are potentially significant but mitigable. To avoid impacts to nesting birds, vegetation clearance should take place outside of the bird nesting season (February 1 to August 31). If vegetation

clearance is proposed within nesting habitat and within the breeding season, pre-construction bird nesting surveys will likely be required to determine the locations of nesting birds.

Wildlife Movement

Several species of common wildlife were observed or detected onsite during the site visit. In addition to the bird species mentioned above under Nesting Birds, woodrat (midden), California ground squirrel (burrows), and side-blotched lizard (direct observation) were found to use the habitats onsite as well. Several additional wildlife species are expected to frequent and inhabit the habitats of the project site. While it is evident that the site is used by wildlife, the proposed vegetation clearance within the 100 foot perimeter study area is not expected to significantly impact wildlife movement. Although it is recommended that a qualified biologist is present to clear the site of wildlife prior to the start of vegetation clearance and assist if wildlife is threatened by activities.

Constraints

The following is a summary of the recommended constraints:

- One special-status plant species, Plummer's Baccharis, was observed onsite within the Lemonade Berry Scrub. The project poses a low potential to impact Plummer's baccharis due to low number of individuals within the 100 foot perimeter study area.
 - California Sagebrush Series and Lemonade Berry Scrub habitats are present within the 100 foot perimeter study area. The removal of the small distribution of these existing habitats within the proposed clearance area represents only a small portion of the overall distribution within the surrounding areas and will not significantly impact the habitats.
 - To avoid impacts to nesting birds, vegetation clearance should take place outside of the bird nesting season (February 1 to August 31). If vegetation clearance is proposed within nesting habitat and within the breeding season, pre-construction bird nesting surveys will likely be required to determine the locations of nesting birds. Avoidance of nests and construction monitoring will reduce the potential for impact to nesting birds.
 - Presence of a qualified biologist prior to the start of and during vegetation clearance will reduce the potential for impact to existing wildlife.
-

Appendix C

Geotechnical/Slope Stability Analysis Report



**EVALUATION OF FIRE TRUCK LOADS
ON SLOPE STABILITY
UPPER PARKING LOT NORTH OF
SAN BUENAVENTURA CITY HALL
VENTURA, CALIFORNIA**

**VT-24691-01
APRIL 2012**

**PREPARED FOR
CITY OF SAN BUENAVENTURA**

**BY
EARTH SYSTEMS
SOUTHERN CALIFORNIA
1731-A WALTER STREET
VENTURA, CALIFORNIA**

EARTH SYSTEMS SOUTHERN CALIFORNIA



April 3, 2012

VT-24691-01
12-04-66

City of San Buenaventura
Attention: Rick Raives, Public Works Director
P.O. Box 99
Ventura, CA 93001

Project: Upper Parking Lot North of San Buenaventura City Hall
Subject: Recommended Fire Truck Setback from South Edge
Reference: Geotechnical Engineering Report for Repair of the Slope between Parking Lots at City Hall, Ventura, California, May 8, 1995, Earth Systems Consultants Southern California

A summer concert venue is under consideration for the upper parking lot north of the San Buenaventura City Hall and, as part of that consideration, a fire truck access lane needs to be identified. We have been asked to evaluate how close a fire truck can be positioned to the south edge of the parking lot without negatively affecting the slope stability there. The subject slope separating the two parking lots has a history of surficial instability and a geotechnical study of the situation was commissioned in 1995 (referenced above). In this evaluation, we have used soil and bedrock material strengths determined in that study for the focused stability analysis done for this study.

Present Slope Condition

The subject slope face was created by mostly cut grading but has fill at both the west and east ends. In cut areas, soft bedrock units of the Saugus formation dip to the south at about 40 degrees. The average slope gradient is about 1.25:1 (horizontal to vertical). This gradient equals about 39 degrees indicating the slope is essentially a bedrock dip slope. The slope shows effects of shallow instability at most areas below the crest. In the western and central portion of the slope, the shallow failures appear to be in the range of 1-2 feet deep. Failures are deeper in the eastern portion. The deepest is a slump that appears to have dropped about

5 feet at the crest and affected the south edge of the parking lot pavement. The southern about 3 feet of the pavement fell away in this slump. To either side of this deepest slump, instabilities in the range of about 2-3 feet depth have occurred (see attached Site Plan).

Comparing photos taken during the late 1990's (after the debris wall had been constructed at the slope toe) to current slope exposures, the slope profile at the location of the deepest slump does not appear to have changed significantly over the time period.

Slope Stability Analyses

The minimum fire truck setback distance to the south edge of the upper parking lot was evaluated by calculating the factor of safety of the existing slope profile at the area of the deepest slump under conditions of applied wheel loads of 11,000 psf (simulating the load of one quadrant of a fire truck weighing 44,000 lbs.). In our modeling, it was assumed that the steepest portion of the slope in the area of the deepest slump presently has an associated factor of safety of about 1 at the point of the northernmost AC cracking above the slump. The cracking indicates the supporting soil has begun to move.

Applying a simulated wheel load of 11,000 psf to the location of the northernmost AC pavement cracking above the slump (about 3 feet north of the AC curb) the analysis indicates a change in factor of safety to about 0.8. If the load is modeled 2 feet north of the crack, the factor of safety improves to about 0.87. Similarly, if the load is modeled 4 and 6 feet north of the crack, the factors of safety improve to 1.02 and 1.20 respectively.

Additional information regarding the slope stability analyses is presented on an attachment "Notes on Stability Analyses"

Recommended Setback Distance

The factor of safety of 1.20 that is calculated for the 6-foot setback north of the northernmost crack seems appropriate for a minimum allowable when considering a temporary load such as that imposed by a fire truck. For the central and western portions of the parking lot's south edge, the 6-foot setback is referenced from the slope crest where, in some areas, surficial instability has progressed up to the slope edge. The suggested setback is plotted on the attached Site Plan.

For reference, the 6-foot setback is approximated by the existing cable barrier that prevents autos from entering the zone near the slump area.

If Fire Truck Access is Moved to North Side of Parking Lot

We have been asked to also consider the slope conditions on the assumption that the fire truck access is shifted to the north side of the parking lot. In this case the

seating and stage are moved closer to the south edge. The stage should be set back at least 6 feet from the northernmost cracks in the AC near the slump. Concentrated people loads should be kept at least 4 feet north of the same cracks. Concentrated loads from canopy supports (if used) may need to be accommodated by pier foundations where positioned near the slope edge. We can evaluate that situation when plans are available.

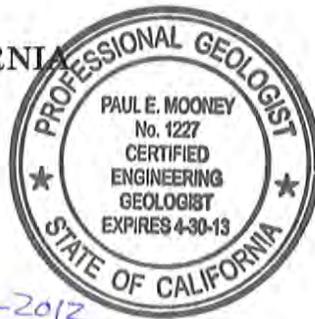
If there are any questions regarding this letter, please do not hesitate to contact the undersigned.

Respectfully submitted,

**EARTH SYSTEMS
SOUTHERN CALIFORNIA**

Paul E. Mooney

Paul E. Mooney
Engineering Geologist



4-3-2012

4/4/12



Richard M. Beard
Richard M. Beard
Geotechnical Engineer

/pem

Attach: Notes on Stability Analyses
Cross Section A-A' with Factors of Safety for 2', 4', and 6' Fire Truck offsets
Printouts from Stability Analyses
Site Plan

Copies: 3 - City of San Buenaventura
1 - Project File

Notes on Stability Analyses

- The stability analyses were computer calculated using the program GSTABL7 (Gregory, G.H., 2003).
- The topography of the cross section evaluated for stability (A-A') was determined from LIDAR data that was flown in 2005. This was because the only available topographic plan covering the subject area was prepared prior to the occurrence of the deepest slump during the 1990's.
- After the cross section was prepared using the LIDAR data, it was field checked using hand surveying equipment with good correlation.
- Soft bedrock strengths were those used in the analyses presented in the 1995 study by Earth Systems Consultants Southern California.
- Strength of the slumped soil was back calculated by assigning a factor of safety of 1 to a simulated failure surface through the steepest portion of the slump. Determined soil parameters were $\Phi = 8^\circ$, Cohesion = 90 psf.
- The applied load simulating the fire truck is a line load oriented perpendicular to the section. This is a relatively conservative model.

Cross Section Through Slump Area

View to West

Northernmost Crack in Pavement

2' offset, F.S. = 0.87
4' offset, F.S. = 1.02
6' offset, F.S. = 1.20

The Factors of Safety (F.S.) shown to the right represent the computed factor of safety of the upper portion of the slope when a vertical load of 11,000 lbs/ft² representing a maximum estimated fire truck wheel load is modeled.

Saugus Formation

Slide Material

APPROXIMATE
SCALE
1 in = 10 ft



Cross Section A-A'

Ventura City Hall
Slope Between North Parking Lots



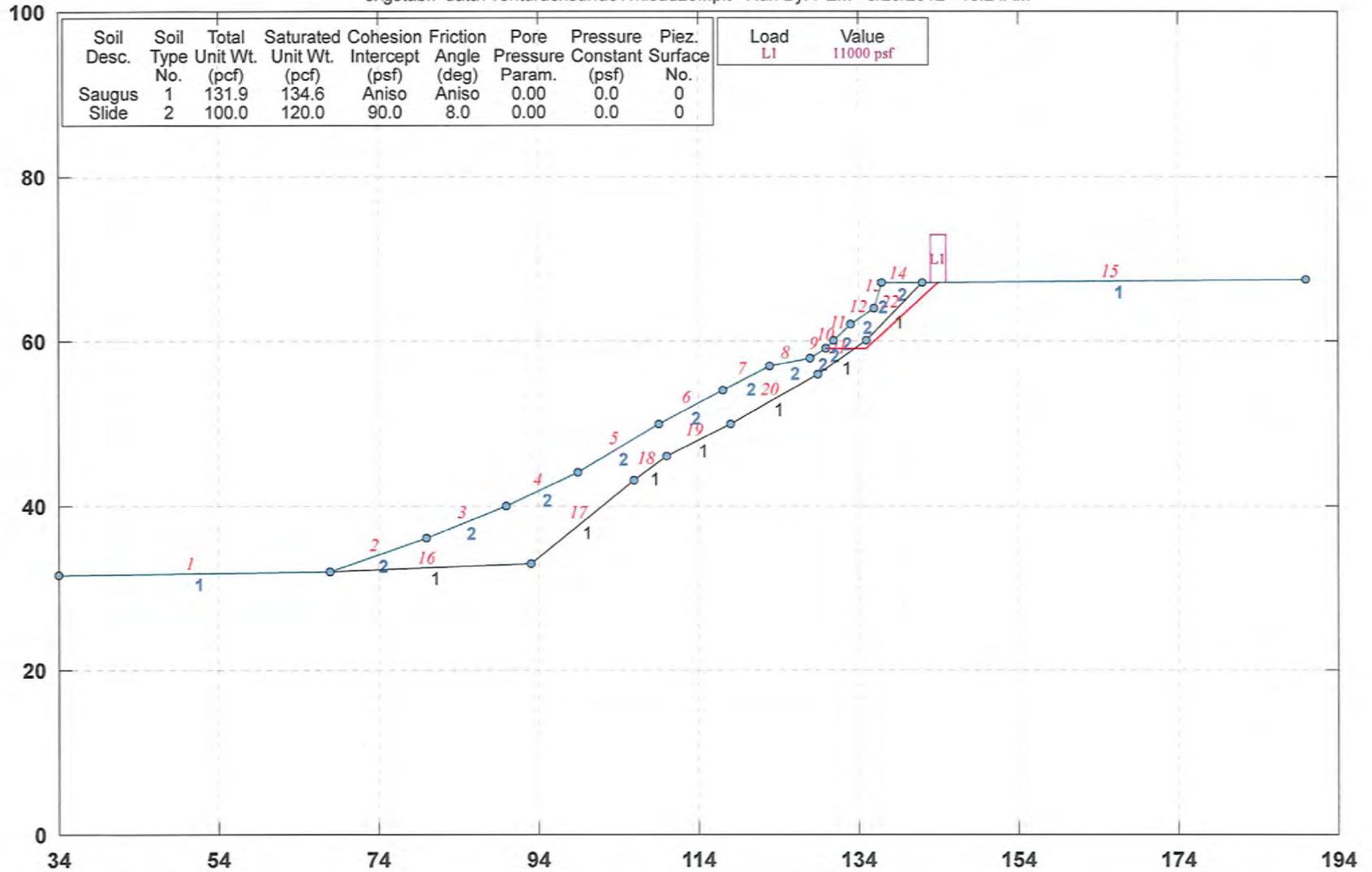
Earth Systems
Southern California

April, 2012

VT-24691-01

Ventura City Hall Parking Lot Slope 2' North of AC Crack with Simulated Load

c:\gstabl7 data\venturachsurfac11kload2off.plt Run By: PEM 3/29/2012 10:24AM



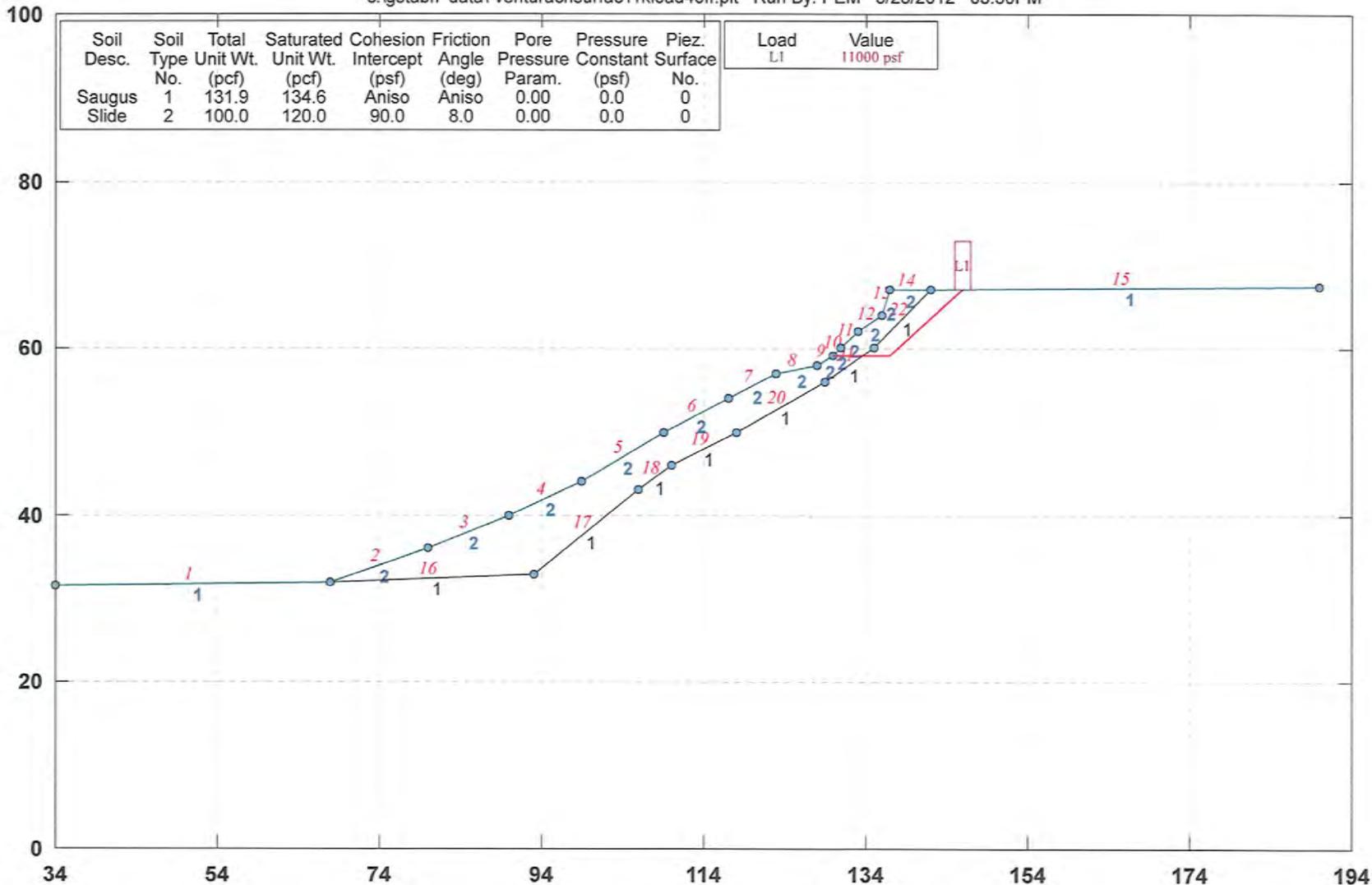
GSTABL7 v.2 FSmin=0.875

Factor Of Safety Is Calculated By The Simplified Janbu Method



Ventura City Hall Parking Lot Slope Edge of Upper Slope with Simulated Load

c:\gstabl7 data\venturachsurfac11kload4off.plt Run By: PEM 3/28/2012 03:30PM



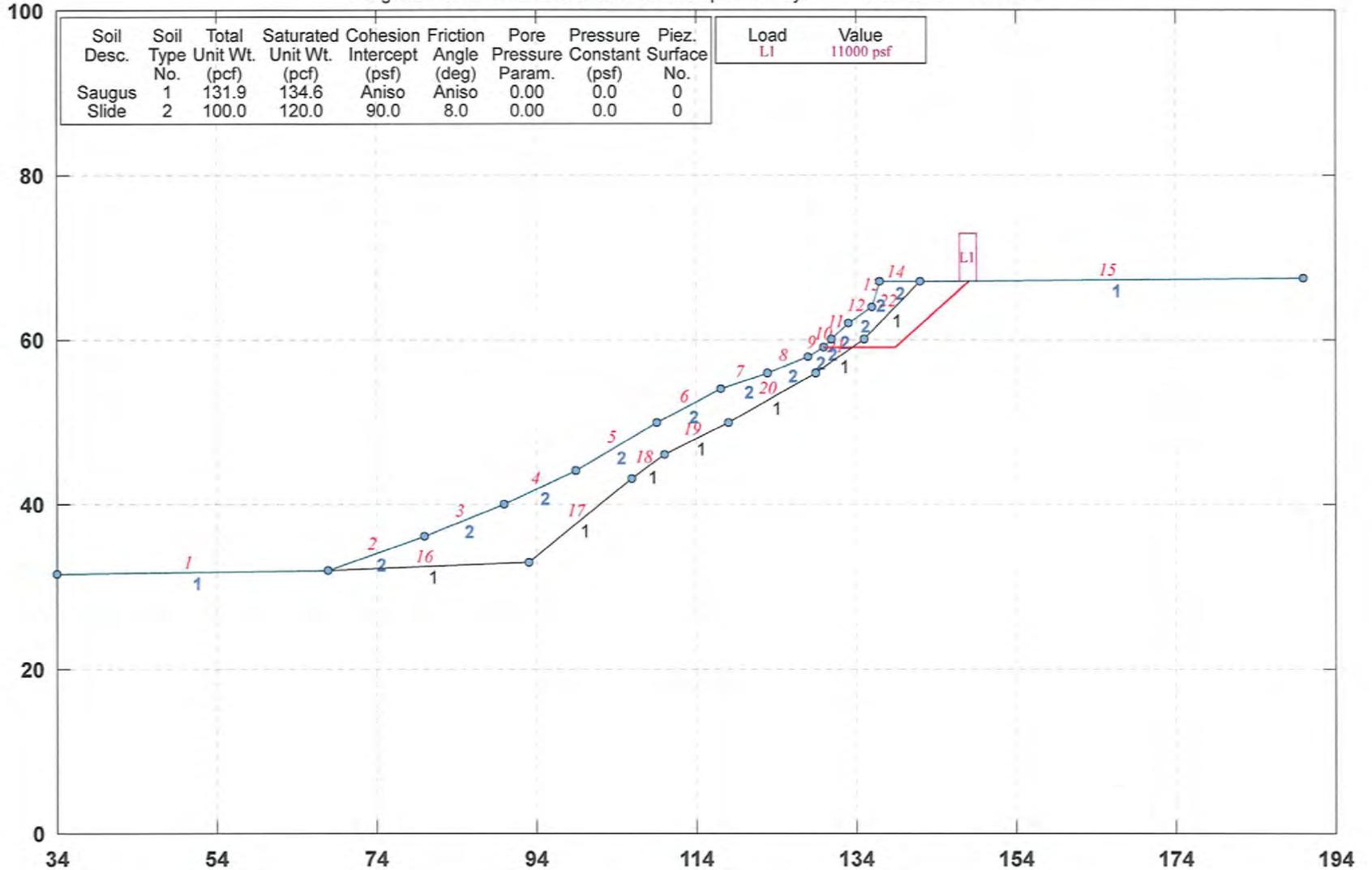
GSTABL7 v.2 FSmin=1.018

Factor Of Safety Is Calculated By The Simplified Janbu Method



Ventura City Hall Parking Lot Slope 6' North of AC Crack with Simulated Load

c:\gstabl7 data\venturachsurfac11kload6off.plt Run By: PEM 3/29/2012 10:34AM



GSTABL7 v.2 FSmin=1.203

Factor Of Safety Is Calculated By The Simplified Janbu Method



Appendix D

Fire Behavior Analysis and Fire Department Conditions of Approval



FIRE DEPARTMENT

April 11, 2012

Mark Hartley
34 N. Palm St.
Ventura, CA 93001

RE: Proposed Summer Concert Series

Mr. Hartley:

The Fire Department has reviewed the proposal for a summer concert series submitted by your team on April 10, 2012. The proposal includes an 82-foot by 246-foot fabric tent for the concerts as well as several smaller tents and facilities on the upper parking lot above City Hall. As we have discussed, this proposed event location sits within the City of Ventura's "Very High Fire Hazard Severity Zone" as determined by the State of California. Therefore, careful planning, mitigation, and preparation must be done to deal with potential wildfires and other emergencies that may arise during the concerts and over the course of the tent installation.

Review of your documents and site measurement has revealed that the proposed tent will not provide for adequate exiting as required by Chapter 24 of the Ca Fire Code (CFC) and must be reduced in size based on site conditions. Specifically, a minimum width of 10 feet is required on the north side of the tent for occupants' means of egress. Prior to final Fire Department approval, documents must be submitted that show compliance with all applicable requirements of the CFC.

Attached are two documents related to the Fire Department review. The "Fire Behavior Analysis" represents current site conditions and probable wildland fire behavior as analyzed by the Ventura County Fire Protection District's Vegetation Management Planner using standard methodologies adopted in the western United States. Also attached are draft Fire Department Conditions to be implemented for your event to ultimately meet the intent of the CFC in providing for public and responder safety.

Please review the attached documents carefully. The draft Fire Department Conditions are limited to the event as currently proposed and are subject to change based on additional information provided by you, your team or others involved with the project. If you have any questions, please contact Fire Marshal Brian Clark at (805) 654-7794.

Regards

Kevin Rennie
Fire Chief

attachments



VENTURA COUNTY FIRE DEPARTMENT WILDLAND FIRE AND AVIATION DIVISION

2471 LATIGO AVE ♦ OXNARD, CALIFORNIA 93030
(805) 388-4589



CITY OF VENTURA PROPOSED CONCERT VENUE FIRE BEHAVIOR ANALYSIS

Site Overview

The City of Ventura is located northwest of Los Angeles on the Pacific coast and is referred to as a “Beach Community”. The proposed concert venue site is located behind City Hall, 501 Poli St in the upper parking lot. The site is bordered by natural vegetation on all sides. Vegetation to the south is a narrow border between the upper and lower parking lots. Access and egress to the site is through a single driveway to the east of the City Hall. In addition to the City Hall the area supports a number of single and multi family residences. (Fig 1)

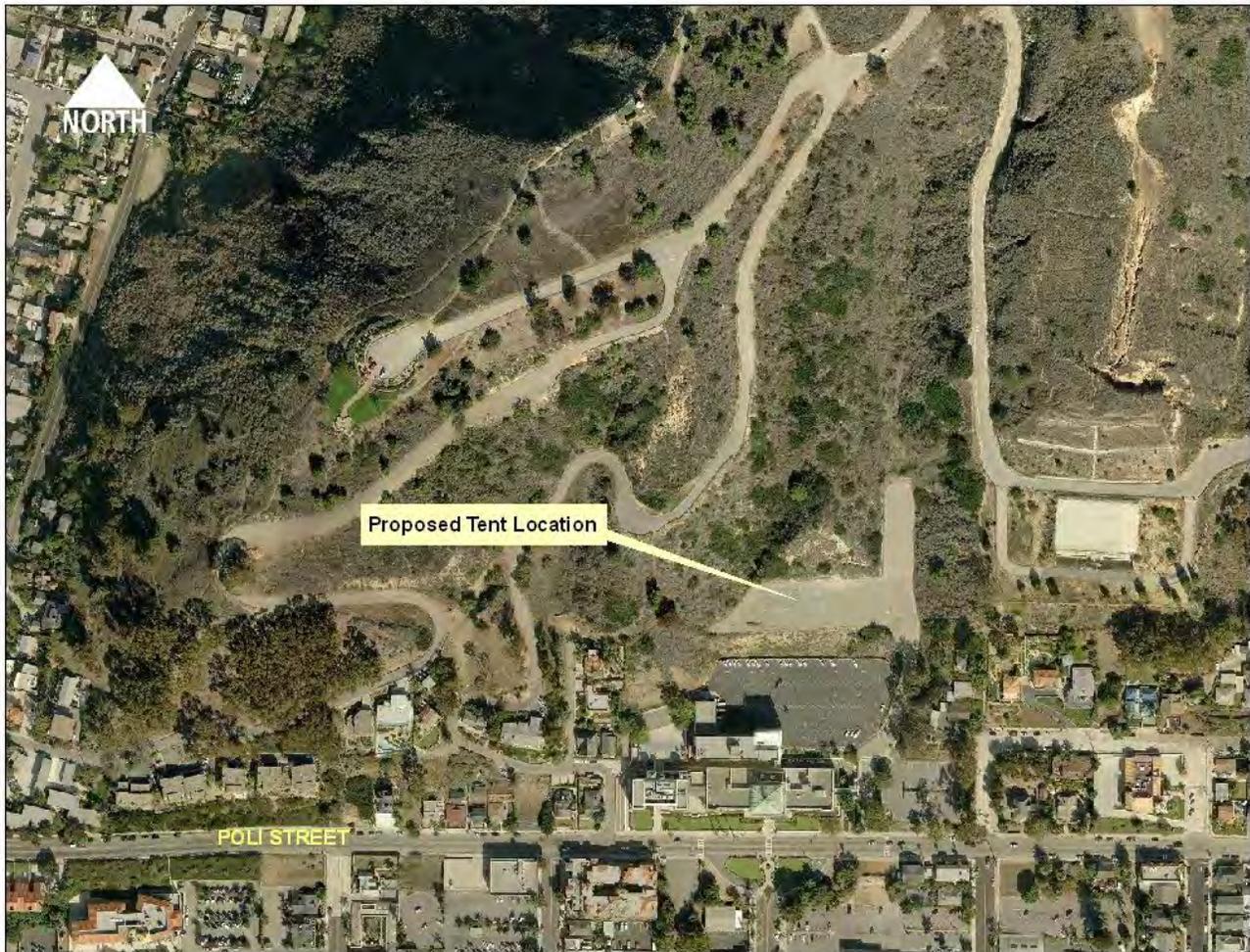


Fig 1

Topography cont.



Fig 3



Looking up Canyon 2 from the end of the parking lot.



Looking down Canyon 2 from Brakey Rd.

Topography cont.



Looking up Canyon 1 from the parking lot.

Looking down Canyon 1 from Brakey Rd.



Vegetation

The vegetation surrounding the area would be described as coastal sage scrub. This vegetation is represented by woody shrubs and shrub litter, dense, finely branched shrubs with significant fine dead fuel, about 4-6 feet tall with herbaceous plants intermixed (SH9). The dominant plant species are listed below and in (Fig 4):



Rhus integrifolia; Lemonade Berry



Baccharis pilularis; Coyote Brush



Artemisia californica; California Sage



Leymus condensatus; Giant Wild Rye

Vegetation cont.

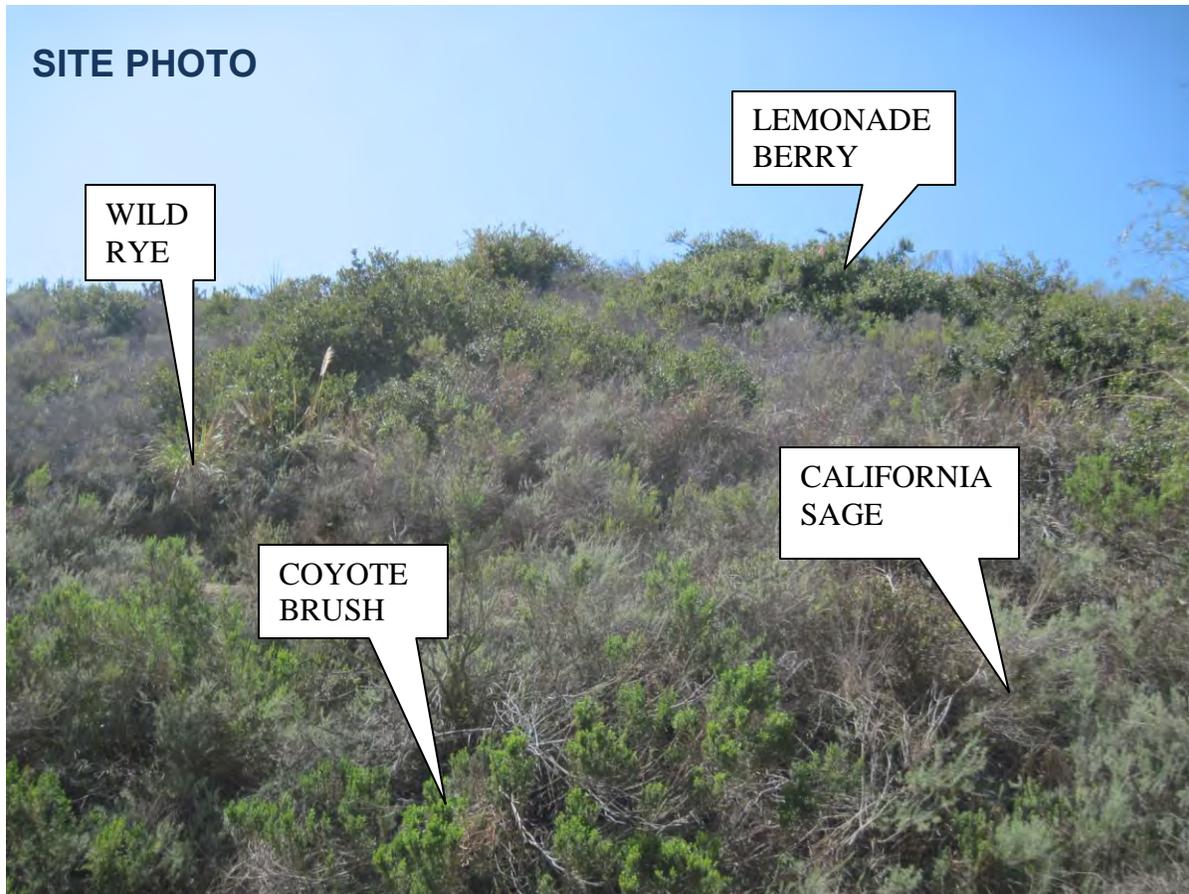


Fig-4

In addition to the plants referenced above a component of light fine short grass (FM1) is also present.

The vegetation surrounding the area would be considered an “old growth” fuel bed. Over time the accumulation of dead material increases with the lack of vegetation reduction, which would occur during a wildfire, prescribed fire or vegetation management practices. On the average, 15 years is used as a bench mark. This is the typical age at which the amount of dead vegetation exceeds the amount of live vegetation. The 15 year time frame can be shortened by drought, frost or bug kill and extended by increased precipitation or vegetation management practices. The age class for the fuel bed surrounding the proposed venue site is 42 years.

The live vegetation component and the moisture associated with it acts as a heat sink to reduce or limit fire behavior. Due to the age class of the vegetation and the increased dead vegetation component, increased fire behavior can be expected at higher live fuel moisture values of 100%. Seasonal drought conditions where the live fuel moisture on the average is at or below 100% would range from mid to late June through January. For newer growth stands of vegetation, 80% live fuel moisture or below is when you begin to experience active fire behavior. Seasonal drought conditions where the live fuel moisture on the average is at or below 80% would range from July through December.

Vegetation cont.

Coastal sage scrub (FM-SH9) is associated with high spread rates and very high flame lengths. Utilizing Behave Plus, Fire Modeling System and the vegetation moisture values listed below provides possible rates of spread and flame length under the listed wind conditions.

| WIND SPEED | RATE OF SPREAD | | FLAME LENGTH |
|------------|----------------|------|--------------|
| | CH/HR | MPH | |
| 5 mph | 37.4 | .46 | 16.7' |
| 10 mph | 86 | 1 | 24.6' |
| 15 mph | 141.5 | 1.76 | 30.9' |
| 20 mph | 201.9 | 2.52 | 36.4' |
| 25 mph | 266.3 | 3.32 | 41.3' |
| 30 mph | 334.1 | 4.17 | 45.9' |

Fuel Moisture: 1 hour – 7%
10 hour – 8%
Live Herbaceous Moisture 100%
Live Woody Moisture 100%

The short grass (FM1) would increase rates of spread between vegetation types and also be a receptive fuel bed for spotting.



This picture indicates the type of fire behavior that a coastal sage scrub fuel bed can produce. The location of this control burn is due west of Ventura City and a good representation of the fuel surrounding the proposed venue site.

Vegetation cont.

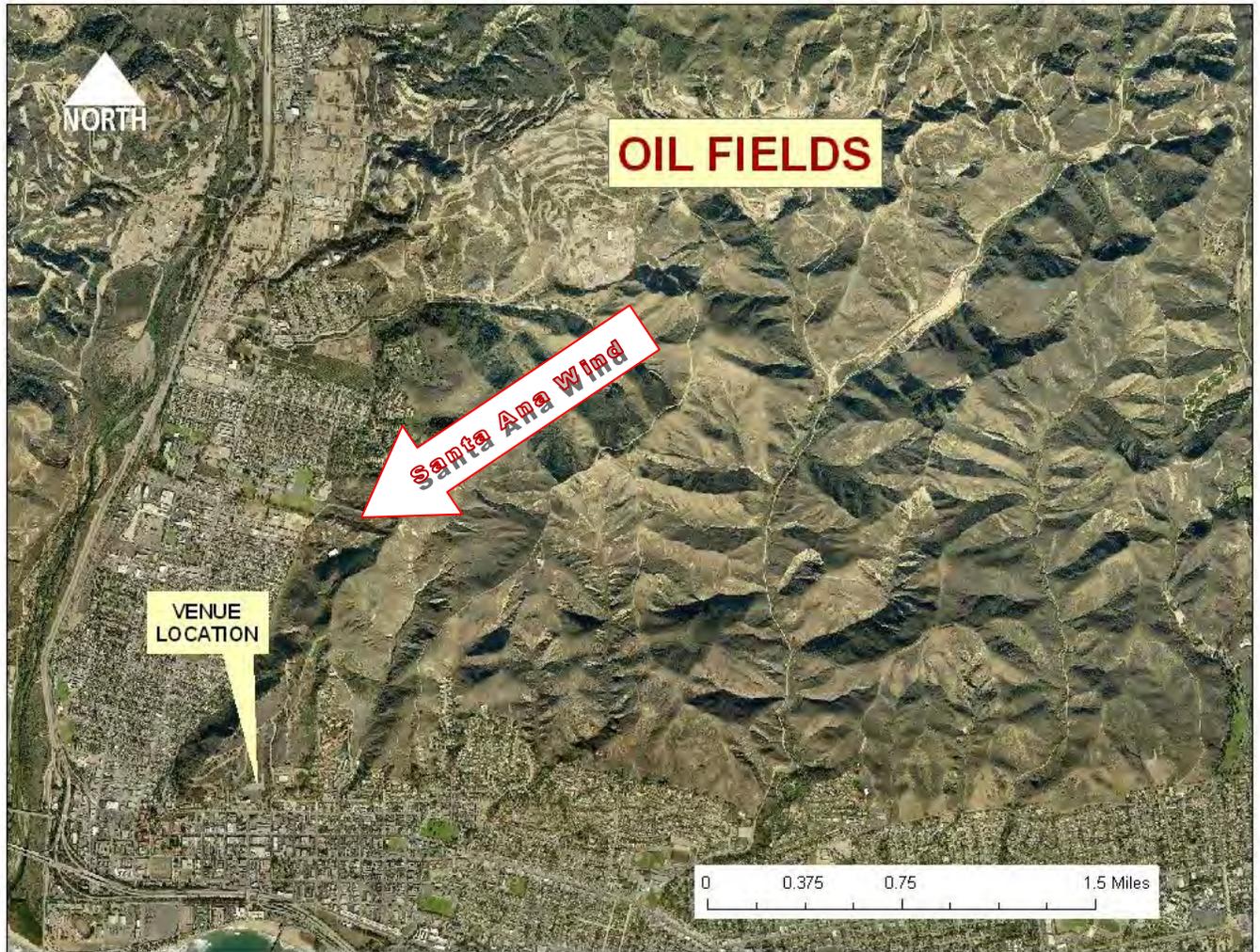


Fig. 5

Another factor in the relationship between vegetation and fire spread is the continuity of vegetation. Where there are breaks in the vegetation, like housing tracts, lakes, agriculture or road systems, fire spread is limited or in some cases stopped. Where there are no breaks in vegetation and there exist a continuous fuel bed as indicated in aerial photograph (fig.5), fire spread is unhindered. The continuity of vegetation from an ignition source to the area impacted by a wind driven fire has to be considered. Possible ignition sources up wind from the venue site include but not limited to: vehicle operations, oil field infrastructure, recreational use and arson. During normal onshore winds a fire would tend to burn away from the venue site however during a Santa Ana wind event these ignitions sources could set the stage for a wildfire that could severely impact the wildland urban interface of Ventura City.

Weather

Weather is the key component and driving force behind fire behavior. The City of Ventura has a Mediterranean climate that is typical of most California Coastal areas. Winds are typically on shore during the day with cooler temperatures averaging 74 degrees and higher relative humidity associated with the southern California coastal regions. These diurnal weather conditions would not pose a great threat to the proposed venue site.

Santa Ana Winds which are strong, extremely dry offshore winds that can easily exceed 40 mph, sweep Southern California in the late fall and early winter. These winds are known for the hot dry weather that is infamous for fanning regional wildfires, especially under drought conditions (Fig-6). It is the Santa Ana wind condition that has contributed to the wildfires that have impacted the Ventura area in the past and pose the greatest threat to the proposed venue site.

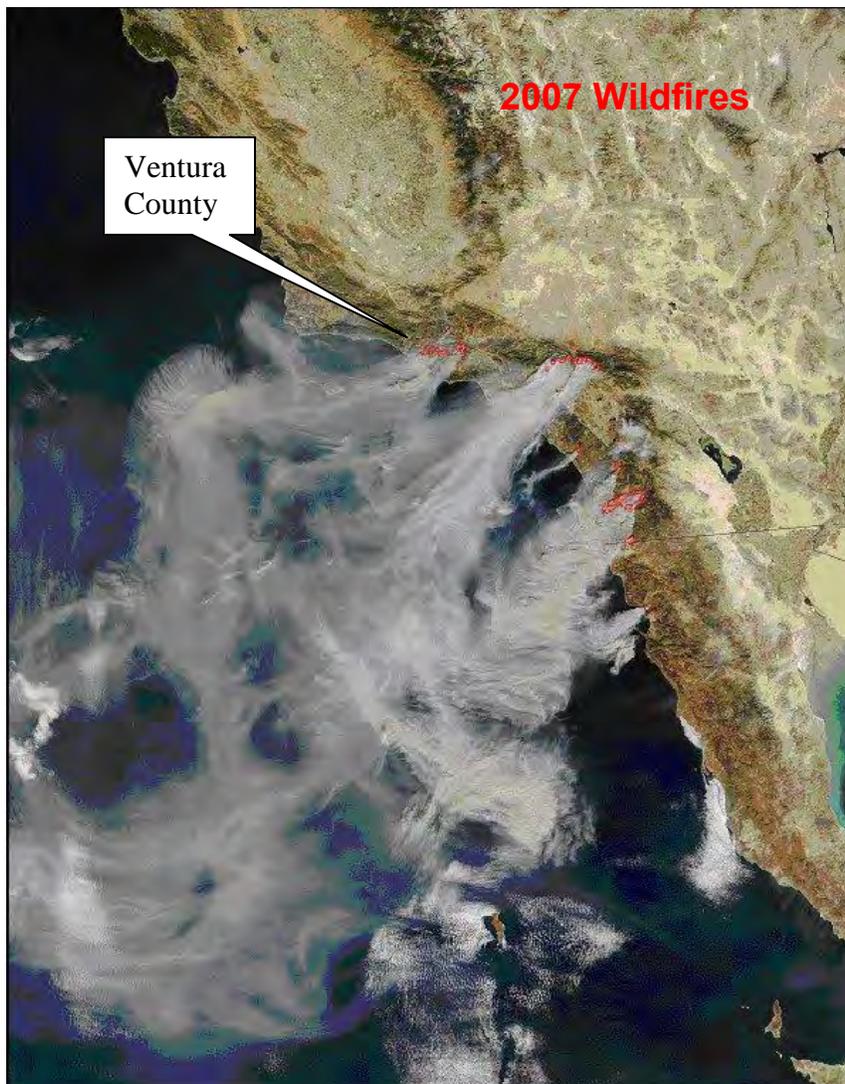


Fig-6

Fire History

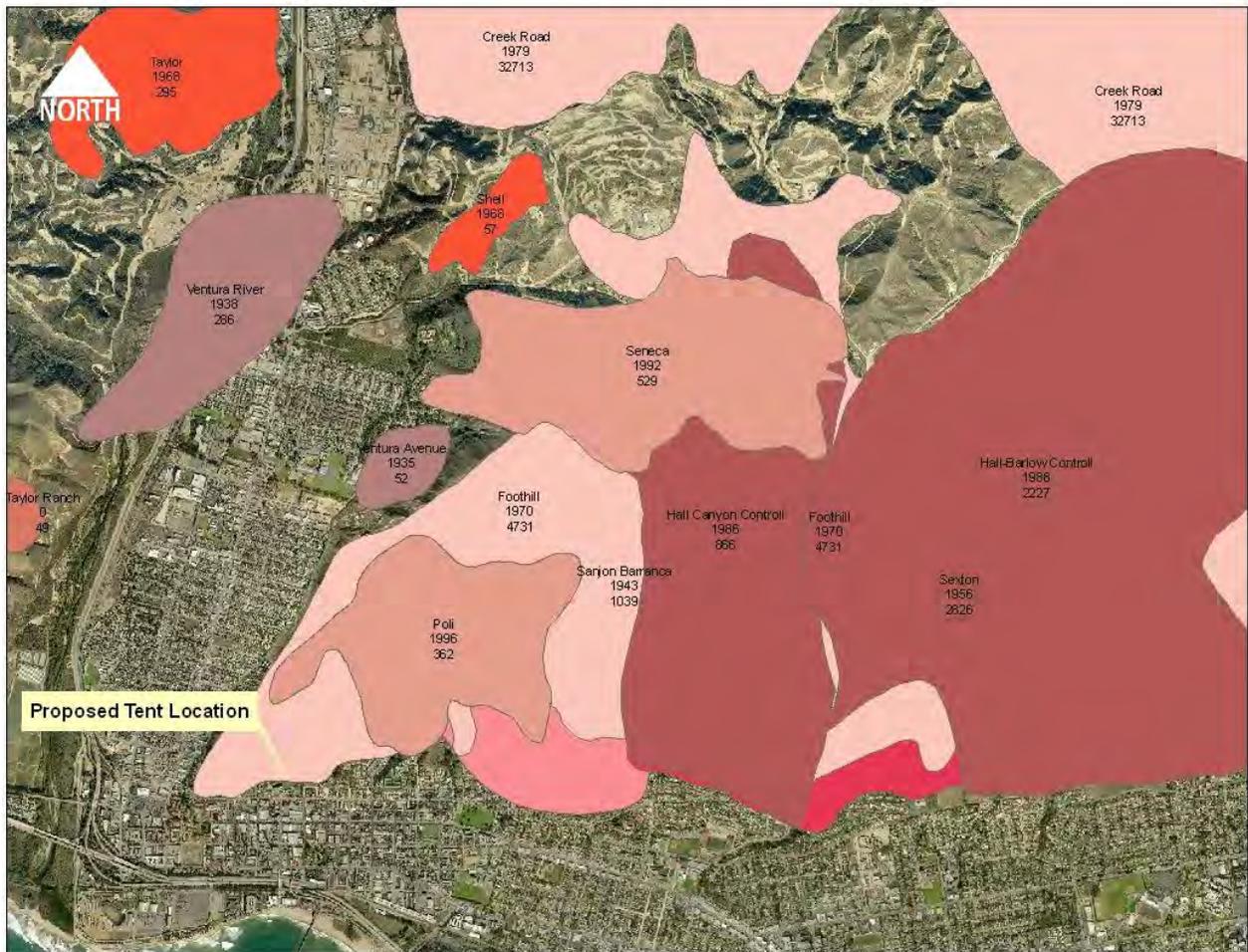


Fig-7

The area surrounding the proposed venue site has experienced four significant fires over the past 75 years. The Sanjon Barranca fire in 1943; the Foothill Fire in 1970; the Poli fire in 1996 and the School Fire (perimeter not shown) in 2006 (Fig-7).

The greater majority of these fires occurred during Santa Ana wind conditions.

Fire Behavior

Fire behavior describes how a fire burns. It is important to understand the relationship between the three environmental factors: Fuel (vegetation), weather and topography. Topography sets the stage, with little to no change over time. Fuel (vegetation) changes gradually based on seasonal drought and other weather conditions. Weather is the key component to fire behavior and can change rapidly increasing or decreasing fire behavior. Listed below are some possible scenarios based on some common weather conditions experienced in the Ventura City area.

The fire behavior scenarios listed below are based on weather conditions common to the Ventura City area. Fire behavior outputs are based on Behave Fire Modeling Runs using the coastal sage scrub (SH9) fuel model. Live fuel moisture values are based on the Ventura County live fuel moisture averages. Fire Behavior Outputs are defined:

Surface Rate of Spread: The “speed” the fire travels through the surface fuels. Surface fuels include the litter, grass, brush and other dead and live vegetation. The Maximum rate of spread is the spread rate of the head fire.

Flame Length: The flame length of a spreading surface fire within the flaming front is measured from midway in the active flaming combustion zone to the average tip of the flames.

Probability of Ignition: Is an indication of the chance that a firebrand will cause an ignition.

Scenario 1: Diurnal weather conditions for April

Month.....April
Time of day.....1500 hrs
Temperature.....75°F
Relative Humidity.....38%
Wind.....west 8mph
Sky weather.....Sunny
Live fuel moisture.....123% (Average live fuel moisture for April)
Slope Steepness.....35%

Fire Behavior Outputs:

Surface Rate of Spread (Maximum).....50.7 ch/h (.6 mph)
Flame Length.....18.7ft
Probability of ignition.....60%

Fire Behavior Cont.

Scenario 2: Cold Front

Month.....April
Time of day.....1500 hrs
Temperature.....60°F
Relative Humidity.....85%
Wind.....west 16mph
Sky weather.....Sunny
Live fuel moisture.....123% (Average live fuel moisture for April)
Slope Steepness.....35%

Fire Behavior Outputs:

Surface Rate of Spread (Maximum).....31.9 ch/h (.4 mph)
Flame Length.....9.8ft
Probability of ignition.....20%

Scenario 3: June Gloom

Month.....June
Time of day.....1500 hrs
Temperature.....55°F
Relative Humidity.....95%
Wind.....west 2mph
Sky weather.....Overcast
Live fuel moisture.....97% (Average live fuel moisture for June)
Slope Steepness.....35%

Fire Behavior Outputs:

Surface Rate of Spread (Maximum).....12.2 ch/h (.1 mph)
Flame Length.....9.0ft
Probability of ignition.....10%

Fire Behavior Cont.

Scenario 4: August summer evening

Month.....August
Time of day.....1900 hrs
Temperature.....80°F
Relative Humidity.....50%
Wind.....calm
Sky weather.....clear
Live fuel moisture.....70% (Average live fuel moisture for August)
Slope Steepness.....35%

Fire Behavior Outputs:

Surface Rate of Spread (Maximum).....12.6 ch/h (.1 mph)
Flame Length.....9.7ft
Probability of ignition.....30%

Scenario 5: Santa Ana Winds

Month.....October
Time of day.....1500 hrs
Temperature.....90°F
Relative Humidity.....10%
Wind.....North East 30 mph
Sky weather.....Sunny
Live fuel moisture.....65% (Average live fuel moisture for October)
Slope Steepness.....35%

Fire Behavior Outputs:

Surface Rate of Spread (Maximum).....208.4 ch/h (2.6 mph)
Flame Length.....37.9ft
Probability of ignition.....90%

Fire Behavior Cont.

| WIND SPEED | POTENTIAL SPOTTING DISTANCE |
|------------|-----------------------------|
| 1 MPH | 0.1 MI |
| 5 MPH | 0.2 MI |
| 10 MPH | 0.4 MI |
| 15 MPH | 0.7 MI |
| 20 MPH | 0.9 MI |
| 25 MPH | 1.1 MI |
| 30 MPH | 1.4 MI |
| 35 MPH | 1.6 MI |
| 40 MPH | 1.8 MI |
| 45 MPH | 2.1 MI |

Spotting distance from a wind-driven surface fire is the maximum distance that one can expect potential spot fires based on firebrands from a spreading wind-driven surface fire. Spotting distance in the scenarios listed above range from .1(500feet) – 2 miles. Spotting distance is based upon transport wind conditions, fuel burning and receptive vegetation to spotting.

SMOKE

Another issue regarding fire behavior is impacts due to smoke. Limited visibility could hamper access and egress along with health impacts to the public.



Jesusita fire 2009. These same smoke conditions could be produced during a Santa Ana wind event impacting the City of Ventura.



Coastal sage scrub. Loma Fire Camarillo

The fire behavior prediction values referenced are based on calculations derived from Behave Plus, Fire Modeling System 5.0.2, historical weather and experienced gained from a 33 year fire career with the Ventura County Fire Department. All numeric values are predictions and could increase or decrease in value based on the fire environment conditions.

Brendan Ripley
Vegetation Management Planner
Ventura County Wildland Division



DRAFT

Ventura Botanical Gardens Summer Concert Series Fire Department Conditions

Mitigation

1. Provide 100' of vegetation clearance from all combustible tents (measured horizontally) prior to installation of tents or other structures.
2. Provide Water Supply
 - a. Flow test hydrants - 1500 gpm with 20 psi residual required*.
3. Confirm compliance with all applicable sections of Ca Fire Code (CFC). Tent will remain onsite for a maximum of 180 days.
4. Confirm that tent structure can be set on uneven grade. Note: If ropes, structural bracing or other anchoring supports are needed on tent exterior, then width measurements for emergency access and means of egress must begin from said supports at grade level.
5. Confirm that stage and other structural components are of noncombustible construction.
6. Construct second exit down the west end from upper to lower parking lot that conforms to the Ca Building Code.
7. Means of egress shall comply with Ch 24 and Ch 10, CFC requirements and extend to Poli St. The site traffic plan shall provide for separation of pedestrians and vehicles from the venue to Poli St. Means of egress and emergency vehicle access shall be separated along east road to the upper lot.
8. Provide "no parking" zone in the lower parking lot to limit vehicles from spaces in the south two rows. This area is to be used as a safety zone for responders and occupants.

Preparation

1. FD standby personnel shall be required for concert(s)
 - a. 3-person Medic Engine Company \$498/Hr
 - b. 2-person Wildland Patrol/FOBs \$316/Hr
 - c. 1 Fire Safety Officer \$113/Hr

Total: \$927/Hr*
2. Provide "crowd managers" as described in Sec 2404.20.2 CFC (1 for every 250 occupants).
3. Provide emergency medical transport services from a private contractor (see Ventura County EMS Agency requirements for an ALS ambulance).
4. FD personnel will lay a 4" water supply line from the west hydrant up to the southwest corner of the upper parking lot. This line will be used solely for fire suppression.

* If fire hydrants do not meet CFC flow requirements, then a FD water tender will be required at an additional cost of \$316/Hr.

Response

Situations that will result in cancellation of events:

1. FD personnel will obtain spot weather forecasts on day before and day of concert(s). Triggers to cancel event will be based on field observations. If a wildland fire occurs, the objective will be to evacuate the site within one hour based on wind direction, rate of spread and spotting as described by tables provided in the "Fire Behavior Analysis" authored by the Ventura County Fire Protection District's Vegetation Management Planner.
2. "Red Flag Warnings" that apply to Ventura as determined by the National Weather Service will result in cancellation of show(s) until warning(s) expire. Tent fabric material shall be removed within 6 hours of declaration of a red flag warning.

Appendix E

Traffic and Parking Management Plan





ASSOCIATED TRANSPORTATION ENGINEERS

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Since 1978

Richard L. Pool, P.E.
Scott A. Schell, AICP, PTP

 **DRAFT**

April 9, 2012

12037L01.WP

Scott Boydston
Rasmusen & Associates
21 S. California Street, 4th Floor
Ventura, CA 93001

TRAFFIC AND PARKING MANAGEMENT PLAN FOR THE VENTURA AMPHITHEATER PROJECT - CITY OF VENTURA

Associated Transportation Engineers (ATE) has prepared the following traffic and parking management plan for Ventura Amphitheater Project, located adjacent to City Hall in downtown Ventura.

The amphitheater would contain 1,800 fixed-seats. Approximately 12 concert events (6 weekday and 6 weekend) would be held each year between the months of June and October. The concerts would be held in a temporary amphitheater facility located on the northerly parking lot behind the City Hall building on Poli Street. The amphitheater facility would consist of a stage, seating areas, an office building, restrooms, concession stands, a VIP/service vehicle parking area, and an open picnic area. Events would start at 7:00 P.M. and end by 10:00 P.M.

ATE has reviewed the estimated attendance information and events schedule, and has visited the site to verify the on-site circulation and parking conditions. The following management plan provides recommendations for parking management, vehicular traffic and circulation, control, pedestrian routing and information outreach.

PARKING

Parking Supply

Two parking lots are provided at City Hall that could be used for the concert events. The main City Hall lot provides 188 parking spaces (including 5 ADA spaces) and the eastern City Hall lot contains 61 parking spaces, for a total parking supply of 249 spaces in the immediate vicinity of the project site. Figure 1 shows the configuration of the main City Hall parking lot. It is anticipated that the City would move their fleet vehicles, which are stored in the main lot, to the smaller parking lot located on the western side of City Hall on evenings when events are held at the site.

Events would not be scheduled on Mondays so they would not overlap with evening City Council hearings. In order to accommodate other meetings and City Hall employees who may be working in the evening, 20 parking spaces would be reserved in the eastern parking lot for official City Hall use. This would bring the useable parking City Hall parking supply to 229 spaces.

Additional public parking lots, including the main downtown parking garage, are located within easy walking distance of City Hall. Data contained in the City of Ventura Downtown & Beachfront Parking Assessment¹ indicates that there are 1,186 public off-street parking spaces and 905 public on-street parking spaces within the downtown area.

Table 1 summarizes the available public parking supply in the vicinity of the site.

**Table 1
Available Parking Supply**

| Parking Area | Parking Supply |
|---|---------------------|
| City Hall - Main Lot | 188 Spaces |
| City Hall - East Lot(a) | 41 Spaces |
| Downtown Public Off-Street Parking Lots | 1,186 Spaces |
| Downtown Public On-Street Parking | 905 Spaces |
| Total Available Parking Supply | 2,320 Spaces |

(a) 61 total spaces provided with 20 spaces reserved for official City Hall use.

¹ Downtown & Beachfront Parking Assessment , City of Ventura, September 2011.

Existing Parking Demands

Parking demand data published in the City of Ventura Downtown & Beachfront Parking Assessment was used to determine the number of parking spaces that would be available within the downtown area for event guests. Tables 2 and 3 presents the weekday and Saturday peak parking demands for the downtown area.

**Table 2
Downtown Ventura Existing Parking Demands - Thursday Evening**

| Area | Peak Demand | Parking Supply | % Occupied | Available Spaces |
|--------------|---------------------|---------------------|------------|---------------------|
| Off-Street | 553 Vehicles | 1,186 Spaces | 47% | 633 Spaces |
| On-Street | 363 Vehicles | 905 Spaces | 40% | 542 Spaces |
| Total | 916 Vehicles | 2,091 Spaces | 44% | 1,175 Spaces |

**Table 3
Downtown Ventura Existing Parking Demands - Saturday Evening**

| Area | Peak Demand | Parking Supply | % Occupied | Available Spaces |
|--------------|-----------------------|---------------------|------------|-------------------|
| Off-Street | 837 Vehicles | 1,186 Spaces | 71% | 349 Spaces |
| On-Street | 462 Vehicles | 905 Spaces | 51% | 443 Spaces |
| Total | 1,299 Vehicles | 2,091 Spaces | 62% | 792 Spaces |

Project Parking Demands

Parking demand estimates were developed for the project assuming the 1,800-seat amphitheater. The analysis assumes that 10% of the event guests would utilize alternative transportation (walk, bicycle, taxi, drop-off/pick-up) to access the site or would drawn from the existing entertainment activity that currently occurs in the downtown Ventura area. The demand analysis assumes that the remaining 90% of the concert attendees would travel to the downtown area via automobiles. The analysis assumes an average vehicle occupancy (AVO) of 2.5 people per vehicle. The analysis also assumes a staff parking demand of 21 spaces. Table 4 presents the parking demand calculations completed for the project.

**Table 4
Amphitheater Event Parking Demand**

| Demand Type | Size | AVO | Parking Demand |
|---------------------|-----------|-----|-------------------|
| Guests | 1,620 (a) | 2.5 | 648 Spaces |
| Staff | 25 | 1.2 | 21 Spaces |
| Total Demand | | | 669 Spaces |

(a) Assumes 10% of 1,800 guests (180) arrive via alternative transportation modes or linked trips from within the downtown area.

The data presented in Table 4 indicate that the peak parking demand for an event with 1,800 attendees would be 669 vehicles.

Future Parking Occupancies

The parking demands generated by the project were added to the existing downtown parking demands for the weekday and Saturday evening periods to determine if adequate parking would be available. The results of the analysis are summarized in Tables 5 and 6.

**Table 5
Existing + Project Demands - Weekday Evenings**

| Existing Downtown Parking Demand | Concert Parking Demand | Existing + Concert Parking Demand | Parking Spaces(a) | % Occupied |
|----------------------------------|------------------------|-----------------------------------|-------------------|------------|
| 916 Spaces | 669 Spaces | 1,585 Spaces | 2,320 Spaces | 68% |

**Table 6
Existing + Project Demands - Saturday Evenings**

| Existing Downtown Parking Demand | Concert Parking Demand | Existing + Concert Parking Demand | Parking Spaces(a) | % Occupied |
|----------------------------------|------------------------|-----------------------------------|-------------------|------------|
| 1,299 Spaces | 669 Spaces | 1,967 Spaces | 2,320 Spaces | 85% |

The data presented in Tables 5 and 6 indicate that adequate parking is available in the City Hall lots and the downtown public parking areas to accommodate the parking demands that would be generated by a concert event on weekday and Saturday evenings.

Parking Management

The City Hall parking lots would be reserved for VIP parking and event staff. The entrance to City Hall on Poli Street would be signed to indicate that the parking is reserved with no public parking allowed. The VIP parking passes would be sold with the tickets and only parking pass-holders and event staff would be allowed to enter the site.

Event staff would arrive at the event venue at approximately 5:00 P.M. (2 hours before the start of the event) and park in the smaller eastern City Hall parking lot. The 20 parking spaces reserved for official City Hall use would also be provided in the eastern parking lot. The first event arrivals would be directed to park in the smaller lot so that it fills up first. This system will reduce conflicts between vehicles turning right into the parking lot and pedestrians walking to the upper event venue area or to the will-call ticket booth that is proposed in the southwest corner of the parking lot.

Accessible Parking

There are 5 accessible parking spaces provided in the first row of parking located adjacent to the entrance of City Hall (see Figure 1). These spaces would be used during events. A shuttle would be provided to transport attendees requiring assistance from the lower parking lot to the upper event venue. If additional handicapped spaces are required based on the actual demands realized, the spaces could be provided within the first parking row by designating accessible aisles between the existing standard spaces. This would result in the loss of 2 to 4 standard spaces. The accessible parking spaces would be allocated with a reservation system similar to the VIP parking spaces.

Additional accessible access from the Ventura downtown area would be provided via a drop-off and shuttle system. The ADA drop-off area would be located along the north side of Poli Street east of the City Hall entrance driveway. The shuttle would start at the Poli Street shuttle stop then circulate within the site to pick up guests using the handicap parking spaces on site. Figure 2 shows the proposed location of the ADA drop off zone, shuttle stops and shuttle route.

Bicycle Valet Parking

A free bicycle valet parking area will be implemented in the eastern City Hall parking lot to encourage bicycle use. This type of program has been successfully implemented at the Santa Barbara County Bowl.

Neighborhood Parking Control

There are several residential neighborhoods located on the north side of Poli Street east and west of City Hall. In order to discourage event parking intrusion into the neighborhoods, it is recommended that "No Event Parking" signs be placed at the entrance to the neighborhoods on Chestnut Street, Fir Street, Ash Street, and Kalorama Street to the east and Brakey Road to the west. Figure 3 shows the location of the "No Event Parking" signs.

TRAFFIC AND CIRCULATION

Event Ingress and Traffic Control

The City Hall parking lots are accessed by the main driveway on Poli Street. Westbound Poli Street is stopped at the driveway and eastbound Poli Street does not stop. Poli Street is two lanes wide and the City Hall driveway contains two outbound lanes (left-turn and right-turn) and one inbound lane. The City Hall driveway approach is controlled by stop signs. A pedestrian cross walk is located on the east side of the intersection. Figure 1 and Figure 4 illustrate the existing configuration of the City Hall driveway on Poli Street.

In order to accommodate the vehicular and pedestrian flows that will be generated during and event, the following traffic control measures are recommended for the Poli Street/City Hall driveway (see Figure 5).

- Assign a traffic control officer at the intersection of the City Hall driveway and Poli Street to control vehicular and pedestrian traffic flows.
- Reconfigure the City Hall driveway to provide one outbound lane, one inbound lane and a pedestrian walkway area. The reconfiguration would utilize post-tube delineators (eg. "candle sticks") and signage to direct vehicles and pedestrians onto the site.
- Install signage to indicate that the City Hall parking lot is reserved with no public parking allowed ("VIP Parking Only - No Public Parking").
- Close the small driveway located west of the main City Hall driveway to pedestrian and vehicular traffic.

On-Site Signage and Staff

Parking control staff will be stationed at the entrance to the two City Hall parking lots to control access to the parking lots and to direct vehicular and pedestrian traffic. As noted in the Parking section, the smaller eastern City Hall parking lot will be used for staff parking, and will provide the 20 reserved spaces for official City Hall use. The first event patrons that arrive at the site will be directed to this lot. Once the lot is full it will be closed until the

after the event starts. This system will minimize conflicts between vehicles turning right into the parking lot and pedestrians walking to the upper event venue area or to the will-call ticket booth that is proposed in the southwest corner of the parking lot.

Egress

To streamline egress after the event, it is recommended that the outbound lane be restricted to right-turn only, as it is currently striped. A traffic control officer would also be stationed at the intersection of Poli Street and the City Hall to control vehicular and pedestrian flows after the event ends. Parking control staff will be stationed at the entrance to the two City Hall parking lots to direct vehicular and pedestrian traffic exiting the site when the concert ends.

Passenger/Taxi Loading Area

It is recommended that the curb area on the north side of Poli Street west of the City Hall driveway be signed for passenger drop-offs and pick ups as well as Taxi loading and unloading. This will provide a dedicated area for vehicles to stop and unload passengers for the events.

PEDESTRIAN ROUTING

Amphitheater guests parking in the downtown area will be directed to the amphitheater north along California Street to City Hall. Signage will be placed directing pedestrians to the east side of California Street, up to Poli Street. At the California Street "Horseshoe", barricades will be placed to prevent pedestrians from crossing in front of City Hall. Pedestrians will then be directed east on Poli Street to the crosswalk, where a traffic enforcement officer will direct pedestrians and motorists. Figure 6 shows the pedestrian routing plan developed for the project.

At the City Hall parking lot entrance, the inbound lane will be coned-off for exclusive use by pedestrians. The 20-foot-wide access road from the lower City Hall parking lot to the event venue will be coned-off to provide 6-feet for pedestrians and 14-feet for emergency vehicle and shuttle access. Figure 5 shows the pedestrian access cross-section for the City Hall access driveway and Figure 7 shows the pedestrian access cross-section for the upper road that accesses the event venue.

INFORMATION OUTREACH

In order to provide as much information to guests as possible regarding vehicle parking, ADA access and parking, and pedestrian circulation, it is recommended that the Ventura Amphitheater Project create an information outreach campaign. Information should include:

- Recommended event arrival times.
- The VIP parking lot locations and restrictions.
- Map of downtown Ventura parking lot locations.
- Accessible parking space program and reservation system.
- Drop-off location and shuttle availability for patrons with disabilities.
- Public drop-off location.
- Parking restrictions in adjacent neighborhoods.

The outreach program should stress that parking lots at City Hall will be reserved for VIP guests, and that general parking will be accommodated within the downtown parking lots and on-street parking areas. The outreach program should also indicate the recommended pedestrian route to the venue. Outreach may be provided through the Ventura Amphitheater website, flyers when/if tickets are mailed to guests, and via email.

This concludes ATE's traffic and parking management plan for Ventura Amphitheater Project.

Scott A. Schell, AICP, PTP

Attachments



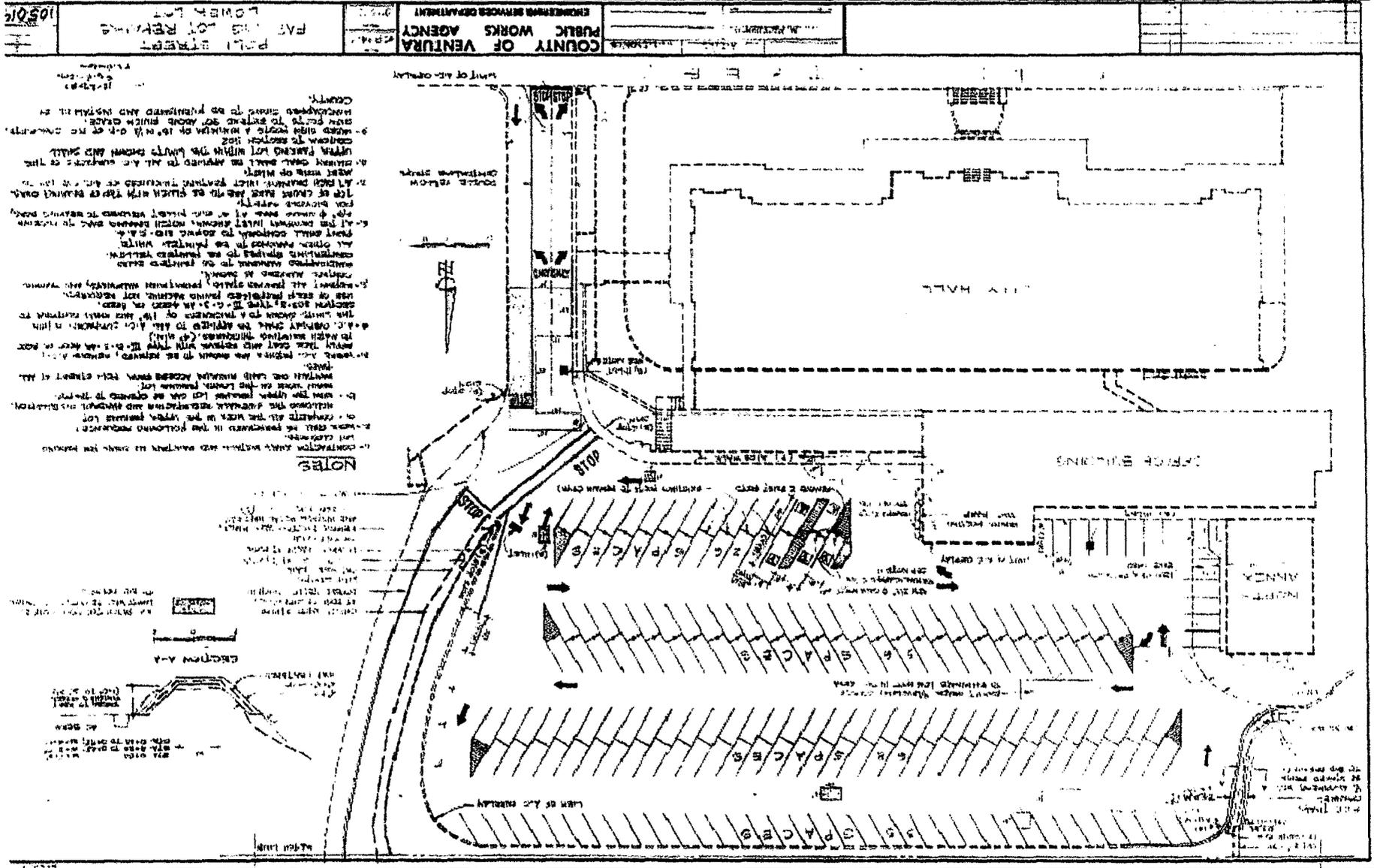
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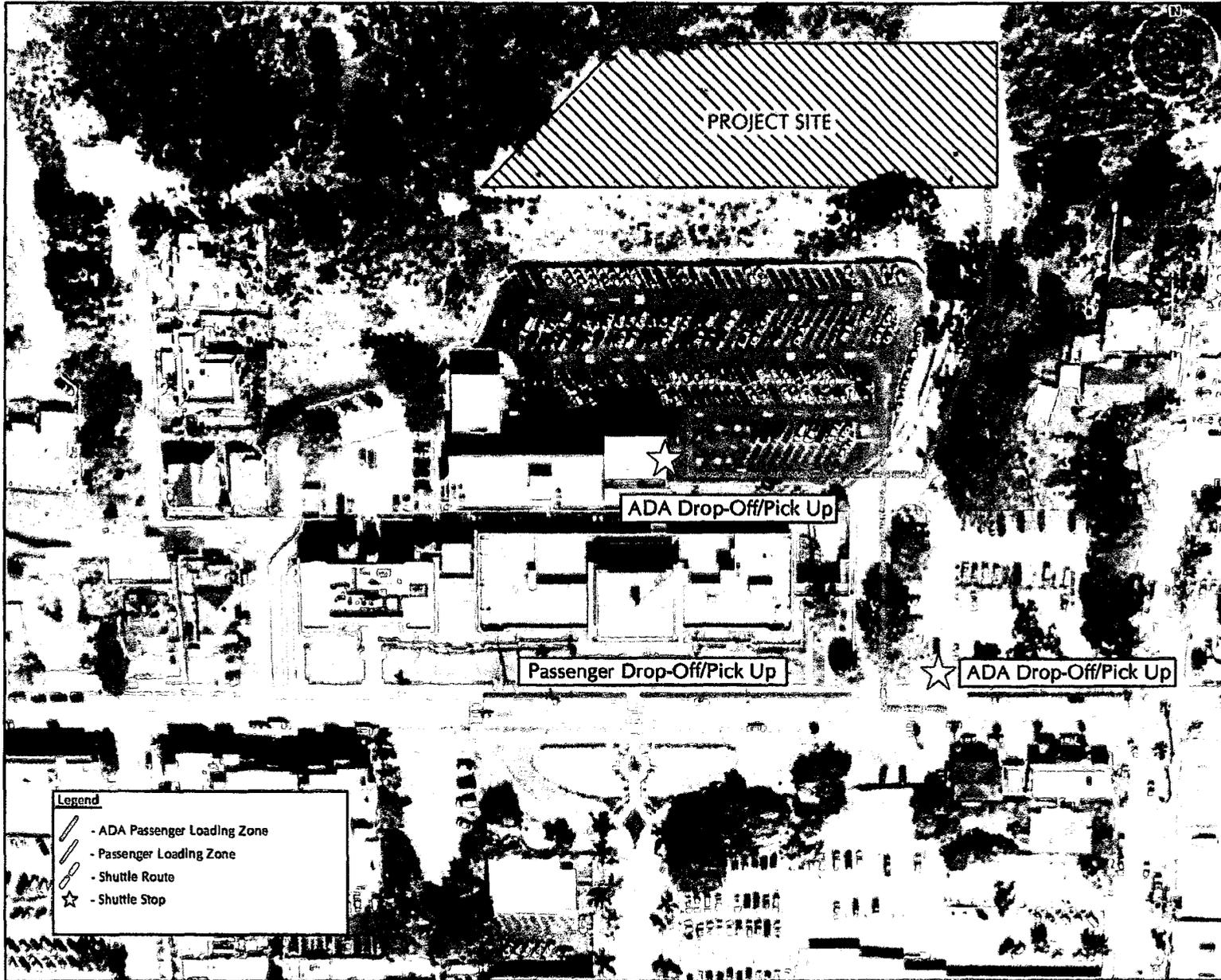
VENTURA CITY HALL SITE PLAN

MANF - #11037

1

FIGURE





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ADA SHUTTLE SYSTEM

FIGURE 2

MMF - #11037



Legend



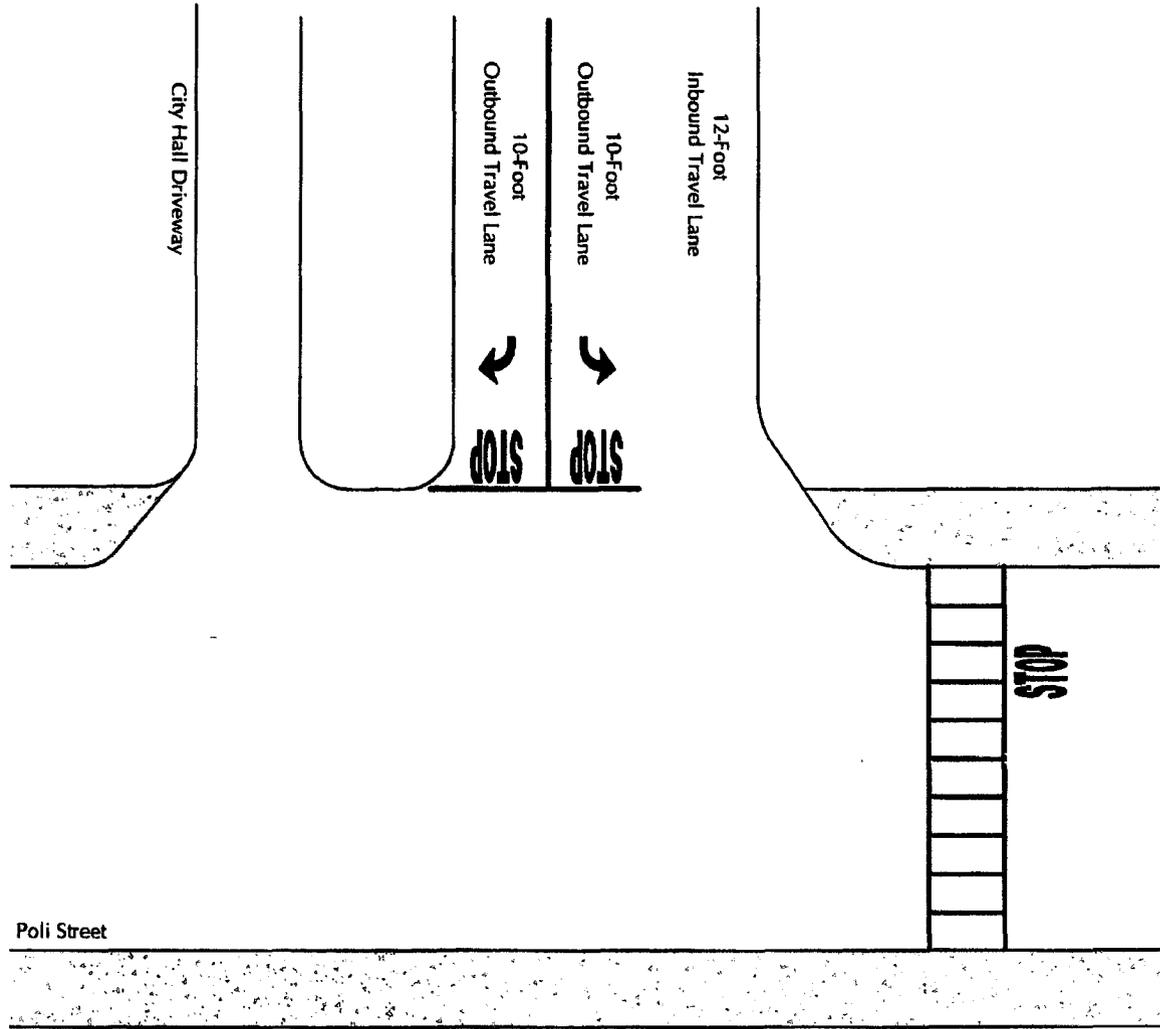
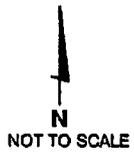
- No Event Parking Signs



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NEIGHBORHOOD PARKING RESTRICTIONS

FIGURE 3

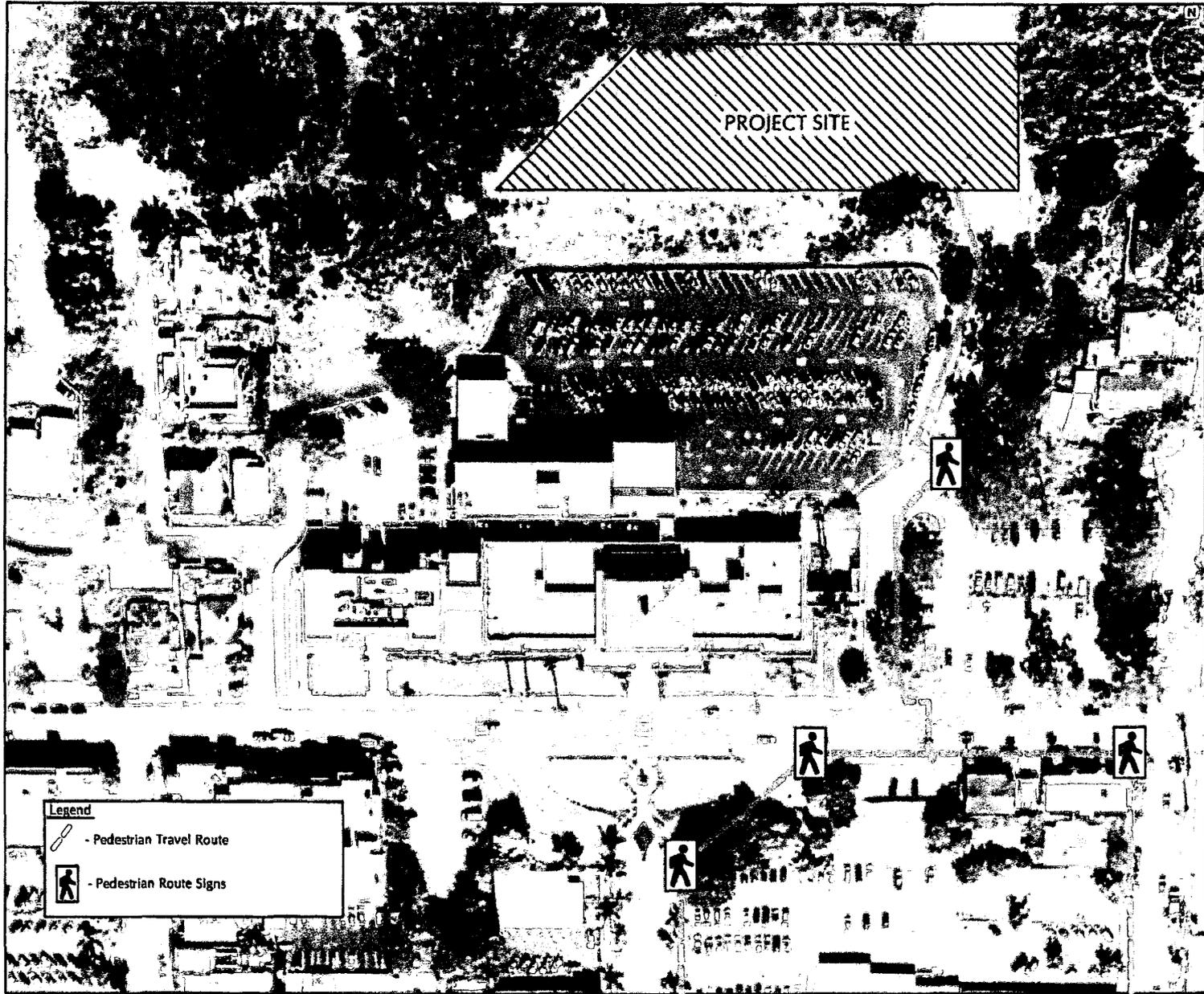


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POLI STREET/CITY HALL DRIVEWAY - EXISTING CONFIGURATION

FIGURE 4

MMF - #11037

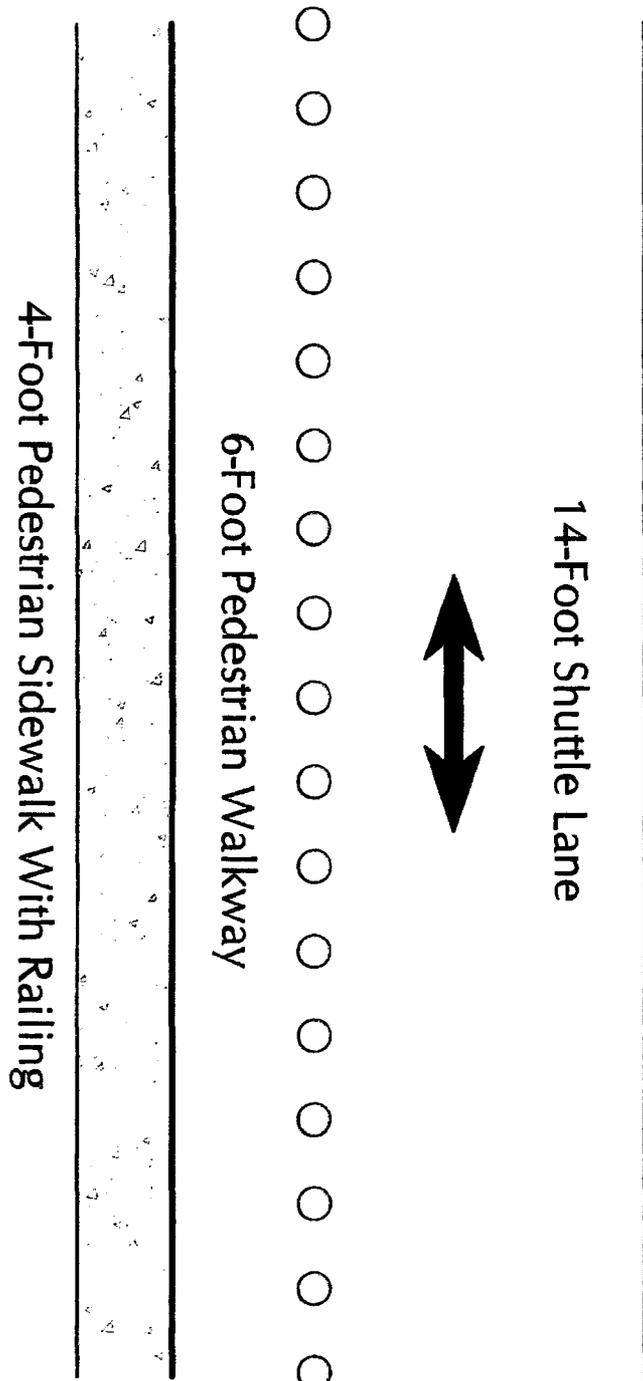


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PEDESTRIAN ROUTING PLAN

FIGURE 6

MMF - #11037



14-Foot Shuttle Lane

6-Foot Pedestrian Walkway

4-Foot Pedestrian Sidewalk With Railing



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UPPER ACCESS ROAD PROPOSED CONFIGURATION

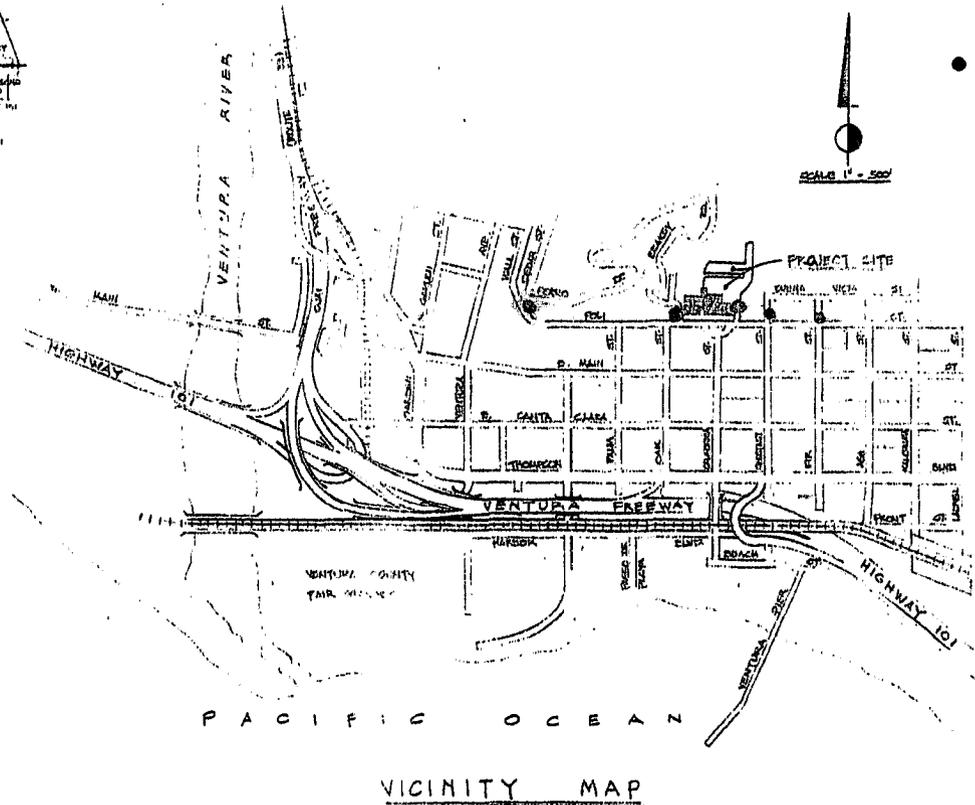
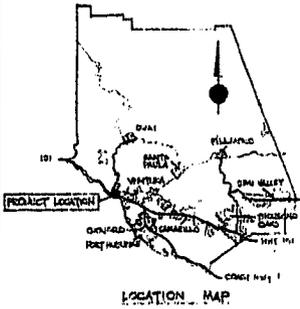
FIGURE

7

MMF - #11037

COUNTY OF VENTURA
PUBLIC WORKS AGENCY

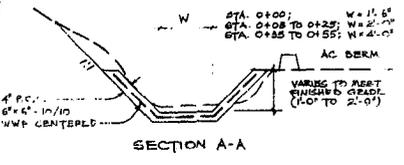
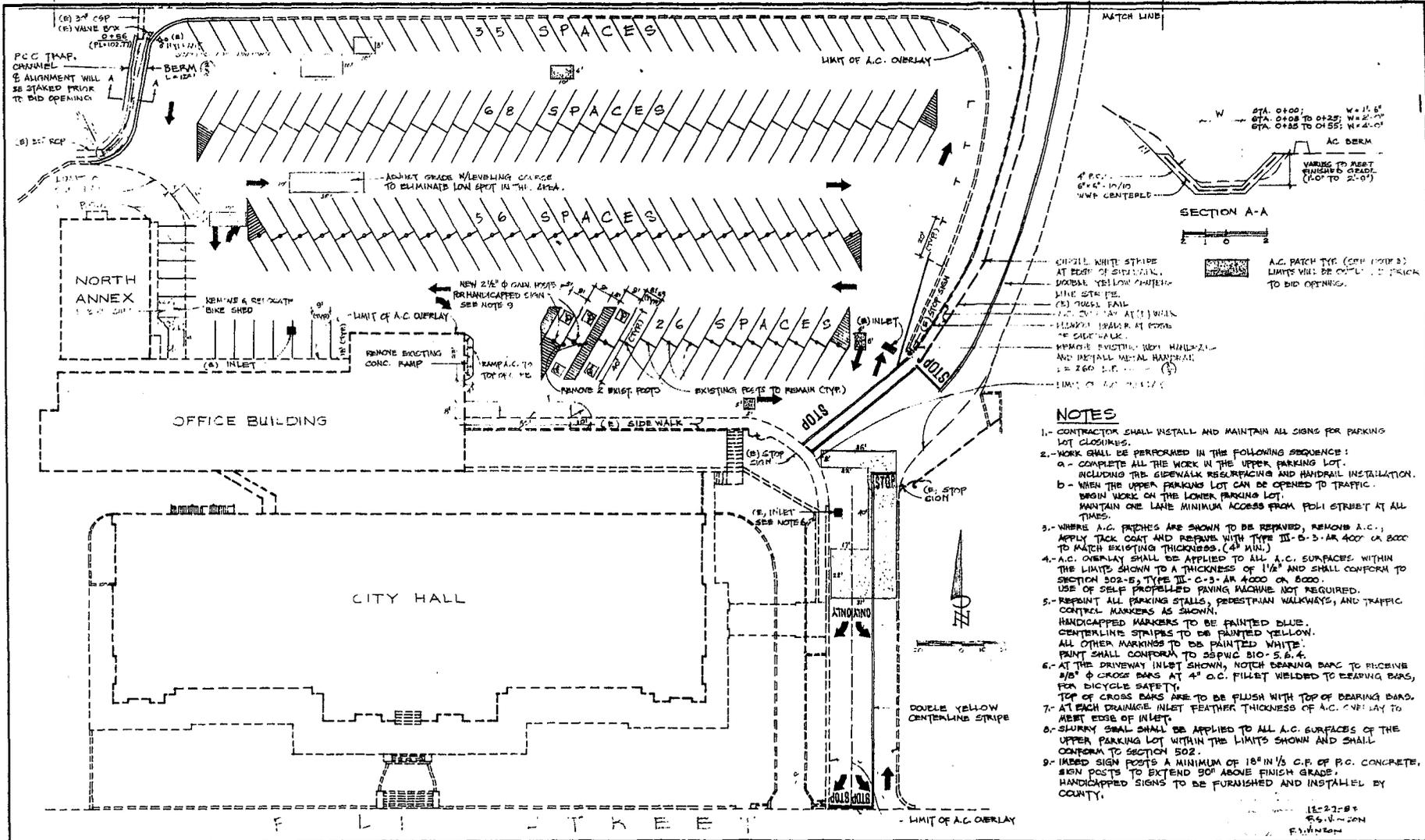
POLI STREET PARKING LOT REPAIRS
SPECIFICATION CP 84-1



- Residential Street Parking Security Personnel Locations

INDEX OF DRAWINGS
1.- TITLE SHEET
2.- LOWER LOT
3.- UPPER LOT

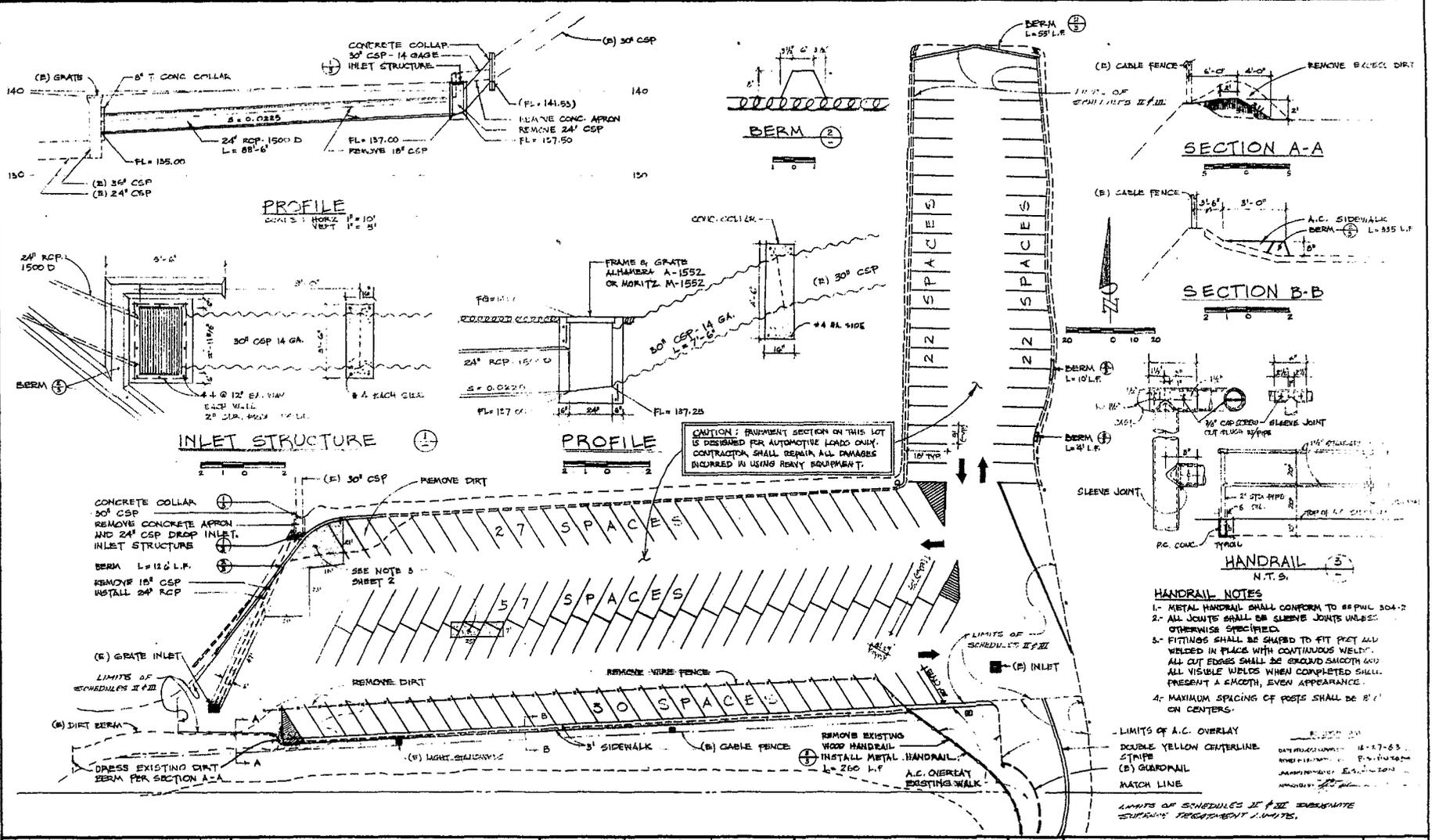
| | | | | |
|---|--|--|--|---------------|
| <p><i>7/18/01</i> <i>Arthur [Signature]</i></p> | <p>COUNTY OF VENTURA PUBLIC WORKS AGENCY ENGINEERING SERVICES DEPARTMENT</p> | <p>PROJECT CP84-1 DATE 97873</p> | <p>POLI STREET PARKING LOT REPAIRS TITLE SHEET</p> | <p>105018</p> |
|---|--|--|--|---------------|



- WHITE STRIPE AT EDGE OF SIDEWALK
- DOUBLE YELLOW CENTERLINE STRIPE
- 4\"/>
- 4\"/>
- REMOVE EXISTING 1/2\"/>
- 260 L.P.
- LIMIT OF A.C. OVERLAY

- NOTES**
1. CONTRACTOR SHALL INSTALL AND MAINTAIN ALL SIGNS FOR PARKING LOT CLOSURES.
 2. WORK SHALL BE PERFORMED IN THE FOLLOWING SEQUENCE:
 - a. COMPLETE ALL THE WORK IN THE UPPER PARKING LOT, INCLUDING THE SIDEWALK RESURFACING AND HANDRAIL INSTALLATION.
 - b. WHEN THE UPPER PARKING LOT CAN BE OPENED TO TRAFFIC, BEGIN WORK ON THE LOWER PARKING LOT. MAINTAIN ONE LANE MINIMUM ACCESS FROM POLI STREET AT ALL TIMES.
 3. WHERE A.C. PATCHES ARE SHOWN TO BE REPAVED, REMOVE A.C.; APPLY TACK COAT AND REPAVE WITH TYPE III - D-3 - AR 4000 (A 8000 TO MATCH EXISTING THICKNESS (4\"/>
 - 4. A.C. OVERLAY SHALL BE APPLIED TO ALL A.C. SURFACES WITHIN THE LIMITS SHOWN TO A THICKNESS OF 1 1/2\"/>
 - 5. REPAINT ALL PARKING STALLS, PEDESTRIAN WALKWAYS, AND TRAFFIC CONTROL MARKERS AS SHOWN. HANDICAPPED MARKERS TO BE PAINTED BLUE. CENTERLINE STRIPES TO BE PAINTED YELLOW. ALL OTHER MARKINGS TO BE PAINTED WHITE. PRINT SHALL CONFORM TO SSPVC 810 - S. 6. 4.
 - 6. AT THE DRIVEWAY INLET SHOWN, NOTCH BEARING BARS TO RECEIVE 3/8\"/>
 - 7. AT EACH DRAINAGE INLET FEATHER THICKNESS OF A.C. OVERLAY TO ABUT EDGE OF INLET.
 - 8. SHURRY SEAL SHALL BE APPLIED TO ALL A.C. SURFACES OF THE UPPER PARKING LOT WITHIN THE LIMITS SHOWN AND SHALL CONFORM TO SECTION 502.
 - 9. IMBED SIGN POSTS A MINIMUM OF 18\"/>

| | | | | | |
|--|--|---|---|--|-------------------------------------|
| | DRAWN BY: <u>ALLEN</u> CHECKED BY: <u>EDSON</u> | COUNTY OF VENTURA PUBLIC WORKS AGENCY ENGINEERING SERVICES DEPARTMENT | PROJECT NO: <u>CP-4-1</u> DATE: <u>9/15/77</u> | POLI STREET PARKING LOT REPAIRS LOWER LOT | 1E-27-B 85-V-20N R. J. WILSON |
|--|--|---|---|--|-------------------------------------|



| | | | |
|-----|-------------|------|----|
| NO. | DESCRIPTION | DATE | BY |
| 1 | | | |
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| DESIGNED BY | ADAM | CHECKED BY | B. BRONIE |
| DRAWN BY | M. MACKINNON | DATE | 05/11/2024 |
| SCALE | AS SHOWN | PROJECT NO. | CP 84.1 |
| DATE | 05/11/2024 | ENGINEERING SERVICES DEPARTMENT | 97375 |

| | |
|------------------|---|
| PROJECT NO. | CP 84.1 |
| DATE | 05/11/2024 |
| PROJECT NAME | POLI STREET PARKING LOT REPAIRS UPPER LOT |
| PROJECT LOCATION | 105020 |

Notice of Preparation

Notice of Preparation
Pilot Concert Series Focused EIR

To: Distribution list

From: City of Ventura
501 Poli Street
P.O. Box 99
Ventura, CA 93002

Subject: Notice of Preparation of a Draft Environmental Impact Report
City of Ventura – Pilot Concert Series

The City of Ventura will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the proposed Pilot Concert Series at Ventura City Hall. The City is seeking public input on the content of the EIR.

The project description, location, and the potential environmental effects are described in the attached materials. A copy of the Initial Study (is is not) attached.

Due to the time limits mandated by state law, your response must be sent to the City no later than 30 days from receipt of this notice.

Please send your response to Lilly Rudolph, AICP, Senior Planner, Community Development Department, City of Ventura, 501 Poli Street, P.O. Box 99, Ventura, California 93002. Please provide the name of a contact person at your agency.

A scoping meeting regarding the Pilot Concert Series EIR will be held Thursday, March 13 at 6:00 PM at Ventura City Hall Community Meeting Room, 501 Poli Street, Ventura, California 93001.

Project Title: Pilot Concert Series

Date: _____

Signature: _____

Jeffrey Lambert, AICP
Community Development Director
(805) 658-4723

PROJECT BACKGROUND

The City of Ventura prepared a Mitigated Negative Declaration (MND) for a proposed Summer Concert Series in 2012. The MND, finalized in July 2012, analyzed all of the issues on the City's environmental checklist and included a number of mitigation measures, including several measures intended to ensure compliance with the City's Noise Ordinance for a possible concert series in 2013. However, because of concerns about the ability to comply with applicable noise restrictions, the Summer Concert Series promoters postponed the 2013 series and the City never adopted the MND.

During the summer of 2013, the City retained Criterion Environmental, Inc. (CEI) to conduct a Summer Weekend Sound Monitoring Report within the Downtown Entertainment Area. This involved collecting sound monitoring readings on every other weekend starting on June 7, 2013. The majority of the sound measurements taken during the study exceeded the nighttime and daytime Residential and Commercial Code maximum levels.

The Pilot Concert Series promoter has now decided to re-initiate the project, but is requesting that the City amend its Noise Ordinance to replace the current noise level restrictions with restrictions specific to the concert series. The new standards would potentially allow for noise levels that exceed the current Noise Ordinance standards during concert events. Therefore, the City determined that the requested amendment may have significant noise impacts and that an EIR should be prepared to address potential noise impacts.

Because no other aspect of the proposed concert series has changed, the MND prepared in 2012 will continue to apply for all issues other than noise and the EIR will focus solely on the issue of noise. Other than the noise mitigation measures, the mitigation measures included in the 2012 MND will continue to apply to the Pilot Concert Series. Measures will be carried forward to the EIR and are anticipated to become conditions of any project approval. The noise mitigation measures contained in the 2012 MND will, however, be superseded by any measures developed as part of the focused EIR.

PROJECT DESCRIPTION

The proposed project involves a series of concerts at the upper parking lot behind Ventura City Hall (501 Poli Street). Concert promoters are proposing to host a pilot series of up to twelve outdoor concerts in the fall of 2014 or 2015. A temporary fabric tent of approximately 20,000 square feet would provide seating for up to 1,900 individuals and would include a stage, office building, restrooms, concession stand, VIP parking area, and an open picnic area. In addition, adjacent slopes would be cleared to establish a 100-foot fire clearance area.

In conjunction with the concert series, an amendment to the City's Noise Ordinance is proposed. This proposed amendment would revise procedures for sound measurement by measuring sound at the sound board, as opposed to at receiving sites, thereby reducing subjectivity. It would also adjust the sound limits based on levels that would be appropriate for the concert series.

POTENTIAL ENVIRONMENTAL EFFECTS

The City of Ventura has completed a preliminary review, as described in Section 15060 of the *CEQA Guidelines*, of the proposed concert series and determined an EIR should be prepared for the project. As described under "Project Background," the analysis contained in the MND prepared for the concert series in 2012 will continue to apply to all aspects of the project except for the proposed Noise Ordinance amendment. The EIR will focus solely on the issue of noise, although mitigation measures contained in the 2012 MND will be carried forward into the EIR and mitigation monitoring program for the project.

Responses to the Notice of Preparation

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net
e-mail: ds_nahc@pacbell.net

CITY OF
SAN BUENAVENTURA

MAR 24 2014

COMMUNITY DEVELOPMENT

March 19, 2014

Mr. Jeffrey Lambert, AICP

City of Ventura**Community Development Department**

501 Poli Street
Ventura, CA 93002-0099

Sent by U.S. Mail

No. of Pages: 3

RE: SCH#2014031011; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"Ventura Concert Series Project;"** located in the City of Ventura; Ventura County, California

Dear Mr. Lambert

The Native American Heritage Commission (NAHC) has reviewed the above-referenced environmental document.

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f).

If there is federal jurisdiction of this project due to funding or regulatory provisions; then the following may apply: the National Environmental Policy Act (NEPA 42 U.S.C 4321-43351) and Section 106 of the National Historic Preservation Act (16 U.S.C 470 *et seq.*) and 36 CFR Part 800.14(b) require consultation with culturally affiliated Native American tribes to determine if the proposed project may have an adverse impact on cultural resources

We suggest that this (additional archaeological activity) be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. Any information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure pursuant to California Government Code Section 6254.10.

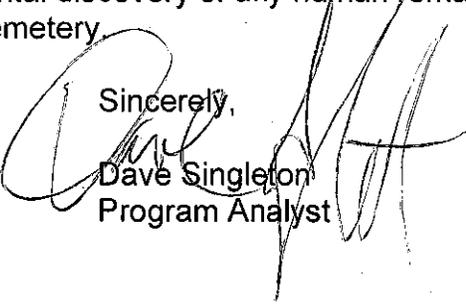
A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the proposed activity might impinge on any cultural resources.

California Government Code Section 65040.12(e) defines "environmental justice" to provide "fair treatment of People...with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies." (The California Code is consistent with the Federal Executive Order 12898 regarding 'environmental justice.' Also, applicable to state agencies is Executive Order B-10-11 requires consultation with Native American tribes their elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead then, lead agencies include in their mitigation and monitoring plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,


Dave Singleton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Boulevard, Suite 100
West Sacramento, CA 95691
(916) 373-3715
Fax (916) 373-5471
Web Site www.nahc.ca.gov
Ds_nahc@pacbell.net
e-mail: ds_nahc@pacbell.net

CITY OF
SAN BUENAVENTURA

MAR 24 2014

COMMUNITY DEVELOPMENT

March 19, 2014

Mr. Jeffrey Lambert, AICP

City of Ventura**Community Development Department**

501 Poli Street
Ventura, CA 93002-0099

Sent by U.S. Mail

No. of Pages: 3

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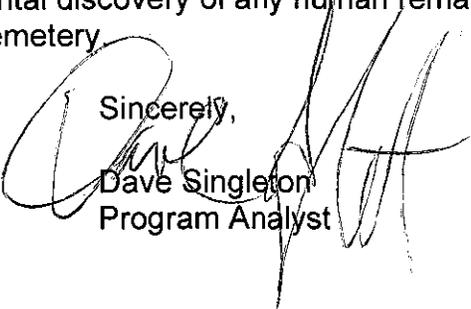
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Sincerely,


Dave Singleton
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

Native American Contacts
Ventura County California
March 19, 2014

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks, CA 91362
folkes9@msn.com
805 492-7255
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folkes9@msn.com

Chumash
Tataviam
Fernandefio

Patrick Tumamait
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(805) 216-1253 Cell

Chumash

Santa Ynez Band of Mission Indians
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varmenta@santaynezchumash.
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(805) 686-9578 Fax

Chumash

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
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Chumash

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(818) 837-0796 Fax

Fernandeno
Tataviam

Owl Clan
Qun-tan Shup
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(805) 835-2382 - CELL

Chumash

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jtumamait@hotmail.com
(805) 646-6214

Chumash

Stephen William Miller
189 Cartagena
Camarillo, CA 93010
(805) 484-2439

Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting locative Americans with regard to cultural resources for the proposed SCH#2014031011; cEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Pilot Concert Series; located in the City of Ventura; Ventura County, California.

**Native American Contacts
Ventura County California
March 19, 2014**

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365 Chumash
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX

Santa Ynez Band of Mission Indians
Tribal Admin/Counsel Sam Cohen
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info@santaynezchumash.org
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(805) 686-9578 Fax

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ndnRandy@yahoo.com Tataviam
(805) 905-1675 - cell Shoshone Paiute
(805) 520-5915-FAX Yaqui

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(805) 248-8463 cell

Coastal Band of the Chumash Nation
Michael Cordero, Chairperson
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Santa Barbara CA 93140
CbcnTRIBALCHAIR@gmail.com

Frank Arredondo
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Santa Barbara CA 93102
ksen_sku_mu@yahoo.com

Charles S. Parra
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Oxnard , CA 93031
(805) 340-3134 (Cell)
(805) 488-0481 (Home)

Santa Ynez Tribal Elders Council
Freddie Romero, Cultural Preservation ConsInt
P.O. Box 365 Chumash
Santa Ynez , CA 93460
805-688-7997, Ext 37
freddyromero1959@yahoo.com

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**Native American Contacts
Ventura County California
March 19, 2014**

Barbareno/Ventureno Band of Mission Indians
Kathleen Pappo
2762 Vista Mesa Drive Chumash
Rancho Pales Verdes CA 90275
310-831-5295

PeuYoKo Perez
11465 Nardo Street Chumash
Ventura , CA 93004
grndowl4U@yahoo.com
805-231-0229 cell

Barbareno/Ventureno Band of Mission Indians
Raudel Joe Banuelos, Jr.
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Camarillo , CA 93012
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Coastal Band of the Chumash Nation
Janet Darlene Garcia
P.O. Box 4464 Chumash
Santa Barbara CA 93140
805-689-9528

Coastal Band of the Chumash Nation
Crystal Baker
P.O. Box 723 Chumash
Atascadero , CA 93423
805-466-8406

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



March 26, 2014

Ms. Lilly Rudolph, AICP, Senior Planner
Community Development Department
City of Ventura
501 Poli Street
Ventura, CA 93002
LRudolph@cityofventura.net

Subject: Notice of Preparation of a Draft Environment Impact Report for Pilot Concert Series at Ventura City Hall, Ventura County

Dear Ms. Rudolph:

The California Department of Fish and Wildlife (Department) has received the Notice of Preparation of a Draft Environmental Impact Report (DEIR) to evaluate the environmental effects of the City of Ventura's (City) proposed Pilot Concert Series project at Ventura City Hall (project). The proposed project involves a series of concerts at the upper parking lot behind Ventura City Hall. Concert promoters are proposing to host a pilot series of up to twelve outdoor concerts in the fall of 2014 or summer of 2015. A temporary fabric tent of approximately 20,000 square feet would provide seating for up to 1,900 individuals and would include a stage, office building, restrooms, concession stand, VIP parking area, and an open picnic area. In addition, adjacent slopes would be cleared to establish a 100-foot fire clearance area.

The Department is California's Trustee Agency for fish and wildlife resources, holding these resources in trust for the People of the State pursuant to various provisions of the California Fish and Game Code (Fish & G. Code, §§ 711.7, subd. (a); 1802.). The Department submits these comments in that capacity under the California Environmental Quality Act (CEQA) (See generally Pub. Resources Code, §§ 21070; 21080.4.). Given its related permitting authority under the California Endangered Species Act (CESA) and Fish and Game Code section 1600 *et seq.*, the Department also submits these comments as a potential Responsible Agency for the project under CEQA (*Pub. Resources Code*, § 21069).

The California Wildlife Action Plan, a recent Department guidance document, identified the following stressors affecting wildlife and habitats within the project area: 1) growth and development; 2) water management conflicts and degradation of aquatic ecosystems; 3) invasive species; 4) altered fire regimes; and 5) recreational pressures. The Department looks forward to working with the City to minimize impacts to fish and wildlife resources with a focus on these stressors. A copy of the current California Wildlife Action Plan can be viewed at: <http://www.wildlifeactionplan.org/california>.

The Department recommends the project proponent conduct a biological assessment within the proposed project footprint, fire clearance area and the outlying area in which noise levels are projected to exceed current ambient conditions to help fully assess biological resources. Also, to enable Department staff to adequately review and comment on the proposed project we recommend the following information, where applicable, be included in the DEIR:

1. A complete, recent assessment of flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats including:
 - a. A thorough, recent assessment of rare plants and rare natural communities, following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities (See Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities at: <http://www.dfg.ca.gov/habcon/plant/>.)
 - b. A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use within the project area should also be addressed. Recent, focused, species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required.
 - c. Rare, threatened and/or endangered species should include all those species which meet the related definition under the CEQA Guidelines (See Cal. Code Regs., tit. 14, § 15380).
 - d. The Department's Biogeographic Data Branch in Sacramento should be contacted at (916) 322-2493 (www.dfg.ca.gov/biogeodata) to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. Also, any Significant Ecological Areas (SEAs) or Environmentally Sensitive Habitats (ESHs) or any areas that are considered sensitive by the local jurisdiction that are located in or adjacent to the project area should be addressed.
2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts.
 - a. CEQA Guidelines Section 15125(a) direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
 - b. A cumulative effects analysis should be developed as described under CEQA Guidelines, Section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.
 - c. Project impacts including deposition of debris should also be analyzed relative to their effects on off-site habitats and populations. Specifically, this should include nearby public lands, open space, natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor or movement areas, including access to undisturbed habitat in adjacent areas are of concern to the Department and should be fully evaluated and provided. The analysis should also include a discussion of the potential for impacts resulting from such effects as increased vehicle traffic, outdoor artificial lighting, noise and vibration and pest management.

- d. Impacts to migratory wildlife affected by the project should be fully evaluated including proposals to remove/disturb native and ornamental landscaping and other nesting habitat for native birds. Impact evaluation may also include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and staging sites. All migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. § 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory nongame birds as listed under the MBTA.
- e. Construction activities in Active Breeding and/or Nesting season should be avoided. If the nesting season cannot be avoided and construction or vegetation removal occurs between March 1st to September 15th (January 1st to July 31st for raptors), the Permittee will do one of the following to avoid and minimize impacts to nesting birds¹;
- 1) Implement a default 300 foot minimum avoidance buffer for all passerine bird nests and 500 foot minimum avoidance buffer for all raptor species. The breeding habitat/nest site shall be fenced and/or flagged in all directions, and this area shall not be disturbed until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, and the young will no longer be impacted by the project².
 - 2) Develop a project-specific Nesting Bird Protection Plan. The site-specific nest protection plan shall be submitted to the lead agency for review and the Department. The Plan should include detailed methodologies and definitions to enable a qualified Department-approved avian biologist to monitor and implement nest-specific buffers based upon the life history of the individual species; species sensitivity to noise, vibration, and general disturbance; individual bird behavior; current site condition (screening topography, vegetation, etcetera), ambient levels of activities; and the various project-related activities necessary to construction the project. This Nesting Bird Protection Plan shall be supported by a Nest Log which tracks each nest and the survivorship of nestlings and fledglings. The Nest Log will be submitted to the Lead Agency and the Department at the end of each week.
 - 3) The Project Proponent may propose an alternative plan for avoidance of nesting birds for Department review.
- f. Impacts from project activities that will result in disturbances to habitat that may provide maternity roosts for bats (e.g., tree cavities, under loose bark, buildings), should occur outside of the bat breeding season which generally runs from March 1-August 31. Bats are considered non-game mammals and are afforded protection by state law from take

¹ Qualified avian biologist shall establish the necessary buffers to avoid take of nest as defined in FGC 3503 and 3503.5.

² NOTE: Buffer area may be increased if any endangered, threatened, or CDFW species of special concern are identified during protocol or pre-construction presence/absence surveys.

perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations. The Department recommends a minimum natural habitat buffer of 100 feet from the outside edge of the riparian zone on each side of drainage.

- a. The Department also has regulatory authority with regard to activities occurring in streams or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) or a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of an LSA Agreement is a project subject to CEQA. To facilitate issuance of a LSA Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA Agreement. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. Again, the failure to include this analysis in the project's environmental impact report could preclude the Department from relying on the Lead Agency's analysis to issue a LSA Agreement without the Department first conducting its own analysis, as Lead Agency for subsequent or supplemental analysis for the project.

Thank you for this opportunity to provide comments. Please contact Mr. Dan Blankenship Senior Environmental Scientist (Specialist) at (661) 259-3750 or Daniel.Blankenship@wildlife.ca.gov if you should have any questions and for further coordination on the proposed project.

Sincerely,



Betty Courtney
Environmental Program Manager I
South Coast Region

ec: Mr. Dan Blankenship, CDFW, Newhall
Mr. Jeff Humble, CDFW, Ventura
State Clearinghouse, Sacramento

Zimbra

lrudolph@ci.ventura.ca.us

RE: Notice of Preparation - Pilot Concert Series Focused EIR

From : D Moody <moody.dk@gmail.com>

Sat, Mar 15, 2014 10:51 AM

Subject : RE: Notice of Preparation - Pilot Concert Series Focused EIR**To :** lrudolph@cityofventura.net**Cc :** Carolyn Jane Mckay <valentinecaroline@gmail.com>

Senior Planner Lilly Rudolph,

My wife and I live in a rented house directly overlooking the area where this concert series is being considered. We have a one-year-old daughter and have lived and worked in Ventura County for the last 5 years. We have lived downtown for the last two years since we were married.

We have a list of concerns and will do whatever possible to prevent this concert series from taking place in this location. Downtown Ventura has venues able to host such events already (the fairgrounds, the majestic) and this is a quiet area and one of the last wild hillsides in the downtown area.

Allowing this concert series will essentially put port-a-toilets and beer vendors for close to 2000 people within a hundred feet of our windows. Overlooking this area is the window where I rock my daughter to sleep every night. This is not acceptable. The noise alone would give us cause to file official complaints and seek legal action if necessary.

The other issues are just as (if not more) important as our own peace and quiet. The area where the "adjacent slopes would be cleared to establish a 100-foot fire clearance area" is home to bobcat, fox, raccoon, rabbit, hawk, owl, scrub jay, spotted towhee, various reptiles, California Thrasher, deer, etc. We have photographic documentation of most of these animals in this area within the last two years. I have heard nothing in this proposal that addresses this type of environmental impact. This is an area already enjoyed by hikers, fitness groups, basketball players, etc. and is in use nearly everyday from sun up to sun down. Destroying the hillsides by "clearing" them will cause erosion and destroy the natural draw of this unique area to local and visiting people/families. I've contacted 2 local non-profits about seeking protection of this area on the environmental concerns alone.

We also have concerns about parking. "Up to 1, 900 people" at a concert is going to bring a great deal of traffic and I have heard no mention of how this will be addressed. Our street is already overcrowded with visiting cars (who don't want to pay to park downtown) and the traffic around Poli/California /Chestnut/Main can be dangerous, especially if there are concert goers on foot and driving. Just add a late night beer vender and you can understand our concerns. My family and I walk in this area to get to downtown regularly and we've had close calls with automobiles on light traffic days.

So, I'm not sure exactly how the issues of parking, destructions of a natural hillside and wildlife habitat, port-a-toilets near residential housing, etc have been addressed so far, but I can assure you we intend to file official noise ordinance complaints if this concert series is approved. We moved here because it was one of the quietest places within walking distance of downtown. This concert series would be a disruption and a nuisance that we can not accept. I've only spoken to a couple of my neighbors so far but they definitely feel the same way.

Please advise what we need to do (other than this response to the Notice of Preparation you sent) to keep this concert series from taking place and spoiling one of Ventura's most unique and appreciated

areas.

I'm also forwarding this to a local attorney and I'd appreciate your reply once you've received this message.

Thank you so much for allowing us to be heard and for sending the notice of preparation.

Sincerely,

Daniel, Carolyn and Catalina Moody

PS-I can't help but think that any concert promoter who has a valid and working business model can host events in one of Ventura's established event areas. My only conclusion is that this is an attempt to exploit a local resource for increased profits at the expense of the quality of life many of us have come to enjoy in downtown Ventura.

--

Daniel K. Moody, M.S.
MFT Intern LCS# 77792
185 N Chestnut St APT A
Ventura, CA 93001
805-630-5097

**Dan Frederickson
620 Buena Vista St
Ventura, CA 93001**

March 17, 2014

Lilly Rudolph
AICP, Senior Planner
City of Ventura
501 Poli St.
Ventura, CA 93001

Subject: Pilot Concert Series Focused EIR

Ms. Rudolph, this letter is in response to the EIR for the proposed Pilot Concert Series at Ventura City Hall. My neighbors and I remain opposed to this and future series at the proposed location. Some of our reasons are as follows:

- 1 Rationale.** There is no reason to have the concerts, other than the desire of the promoter to make money. The original idea that the concerts would be a way for the Ventura Botanical Gardens to make money has been abandoned. The concert promoters actually will compete with downtown businesses and take up parking that is used to support those businesses.
- 2 Noise.** The proposed solution to the noise issue is unacceptable. The decision to measure the sound levels from the origination of the venue is simply an attempt to bypass the current City sound ordinance for the benefit of the promoter. Clearly from the City's own study the noise will be disruptive and impact our quality of life. Moreover, the abundant animal life in Grant Park and the Ventura Botanical Gardens will be severely affected. (See Exhibit "A" attached)
- 3 Congestion and safety issues.** Our streets will be packed with congestion and trash generated from the concert attendees. In

EXHIBIT "A"

Effects of Noise on Wildlife

As human beings continue their encroachment upon the last remaining vestiges of untouched wilderness, wildlife populations around the globe continue to diminish in size. The impacts of human encroachment and environmental pollution are evident wherever research biologists perform their studies: loss of habitat and territory; loss of food supply; behavioral changes in mating predation and migration; and changes in interspecies relationships, altered predator-prey balance, increased competition for food and shelter.

Human-induced noise pollution is one of many factors contributing to the depletion of wildlife populations. Laboratory studies and limited field research have uncovered four major ways in which animals are adversely affected by noise pollution:

- hearing loss, resulting from noise levels of 85 db or greater;
- masking, which is the inability to hear important environmental cues and animal signals;
- non-auditory physiological effects, such as increased heart rate and respiration and general stress reaction; and
- behavioral effects, which vary greatly between species and noise characteristics, resulting in, for example, abandonment of territory and lost reproduction.

Dave Cornman
Nature Sounds Society

<http://www.naturesounds.org/conservENW.html>

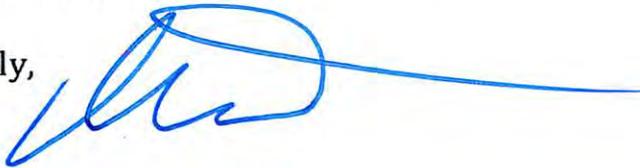
addition, it appears that ingress and egress from the venue is seriously limited in the case of emergency.

4 Alcohol sales & use issues. It is the promoter's intention to sell alcohol as part of the event(s). This further adds to the DUI issues that our downtown is infamous for and undermines efforts to minimize our downtown's impacts on other citizens.

5 Unnecessary City expense. It is our understanding from Jeff Lambert that the event venue is being provided "free of charge" to the promoter by the City. We are concerned that the City may not recover other costs, such as; EIR cost, physical fire mitigation efforts on the site, police, fire, sanitation and clean up.

We ask that you deny the request for a pilot concert series based on the serious environmental degradation that would result in its implementation.

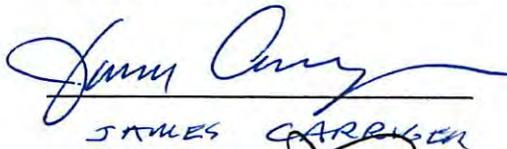
Sincerely,



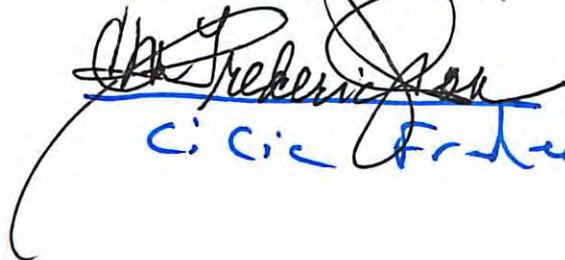
Rich Vaniofis

Frank Pecarich
Frank Pecarich

Pamela Pecarich



JAMES CARRIGAN



Cicie Franchese

31 North Fir Street, Ventura, CA 93001

643 Buena Vista Street 93001

681 Buena Vista Street 93001

212 Brakey Road, Vta, 93002

212 Brakey Rd, Vta, 93001

P.O. Box 28130, Vta, 93002

697 Buena Vista
Ventura, CA 93001

620 Buena Vista St

Ventura, CA

93001

Zimbra

lrudolph@ci.ventura.ca.us

Pilot Concert Series Focused EIR - Question follow up

From : knadsady1@aol.com
Subject : Pilot Concert Series Focused EIR - Question follow up
To : lrudolph@cityofventura.net

Fri, Mar 14, 2014 01:55 PM

Daar Lilly,

Thank you for that meeting last night.....it was interesting to say the least.

I have a lot of reservations regarding how this event and noise issue is evolving - so let me pose a few comments....

1) Misinformation: I found there to be alot of misinformation.....on one hand people have surveys that show it doesn't help businesses and yet on the other hand business owners like the woman that spoke says it would. Also a young man representing 6 businesses said they were for it. Problem with his statement "What businesses is he referring to" I can't take his "hearsay" as being factual..... My question isSO What is the truth?

2) Battle of Noise....Again and I reinterate, it will be horrible to have noise/sound coming at different directions.

Please DO NOT underestimate the impact the noise has on our Society...just because we CAN'T see it. Please be mindful of the REAL implication that noise has on people.....

For example just recently the Trial of the guy in Florida that shot into a car when the Kids were playing their music too loud.

So Tragic! Not saying this will happen

3) Litter/Trash: It really doesn't matter what controls you have at the Venue trash will be on the streets. Factual....my experience with alcohol in my yard, on the streets.

4) Alcohol: It has been my experience that people have pee' d in my driveway- factual, a pet sitter confronted a drunken maie peeing on my driveway and chased him away.

5) NON-profit vs profit:

First it was not very good to find out from Dan Fredrickson that it was originally a NON-profit Event. That is changed from the Botanical Gardens. That was a worthy cause.....

BUT importantly! Whether or Not rent is to be charged for the Venue is the premised upon one question.

Is this a Non-profit event ?

If the answer is YES then no rent should be due.....

If the answer is NO then there IS rent due for the Venue.

Please DO NOT let this opportunity be another missed opportunity for the financial gain for our City. AS I mentioned, that was poor business savvy.

If you want to develop more customers coming into Ventura you should Charge 100K just like Randal mentioned last night for its value.

Utilize those funds to change our over pass at California Street to LURE people into our town. Too many people pass by...I am a native Californian originally from Burbank and I didn't know this town existed until I was looking for a Warehouse. What does that tell you.

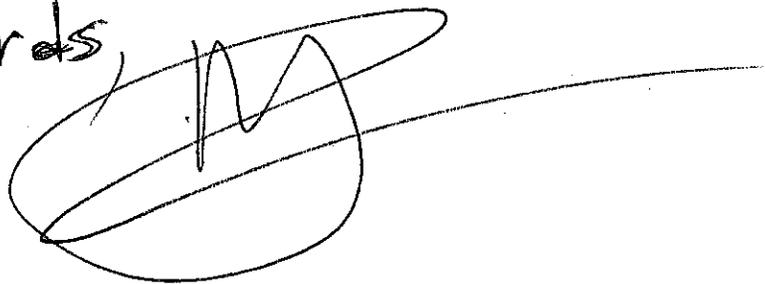
Anyway getting off point....

Cordially,
Kathleen Nadsady
805-479-7326

3-4-14

I Michael Peck business owner at
697 E. main street, support the
proposed Pilot Concert Series at
Ventura City Hall!

Regards,

A large, stylized handwritten signature in black ink, appearing to be 'M. Peck', written over a horizontal line.

CITY OF
SAN BUENAVENTURA
MAR 14 2014
ECONOMIC DEVELOPMENT
& REVITALIZATION

Comment Sheet

Please let us know your concerns so we can address them in the Environmental Impact Report.

Name: ERIK REEL

Affiliation: RESIDENT ARTIST-
(resident, businessperson, agency representative,
community group member)

Address: 436 POLI ST
VENTURA CA
93001

Phone: SOON TO MOVE BUSINESS
(ERIK REEL LLC) TO VENTURA-DOWNTOWN
805 628-3998

Email: ERIK @ ERIKREEL.COM

Comments:

1) FOR CONCERTS ABOVE CITY HALL UNTIL 10 PM

2) AGAINST ANY WEAKENING OF NOISE ORDINANCES.

(THEY ACTUALLY NEED TO BE RE-WRITTEN: STRENGTHENED,
SIMPLIFIED, MADE ENFORCEABLE, PARTICULARLY FOR
HOURS 10 PM - 9 AM)

3) AGAINST CITY-SPONSORED EVENT OR ANY EVENT
NEAR CITY HALL SERVING ALCOHOL - WE NEED
ALL-AGES EVENTS, EVENTS TEENS CAN ATTEND W/OUT
ALCOHOL [BESIDES ANYONE WHO WANTS TO DRINK
CAN GO DOWNTOWN AND PATRONIZE ONE OF DOZENS
OF OUR BUSINESSES]

▷▷ WE NEED TO STRENGTHEN AND HELP DOWNTOWN
BUSINESS - NOT COMPETE WITH THEM !!

Please submit to:
Lilly Rudolph, AICP, Senior Planner
City of Ventura Community Development Department
501 Poli St., Room 218
PO Box 99
Ventura, CA 93002
lrudolph@cityofventura.net

Comment Sheet

Please let us know your concerns so we can address them in the Environmental Impact Report.

Name: Kathleen Nadsady

Affiliation: Resident
(resident, businessperson, agency representative, community group member)

Address: 639 Poli St.
Vta, CA 93001

Phone: (805) 479-7326

Email: KNadsady1@aol.com

Comments: CONFLICT

#1 I call it "Battle of Music"
If a Venue occurs behind the Court Hse,
It will affect Street Noises, WaterMark etc ———
in VOLUME. Therefore affects the NOISE LEVEL
ALSO, Living where I am music
will be to the Right Side of many
homes and to the Front ie Watermark
The Sounds that resonate can not
be pleasing.
I am very concerned — also the
type and quality of Music ?

Please submit to:
Lilly Rudolph, AICP, Senior Planner
City of Ventura Community Development Department
501 Poli St., Room 218
PO Box 99
Ventura, CA 93002
lrudolph@cityofventura.net

Scoping Meeting/NOP Comments

Pilot Concert Series

March 13, 2014, 6 PM | Ventura City Hall

| Name | Date | Via |
|---|---------|-------|
| Frank Irving | 3/10/14 | Phone |
| Comment Promoter name, address, phone, and what they do in Ventura should be public so people know who is responsible. Promoters contact information should be made available so people can call for clean-up and other issues. City should not incur any costs. Overwhelmed by noise at Watermark City should not get paid anything and gets a percentage at the gate Let people know what kinds of bands are playing two weeks in advance so they can prepare. There are lots of visitors on the hillsides | | |
| Notes | | |

| Name | Date | Via |
|---|-----------|-------|
| Kathleen Nadsady, 639 Poli St. | 3/12/2014 | Phone |
| Comment Gets a lot of noise from Watermark. Can the Watermark play later if it's a holiday? Doesn't want to have to hear music emitting from more than one source. Parking does become an issue when there are a lot of events going on downtown. People park on Poli. Finds a lot of beer cans and cigarette butts and trash in her yard. People jump fence. | | |
| Notes 479-7326 Knadsady1@aol.com - email information on Watermark, information on parking | | |

| Name | Date | Via |
|--|---------|-------|
| Randall Richman | 3/13/14 | Email |
| Comment Because thousands of concert-goers will be exiting East and West on Poli Street in this heavy residential neighborhood after 10 PM having consumed alcohol and getting into their cars, I object to this location for the concert series. Besides the late night noise of traffic, car-doors | | |

slamming, there is also litter, physical altercations, traffic and gridlock, people urinating, dogs barking, local wild animals dispersing (deer, coyotes, rattlesnakes etc), and potential car accidents. Need I write more? The Fairgrounds would work better.

Thank you,
Randall Richman
Resident

Notes

| Name | Date | Via |
|---|---------|-------|
| Rhonda Hill | 3/14/14 | Phone |
| <p>Comment</p> <p>Lives on Poli St. across the street from City Hall. Hears noise from Main St. Consider another location. 10PM curfew is good. Location for proposed venue is beautiful, but noise is an issue. Suggested Fairgrounds, but understands that aesthetic is missing. City isn't benefitting financially, and event would compete with businesses.</p> | | |
| Notes | | |



Appendix B

Sound Survey Report



CITY OF
VENTURA

City of San Buenaventura Summer Weekend Sound Monitoring Report – Downtown Entertainment Area

Survey Weekends

June 7 – 9, 2013

June 21 – 23, 2013

July 5 – 7, 2013

July 19 – 21, 2013

August 2-4, 2013

August 16-18, 2013

Prepared for:

Mr. Andrew Stuffer
Chief Building Official
City of San Buenaventura
501 Poli Street
Ventura, CA 93001

Prepared by:

Mr. Nate Seward, PE, CIH
Criterion Environmental, Inc.
1957 Eastman Ave. #B
Ventura, CA 93003

September 18, 2013

Andrew Stuffer
City of Ventura – Chief Building Official
501 Poli St.
Ventura, CA 93001

Subject: Summer Weekend Sound Monitoring Report
Investigation Dates: June 7–9, June 21–23, July 5–7, July 19-21, August 2-4, August 16-18, 2013
Downtown Entertainment Area
Client ID# VTA-5563

Dear Mr. Stuffer:

At the request of the City of Ventura, Criterion Environmental, Inc. (CEI) has collected sound monitoring readings on every other weekend starting on June 7th in the Downtown area of Ventura. The purpose of this survey was to obtain sound monitoring data throughout the summer that will help the City better understand the ambient noise levels in the general downtown area, peak sound levels during entertainment hours and to help identify establishments that may be contributing to excessive noise, thus impacting neighborhood peacefulness in the downtown area. Sound measurements were taken using a calibrated Sound Level Meter (Amprobe SM-70) using the db “A” scale and Slow response. The measurements were collected approximately 4’-5’ from the ground and were collected at least 10’ from a reflective surface using a wind screen. This report documents the results from the weekend results to date.

Data Collection/Ride-Along

CEI performed a Ride-Along with Officer Bernadette Compean, Ventura Police Department (VPD) on Friday, June 7, 2013. Officer Compean is very familiar with the entertainment establishments in the downtown area and is typically involved in noise complaints. During our Ride-Along, Officer Compean identified various establishments in the downtown area that have historically received noise complaints. In addition, a few residential neighborhoods on Buena Vista and off Poli St. above the downtown area were identified as having complained of noise from the downtown area. This information was useful during our sound monitoring.

City Noise Ordinance

The City Noise Regulations (Section 10.650.130) include Zone II and Zone III which are designated for Residential and Commercial properties. Exterior noise levels shall apply for all receiving parties for these two Zones and are established at 50db for Residential and 60db for Commercial between 7am - 10pm. After 10pm, the exterior noise levels decrease to 45db for Residential properties and 55db for Commercial properties. The following table describes the exterior noise levels as set forth in the Ventura Code of Ordinance, Division 10, Chapter 10.650, Article 1.

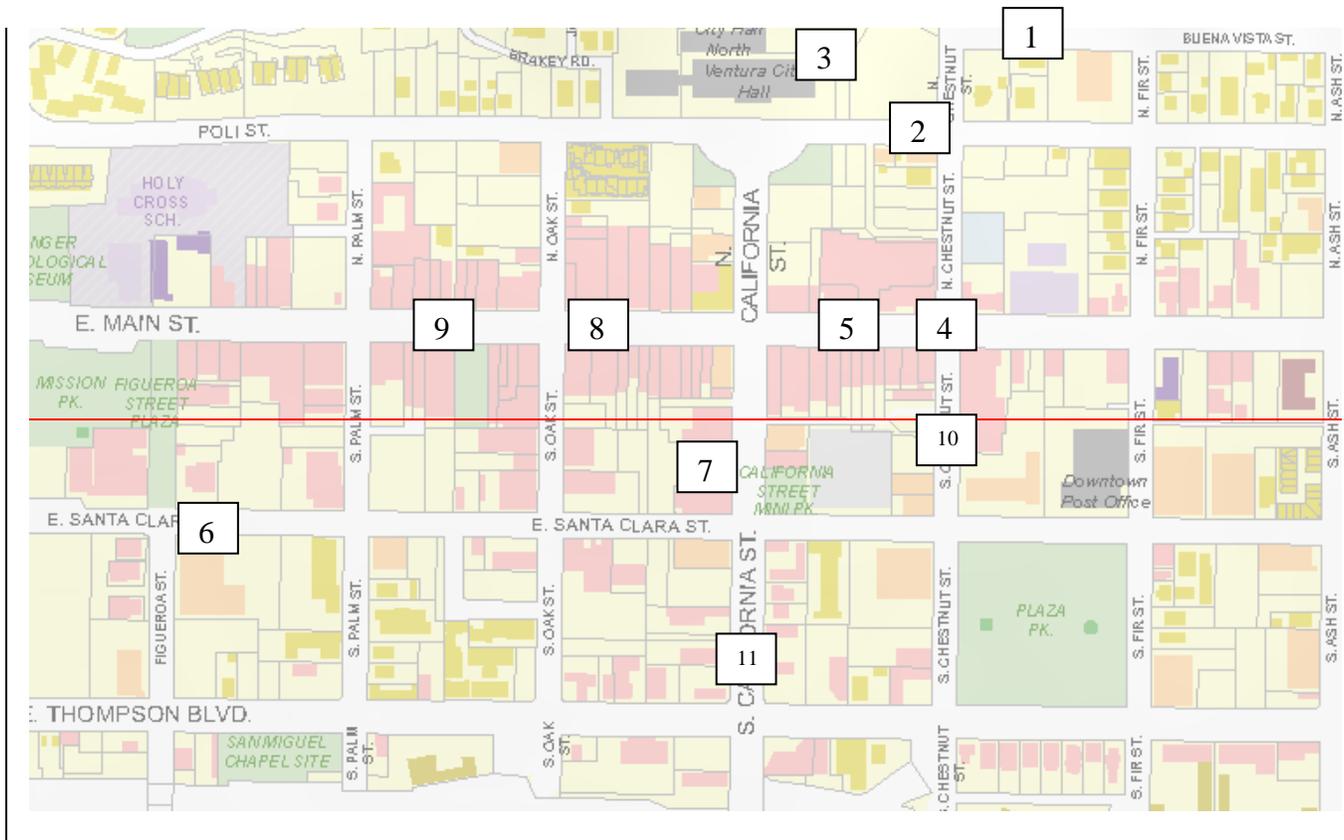
Section 10.650.130. B - Exterior noise levels

| | Designated Zone | Time Interval | Exterior Noise Levels (dB) |
|----------|-----------------|---------------|----------------------------|
| Zone II | Residential | 7am – 10pm | 50 |
| | | 10pm – 7am | 45 |
| Zone III | Commercial | 7am – 10pm | 60 |
| | | 10pm – 7am | 55 |

The noise limits above can be lowered or raised based on specific situations cited in Section 10.650.130 B of the SBMC. For example, continuous “music” noise lowers the allowable maximum above by 5 dB.

The following is a Map of measurement locations and Tables with the findings from the weekend noise investigations. The sampling events were taken on Friday evenings between 10pm – 1am and on Sundays between 3pm - 6pm.

Sound Monitoring Map Locations



- | | |
|--|------------------------|
| 1- Buena Vista St (Between Fir & Chestnut) | 7- Café Fiore |
| 2- Chestnut & Poli St | 8- Rookies |
| 3- City Hall Parking Lot | 9- Star Lounge |
| 4- Watermark/Dargans | 10- Ventura Theater |
| 5- Amigos/Good Bar | 11- Bombay Bar & Grill |
| 6- Tavern | |

Summary Results Table

| Map | General Location | Residential or Commercial Code | Night Time Monitoring Results (dB) Residential Max. Music 40 dB – Other 45 dB Commercial Music 50 dB – Other 55 dB | | | | | | Day Time Monitoring Results (dB) Residential Max. Music 45 dB – Other 50 dB Commercial Music 55 dB – Other 60dB | | | | | |
|-----|---|-----------------------------------|--|----------------|----------------|-------------|----------------|----------------|---|----------------|----------------|----------------|----------------|----------------|
| | | | June 7 | June 21 | July 5 | July 19 | Aug 2 | Aug 16 | June 9 | June 23 | July 7 | July 21 | Aug 4 | Aug 18 |
| 1 | Buena Vista St (between Fir and Chestnut) | Residential Code (10.650.130. B6) | 45-52 | 47-52 | 45-53 | 45-55 | 46-50 | 48-52 | 48-55 | 48-55 | 48-55 | 48-54 | 48-55 | 48-54 |
| 2 | Chestnut & Poli | Residential Code (10.650.130. B6) | 51-53 60-66 | 48-53 60-66 | 50-53 60-66 | 51-58 71 | 49-56 59-65 | 52-59 60-66 | 50-54 62-67 | 49-54 62-67 | 49-54 62-66 | 51-56 60-64 | 49-54 62-66 | 52-55 62-70 |
| 3 | City Hall Parking lot | Residential Code (10.650.130. B6) | 50 | 45-52 | 49-52 | 46-52 | 45-51 | 45-52 | 53 | 48-53 | 50-55 | 50-56 | 48-53 | 50-55 |
| 4 | Chestnut & Main (Watermark/Dargans) | Commercial Code (10.650.130. B6) | 65-74 | 69-78 | 65-70 | 62-74 | 68-72 | 64-74 | 67-75 | 67-75 | 64-73 | 63-75 | 67-74 | 64-70 |
| 5 | Main St.; front of Amigos | Commercial Code (10.650.130. B6) | 65-82 | 62-69 | 62-66 | 55-81 | 66-79 | 66-78 | 67-78 | 64-68 | 64-68 | 53-68 | 64-68 | 64-68 |
| 6 | Tavern along Santa Clara | Commercial Code (10.650.130. B6) | 55-60 | 55-66 | 55-66 | 53-68 | 55-70 | 55-66 | 57-62 | 58-65 | 57-62 | 57-65 | 59-63 | 58-66 |
| 7 | Across from Café Fiore | Commercial Code (10.650.130. B6) | 54-65 | 55-65 | 55-65 | 55-62 | 56-69 | 55-69 | 55-67 | 56-68 | 58-67 | 52-60 | 55-63 | 59-64 |
| 8 | Across from Rookies | Commercial Code (10.650.130. B6) | 63-77 | 63-77 | 63-77 | 58-64 | 61-67 | 63-70 | 65-75 | 63-73 | 65-75 | 65-75 | 64-67 | 63-72 |
| 9 | Across from Star lounge | Commercial Code (10.650.130. B6) | 65-70 | 65-70 | 65-73 | 58-72 | 65-72 | 65-70 | 65-72 | 64-70 | 66-73 | 66-75 | 65-70 | 64-73 |
| 10 | Outside Ventura Theater (no band playing) | Commercial Code (10.650.130. B6) | 65-90 | 48-53 | 58-65 | 68 | 52-58 | 55-62 | 57-65 | 58-66 | 58-63 | 60-64 | 55-63 | 58-65 |
| 11 | Outside Bombay | Commercial Code (10.650.130. B6) | 65-72 | 65-70 | 65-72 | 58-65 | 62-66 | 67-79 | 63-70 | 63-68 | 63-68 | 55-63 | 59-63 | 63-70 |

Exceeds Limit
Within Limit

Summary of Results

Residential Neighborhoods

The ambient noise levels measured during the weekend evenings and afternoons in the neighborhoods (Buena Vista/Poli, etc.) above the downtown area were within the range of 45-55dB, respectively. The fluctuation in the sound readings came mainly from vehicle traffic along Poli St, Main St. and the 101 Freeway. The measurements indicated the sound levels increased only by approximately 2-3 decibels above ambient noise levels with music playing in the downtown area. The open roof construction and window/balcony design of the Watermark building (Main St & Chestnut) as well as a lack of structural interference between music emanating from the third floor balcony/bar and the neighborhood, appear to be the primary factors for the directional sound reaching the hillside properties along Buena Vista/Poli.

Downtown Corridor

The overall downtown corridor ambient noise levels measured during the weekend evenings and afternoons along Main St. in the entertainment district appears to be between 58-68dB, respectively. Peak measurements were common into the mid 70db range directly outside of the music establishments with the highest reading at 90dB (outside of the Ventura Theater during Rock concert). Fluctuations of sound levels downtown were greatly influenced from street traffic, patrons talking/laughing along the streets and the open and closing of windows/doors from the entertainment establishments.

Acoustically, the downtown corridor along Main St., California St, Chestnut St, etc. is causing noise resonance or reflection between the street level noise levels emanating from structures in the downtown area, which seems to diffuse noise levels from significantly contributing to surrounding areas. This diffusion/reflection seems to confine or trap a majority of noise in this area, minimizing the sound levels as you get further away from the downtown area. The exception to this is when receiving parties are higher in elevation from the point source as observed in the hillside residential areas (Poli St., Buena Vista, etc.). When this is the situation, it is the noise generated from upper level portions of entertainment establishments with no structural obstacles in the way of sound waves that is received in the adjacent hillside neighborhoods.

The peak of directional sound coming from Café Fiore detected was highest along the patio side of the establishment facing Santa Clara Street. An elevation in sound readings was noted across the street from the California Street entrance when music was playing and entry doors were opened for patrons to enter or exit the establishment. Open doors were noted with music playing at Amigos, Good Bar, Rookies, Ventura Theater, Bombay, etc. during highest readings influenced by music emanating from those establishments. Walking away from these establishments the sound levels significantly dissipated compared to levels detected directly in front of or across the street from these establishments.

Sound levels were also taken during the music festival in the Park on Saturday, June 8th along Chestnut to determine a possible worse case scenario during the daytime. Several bands were playing during the Saturday afternoon. The loudest sound measurements collected was across the street and taken in front of amplified speakers on Chestnut at 80db.

NOTE: The noise complaint on Sunday, June 9th at 5:20pm reportedly came from the music coming from Watermark. The sound levels measured prior to the complaint (6/9/13 at 4:15 pm) at

Chestnut/Poli and Buena Vista/Chestnut were measured between 48 – 55db. The sound measured across from Watermark was 75db. These levels were measured when a band was playing at Watermark and the front doors were open.

Conclusions:

The majority of the sound measurements taken during our study exceeded the night time and daytime Residential and Commercial Code maximum levels. The Residential and Commercial codes can be found in the table below, however according to Section 10.650.130B6, they can be adjusted or lowered by 5dB due to the continuous “music” noise measured during this study. The Summary Results Table on Page 3 has measurement values that were compared to the adjusted Residential and Commercial Codes.

| | Designated Zone | Time Interval | Maximum Exterior Noise Levels (dB) | Adjusted from Section 10.650.130B (dB) |
|----------|-----------------|---------------|------------------------------------|--|
| Zone II | Residential | 7am – 10pm | 50 | 45 |
| | | 10pm – 7am | 45 | 40 |
| Zone III | Commercial | 7am – 10pm | 60 | 55 |
| | | 10pm – 7am | 55 | 50 |

Sound levels directly in front of the establishments consistently increased between 2db – 5db when the doors/windows were open. In addition to the opening and closing of windows/doors, ambient noise level peaks were primarily influenced from the traffic in front of establishments. Traffic noise from vehicles with loud car radios with their windows down, motorcycles, sirens, etc. increased noise levels 5db – 15db, making the biggest impact on peak noise readings, however these sources were sporadic and of short duration in a specific area throughout the monitoring. The bi-monthly sound measurement spreadsheets can be found in Appendix A.

In our opinion, it would not be surprising that there would be more noise complaints in the weekend afternoons from the residential properties located in the higher elevations. This is because people are more likely to be enjoying the outdoors or would likely have their windows/doors open during the daytime. We would also presume that some residential noise complaints would be more frequent if the receiving party does not enjoy the type of music or finds the music unpleasing, even though the sound levels at or slightly above ambient levels.

Recommendations

Criterion recommends collecting sound monitoring data over the winter months in order to determine if a significant difference is noted. Factors such as colder weather and shorter sunlight days may cause people living in the residential properties to keep their windows closed longer. This may result in decreased noise complaints, however it should be monitoring to confirm or deny this.

If you have any questions, please don't hesitate to contact us at 805.644.8347.

Criterion Environmental, Inc.



Nate Seward, PE, CIH
Professional Mechanical Engineer
Certified Industrial Hygienist (CP 9582)

Appendix A
Weekend Sound Monitoring Tables

June 7th, 8th, 9th Friday evening, Saturday & Sunday afternoon monitoring

| | Residential or Commercial | General Location | Nighttime 10pm-1am | Daytime 1pm-6pm | Comments |
|---|-----------------------------------|---|---|---|---|
| 1 | Residential Code (10.650.130. B6) | Buena Vista St (between Fir and Chestnut) | Measured: 45-52 dB Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | Measured: 48-55 dB Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Decibel levels were higher at the end of Buena Vista and Chestnut. Noise could be heard from Watermark. |
| 2 | Residential Code (10.650.130. B6) | Chestnut & Poli | Without Traffic Measured: 51-53 Max Allowed: Music 40 Other 45 With Traffic Measured: 60-66 Max Allowed: Music 40 Other 45 EXCEEDS LIMIT | Without Traffic Measured: 50-54 Max Allowed: Music 45 dB Other 50 dB With Traffic Measured: 62-67 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Definitely a sound increase with cars traveling along Poli St. |
| 3 | Residential Code (10.650.130. B6) | City Hall Parking lot | Measured 50dB Max Allowed: Music 40 Other 45 EXCEEDS LIMIT | Measured 53dB Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | The peak was from vehicle noise along Poli St, not entertainment |
| 4 | Commercial Code (10.650.130. B6) | Chestnut & Main (Watermark/Dargans) | Measured 65-74 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | Measured 67-75 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak noise came mainly from traffic along Main St and opening of balcony doors from W2O |
| 5 | Commercial Code (10.650.130. B6) | Main St.; front of Amigos | Measured 65-82 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | Measured 67-78 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from band, open windows and traffic |
| 6 | Commercial Code (10.650.130. B6) | Tavern along Santa Clara | Measured 55-60 Max Allowed: Music 50 Other 55 | Measured 57-62 Max Allowed: Music 55 Other 60 | Noise levels did not appear very loud with doors open |

| | | | EXCEEDS LIMIT | EXCEEDS LIMIT | |
|----|----------------------------------|-------------------------|---|--|--|
| 7 | Commercial Code (10.650.130. B6) | Across from Café Fiore | Measured 54-65 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | Measured 55-67 Max Allowed: Music 55 Other 60 LOWER VALUE AT LIMIT | Noise ranges were increased w/ traffic and opening of front doors. Peak w/ front doors open, cars driving by and loud patrons. Noise reduces in adjacent park. |
| 8 | Commercial Code (10.650.130. B6) | Across from Rookies | Measured 63-77 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | Measured 65-75 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from cars (noise from stereo with open windows) |
| 9 | Commercial Code (10.650.130. B6) | Across from Star lounge | Measured 65-70 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | Measured 65-72 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from open front doors and traffic |
| 10 | Commercial Code (10.650.130. B6) | Outside Ventura Theater | Measured 65-90 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | Measured 57-65 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from concert and doors open. |
| 11 | Commercial Code (10.650.130. B6) | Outside Bombay | Measured 65-72 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | Measured 63-70 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Loudest in parking lot from patio speakers |
| 12 | Commercial Code (10.650.130. B6) | Paddy's | | NA | No noise noticed from outside |

June 21st & 23rd: Friday evening & Sunday afternoon

| | Residential or Commercial | General Location | Nighttime 10pm-1am | Daytime 3pm-6pm | Comments |
|---|-----------------------------------|---|---|--|---|
| 1 | Residential Code (10.650.130. B6) | Buena Vista St (between Fir and Chestnut) | 47-52 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 48-55 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Decibel levels were higher at the end of Buena Vista and Chestnut. Noise could be heard from Watermark. |
| 2 | Residential Code (10.650.130. B6) | Chestnut & Poli | 48-53 w/o traffic Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT 60-66 w/ traffic Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 49-54 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT 62-67 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Definitely a sound increase with cars traveling along Poli St. |
| 3 | Residential Code (10.650.130. B6) | City Hall Parking lot | 45-52 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 48-53 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | The peak was from vehicle noise along Poli St, not entertainment |
| 4 | Commercial Code (10.650.130. B6) | Chestnut & Main (Watermark/Dargans) | 69-78 Inside watermark; 92 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 67-75 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak noise came mainly from traffic along Main St and opening of balcony doors from W20 |
| 5 | Commercial Code (10.650.130. B6) | Main St.; front of Amigos | 62-69 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 64-68 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from band, open windows and traffic |
| 6 | Commercial Code (10.650.130. B6) | Tavern along Santa Clara | 55-66 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 58-65 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Noise levels did not appear very loud with doors open |
| 7 | Commercial Code | Across from Café Fiore | 55-65 Max Allowed: | 56-68 Max Allowed: | Noise ranges were increased w/ traffic and |

| | | | | | |
|----|----------------------------------|---|---|---|---|
| | (10.650.130. B6) | | Music 50 Other 55 EXCEEDS LIMIT | Music 55 Other 60 EXCEEDS LIMIT | opening of front doors. Peak w/ front doors open, cars driving by and loud patrons. |
| 8 | Commercial Code (10.650.130. B6) | Across from Rookies | 63-77 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 63-73 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from cars (noise from stereo with open windows) |
| 9 | Commercial Code (10.650.130. B6) | Across from Star lounge | 65-70 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 64-70 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from open front doors and traffic |
| 10 | Commercial Code (10.650.130. B6) | Outside Ventura Theater (no band playing) | 48-53 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 58-66 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from concert and doors open. |
| 11 | Commercial Code (10.650.130. B6) | Outside Bombay | 65-70 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 63-68 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Loudest in parking lot from 12patio speakers |
| | Commercial Code (10.650.130. B6) | Paddy's | | NA | No noise noticed from outside |

July 5th & 7th: Friday evening & Sunday afternoon; Temperature 64; overcast (Fri)

| | Residential or Commercial | General Location | Nighttime 10pm-1am | Daytime 3pm-6pm | Comments |
|---|-----------------------------------|---|---|--|---|
| 1 | Residential Code (10.650.130. B6) | Buena Vista St (between Fir and Chestnut) | 45-53 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 48-55 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Decibel levels were higher at the end of Buena Vista and Chestnut. Noise could be heard from Watermark. |
| 2 | Residential Code (10.650.130. B6) | Chestnut & Poli | 50-53 w/o traffic Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT 60-66 w/ traffic Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 49-54 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT 62-66 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Definitely a sound increase with cars traveling along Poli St. |
| 3 | Residential Code (10.650.130. B6) | City Hall Parking lot | 49-52 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 50-55 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | The peak was from vehicle noise along Poli St, not entertainment |
| 4 | Commercial Code (10.650.130. B6) | Chestnut & Main (Watermark/Dargans) | 65-70 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 64-73 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak noise came mainly from traffic along Main St and opening of balcony doors from W2O |
| 5 | Commercial Code (10.650.130. B6) | Main St.; front of Amigos | 62-66 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 64-68 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from band, open windows and traffic |
| 6 | Commercial Code (10.650.130. B6) | Tavern along Santa Clara | 55-66 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 57-62 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Noise levels did not appear very loud with doors open |

| | | | | | |
|----|----------------------------------|---|---|---|--|
| 7 | Commercial Code (10.650.130. B6) | Across from Café Fiore | 55-65 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 58-67 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Noise ranges were increased w/ traffic and opening of front doors. Peak w/ front doors open, cars driving by and loud patrons. Noise reduces in adjacent park. |
| 8 | Commercial Code (10.650.130. B6) | Across from Rookies | 63-77 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 65-75 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from cars (noise from stereo with open windows) |
| 9 | Commercial Code (10.650.130. B6) | Across from Star lounge | 65-73 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 66-73 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from open front doors and traffic |
| 10 | Commercial Code (10.650.130. B6) | Outside Ventura Theater (No band playing) | 58-65 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 58-63 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from concert and doors open. |
| 11 | Commercial Code (10.650.130. B6) | Outside Bombay | 65-72 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 63-68 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Loudest in parking lot from patio speakers |
| | Commercial Code (10.650.130. B6) | Paddy's | NA | | No noise noticed from outside |

July 19th & 21st: Friday evening & Sunday afternoon monitoring; 64 degrees; partly cloudy to foggy

| | Residential or Commercial | General Location | Nighttime 10pm-1am | Daytime 3pm-6pm | Comments |
|---|-----------------------------------|--|--|--|---|
| 1 | Residential Code (10.650.130. B6) | Buena Vista St (between Fir and Chestnut) | 45-55 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 48-54 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | With music added, the range was between 50 – 55db and readings were highest at the end of Buena Vista and Chestnut. The peak noise levels were measured when traffic noise from Poli Street was an additional factor. |
| 2 | Residential Code (10.650.130. B6) | Chestnut & Poli | 51-58 w/o traffic Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT 71 w/ traffic Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 51-56 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT 60-64 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Automobile noise is the noise factor that increases the decibel levels during the highest readings. |
| 3 | Residential Code (10.650.130. B6) | City Hall Parking lot | 46-52 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 50-56 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Friday evening ambient levels peaked at 51db. No music was audible when traffic on Poli Street passed by. The daytime peak was from a mobile detailer operating in the city parking lot. |
| 4 | Commercial Code (10.650.130. B6) | Chestnut & Main (Watermark/Dargans) | 62-74 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 63-75 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Street crowd noise and music emanating from both Watermark and Dargans contributed to the readings during the Sunday survey, with peaks also being influenced by passing traffic. |
| 5 | Commercial Code (10.650.130. B6) | Main Street; in front of Amigos & Good Bar | 55-81 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 53-68 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Music from both establishments contributed to noise levels at various times of this survey. Both establishments had front doors open during this survey. Peak noise readings were measured with a |

| | | | | | |
|----|----------------------------------|---|--|--|--|
| | | | | | passing truck adding street noise to the reading. It should be noted that without music from either establishment contributing, noise levels between 58 – 62db were collected, with music from Watermark audible. |
| 6 | Commercial Code (10.650.130. B6) | Tavern along Santa Clara | 53-68 Peak 81 w large truck passing Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 57-65 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Noise levels were collected between 53 – 68db with no audible music from Tavern contributing to the readings. Peak noise levels were measured with a large truck passing by along Santa Clara. |
| 7 | Commercial Code (10.650.130. B6) | Across from Café Fiore | 55-62 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 52-60 Max Allowed: Music 55 Other 60 LOWER VALUE AT LIMIT | Noise levels were highest along the Santa Clara side of Café Fiore during this survey. Peak music noise along California Street was measured when the doors to Café Fiore opened to allow patrons to enter or exit. Closed entry doors were closed other than entry or exit. |
| 8 | Commercial Code (10.650.130. B6) | Across from Rookies | 58-64 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 65-75 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak noise levels were collected with a car passing by with the car stereo adding additional noise. |
| 9 | Commercial Code (10.650.130. B6) | Across from Star Lounge | 58-72 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 66-75 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Noise levels increased to a range of 58 – 65db with the addition of music from Star Lounge. Open entry doors to Star Lounge were noted during sound level collection with music playing. |
| 10 | Commercial Code (10.650.130. B6) | Outside Ventura Theater (No band playing) | 68 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 60-64 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | No audible music from Ventura Theater was noted as contributing to noise levels during this survey. An adjacent business contributed to the Sunday afternoon noise event. |
| 11 | Commercial Code | Outside Bombay | 58-65 Max Allowed: | 55-63 Max Allowed: | Street traffic and foot traffic were the major factors in |

| | | | | | |
|--|-------------------------------------|---------|--|---|---|
| | (10.650.130. B6) | | Music 50 Other 55 EXCEEDS LIMIT | Music 55 Other 60 LOWER VALUE AT LIMIT | noise readings detected during this survey. |
| | Commercial Code (10.650.130. B6) | Paddy's | NA | | No noise noticed from outside |

August 2nd & 4th; Friday evening & Sunday afternoon monitoring; 63 degrees; foggy (Friday)

| | Residential or Commercial | General Location | Nighttime 10pm-1am | Daytime 3pm-6pm | Comments |
|---|-----------------------------------|---|---|--|---|
| 1 | Residential Code (10.650.130. B6) | Buena Vista St (between Fir and Chestnut) | 46-50 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 48-55 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Decibel levels were higher at the end of Buena Vista and Chestnut. Noise could be heard from Watermark. |
| 2 | Residential Code (10.650.130. B6) | Chestnut & Poli | 49-56 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT 59-65 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 49-54 Max Allowed: Music 45 dB Other 50 dB 62-66 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Definitely a sound increase with cars traveling along Poli St. |
| 3 | Residential Code (10.650.130. B6) | City Hall Parking lot | 45-51 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 48-53 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | The peak was from vehicle noise along Poli St, not entertainment |
| 4 | Commercial Code (10.650.130. B6) | Chestnut & Main (Watermark/Dargans) | 68-72 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 67-74 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak noise came mainly from traffic along Main St and opening of balcony doors from W2O |
| 5 | Commercial Code (10.650.130. B6) | Main St.; front of Amigos | 66-79 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 64-68 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from band, open windows and traffic |
| 6 | Commercial Code (10.650.130. B6) | Tavern along Santa Clara | 55-70 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 59-63 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Noise levels did not appear very loud with doors open |

| | | | | | |
|----|----------------------------------|---|---|--|--|
| 7 | Commercial Code (10.650.130. B6) | Across from Café Fiore | 56-69 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 55-63 Max Allowed: Music 55 Other 60 LOWER VALUE AT LIMIT | Noise ranges were increased w/ traffic and opening of front doors. Peak w/ front doors open, cars drivg by and loud patrons. Noise reduces in adjacent park. |
| 8 | Commercial Code (10.650.130. B6) | Across from Rookies | 61-67 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 64-67 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from cars (noise from stereo with open windows) |
| 9 | Commercial Code (10.650.130. B6) | Across from Star lounge | 65-72 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 65-70 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from open front doors and traffic |
| 10 | Commercial Code (10.650.130. B6) | Outside Ventura Theater (no band playing) | 52-58 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 55-63 Max Allowed: Music 55 Other 60 LOWER VALUE AT LIMIT | |
| 11 | Commercial Code (10.650.130. B6) | Outside Bombay | 62-66 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 59-63 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Loudest in parking lot from patio speakers |
| | Commercial Code (10.650.130. B6) | Paddy's | NA | | No noise noticed from outside |

August 16th & 18th; Friday evening & Sunday afternoon monitoring 64 degrees; Foggy (Friday)

| | Residential or Commercial | General Location | Nighttime 10pm-1am | Daytime 3pm-6pm | Comments |
|---|-----------------------------------|---|---|--|---|
| 1 | Residential Code (10.650.130. B6) | Buena Vista St (between Fir and Chestnut) | 48-52 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 48-54 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Decibel levels were higher at the end of Buena Vista and Chestnut. Noise could be heard from Watermark. |
| 2 | Residential Code (10.650.130. B6) | Chestnut & Poli | 52-59 w/o traffic Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT 60-66 w/ traffic Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 52-55 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT 62-70 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | Definitely a sound increase with cars traveling along Poli St. |
| 3 | Residential Code (10.650.130. B6) | City Hall Parking lot | 45-52 Max Allowed: Music 40 dB Other 45 dB EXCEEDS LIMIT | 50-55 Max Allowed: Music 45 dB Other 50 dB EXCEEDS LIMIT | The peak was from vehicle noise along Poli St, not entertainment |
| 4 | Commercial Code (10.650.130. B6) | Chestnut & Main (Watermark/Dargans) | 64-74 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 64-70 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak noise came mainly from traffic along Main St and opening of balcony doors from W2O |
| 5 | Commercial Code (10.650.130. B6) | Main St.; front of Amigos | 66-78 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 64-68 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from band, open windows and traffic |
| 6 | Commercial Code (10.650.130. B6) | Tavern along Santa Clara | 55-66 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 58-66 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Noise levels did not appear very loud with doors open |

| | | | | | |
|----|----------------------------------|---|---|---|--|
| 7 | Commercial Code (10.650.130. B6) | Across from Café Fiore | 55-69 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 59-64 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Noise ranges were increased w/ traffic and opening of front doors. Peak w/ front doors open, cars driving by and loud patrons. Noise reduces in adjacent park. |
| 8 | Commercial Code (10.650.130. B6) | Across from Rookies | 63-70 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 63-72 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from cars (noise from stereo with open windows) |
| 9 | Commercial Code (10.650.130. B6) | Across from Star lounge | 65-70 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 64-73 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Peak from open front doors and traffic |
| 10 | Commercial Code (10.650.130. B6) | Outside Ventura Theater (no band playing) | 55-62 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 58-65 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | |
| 11 | Commercial Code (10.650.130. B6) | Outside Bombay | 67-79 Max Allowed: Music 50 Other 55 EXCEEDS LIMIT | 63-70 Max Allowed: Music 55 Other 60 EXCEEDS LIMIT | Loudest in parking lot from patio speakers |
| | Commercial Code (10.650.130. B6) | Paddy's | NA | | No noise noticed from outside |

End of Section



Appendix C

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires adoption of mitigation monitoring and reporting program (MMRP) for the measures necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure included in the Pilot Concert Series Final Environmental Impact Report (EIR), specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with measures contained in the MMRP.

To implement this MMRP, the City of Ventura will designate a Project Mitigation Monitoring and Reporting Coordinator (“Coordinator”). The coordinator will be responsible for ensuring compliance with the mitigation measures incorporated into the project during project implementation.

The following table will be used as the coordinator’s checklist to determine compliance with required mitigation measures.



Mitigation Monitoring and Reporting Program

| Mitigation Measure | Implementation Requirement | Timing | Monitoring Department | Funding | Standard for Success | Compliance Verification | | |
|---|---|----------------------------------|-----------------------|------------------------------|---|-------------------------|------|----------|
| | | | | | | Initial | Date | Comments |
| NOISE | | | | | | | | |
| N-1 An inspection shall be completed before the start of the concert or event to check on the general organization and layout. The Event Organizer or designated City representative shall reduce sound levels if it is necessary for compliance with the Noise Ordinance exemption that limits noise to an hourly average of 95 dBA at the sound board. | Verification that a pre-concert inspection has been conducted, monitoring of noise throughout individual concerts, implementation of sound reductions as necessary. | Before and during concert events | VCD | Event Organizer/ Promoter | Sound levels limited to an hourly average of 95 dBA | | | |
| N-2 All amplified sound in the open air or within the proposed tent shall finish no later than 10 PM. | Verification that sound amplification ends by 10 PM. | During concert events | VCD | Not applicable | Amplified sound ended by 10 PM | | | |
| N-3 The Event Organizer and/or the City of Ventura shall ensure that all persons (including individual sound engineers) involved with the sound system are informed of applicable sound control limits in order to ensure compliance with the 95 dBA hourly average limit measured at the sound board. Throughout the concert, the Event Organizer or the City of Ventura shall continuously monitor sound levels over the duration of the event. Subsequent to each concert, the Event Organizer and the City of Ventura shall review the noise monitoring data collected during the concert and shall adjust sound levels at subsequent concerts to ensure that noise levels do not exceed an hourly average of 95 dBA at the sound board. | Monitoring of sound levels throughout individual concerts and, as necessary, adjustment of sound levels at subsequent events. | During concert events | VCD | Event Organizer/ Promoter | Sound levels monitoring and reduced as necessary to achieve the 95 dBA hourly average maximum | | | |

Key: VCD City of Ventura Community Development Department
 VPW City of Ventura Public Works Department
 VFD City of Ventura Fire Department



Mitigation Monitoring and Reporting Program

| Mitigation Measure | Implementation Requirement | Timing | Monitoring Department | Funding | Standard for Success | Compliance Verification | | |
|--|--|--|-----------------------|------------------------------|--|-------------------------|------|----------|
| | | | | | | Initial | Date | Comments |
| N-4 Unrestricted access to the front of stage position and backstage areas shall be allowed at all times to the Event Organizer, a noise consultant (if on-site), and City of Ventura representatives for the purpose of sound level measurements, and to allow communications with the noise consultant, sound engineer, or any other responsible party. | Verification of access to the front of stage position and backstage. | Before and during concert events | VCD | Not applicable | Access to front of stage and backstage areas achieved | | | |
| N-5 Prior to the initial concert, the Event Organizer shall provide a phone number to the residents of the nearest residential properties for placing complaints about noise. All noise complaints received shall be logged and shall be submitted to the City of Ventura Department of Planning and Community Development within 24 hours of receipt. As necessary, sound levels shall be adjusted at subsequent concerts to ensure that noise levels remain at or below an hourly average of 95 dBA at the sound board. | Verification that a complaint line phone number has been provided and that complaints have been logged and provided to the City. | Verification that a complaint phone line is available before individual concerts; verification that a log of complaints has been submitted within 24 hours of each concert | VCD | Event Organizer/ Promoter | Complaint phone line provided, log of complaints is provided to the City, and sound levels at subsequent events reduced as necessary | | | |
| N-6 The Event Organizer shall have full control over traders or other organizations operating on-site during concerts. At the request of the City of Ventura, or in response to a complaint received during or after a concert event, the Event Organizer shall arrange for the volume to be reduced or the playing to cease, or if necessary, the equipment to be confiscated. | Verification that contracts between the Event Organizer/ Promoter and acts allow for sound reductions as necessary to achieve required sound limitations | Before concert events | VCD | Event Organizer/ Promoter | Contracts include stipulations limiting sound levels to an average of 95 dBA at the sound board and allowing for necessary actions to adjust sound levels as | | | |

Key: VCD City of Ventura Community Development Department
 VPW City of Ventura Public Works Department
 VFD City of Ventura Fire Department



Mitigation Monitoring and Reporting Program

| Mitigation Measure | Implementation Requirement | Timing | Monitoring Department | Funding | Standard for Success | Compliance Verification | | |
|---|---|-----------------------------|-----------------------|------------------------------|--|-------------------------|------|----------|
| | | | | | | Initial | Date | Comments |
| | | | | | necessary | | | |
| BIOLOGICAL RESOURCES | | | | | | | | |
| BIO-1 Vegetation clearance should take place outside of the February 1 – August 31 bird nesting season. If vegetation clearance is proposed within nesting habitat and within the breeding season, a pre-construction bird nesting survey shall be completed by a qualified biologist. The survey shall be completed no more than one week prior to vegetation clearing to determine the locations of nesting birds. If active nests are found, a suitable buffer (e.g. 200-300 feet for common raptors; 30-50 feet for passerines) shall be established around active nests and no vegetation clearance shall be allowed within the buffer until a qualified biologist has determined that the nest is no longer active (e.g. the nestlings have fledged and are no longer reliant on the nest). Encroachment into the buffer may occur at the discretion of a qualified biologist. | As necessary, verification that a pre-vegetation clearance survey has been conducted and that, as necessary, buffers around active nests have been established. | Before vegetation clearance | VCD | Event Organizer/ Promoter | Survey completed and appropriate buffers established | | | |

Key: VCD City of Ventura Community Development Department
 VPW City of Ventura Public Works Department
 VFD City of Ventura Fire Department



Mitigation Monitoring and Reporting Program

| Mitigation Measure | Implementation Requirement | Timing | Monitoring Department | Funding | Standard for Success | Compliance Verification | | |
|--|--|--------------------------|-----------------------|------------------------------|---|-------------------------|------|----------|
| | | | | | | Initial | Date | Comments |
| HAZARDS AND HAZARDOUS MATERIALS | | | | | | | | |
| HAZ-1 The proposed project shall dedicate a minimum 20-foot wide fire access lane, complete vegetation clearance within 100 feet of all combustible tents or other structures, and provide a water supply at 1,500 gpm with 20 psi. These improvements shall be completed prior to use of the project site for any concert. The project shall also comply with minimum standards of all other applicable sections of the CA Fire Code (CFC) and the CA Building Code (CBC) as amended by the City of Ventura. | Verification that required improvements and vegetation clearance are completed. | Before the first concert | VFD | Event Organizer/ Promoter | Required improvements and vegetation clearance completed before the first concert | | | |
| TRANSPORTATION/TRAFFIC | | | | | | | | |
| TRANS-1 The City of Ventura Department of Community Development shall require the promoter to implement the following traffic and circulation control measures before, during, and after the proposed concert events: <ul style="list-style-type: none"> <i>A traffic control officer shall be assigned at the intersection of the City Hall driveway and Poli Street before and after the concerts to control vehicular and pedestrian traffic flows.</i> <i>The City Hall driveway shall be reconfigured to provide one outbound lane, one inbound lane and a pedestrian walkway area before and after the</i> | Verification that a traffic control officer has been assigned and that the required signs and modifications have been implemented. | Before each concert | VPW | Event Organizer/ Promoter | Traffic control officer provided and required signs and modifications provided | | | |

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|--|----------------------------|--------|-----------------------|---------|----------------------|-------------------------|------|----------|
| | | | | | | Initial | Date | Comments |
| <p>concerts. The reconfiguration would utilize post-tube delineators (eg. "candle sticks") and signage to direct vehicles and pedestrians onto the site.</p> <ul style="list-style-type: none"> • Before each concert, signage shall be posted at the VIP parking lot to indicate that the City Hall parking lot is reserved. The signage shall state "VIP Parking Only – No Public Parking". • Before each concert, the small driveway located west of the main City Hall driveway shall be closed to pedestrian and vehicular traffic. • "No Event Parking" signs shall be placed at the entrance to the residential neighborhoods on Cedar Street/Ferro Drive, Chestnut Street/Poli Street, Fir Street/Poli Street, Ash Street/Poli Street, Poli Street/Brakey Road, Kalorama Street/Poli Street, and as necessary within the residential areas located south of Poli Street. Final EIR Figure 6 shows the location of the proposed signage. | | | | | | | | |

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|--|--|-----------------------------------|-----------------------|--------------------------------------|---|-------------------------|------|----------|
| | | | | | | Initial | Date | Comments |
| <p>TRANS-2 The City of Ventura and/or the promoter shall develop and implement an informational outreach campaign providing vehicle parking, ADA access and parking, and pedestrian circulation information. At a minimum, this public information campaign shall specify:</p> <ul style="list-style-type: none"> • <i>Recommended event arrival times.</i> • <i>VIP parking lot locations and restrictions.</i> • <i>Map of downtown Ventura parking lot locations.</i> • <i>Accessible parking space program and reservation system.</i> • <i>Drop-off location and shuttle availability for patrons with disabilities.</i> • <i>Public drop-off location(s).</i> • <i>Parking restrictions in adjacent neighborhoods.</i> | <p>Verification that informational materials have been prepared, posted, and distributed to concert attendees.</p> | <p>Before and during concerts</p> | <p>VCD</p> | <p>Event Organizer/ Promoter</p> | <p>Informational materials about ADA access, parking, and circulation made available to concert attendees</p> | | | |

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