

**RESPONSES TO COMMENTS ON THE FINAL DRAFT  
ENVIRONMENTAL IMPACT REPORT FOR THE EAST AREA 1  
SPECIFIC PLAN  
State Clearinghouse No. 2006071134**

## **1.0 PUBLIC NOTICE**

The City of Santa Paula submitted the Draft Environmental Impact Report (Draft EIR) for the proposed East Area 1 Specific Plan to the State Clearinghouse (SCH) on November 16, 2007. A Notice of Completion (NOC) was posted at the SCH and a Notice of Availability (NOA) was posted at the Ventura County Clerk's Office on November 16, 2007. The NOC and NOA for the Draft EIR are provided in **Attachment A** of this Response to Comments Report. The NOA was sent to interested individuals, and federal, state and local agencies. The distribution list for the Draft EIR is provided in **Attachment B** of this Responses to Comments Report. The public review period for the Draft EIR was greater than 45 days (November 16, 2007 through January 7, 2008). In addition to the distribution of the Draft EIR to agencies and interested individuals, the Draft EIR was made available during regular business hours for public review at the following locations:

- City of Santa Paula, Planning Department, 200 South Tenth Street, Santa Paula, CA 93060
- City of Santa Paula, City Hall (City Clerk's Office), 970 E. Ventura Street, Santa Paula, CA 93060
- Blanchard Community Library, 119 North 8<sup>th</sup> Street, Santa Paula, CA 93060
- Ventura County Clerk's Office, Hall of Administration, Main Plaza, 800 South Victoria Avenue, Ventura, CA 93009-1210

Copies of the Draft EIR were also made available for purchase at the City of Santa Paula's Planning Department either as a hard copy or on compact discs (CDs). The Draft EIR was posted on the City's website at: <http://www.ci.santa-paula.ca.us/eastareaone/index.htm> for public review in a portable data file (PDF) format.

## **2.0 SUMMARY OF WRITTEN COMMENTS RECEIVED DURING THE PUBLIC REVIEW PROCESS FOR THE FINAL EIR**

Written comments on the Draft EIR received during the public review period are included in this Section. Responses to these comments are provided following each comment letter. When a comment is made by multiple parties, the response is provided the first time the comment is made and all later similar comments are referred back to that response.

The format of the responses to all the comments is based on a unique letter and number code for each comment. The letter and number immediately following the letter refer to an individual agency, business, group, organization or member of the general public comment letter. The number at the end of the code refers to a specific comment within the individual letter. Therefore, each comment has a unique code assignment. For example, comment S1-1 is the first comment in letter S1.

Section 15204(a) of the California Environmental Quality Act (CEQA) Guidelines indicates that "When responding to comments, lead agencies need only respond to significant environmental issues and do not

need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.” Some of the comments received on the Draft EIR for the East Area 1 Specific Plan project raised issues which are not environmental issues or provided comments or opinions on the project unrelated to specific environmental issues. The responses to comments on the Draft EIR specifically focus on those comments that relate to potentially significant environmental issues, consistent with the requirements of Section 15204(a) of the CEQA Guidelines.

The written comments received on the Draft EIR included letters. Written comments on the Draft EIR for the proposed East Area 1 Specific Plan project were received from the following:

## **2.1 WRITTEN COMMENTS RECEIVED FROM STATE AGENCIES**

- S1 Public Utilities Commission (December 28, 2007).
- S2 California Department of Transportation, Division of Aeronautics (November 26, 2007).
- S3 Department of Toxic Substances Control (January 7, 2008).
- S4 Governor’s Office of Planning and Research (January 8, 2008).

## **2.2 WRITTEN COMMENTS RECEIVED FROM REGIONAL AGENCIES**

- R1 Southern California Association of Governments (January 3, 2008).

## **2.3 WRITTEN COMMENTS RECEIVED FROM QUASI-GOVERNMENTAL AGENCIES**

- Q1 United Water Conservation District (January 4, 2008).
- Q2 Santa Paula Elementary School District (January 7, 2008).
- Q3 Santa Paula Union High School District (January 3, 2008).
- Q4 Ventura Local Agency Formation Commission (January 7, 2008).
- Q5 United Water Conservation District (January 30, 2008).
- Q6 Santa Paula Union High School District (February 1, 2008).
- Q7 Ventura County Agricultural Policy Advisory Committee (February 4, 2008).

## **2.4 WRITTEN COMMENTS RECEIVED FROM COUNTY AND CITY AGENCIES**

- C1 County of Ventura Resource Management Agency (January 7, 2008).
- C2 Ventura County Watershed Protection District, Planning and Regulatory Division (December 20, 2007).
- C3 County of Ventura Public Works Agency, Transportation Department (December 27, 2007).
- C4 Ventura County Air Pollution Control District (January 7, 2008).
- C5 County of Ventura, Planning Division (January 7, 2008).
- C6 City of Fillmore (February 12, 2008).
- C7 City of Ojai (January 7, 2008).

## **2.5 WRITTEN COMMENTS RECEIVED FROM MEMBERS OF THE GENERAL PUBLIC**

- GP1 Sierra Club, Los Padres Chapter (January 7, 2008).
- GP2 Friends of the Santa Clara River (January 4, 2008).
- GP3 Limoneira Company (January 7, 2008).

**RESPONSES TO COMMENTS FROM STATE AGENCIES**

PUBLIC UTILITIES COMMISSION

320 WEST 4<sup>TH</sup> STREET, SUITE 500  
LOS ANGELES, CA 90013



CITY OF SANTA PAULA  
JAN 01 2008  
RECEIVED

December 28, 2007

Janna Minsk  
City of Santa Paula  
970 Ventura Street  
Santa Paula, CA 93060

S1

Dear Ms. Minsk:

Re: SCH# 2006071134; East Area 1 Specific Plan

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires Commission approval for the construction or alteration of crossings and grants the Commission exclusive power on the design, alteration, and closure of crossings.

S1-1

The Commission Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-Draft EIR* from the State Clearinghouse. RCES staff is concerned that the new development at Telegraph Road and Padre Lane (lat= 34.36143, long=-119.04242) may increase traffic volumes not only on streets and at intersections, but also at the nearby crossings. This includes considering pedestrian circulation patterns/destinations with respect to Fillmore & Western Railway Company railroad right-of-way. Commission staff is particularly concerned with increased congestion at the nearby grade crossing at Telegraph Road (DOT 745729N, lat= 34.363009, long=-119.038807).

S1-2

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way.

S1-3

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the City.

S1-4

Please advise us on the status of the project. If you have any questions in this matter, please contact me at (213) 576-7078 or at [rxm@cpuc.ca.gov](mailto:rxm@cpuc.ca.gov).

S1-5

Sincerely,

Rosa Muñoz, PE  
Utilities Engineer  
Rail Crossings Engineering Section  
Consumer Protection & Safety Division

C: Dave Wilkinson, Fillmore & Western Railroad

**S1 RESPONSES TO COMMENTS FROM THE PUBLIC UTILITIES COMMISSION RECEIVED, DECEMBER 28, 2007**

S1-1 Comment noted. No response necessary.

S1-2 As noted in Section 4.4 (Transportation & Circulation) of the Draft EIR, the analysis concluded that traffic volumes for roadways and intersections would increase. This would also occur for those roadways that intersect the Fillmore & Western Railway Company right-of-way. Pedestrian circulation at Telegraph Road/Hallock Drive would increase due to the additional on-site population. However, mitigation measure identified within the Draft EIR reduced these impacts to less than significant levels.

The existing crossing at Padre Lane would be abandoned and a new at-grade crossing would be constructed at Telegraph Road/Hallock Drive. Coordination with the California Public Utilities Commission (Commission) and other applicable agencies will be undertaken in advance of design and construction of the crossing. The City will work closely with the Commission and other applicable agencies in order to ensure that all concerns are addressed.

S1-3 See responses S1-2 above of this FEIR's Responses to Comments document. In addition, the analysis contained within Section 4.4 of the Draft EIR determined that with the implementation of mitigation measures, all traffic impacts could be mitigated to below levels of significance and as such, no additional grade separations for any major thoroughfares would be required. In addition, the City will work with the Commission to ensure that a fencing plan for the vicinity of Telegraph Road/Hallock Drive is developed and meets its standards and recommendations. As such, a new mitigation measure has been included within the FEIR to address fencing requirements in the vicinity of Telegraph Road/Hallock Drive (see Section 4.4 of the FEIR's Clarifications & Revisions document). Therefore, based upon the analysis contained within Section 4.4 of the Draft EIR, that contained above and the new mitigation measure proposed to address fencing along the at-grade crossing at Telegraph Road/Hallock Drive, impacts would continue to be less than significant.

S1-4 Comment noted. No response necessary.

S1-5 Comment noted. No response necessary.



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## DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

P. O. BOX 942873

SACRAMENTO, CA 94273-0001

PHONE (916) 654-4959

FAX (916) 653-9531

TTY 711

CITY OF SANTA PAULA

DEC 03 2007

RECEIVED

S2

November 26, 2007

Ms. Janna Minsk  
City of Santa Paula  
970 Ventura Street  
Santa Paula, CA 93060

Dear Ms. Minsk:

City of Santa Paula's Draft Environmental Impact Report for the East Area 1 Specific Plan;  
SCH# 2006071134

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operational safety, noise and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public-use and special-use airports and heliports.

S2-1

The proposal is for the development of approximately 501 acres into 1,500 residential dwelling units, up to 285,000 square feet of retail and office space and up to 150,000 square feet of light industrial and research and development space, approximately 375,800 square feet for a high school and community college and 170 acres for open space and active parks.

S2-2

The project site is located approximately one mile northeast of the Santa Paula Airport. Due to its proximity to the airport, the project site may be subject to aircraft overflights and subsequent aircraft-related noise and safety impacts. Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353 address buyer notification requirements for lands around airports and are available on-line at <http://www.leginfo.ca.gov/calaw.html>. Any person who intends to offer land for sale or lease within an airport influence area is required to disclose that fact to the person buying the property. We also advise coordinating with Santa Paula Airport staff to ensure that the proposal will be compatible with future as well as existing airport operations.

S2-3

Education Code Section 17215 requires a school site investigation by the Division prior to acquisition of land for a proposed school site located within two miles of an airport runway. Our recommendations are submitted to the State Department of Education for use in determining acceptability of the site. Education Code Section 81033 (c) also requires an evaluation by the Division if a proposed community college site is within two miles of an airport runway. The governing board of each community college district, before acquiring title to property for a new community college site or for an addition to a present site, must give the board of governors notice in writing of the proposed acquisition. The board of governors must then notify the Division. The Division's school site evaluation criteria are available on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/htmlfile/regulations.php>.

S2-4

California Public Utilities Code Section 21659 prohibits structural hazards near airports. In accordance with Federal Aviation Regulation, Part 77 "Objects Affecting Navigable Airspace" a Notice of Proposed Construction or Alteration (Form 7460-1) may be required by the Federal Aviation Administration (FAA). Form 7460-1 is available on-line at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> and should be submitted electronically to the FAA. S2-5

The protection of airports from incompatible land use encroachment is vital to California's economic future. Santa Paula Airport is a transportation and economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports in California is both a local and a State issue, airport staff, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors. S2-6

These comments reflect the areas of concern to the Division with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our Caltrans district office concerning surface transportation issues. S2-7

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314. S2-8

Sincerely,



SANDY HESNARD  
Aviation Environmental Specialist

c: State Clearinghouse, Ventura County ALUC, Santa Paula Airport

**S2 RESPONSES TO COMMENTS FROM CALIFORNIA DEPARTMENT OF TRANSPORTATION, DIVISION OF AERONAUTICS, RECEIVED NOVEMBER 26, 2007**

S2-1 Comment noted. No response necessary.

S2-2 Comment noted. No response necessary.

S2-3 Per applicable statute requirements all potential buyers will be notified of the property's inclusion within an airport influence area. The following statement will be included within all required disclosures:

*“NOTICE OF AIRPORT IN VICINITY*

*This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.”*

In addition, the City will coordinate with the Santa Paula Airport concerning existing and future airport operations to ensure that the proposed project is compatible with these activities.

S2-4 Comment noted. No response necessary.

S2-5 Comment noted. In addition, the City will coordinate with the Federal Aviation Administration to determine if the proposed project would require a Notice of Proposed Construction or Alteration permit.

S2-6 Comment noted. In addition, City staff will work closely with Santa Paula Airport staff to ensure that land use compatibility issues are addressed early in the planning process and necessary changes made to project components.

S2-7 Comment noted. No response necessary.

S2-8 Comment noted. No response necessary.



# Department of Toxic Substances Control

Maureen F. Gorsen, Director  
1011 North Grandview Avenue  
Glendale, California 91201



Arnold Schwarzenegger  
Governor



Linda S. Adams  
Secretary for  
Environmental Protection

CITY OF SANTA PAULA

JAN 10 2008

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January 7, 2008

S3

Ms. Janna Minsk  
Planning Director  
City of Santa Paula  
P.O. Box 569/93061-0569  
200 South Tenth Street  
Santa Paula, California 93060

## NOTICE OF COMPLETION OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR EAST AREA 1 SPECIFIC PLAN, SCH NO. 2006071134

Dear Ms. Minsk:

The Department of Toxic Substances Control (DTSC) has received your Notice of Completion of draft Environmental Impact Report (EIR) for the project mentioned above.

S3-1

Based on the review of the document, DTSC comments are as follows:

1. The draft EIR states that portions of the Project site (Site) are currently in active agricultural production, and that the proposed uses for the Site are residential, retail and office, schools, and parks. It is possible that agricultural chemicals are used at the Site, and the chemicals may have been release to the soil and groundwater at levels hazardous to public health and the environment. DTSC recommends environmental investigation to evaluate whether conditions at the Site pose a threat to human health or the environment.
2. All environmental investigation and/or remediation should be conducted under a Work Plan which is approved by a regulatory agency who has jurisdiction to oversee hazardous waste cleanups. Proper investigation and remedial actions should be conducted at the Site prior to its development.
3. If during construction of the project, soil contamination is suspected, construction in the area should stop, and appropriate health and safety procedures should be implemented. If it is determined that contaminated soils exists, the draft EIR should identify how any required investigation and/or remediation will be conducted, and which government agency will provide regulatory oversight.

S3-2

S3-3

S3-4

Mr. Janna Minsk  
January 7, 2008  
Page 2

DTSC provides guidance for Preliminary Endangerment Assessment preparation and cleanup oversight through the Voluntary Cleanup Program (VCP). For additional information on the VCP please visit DTSC's web site at [www.dtsc.ca.gov](http://www.dtsc.ca.gov). If you would like to meet and discuss this matter further, please contact Mr. Alberto Valmidiano, Project Manager, at (818) 551-2870 or me, at (818) 551-2980.

S3-5

Sincerely,



Juli Osborne  
Unit Chief  
Southern California Cleanup Operations Branch – Glendale Office

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief  
Office of Environmental Planning and Analysis  
CEQA Tracking Center  
Department of Toxic Substances Control  
1001 "1" Street, 22<sup>nd</sup> Floor, M.S. 22-2  
Sacramento, California 95814

**S3 RESPONSES TO COMMENTS FROM DEPARTMENT OF TOXIC SUBSTANCES CONTROL, RECEIVED JANUARY 7, 2008**

S3-1 Comment noted. No response necessary.

S3-2 Comment noted. In addition, Section 4.10 (Hazards & Hazardous Materials) of the Draft EIR noted that agricultural chemicals and household cleaners and solvents are presently utilized on-site. Moreover, it was acknowledged that minor quantities of hazardous materials could have been spilled due to human error at the project site. However, none of the hazardous materials used at the existing site are considered acutely hazardous or could potentially affect groundwater quality, based upon use and concentration levels typical of these land uses.

As noted in Section 4.10.1.2 (Potential Accidental Release of Hazardous Materials) of the Draft EIR, the results of the Phase II Assessment analyses were as follows: 1) the agricultural areas showed trace amounts of gamma-chlordane, alphachlordane, and DDT and its metabolites; 2) the pesticide shed showed no detectable concentrations of pesticides; 3) the former underground storage tank had no detectable concentrations of total petroleum hydrocarbons (TPH), volatile organic compounds (BTEX), or fuel oxygenates (TBA, DIPE, ETBE, TAME and MTBE); and 4) the above ground diesel tanks had no detectable concentrations of hydrocarbons.

As noted in the Draft EIR, all the samples collected on-site were below both the screening threshold and the remediation threshold as established by EPA Region 9 and would not result in hazards to public health or the environment.

Based upon information contained within Section 4.10 of the Draft EIR and that noted above, no further investigations or remediation activities are required that will require the preparation of a Work Plan.

S3-3 Comment noted. In addition, refer to response S3-2 above of this FEIR Responses to Comments document.

S3-4 Comment noted. In addition, refer to response S3-2 above of this FEIR Responses to Comments document.

S3-5 Comment noted. No response necessary.



STATE OF CALIFORNIA  
 GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
 STATE CLEARINGHOUSE AND PLANNING UNIT



ARNOLD SCHWARZENEGGER  
 GOVERNOR

CYNTHIA BRYANT  
 DIRECTOR

January 8, 2008

CITY OF SANTA PAULA

S4

JAN 11 2008

RECEIVED

Janna Minsk  
 City of Santa Paula  
 970 Ventura Street  
 Santa Paula, CA 93060

Subject: East Area 1 Specific Plan  
 SCH#: 2006071134

Dear Janna Minsk:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 7, 2008, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

S4-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts  
 Director, State Clearinghouse

Enclosures  
 cc: Resources Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2006071134  
**Project Title** East Area 1 Specific Plan  
**Lead Agency** Santa Paula, City of

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**Type** EIR Draft EIR  
**Description** The East Area 1 Specific Plan consists of approximately 501 acres located within unincorporated Ventura County, immediately east of the City of Santa Paula. Portions of the site are currently in active agricultural production. The following uses are proposed: (1) 1,500 residential dwelling units (du); (2) up to a total of 285,000 square feet of retail and office space, and up to 150,000 square feet of light industrial and research and development space; and (3) approximately 375,800 square feet identified for civic uses (e.g. high school, community college, etc.) and some 170 acres for open space and active parks.

---

**Lead Agency Contact**

**Name** Janna Minsk  
**Agency** City of Santa Paula  
**Phone** 805-933-4244 **Fax**  
**email**  
**Address** 970 Ventura Street  
**City** Santa Paula **State** CA **Zip** 93060

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**Project Location**

**County** Ventura  
**City** Santa Paula  
**Region**  
**Cross Streets** Telegraph Road and Padre Lane  
**Parcel No.** Various  
**Township** 3N **Range** 21W **Section** 1, 2 **Base** St Paula

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**Proximity to:**

**Highways** SR-126  
**Airports** Santa Paula Airport  
**Railways** Ventura County Tr. Comm.  
**Waterways** Santa Clara River, and Santa Paula and Haun Creeks  
**Schools** Various  
**Land Use** County of Ventura: Agriculture  
City of Santa Paula: Expansion area including residential, civic, commercial and open space/park

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**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

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**Reviewing Agencies** Resources Agency; Regional Water Quality Control Board, Region 3; Department of Parks and Recreation; Native American Heritage Commission; Department of Housing and Community Development; Department of Fish and Game, Region 5; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 7; Caltrans, Division of Aeronautics; Department of Toxic Substances Control

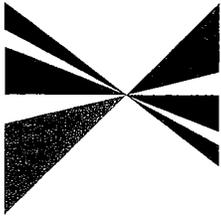
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**Date Received** 11/16/2007 **Start of Review** 11/16/2007 **End of Review** 01/07/2008

**S4      RESPONSES TO COMMENTS FROM GOVERNOR'S OFFICE OF PLANNING  
AND RESEARCH, RECEIVED JANUARY 8, 2008**

S4-1    Comment noted. No response necessary.

**RESPONSES TO COMMENTS FROM REGIONAL AGENCIES**



**ASSOCIATION OF GOVERNMENTS**

**Main Office**

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

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First Vice President: Richard Dixon, Lake Forest  
Second Vice President: Harry Baldwin, San Gabriel  
Immediate Past President: Yvonne B. Burke, Los Angeles County

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**Los Angeles County:** Yvonne B. Burke, Los Angeles County - Zev Yaroslavsky, Los Angeles County - Richard Alarcón, Los Angeles - Jim Aldinger, Manhattan Beach - Harry Baldwin, San Gabriel - Tony Cardenas, Los Angeles - Stan Carroll, La Habra Heights - Margaret Clark, Rosemead - Gene Daniels, Paramount - Judy Dunlap, Inglewood - Rae Gabelich, Long Beach - David Gafin, Downey - Eric Garcetti, Los Angeles - Wendy Greuel, Los Angeles - Frank Gurrulé, Cudahy - Janice Hahn, Los Angeles - Isadore Hall, Compton - Keith W. Hanks, Azusa - José Huizar, Los Angeles - Jim Jeffra, Lancaster - Tom LaBonge, Los Angeles - Paula Lantz, Pomona - Barbara Messina, Alhambra - Larry Nelson, Artesia - Paul Nowatka, Torrance - Pam O'Connor, Santa Monica - Bernard Parks, Los Angeles - Jan Perry, Los Angeles - Ed Reyes, Los Angeles - Bill Rosendahl, Los Angeles - Greig Smith, Los Angeles - Tom Sykes, Walnut - Mike Ten, South Pasadena - Tonia Reyes Uranga, Long Beach - Antonio Villaraigosa, Los Angeles - Dennis Washburn, Calabasas - Jack Weiss, Los Angeles - Herb J. Wesson, Jr., Los Angeles - Dennis Zine, Los Angeles

**Orange County:** Chris Norby, Orange County - Christine Barnes, La Palma - John Beauman, Brea - Lou Bone, Tustin - Debbie Cook, Huntington Beach - Leslie Daigle, Newport Beach - Richard Dixon, Lake Forest - Troy Edgar, Los Alamitos - Paul Glaab, Laguna Niguel - Robert Hernandez, Anaheim - Sharon Quirk, Fullerton

**Riverside County:** Jeff Stone, Riverside County - Thomas Buckley, Lake Elsinore - Bonnie Flickinger, Moreno Valley - Ron Loveridge, Riverside - Greg Pettis, Cathedral City - Ron Roberts, Temecula

**San Bernardino County:** Gary Ovitt, San Bernardino County - Lawrence Dale, Barstow - Paul Eaton, Montclair - Lee Ann Garcia, Grand Terrace - Tim Jasper, Town of Apple Valley - Larry McCallon, Highland - Deborah Robertson, Rialto - Alan Wapner, Ontario

**Ventura County:** Linda Parks, Ventura County - Glen Becerra, Simi Valley - Carl Morehouse, San Buenaventura - Toni Young, Port Hueneeme

**Tribal Government Representative:** Andrew Masiel, Sr., Pechanga Band of Luiseño Indians

**Orange County Transportation Authority:** Art Brown, Buena Park

**Riverside County Transportation Commission:** Robin Lowe, Hemet

**San Bernardino Associated Governments:** Paul Leon

**Ventura County Transportation Commission:** Keith Millhouse, Moorpark

January 3, 2008

Ms. Janna Minsk, Planning Director  
City of Santa Paula  
200 South Tenth Street  
Santa Paula, Ca. 93060

R1

CITY OF SANTA PAULA

JAN 07 2008

RECEIVED

RE: SCAG Comments on the Draft Environmental Impact Report for the East Area 1 Specific Plan - SCAG No. I 20070705

Dear Ms. Minsk,

Thank you for submitting the Draft Environmental Impact Report (DEIR) Report for the East Area 1 Specific Plan - SCAG No. I 20070705 for review and comment. The Southern California Association of Government (SCAG) is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

R1-1

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The project proposes the construction of 1,500 dwelling units, 285,000 square feet of retail and office space, 150,000 square feet of light industrial and research and development space, 375,800 square feet of civic uses, and 170 acres of open space and park area.

R1-2

The Policies of SCAG's Regional Comprehensive Plan and Guide (RCPG), Regional Transportation Plan (RTP), and Compass Growth Vision (CGV) may be applicable to your project. We have evaluated this project based on these plans. The RCPG, RTP and CGV can be found on the SCAG web site at: <http://scag.ca.gov/igr>

R1-3

The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. Please provide a copy of the Final Environmental Impact Report (FEIR) for our review. If you have any questions regarding the attached comments, please contact James R. Tebbetts at (213) 236-1915 or Laverne Jones at (213) 236-1857. Thank you.

R1-4

Sincerely,

Huasha Liu, Manager

Program Development and Evaluation Division

**COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE  
 EAST AREA 1 SPECIFIC PLAN SCAG No I 20070705**

**PROJECT DESCRIPTION**

The project proposes the construction of 1,500 dwelling units, 285,000 square feet of retail and office space, 150,000 square feet of light industrial and research and development space, 375,800 square feet of civic uses, and 170 acres of open space and park area. The project proposes five (5) neighborhoods. Various uses are proposed in each neighborhood. These neighborhoods and proposed uses are: Santa Paula Creek Neighborhood: 326 Residential Units (33.1 acres), Agricultural Preserve (14.3 acres), Park (5.1 acres), and infrastructure – Roads (21.4 acres.). Foothill Neighborhood: 359 Residential Units (66.4 acres), Agricultural Preserve (79.4 acres), Park/Greenway (11.4 acres), Open Space (79.4 acres), and Infrastructure – Roads (26.0 acres). Santa Paula Creek Civic District: School 110,400 square feet (8.3 acres), Shared Facilities 65,500 square feet (5.6 acres), Community College 165,000 square feet, Parks/Athletic Fields (35.2 acres), and infrastructure – Roads (13.1 acres). Haun Creek Neighborhood: 745 Residential Units (28.0 acres), Assisted Living Complex 75,000 square feet (3.0 acres), Office/Retail uses 150,000 square feet (10 acres), School 35,400 square feet (10.8 acres), Parks (37.3 acres), and Infrastructure – Roads (21.0 acres). East Santa Paula Railroad District: 70 work/live Residential Units (7.3 acres), Light Industrial uses 150,000 square feet (7.3 acres), Office/Retail uses 60,000 square feet (2.4 acres), and Infrastructure – Roads (2.4 acres). The East Area 1 Specific Plan is comprised of 501 acres located in unincorporated Ventura County, California. It is located generally east of State Route 150 (SR-150) and north of SR-126.

R1-5

**CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE POLICIES**

The **Growth Management Chapter (GMC)** of the Regional Comprehensive Plan and Guide (RCPG) contains the following policies that are particularly applicable and should be addressed in the DEIR.

*3.01 The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies shall be used by SCAG in all phases of implementation and review.*

**Regional Growth Forecasts**

The DEIR should reflect the most current adopted SCAG forecasts, which are the 2004 RTP (April 2004) Population, Household and Employment forecasts. The adopted forecasts for your region, subregion and city are as follows:

R1-6

**Adopted SCAG Regionwide Forecasts**

|            | <u>2000</u> | <u>2010</u> | <u>2015</u> | <u>2020</u> | <u>2025</u> | <u>2030</u> |
|------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Population | 16,629,209  | 19,208,661  | 20,191,117  | 21,137,519  | 22,035,416  | 22,890,797  |
| Households | 5,399,859   | 6,072,578   | 6,463,402   | 6,865,355   | 7,263,519   | 7,660,107   |
| Employment | 7,482,172   | 8,729,192   | 9,198,618   | 9,659,847   | 10,100,776  | 10,527,202  |

**Adopted Ventura County Forecasts**

|            | <u>2010</u> | <u>2015</u> | <u>2020</u> | <u>2025</u> | <u>2030</u> |
|------------|-------------|-------------|-------------|-------------|-------------|
| Population | 865,149     | 897,295     | 929,181     | 960,025     | 989,765     |
| Households | 275,352     | 289,318     | 303,596     | 317,831     | 332,109     |
| Employment | 381,680     | 403,000     | 424,470     | 445,193     | 465,466     |

**Adopted Unincorporated Ventura County Forecasts**

|            | <b>2010</b> | <b>2015</b> | <b>2020</b> | <b>2025</b> | <b>2030</b> |
|------------|-------------|-------------|-------------|-------------|-------------|
| Population | 98,122      | 101,425     | 104,680     | 107,817     | 110,827     |
| Households | 32,143      | 33,542      | 34,976      | 36,406      | 37,836      |
| Employment | 45,557      | 47,063      | 48,583      | 50,048      | 51,480      |

**Adopted City of Santa Paula Forecasts**

|            | <b>2010</b> | <b>2015</b> | <b>2020</b> | <b>2025</b> | <b>2030</b> |
|------------|-------------|-------------|-------------|-------------|-------------|
| Population | 32,033      | 34,388      | 36,919      | 39,644      | 42,578      |
| Households | 8,989       | 9,728       | 10,527      | 11,391      | 12,329      |
| Employment | 9,166       | 9,892       | 10,625      | 11,327      | 12,011      |

1. The 2004 RTP growth forecast at the regional, county and subregional level was adopted by RC in April, 2004. City totals are the sum of small area data and should be used for advisory purposes only.

The Draft 2008 RTP Baseline Growth Forecast (built upon subregion/local jurisdiction input) was released on November 1, 2007 by the Community, Economic and Human Development Committee (CEHD) along with the Draft 2008 RTP and RCPG for public review and comment. You may wish to review these forecasts to determine compatibility with the any Project Forecasts. The following 2035 forecasts are provided for your reference. The forecasts for the intervening years (2010, 2015, 2020, 2025, and 2030) will be included in the 2008 RTP Baseline Growth Forecast.

| 2035 Forecasts <sup>1</sup>   | Population | Households | Employees  |
|-------------------------------|------------|------------|------------|
| City of Santa Paula           | 42,660     | 12,053     | 12,310     |
| Unincorporated Ventura County | 114,035    | 35,928     | 48,506     |
| Ventura County                | 1,014,000  | 330,000    | 463,000    |
| SCAG Region                   | 24,056,000 | 7,710,000  | 10,287,000 |

1. Source: Draft 2008 RTP Baseline Growth Forecast  
 ([http://scag.ca.gov/forecast/downloads/RTP\\_baseline\\_forecasts\\_1001.xls](http://scag.ca.gov/forecast/downloads/RTP_baseline_forecasts_1001.xls))

**SCAG staff comments:** Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 3.01 was not evaluated within this table. As the project site is currently within the Unincorporated portion of Ventura County, comparisons should be made to the Unincorporated County Forecasts. The proposed project will increase the population, housing units, households and employees within Unincorporated Ventura County. This increase is well within the forecast increases.

| Estimation                | Population | Housing | Households <sup>1</sup> | Employees | Jobs/Housing |
|---------------------------|------------|---------|-------------------------|-----------|--------------|
| East Area 1 Specific Plan | 5,275      | 1,500   | 1,463                   | 1,035     | 0.71         |

1. Based on household ratio from 2000 census

The jobs/housing balance for Unincorporated Ventura County, between the 2010 and 2035 time frame will range from 1.42 downward to 1.35. For the City of Santa Paula it is approximately 1.02 for the same time frame. The proposed project will have a jobs/housing balance of approximately 0.71. The project, as proposed would require that some residents travel to other locations for employment opportunities. Has this been considered in the DEIR, in areas such as Air Quality and Transportation? The proposed project would be consistent with SCAG Policy 3.01, as it relates to population and household forecasts.

3.03 *The timing, financing, and location of public facilities, utility systems, and transportation systems shall be used by SCAG to implement the region's growth policies.*

R1-6  
 Cont.

SCAG staff comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 3.03 was not evaluated within this table. Chapter 4.4 (Transportation and Circulation) contains a discussion of transportation systems that would serve the project. Chapter 4.14 (Recreation) contains a discussion of recreational facilities proposed by the project. Chapter 4.13 (Public Services) contains a discussion of public services proposed by the project. Chapter 4.15 (Utilities and Services) contains a discussion of utilities and services proposed by the project. Facilities and systems needed to serve the project exist at the project site or will be extended to serve the project. The project is to be constructed over time with five (5) major phases being proposed. Therefore, the proposed project would be consistent with SCAG Policy 3.03.

R1-6  
Cont.

### **GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL STANDARD OF LIVING**

The Growth Management goals to develop urban forms that enable individuals to spend less income on housing cost, that minimize public and private development costs, and that enable firms to be more competitive, strengthen the regional strategic goal to stimulate the regional economy. The evaluation of the proposed project in relation to the following policies would be intended to guide efforts toward achievement of such goals and does not infer regional interference with local land use powers.

- 3.04 *Encourage local jurisdictions' efforts to achieve a balance between the types of jobs they seek to attract and housing prices.*

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 3.04 was not evaluated within this table. The City of Santa Paula is forecast to have increases in population, housing and employment and this project will aid in creating employment opportunities for housing occupants within the City. It would be helpful if the FEIR included a discussion the prices of the forecasted residential units and to determine if a balance has been achieved between the jobs being created in the Ventura area and housing prices for these units. Based on the information provided in the DEIR, we are unable to determine if the project is consistent with Policy 3.04 as it relates to achieving a balance between jobs and housing prices. Please address this in the FEIR.

R1-7

- 3.05 *Encourage patterns of urban development and land use which reduce costs on infrastructure construction and make better use of existing facilities.*
- 3.09 *Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.*

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 3.05 not evaluated within this table, Policy 3.09 was not evaluated within this table. The proposed project is located in the undeveloped area of Ventura County, adjacent to the urbanized area of Santa Paula, where public facilities, utility systems, and transportation systems currently exist. Expansion of services is needed to serve the proposed project. Mitigation measures have been included to require the payment of any development impact fees (i.e., schools, parks, etc) associated with the proposed project. Therefore, the proposed project would be consistent with SCAG Policies 3.05 and 3.09.

- 3.10 *Support local jurisdictions' actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.*

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 3.10 was not evaluated within this table. The concurrent processing of the DEIR and the Specific Plan associated with this project at this time, reduces the time required to process specific development applications in the future, as environmental impacts and mitigation measures have been included within the environmental evaluation and design standards within the SP. Therefore, the proposed project would be consistent with SCAG Policy 3.10.

R1-7  
Cont.

**GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL QUALITY OF LIFE**

The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

- 3.11 *Support provisions and incentives created by local jurisdictions to attract housing growth in job-rich subregions and job growth in housing-rich subregions.*

SCAG staff comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 3.11 was not evaluated within this table. The project is located in a housing-rich area. As proposed, the project is a housing-rich project (1,500 housing units and 1,075 jobs, with a ratio of 0.73). Therefore, the proposed project would not be consistent with SCAG Policy 3.11.

R1-8

- 3.12 *Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.*
- 3.13 *Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible to transit through infill and redevelopment.*
- 3.16 *Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.*

SCAG staff comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policies 3.12, 3.13, and 3.16 were evaluated within this table. The Ventura Intercity Service Transit Authority (VISTA) currently provides transit service in the City of Santa Paula. The project site is not served by transit operations, as it is vacant. However, the DEIR discusses a variety of methods to serve the project site, to include, but not limited to a transit station for commuting outside the project area; construct transit friendly facilities such as bus stops with passenger benches and shelters, bikeways and lanes; and provide shuttle/minibus service between City of Santa Paula and within the project area. The project site is well served by SR-126 (Santa Paula Freeway) and SR-150 (Ojai Road). A rail line runs along the southerly boundary of the project site. The 2007 RTP - Unconstrained Projects identifies a project to upgrade the Santa Paula Branch Line from US-101 to the Los Angeles County Line. It would bring track to class 4 standards and reconstruct track between Piru and Los Angeles County Line. Therefore, the proposed project would be consistent with SCAG Policies 3.12, 3.13, and 3.16.

- 3.17 *Support and encourage settlement patterns which contain a range of urban densities.*

SCAG staff comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 3.17 was not evaluated within this table. The project proposes three residential areas with densities between 5.4 and 26.6 dwelling units per acre and a work/live area of 9.6 dwelling units per acre. Overall the project will have a density of 11.1 dwelling units per residential acre. Overall, for total project acres, it will have a density of 3.00 dwelling units per acre. FAR for the Civic facilities averages 0.24, for the Commercial Development averages 0.42, and the work/live area is 0.47. The overall average is 0.32. Therefore, the proposed project would be consistent with SCAG Policy 3.17.

3.18 *Encourage planned development in locations least likely to cause adverse environmental impact.*

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 3.18 was evaluated within this table. The proposed project is located adjacent to an urbanized area. The project site has been continuously and actively farmed since 1905. At present, a total of 405 acres of the project site are in active agricultural production (lemons, avocados and row crops). The project contains a total of 501 acres. Table 1-5 (Summary of Impacts, Mitigation Measures and Level of Significance After Mitigation) identifies potential impacts and methods to reduce their impacts. While there are some potentially significant environmental impacts related to Land Use and Planning, Agricultural Resources, Mineral Resources, Transportation and Circulation, Air Quality, Noise, Biological Resources, Geology and Soils, Hydrology and Water Quality, Hazards and Hazardous Materials Aesthetics, Cultural and Historic Resources, Public Services, Recreation, Utilities and Services, and Population and Housing, mitigation measures have been incorporated into the project to reduce these impacts, except in the areas of Land Use and Planning (significant adverse impacts related to land use), Agricultural Resources (loss of Prime and Unique Farmland and require amendment of the Fillmore-Santa Paula Greenbelt), Air Quality, (adverse impacts related to an increase in emissions during the construction and operational phase), Aesthetics (views of the project site), and Cultural and Historic Resources. (impacts related to historic resources during the construction phase). Except in the areas of Land Use and Planning, Agricultural Resources Air Quality, Cultural and Historic Resources, the proposed project would be consistent with SCAG Policy 3.18.

- 3.20 *Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals.*
- 3.21 *Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.*
- 3.22 *Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.*
- 3.23 *Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.*

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policies 3.20, 3.21, 3.22, and 3.23 were evaluated within this table. Wetlands are not specifically noted within the DEIR. Water used on the property for agricultural uses is drawn from the Santa Paula and Fillmore Groundwater Basins. Woodlands may occur on the property. There are agricultural production lands found on the property. Along with land containing unique and endangered plants and animals. Cultural and archaeological sites can be found on the subject property. There are areas with steep slopes, high fire, flooding, and seismic hazards on or near the subject property. Design of the project and mitigation measures have been included to minimize impacts. Therefore, the proposed project would be consistent with

R1-8  
Cont.

SCAG Policies 3.20, 3.221, 3.22 and 3.23.

R1-8  
Cont.

**GMC POLICIES RELATED TO THE RCPG GOAL TO PROVIDE SOCIAL, POLITICAL, AND CULTURAL EQUITY**

The Growth Management Goal to develop urban forms that avoid economic and social polarization promotes the regional strategic goal of minimizing social and geographic disparities and of reaching equity among all segments of society. The evaluation of the proposed project in relation to the policy stated below is intended guide direction for the accomplishment of this goal, and does not infer regional mandates and interference with local land use powers.

- 3.24 *Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment (RHNA).*

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 3.24 was evaluated within this table. Table 1-3 (Summary of Proposed Land Uses by Neighborhood and District) notes that the Specific Plan is expected to result in 1,500 dwelling units at buildout. The project includes 266 single family attached and 607 detached units, 557 multi-family units, and 70 work/live housing units. The project will have a beneficial impact on population and housing and could aid the City of Santa Paula in meeting their RHNA numbers. The City of Santa Paula has an inclusionary housing ordinance to ensure that affordable housing is included in new development projects. The project includes an affordable housing plan that complies with the City's standards. This plan calls for both development of affordable housing within the project and the payment of fees to assist the City in providing affordable housing opportunities in other parts of the City. Therefore, the proposed project would be consistent with SCAG Policy 3.27.

R1-9

- 3.27 *Support local jurisdictions and other service providers in their efforts to develop sustainable communities and provide, equally to all members of society, accessible and effective services such as: public education, housing, health care, social services, recreational facilities, law enforcement, and fire protection.*

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 3.27 was evaluated within this table. The project proposes a variety of commercial uses. These uses along with other uses found within or near the City of Santa Paula would aid residents of the City of Santa Paula to obtain public education, health care and social services at businesses and government services. Law enforcement and fire protection services will be provided by the City of Santa Paula. Therefore, the proposed project would be consistent with SCAG Policy 3.27.

**AIR QUALITY CHAPTER**

The **Air Quality Chapter** core actions related to the proposed project include:

- 5.07 *Determine specific programs and associated actions needed (e.g., indirect source rules, enhanced use of telecommunications, provision of community-based shuttle services, provision of demand management based programs, or vehicle-miles-traveled/emission fees) so that options to command and control regulation can be assessed.*

R1-10

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 5.07 was evaluated within this table. The project site is not served by transit operations, as it is vacant. However, the DEIR discusses a variety of methods to serve the project site, to include, but not limited to a transit station for commuting outside the project area; construct transit friendly facilities such as bus stops with passenger benches and shelters, bikeways and lanes; and provide shuttle/minibus service between City of Santa Paula and within the project area. The design of the project incorporates commercial and business areas for employment opportunities near to housing opportunities. The commercial areas are in near proximity to residential areas, reducing distances driven to shop. The project proposes bike and pedestrian trails between commercial, industrial, and residential areas. This should limit the need for vehicle travel, reducing energy consumption, and maximizing the effectiveness of energy consumed. Therefore, the proposed project would be consistent with SCAG Policy 5.07.

R1-10  
Cont.

- 5.11 *Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional, and local) consider air quality, land use, transportation, and economic relationships to ensure consistency and minimize conflicts.*

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 5.11 was evaluated within this table. Sections 4.1 (Land Use and Planning), 4.4 (Transportation and Circulation), and 4.5 (Air Quality), have incorporated comments from a variety of agencies concerned with land use, transportation, and air quality. No information is provided related to economic relationships. Therefore, the proposed project would be generally consistent with SCAG Policy 5.11.

#### OPEN SPACE AND CONSERVATION CHAPTER

The Open Space and Conservation Chapter goals related to the proposed project include:

- 9.1 *Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region and to promote tourism in the region.*
- 9.2 *Increase the accessibility to open space lands for outdoor recreation*
- 9.3 *Promote self-sustaining regional recreation resources and facilities.*
- 9.4 *Maintain open space for adequate protection to lives and properties against natural and manmade hazards.*
- 9.5 *Minimize potentially hazardous developments in hillsides, canyons, areas susceptible to flooding, earthquakes, wildfire and other known hazards, and areas with limited access for emergency equipments.*
- 9.6 *Minimize public expenditure for infrastructure and facilities to support urban type uses in areas where public health and safety could not be guaranteed.*
- 9.7 *Maintain adequate viable resource production lands, particularly lands devoted to commercial agriculture and mining operations.*
- 9.8 *Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.*

R1-11

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policies 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, and 9.8 were evaluated within this table. Table 1-3 (Summary of Proposed Land Uses by Neighborhood and District) notes that within the Specific Plan a total of 223.4 acres of land set aside for open space, recreational use, and agricultural preserves. Much of the area set aside for open space and agricultural preserves are in areas with potentially hazardous impacts (hillside, fire, earthquake, etc.). As a condition of approval, the

Project Applicant will record an agricultural conservation covenant on 34 acres of land located approximately seven (7) miles southwest of the project site within the Santa Paula-San Buenaventura Greenbelt. This area is located within the City's Area of Interest. In addition, the agricultural productivity of this land is equal in economic value to that produced by the 297 acres contained within the project site and would be converted to urban uses under the proposed project. Therefore, the proposed project would be consistent with SCAG Policies 9.01, 9.02, 9.03, 9.04, 9.05, 9.06, 9.07, and 9.08, as it relates to planning development to protect the environment, protecting vital resources, and design issues related to a variety of hazards.

R1-11  
Cont.

#### WATER QUALITY CHAPTER (WQC)

The WQC goals related to the proposed project includes the following. More information

- 11.07 Encourage water reclamation throughout the region where it is cost-effective, feasible, and appropriate to reduce reliance on imported water and wastewater discharges. Current administrative impediments to increased use of wastewater should be addressed.

R1-12

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. Policy 11.07 was evaluated within this table. Table 4.1-4 notes that the proposed Specific Plan would utilize reclaimed water for landscaping and that there will be constructed infrastructure for the reclaimed water. However, this requirement can not be found elsewhere in the DEIR. There is not mitigation measure found that requires this activity. Based on the information provided in the DEIR, we are unable to determine if the project is consistent with Policy 11.07 as it relates to the encouragement of water reclamation. Please address this in the FEIR.

#### REGIONAL TRANSPORTATION PLAN

The **2004 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project.

SCAG Staff Comments: While Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG and Growth Vision Policies, there is no similar table for showing consistency with SCAG RTP. Review of the 2004 RTP shows that there are six (6) RTP Goals that would affect this project, and they are shown on the table below:

R1-13

#### Regional Transportation Plan Goals

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

Review of the most recent amendments to the 2004 RTP, the 2007 RTP - Unconstrained Projects identifies a project to upgrade the Santa Paula Branch Line from US-101 to the Los Angeles County

Line. It would bring track to class 4 standards and reconstruct track between Piru and Los Angeles County Line. Due to the lack of information provided in the DEIR, we are unable to determine if the project is consistent with these RTP Policies as it relates to the Regional Transportation Plan Goals. Please address this in the FEIR.

R1-13  
Cont.

## **GROWTH VISIONING**

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

### *Principle 1: Improve mobility for all residents*

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

### *Principle 2: Foster livability in all communities*

- GV P2.1 Promote infill development and redevelopment to revitalize existing communities.*
- GV P2.2 Promote developments, which provide a mix of uses.*
- GV P2.3 Promote "people scaled," walkable communities.*

### *Principle 3: Enable prosperity for all people*

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

### *Principle 4: Promote sustainability for future generations*

- GV P4.1 Preserve rural, agricultural, recreational and environmentally sensitive areas.*
- GV P4.2 Focus development in urban centers and existing cities.*
- GV P4.3 Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4 Utilize "green" development techniques*

R1-14

SCAG Staff Comments: Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the Growth Vision Policies. The 2007 RTP identifies a project to upgrade the Santa Paula Branch Line from US-101 to the Los Angeles County Line. This line runs adjacent to the subject property. The project is a multi-use project, containing both housing (1,500 units proposed) and employment opportunities (1,035 jobs). The project would result in lower jobs/housing ratio, than is found in the Unincorporated Ventura County and the City of Santa Paula. The Ventura Intercity Service Transit Authority (VISTA) currently provides transit service in the City of Santa Paula, but does not directly serve the subject property. Table 1-5 (Summary of Impacts, Mitigation Measures, and Level of Significance after Mitigation) notes a variety of transit oriented improvements to serve the site. The development is one that is a mixed use, with residential, commercial, governmental (education, parks), open space, and agricultural uses. The project will provide pedestrian friendly facilities. Included in the project are 873 single family attached and detached units. The project includes 266 single family attached and 607

detached units, 557 multi-family units, and 70 work/live housing units. A scoping meeting was held on the project, however review of the DEIR did not disclose if other meetings were held which would encourage civic engagement. There is a web site developed to inform the public of this project. Portions of the project will preserve agricultural and environmentally sensitive areas. The project is located adjacent to the urbanized area of the City of Santa Paula. Section 4.5.4.6 (Global Climate Change Impacts) states that in addition, buildings are designed to be energy efficient with solar panel option for buyers, and trees to provide natural cooling and shade during the summer and allow filtered light for the winter. No other green development techniques can be found. The proposed project would be generally consistent with these Growth Visioning Principles. Areas which the project appears not to be consistent include a transit-oriented development, civic engagement, and green development techniques.

R1-14  
 Cont.

**GENERAL COMMENTS**

Page 4.1-26 - Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) contains a comparison of this project to the RCPG Policies. The first column (Policy or Principle Number) should be renumbered to reflect SCAG Policy or Principle Numbers. A listing of all SCAG policies and principles is attached.

| Table 4.1-4 Number | SCAG Policy Number | Table 4.1-4 Number | SCAG Policy Number |
|--------------------|--------------------|--------------------|--------------------|
| 1                  | 3.05               | 12                 | 5.07               |
| 2                  | 3.12               | 13                 | 5.11               |
| 3                  | 3.13               | 14                 | 9.1                |
| 4                  | 3.16               | 15                 | 9.2                |
| 5                  | 3.18               | 16                 | 9.3                |
| 6                  | 3.20               | 17                 | 9.4                |
| 7                  | 3.21               | 18                 | 9.5                |
| 8                  | 3.22               | 19                 | 9.6                |
| 9                  | 3.23               | 20                 | 9.7                |
| 10                 | 3.24               | 21                 | 9.8                |
| 11                 | 3.27               | 22                 | 11.07              |

R1-15

Page 4.1-31 - Table 4.1-4 (Proposed Specific Plan Consistency with SCAG Policy Documents) Growth Visioning Principle 1 notes that 1,305 jobs will be created. Page 4.16-5 - Section 4.16.4.3 (Employment) notes that 1,035 jobs would be created. Pages 6-1 and 6-3 – Section 6.2.1 (Removal of Impediments to Growth) references 1,035 jobs to be created. Page 6-6 Section Titled Jobs/Housing Balance, references 1,035 jobs. With most of these Sections referencing 1,035 jobs, the value in Table 4.1-4 is probably a typographical error, so it should be corrected on Table 4.1-4.

Page 4.16-5 - Section 4.16.4.2 (Housing) – SCAG’s forecasts is for households, not housing.

**CONCLUSIONS**

SCAG commends the efforts of the City of Santa Paula for including in its analysis a review of the policies contained in SCAG’s RCPG, RTP, and CGV, as noted.

R1-16

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.

**R1 RESPONSES TO COMMENTS FROM SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS, RECEIVED JANUARY 3, 2008**

- R1-1 Comment noted. No response necessary.
- R1-2 Comment noted. No response necessary.
- R1-3 Comment noted. No response necessary.
- R1-4 Comment noted. A copy of the FEIR will be provided as requested.
- R1-5 Comment noted. No response necessary.
- R1-6 The analysis contained within Section 4.16 (Population & Housing) of the Draft EIR utilized the population, employment and housing forecasts contained within the Southern California Association of Governments' 2004 Regional Transportation Plan (RTP) (2004). As you will note in Section 4.16.4.1 (Population), 4.16.4.2 (Housing) and 4.16.4.3 (Employment) the estimates utilized are consistent with the RTP.

The proposed project is currently contained within unincorporated Ventura County, but is a planned Expansion Area identified by the City's General Plan. In addition, the project site is planned for annexation by the City. Pending annexation approval by the Ventura Local Agency Formation Commission, the project site would no longer be a part of unincorporated Ventura County, but would be subject to the jurisdiction of the City. The analysis contained within Section 4.16 reflected this assumption and as such, addressed the project's consistency with the City's General Plan concerning population and housing. However, consistency with SCAG's adopted forecasts was also evaluated. As noted in its letter to the City, SCAG confirmed that the proposed project is consistent with these forecasts.

Section 6.0 (Growth Inducing Impacts) of the Draft EIR evaluated the proposed project's consistency with the Regional Housing Needs Assessment and Jobs-Housing Balance. As noted in this section, the proposed project's phased approach (i.e., four phases completed by 2020) was determined to contribute to SCAG's general timeframe noted for Regional Statistical Area (RSA) 2 (in which the proposed project is located) in which this area of the County would transition to a "jobs rich" area by 2025. This section of the Draft EIR also noted that during this time period, some residents of East Area 1 would be required to commute to local job centers in Ventura.

Sections 4.4 (Transportation & Circulation), 4.5 (Air Quality) and 7.0 (Cumulative Impacts) of the Draft EIR evaluated potential project impacts related to transportation and air quality. This analysis considered potential impacts to these parameters from future residents and others who would access the project site. The analysis concluded that with the implementation of mitigation measures, traffic and circulation impacts would be reduced to less than significant levels. However, the proposed project was determined to result in significant and unavoidable impacts related to reactive organic compounds (ROC) and nitrogen oxides (NOx).

- R1-7 Table 2-8 of the East Area 1 Specific Plan Fiscal Analysis of Annexation (November 12, 2007) indicates housing product type prices would vary, but are anticipated to range from \$769,000 for single-family, detached unit to \$485,500 for a single-family, attached unit. The estimated price for a multi-family unit was noted at \$301,000, while work-live and assisted living units were

anticipated to be \$250,000. These prices were also determined to be within the range of housing prices (by product type) for the City and County of Ventura as whole.

- R1-8 Section 6.0 (Growth Inducing Impacts) of the Draft EIR contains a detailed analysis of the proposed project's consistency with SCAG's Regional Housing Needs Assessment and Jobs-Housing Balance. As noted on pages 6-6 and 6-7 of the Draft EIR, the analysis acknowledged that the proposed project would result in a jobs shortfall ranging from 465 to 900 jobs. However, the analysis also noted the following:

*“However, it should be noted that the proposed project would be built in four phases, taking some ten (10) years to complete.<sup>1</sup> Although market conditions could affect the phasing and implementation schedule, it is anticipated that approximately 32 percent (140,000 square feet) of the total non-residential land uses would be in place by year five of the preliminary phasing plan.<sup>2</sup> During this same five year period approximately 43 percent (650 dwelling units) of the total residential uses could be built. During the remaining five years of the project the outstanding balance of non-residential (295,000 square feet) and residential uses (850 dwelling units) would be constructed.<sup>3</sup>*

*This phased development approach is notable since it would coincide with the general timeframe identified by SCAG in which RSA 2 and Ventura County as a whole are anticipated to become “jobs rich” by 2025. The phased development would contribute to this overall beneficial trend. Moreover, it would allow for a gradual integration of the housing and employment created by the proposed project into the existing Ventura County employment centers. Additionally, the employment component would also be anticipated to reduce the overall jobs/housing balance for the City of Santa Paula specifically and RSA 2 generally, since some of those persons which currently commute outside of these areas may occupy jobs created by the project's non-residential land uses. It is anticipated that the jobs shortfall which would result from the proposed project could reasonably be expected to be accommodated by the County's existing or future employment centers, although some persons would likely continue to have to commute to “job rich” areas located within adjacent counties. Therefore, impacts associated with jobs/housing balance are less than significant.”*

Based upon the above and analysis contained within Section 6.0 of the Draft EIR, the proposed project would be consistent with policy 3.11 of the Regional Comprehensive Plan and Guide.

- R1-9 Comment noted. No response necessary.

- R1-10 Comment noted. No response necessary.

- R1-11 Comment noted. No response necessary.

- R1-12 As noted in Section 3.0 (Project Description) of the Draft EIR, the proposed project would include the construction of an on-site recycled water system (see Figure 3-8 (Recycled Water Schematic Layout)). However, this system would initially utilize potable water sources since no recycled water infrastructure (with the exception of that contained within the City's existing

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<sup>1</sup> Note: Phase I of the proposed project is anticipated to be completed by 2010 while Phase IV would be completed by 2020.

<sup>2</sup> Source: Stanley R. Hoffman Associates, Inc. – East Area One Specific Plan Fiscal Analysis of Annexation City of Santa Paula, August 20, 2007 (Table 2-3).

<sup>3</sup> Ibid.

Wastewater Treatment Plant) is currently available within the City. Moreover, as noted in Section 1.1.5 (Off-Site Improvements, Covenants & Capital Improvement Programs) of the Draft EIR, a Recycled Water Line Point of Connection at Hallock Drive/Telegraph Road would be constructed and the Project Applicant will also be required to participate in the City's future Recycled Water Infrastructure Capital Improvements project.

R1-13 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.

R1-14 The Specific Plan provides design features and other mechanism which are intended to ensure that the development is transit-oriented, includes green development techniques and materials and provides opportunities and amenities for civic engagement. These topics are addressed in various sections of the Specific Plan or Draft EIR and are noted below.

### Specific Plan

#### Transit

Section 1.7 (Land Use Goals, Policies, and Objectives) - Connect East Area 1 with the rest of town, particularly the downtown, with streets that accommodate automobile traffic, but not at the expense of providing high quality routes for pedestrians, bicyclists and transit. In addition, the East Area 1 provides a circulation network that balances the use of all travel modes, including automobiles, pedestrians, bicycles and transit.

#### Green Development

Section 5.7.8 (Green Building Guidelines) of the Specific Plan provides green building guidelines to be used within the East Area 1 Specific Plan. These guidelines are intended to minimize any adverse effect on the environment and the health of inhabitants.

In addition, Section 5.7 (Architectural Standards) requires that an experienced and certified green building professional review home design for maximum efficiency and interaction of the building elements. The plan reviewer is required to identify additional green building opportunities for the project.

Section 5.9.7.4 (Green Infrastructure) states the following:

*"The streets are part of a visible system of the 'green infrastructure' that encompass pedestrian, bicycle and auto circulation and community open spaces and that provide for various recreational needs, yet act as a functional system for storm water treatment and management. The East Area 1 plan minimizes areas of impervious pavement and utilizes areas of pervious pavement to the maximum feasible amount and supplemented with areas of soft landscape. While travel lanes must be asphalt pavement, alleys and some parking aisles can be constructed with permeable paving. Street storm water flows into adjacent open vegetated swales and bio-retention basins before emptying to Haun Creek and Santa Paula Creek. Streets must also incorporate the storm water system into the aesthetics of the community and encourages community education and responsibility. See Figures 5-18 and 5-19."*

### Civic Engagement

Section 5.9 (Landscape Standards) notes that the two detention/recreation basins (28 acres combined) would include amphitheater seating which could be used for civic engagements.

### Draft EIR

Section 4.5 (Air Quality) of the Draft EIR includes the following mitigation measure:

Measure AQ-8 - Provide shuttle/minibus service between Project residential and Project retail areas and the Santa Paula downtown area.

R1-15 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.

R1-16 Comment noted. No response necessary.

**RESPONSES TO COMMENTS FROM QUASI-GOVERNMENTAL AGENCIES**

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General Manager  
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CITY OF SANTA PAULA

JAN 07 2008

RECEIVED

## UNITED WATER CONSERVATION DISTRICT

"Conserving Water Since 1927"

Q1

January 4, 2008

Jana Minsk  
City of Santa Paula  
P.O. Box 569/93061-0569  
200 South Tenth Street  
Santa Paula, CA 93060

Re: Draft Environmental Impact Report No. SCH # 2006071134; East Area 1 Specific Plan

Dear Ms. Minsk,

United Water Conservation District has reviewed the water supply aspects of the Draft EIR for the Eat Area 1 Specific Plan. Staff primarily focused on the Water Supply Assessment. Staff is providing a few general comments and a short list of more detailed comments.

Q1-1

In general the Water Supply Assessment is adequate but difficult to read and fully absorb. This is due to in a large part the complexity of the water issues here in the Santa Paula basin. But adding to the overall difficulty of reading and absorbing the Water Supply Assessment are a series of factual errors in the text, juxtaposition of statements that elevates some back-of-the-envelope calculations to peer reviewed study status, incorrect references, and some quantities in Tables that either disagree with other Tables or the text of the report, or both. However, even with these errors within the Water Supply Assessments, the fact remains that neither the Santa Paula basin nor the Fillmore basin are in overdraft and that if the projected water supplies can be acquired as generally discussed in the text and outlined in the future demand/future supply tables in the Water Supply Assessment then there should be adequate water available for the proposed project. There is however, a caveat to this statement later in this letter. United Water's finding of an adequate water supply for the project assumes that no other proposed project within the purview of the City of Santa Paula precedes this project and significantly taps these projected sources of water first. Since the Water Supply Assessment presents potential future sources of water, the City of Santa Paula needs to assure that adequate amounts of the projected sources of water (such as recycled water, SWP water, and the transferring and purchasing of groundwater allocations) are in place prior to the building of each phase of the development.

Q1-2



UNITED WATER CONSERVATION DISTRICT

As outlined in the Water Supply Assessment, the Santa Paula basin is jointly managed through the Santa Paula Technical Advisory Committee (TAC); which includes the City of San Buenaventura, Santa Paula Basin Pumpers Association, and United Water. Since the Santa Paula Basin TAC did not have time to meet prior to comments being due for this Draft EIR, it is vital that you also seek the input of the City of San Buenaventura and Santa Paula Basin Pumpers Association as well. And although Fillmore basin is not in overdraft the Fillmore and Piru basins are managed by the Piru/Fillmore Basins Groundwater Management Council; a consortium of water interests including the City of Fillmore, water companies, private pumpers, and United Water. The Groundwater Management Council has a vested interest in the health of both the Piru and Fillmore basins. Other entities on the Council should be contacted for their perspective on this project.

Q1-3

Although the Fillmore basin is not in overdraft, the Santa Paula basin just downstream, is subject to a Court Stipulated Judgment. Additional groundwater pumping or surface water diversions upstream in Fillmore basin, or even further east, has the potential to influence the overall water balance for the Santa Paula basin. The Investigation of Santa Paula Basin Yield study states *“that there is no apparent overdraft in the basin, with the exception of the very west end of the basin where it appears that water levels have fallen somewhat”* for the period of average hydrologic conditions (1983 through 1995). The study also concluded that the Santa Paula basin’s *“average pumping rate of approximately 26,000 acre-feet annually is sustainable”* and that *“if pumping in the basin is increased in the future toward the assumed initial yield of 33,500 acre-feet per year, the basin should be monitored carefully to asses the resulting effect in the basin.”* Increased pumping of groundwater just across the Santa Paula basin’s eastern boundary has the potential to influence water levels in Santa Paula basin.

Q1-4

Increased pumping just over the eastern boundary of Santa Paula basin will either intercept groundwater that would have otherwise been underflow from Fillmore basin to Santa Paula basin or depending on the magnitude, location, depth interval, and timing of the increased pumping, decrease groundwater discharge to the river within the western most portion of the Fillmore basin. Or there could be some combination of decreased groundwater discharge to the Santa Clara River and decreased underflow from Fillmore basin to Santa Paula basin. Increased pumping in the western most portion of the Fillmore basin suggests the need for increased groundwater level monitoring, to evaluate the effect to Santa Paula basin water levels, and careful monitoring of Santa Clara River flows to see how it might affect recharge within Santa Paula basin and flows at the Freeman Diversion. United Water operates the Freeman Diversion to divert water from the Santa Clara River for recharge to the Oxnard Plain Forebay and for direct delivery to agricultural interests on the Oxnard Plain. The applicants need to be prepared to show no

Q1-5



UNITED WATER CONSERVATION DISTRICT

impact to: 1) groundwater levels in Santa Paula basin; 2) flows at the Freeman Diversion; 3) recharge to Santa Paula basin; and 4) underflow to Santa Paula basin.

Q1-5  
Cont.

For the sake of brevity only the most important factual errors or misstatements are going to be addressed;

Page 3 Second Paragraph. With respect to the proposed project area the Water Supply Assessment (WSA) states that the allocation of groundwater available from Santa Paula basin (portion of the area) is 1,283.1 acre-feet per year and that 329 acre-feet per year has been historically withdrawn from the Fillmore basin portion of the area. The well located in the eastern portion of the property (Fillmore basin) is designated T03N/R21W, Section 01N02 SBB&M and is included in the Court Stipulated Decision.

Q1-6

Page 12 Table 2. The Santa Paula basin water allocation for Limoneira is 3,173 acre-feet per year. This includes the well T1N/R21W, Section 01N02 in the eastern portion of the property (within the Fillmore basin), which the Water Supply Assessment claims to pump 329 acre-feet per year.

Q1-7

Page 13 Second Paragraph. This paragraph starts off stating the Court's assumed initial yield for Santa Paula basin as a lead into the mandated study of the basin yield. There exist a series of errors within this paragraph. Certain information from three separate documents, the Investigation of Santa Paula Basin Yield study (Yield Study), the Santa Paula Basin 2003 Annual Report, and the California Department of Water Resources Bulletin 118, has been used in a confusing mix of statements. The Yield Study focused on two different periods of zero-cumulative departure for precipitation in Santa Paula basin; the periods of 1944-1998 and 1983-1995. The Yield Study did not evaluate the hydrologic period of 1997 to 2003. The cumulative surplus (of 42,111 AF) in groundwater pumping for the period 1997 to 2003 is from the Santa Paula Basin 2003 Annual Report, not the Yield Study.

Q1-8

Although the paragraph is meant to discuss the yield of the basin, with a specific focus on the results of the Yield Study, there is the inexplicable insertion of the estimated subsurface outflow (presumably of Santa Paula basin) of 7,200 acre-feet per year. This is not a finding from the Yield Study. This number is no more than a back-of-the-envelope estimation given to the California Department of Water Resources (DWR) to update their Bulletin 118. There was no vetting process by the DWR to validate information they received for groundwater basins throughout the State, as part of their updated Bulletin 118. The Santa Paula Basin Experts Group, who generated the Yield Study, purposely avoided determining yield of the Santa Paula basin by means of a detailed water balance because underflow (both inflow and outflow) estimates are simply too inaccurate. By

Q1-9



UNITED WATER CONSERVATION DISTRICT

the applicants inserting this purely estimated outflow number into the middle of the discussion of the peer reviewed Yield Study gives the outflow number credibility that it simply does not warrant. It interesting to note that although the unsubstantiated outflow from Santa Paula basin was inserted into the paragraph, the equally non-defensible subsurface inflow number (also found in the non-vetted Bulletin 118) was not inserted. The further insertion of an average annual extraction of 21,612 acre-feet per year into the paragraph was not appropriate, in that it suggests this was a finding of the Yield Study. It is not! This average annual extraction number was once again pulled from Bulletin 118. The supposed average annual extraction of 21,612 acre-feet per year from Bulletin 118 and inserted into this paragraph is in fact what was pumped from Santa Paula basin in 1998; the wettest year on record since records began in 1890! It clearly didn't represent the average pumping of Santa Paula basin. The Yield Study found that the average pumping for the period of average hydrology (1983 through 1995) was approximately 26,000 acre-feet per year, much greater than the 21,612 acre-feet per year inserted into the paragraph.

Q1-9  
Cont.

There are numerous referrals to the term safe yield for the Santa Paula basin within the WSA. The term safe yield was not used in the Yield Study. The Yield Study determined the average pumping of approximately 26,000 acre-feet per year of the groundwater from the Santa Paula basin is sustainable. It did not say this is the yield of the basin. It is the unanimous opinion of the Santa Paula TAC that the yield of the basin is greater than the average annual production of 26,000 acre-feet.

Q1-10

Page 15 Second Paragraph. The WSA cites a United Water report (*Piru and Fillmore Basins Annual Groundwater Conditions Report Water Year 2003*) for the source of information for the statement "the applied water recharge was estimated to be 19,125 AF. The number is taken from DWR's Bulletin 118. This number for agricultural return flow (representing approximately 50% of applied agricultural water) seems high given the amount of micro-sprinkles and drip systems used today versus irrigation practices used during the earlier studies (1930s through the 1950s) by the DWR and Dr. John Mann (working for United Water). These earlier studies suggested that applied water recharge could be up to 50 percent of the water applied to agriculture.

Q1-11

Page 15 Third Paragraph. The last sentence states that in October 1999 the sub-basin (Fillmore) was estimated to be 95 % full. The WSA cites the United Water report, *Piru and Fillmore Basins Annual Groundwater Conditions Report Water Year 2003*. Citing this report is incorrect. The actual source for this information is yet again from DWR's Bulletin 118. Not that United Water agrees to the 7.33 million acre-feet of groundwater storage capacity of the basin within Bulletin 118 but, to say that the basin was 95% full in

Q1-12



UNITED WATER CONSERVATION DISTRICT

October 1999 is incredibly wrong. The 1998 Water Year (October 1998 to September 1999) was the wettest year on records, since records began in 1890. Using DWR's Bulletin 118 number of 7.33 million acre-feet in storage for the basin and the quote of 95% full in October 1999, says that the Fillmore basin was depleted in storage by 366,500 acre-feet during the wettest year on record. This is clearly not correct. Because of the historic wet winter of 1998 the flow of the Santa Clara River, Sespe Creek, and other tributaries to the Santa Clara had substantial flows all during 1999, and for all practical purposes the basin was full in October 1999. The basin was only depleted by approximately 6,000 acre-feet in October 1999. This is actually shown on Figure 4 of the WSA, which uses United Water's storage depletion graph for Fillmore basin.

Q1-12  
Cont.

Page 16 Second Paragraph. The second sentence states that "there has not been a detailed water budget completed for the Fillmore basin since 2003". There has never been a detailed water budget for Fillmore basin. The numbers provided to the DWR for use in Bulletin 118 are no more than back-of-the-envelope estimations, and in no way come close to providing the detail and accuracy needed for looking at the overall water budget of the basin. And the most important factor to the budget of the Fillmore basin, surface water recharge, isn't even discussed in Bulletin 118. You can not have a detailed budget for the basin if the recharge from the Santa Clara River and Sespe Creek are not considered.

Q1-13

Page 16 Paragraph 3. The WSA quotes (Bulletin 118) the approximate 7 million acre-feet of groundwater stored in Fillmore basin. The WSA fairly notes that United Water thinks this number is too high. The reasons the water in storage number is considered too high is that the numbers provided to the DWR from the County of Ventura; 1) overestimates the area of the Fillmore basin by approximately 30 percent, 2) exceeded the depth of verified useable groundwater by in excess of a thousand feet, and 3) overstates the magnitude and accuracy of the specific yield (12.2 percent).

Q1-14

Within Bulletin 118, the area of the Fillmore basin has been overestimated by approximately 6,000 acres. The depth of useable water was estimated to be 2,480 feet, even though production wells in the basin are less than 1,000 feet deep. Other than a deeper test well by the City of Fillmore, no data exist for the various areas of the basin to address the water quality and sediment properties encountered at depths between 1,000 feet and the 2,480 feet bgs. This is not to say that the Saugus Formation doesn't extend to several thousand feet bgs. But, even if we can eventually justify extending the known depth of useable aquifer, the use of the 12.2 percent specific yield is most likely too high. Because we expect diagenesis to increase with depth, the use of a vertically weighted average of 12.2 percent is too optimistic. Or more reasonable estimate would have been 10 percent or less.

Q1-15



UNITED WATER CONSERVATION DISTRICT

United Water appreciates the opportunity to comment on the Draft EIR.  
If you have any questions please contact Ken Turner at 525-4431 or  
[kent@unitedwater.org](mailto:kent@unitedwater.org).

Q1-16

Sincerely,

Dana L. Wischart  
General Manager

cc: BDRF  
Ron Calkins, Public Works Director, City of San Buenaventura  
Rob Sawyer, Santa Paul Basin Pumpers Association  
Piru/Fillmore Basins Groundwater Management Council

**Q1 RESPONSES TO COMMENTS FROM UNITED WATER CONSERVATION DISTRICT, RECEIVED JANUARY 4, 2008**

Q1-1 Comment noted. No response necessary.

Q1-2 UWCD found the WSA adequate. Additionally, UWCD agrees that neither the Santa Paula or Fillmore groundwater basins are in overdraft. UWCD stated that there should be adequate water available for the proposed project. These comments are acknowledged.

The comment was made that the City of Santa Paula ("City") needs to assure that adequate amounts of the projected sources of water (such as recycled water, State Water Project [SWP] water, and the transferring and purchasing of groundwater allocations) are in place before the building of each phase of the development.

The WSA provides a discussion of water reliability and projects water 20 year demands for the City as required by Water Code § 10911 and Government Code § 66473. This discussion is based on the City's 2005 Urban Water Management Plan (UWMP), which was incorporated by reference in the WSA. The WSA discusses the conveyance of sufficient groundwater rights to the City to satisfy the project's full build-out water demands. Additionally, the WSA notes the UWMP's findings that the City has identified 1,925 acre-feet per year (AFY) of potential groundwater allocations that could be transferred to the City from overlying landowners within the City General Plan boundary. One property includes a reserve of 110 AFY for agricultural uses. Thus, the maximum potential net groundwater transfer is 1,815 AFY. These transfers will occur in phases during the next 15 years as development occurs within the City. It is anticipated that the City will acquire through allocation transfers 454 AFY by 2010, 908 AFY by 2015, 1,362 AFY by 2020, and 1,815 AFY by 2025.

Finally, the City is proceeding with the planning and development of a water reclamation plant to provide recycled water in the near future. This plant would have a capacity of over 3,500 AFY.

UWCD noted that several errors were made in citations and statements in the WSA. These have been corrected in the WSA accordingly.

Q1-3 The comment was made that the WSA noted that the Santa Paula Basin is jointly managed through the Santa Paula Technical Advisory Committee (TAC), which includes the City of San Buenaventura, Santa Paula Basins Pumpers Association, and UWCD. The comment suggests that these organizations be consulted for comment. The Draft EIR, which included the WSA, was circulated for comments from November 18, 2007 to January 4, 2008. As such, the availability of the Draft EIR, including the WSA, was noticed as required under the California Environmental Quality Act (CEQA). Public agencies were notified and provided the Notice of Availability (NOA). The above referenced agencies were provided the opportunity to comment on the Draft EIR, including the WSA; only comments from UWCD were received.

Q1-4 The comment notes that the Santa Paula Basin is not in overdraft and provided supporting information to address that statement. It also noted that the current average pumping of 26,000 AFY is sustainable. This additional information was included in the WSA.

Q1-5 The comment notes the relationship between the Fillmore and Santa Paula Basin that increased pumping just over the eastern boundary of the Santa Paula will either intercept underflow from the Fillmore Basin to the Santa Paula Basin or, depending upon certain factors, decrease

groundwater discharge to the Santa Clara River within the western most portion of the Fillmore Basin. UWCD concurs that the existing wells located on the project site are extracting water along the eastern border of the Santa Paula Basin and the western portion of the Fillmore Basin. Additionally, UWCD agreed that the proposed groundwater pumping to meet the requirements of the East Area 1 project as outlined in the WSA would not increase the demands or stress either basin. The project site possesses adjudicated groundwater rights under the Santa Paula Basin Judgment, and unadjudicated rights in the Fillmore Basin. Moreover, projections for future withdrawals to meet the requirements for the proposed project, as set forth in the WSA, are less than historical withdrawals of groundwater on the project site from the Santa Paula Basin, and similar to the amounts historically withdrawn on the project site from the Fillmore Basin. Therefore, groundwater production at the project site should not adversely affect groundwater levels in the Santa Paula or Fillmore Basins, recharge and underflow between the basins, nor the stream flows within the Santa Clara River.

- Q1-6 The comment was made that the allocation of groundwater available from the Santa Paula basin for the project site is 1,283.1 AFY, and that 329 AFY per year has been historically withdrawn from the Fillmore Basin. Further, the comment notes that a well located on the eastern portion of the property (designated T03N/R21W, Section 01N02 SBB&M) is actually located over the Fillmore Basin, but was also included within the Court Stipulated decision (Judgment) for the Santa Paula Basin. The WSA acknowledges this point.
- Q1-7 The comment notes that historical production from the well located on the eastern portion of the property (T1N/R21W, Section 01N02) within the eastern portion of property was considered in calculating Limoneira's allocation of 3,173 AFY of adjudicated groundwater rights within the Judgment. The WSA acknowledges this point.
- Q1-8 The comment notes that three separate documents were used to assess the yield for the Santa Basin in the WSA. These include the Investigations of the Santa Paula Basin Yield Study (Yield Study, UWCD), the Santa Paula Basin 2003 Annual Report (UWCD 2004), and the Department of Water Resources (DWR) Bulletin 118 (DWR, 2003). The comment notes that while the statements made in the WSA are correct, the specific citations were incorrect. The WSA has been corrected to the appropriate citation from each study.
- Q1-9 The comment notes that the discussion of basin yield provides information from the UWCD Yield Study and DWR's Bulletin 118. The comment further notes that the estimated surface outflow of 7,200 AFY from the Santa Paula Basin is from the DWR Bulletin 118, not the Yield Study. The citation was corrected in the WSA.

The comment notes that a comprehensive groundwater budget has not been prepared for the Fillmore Basin. The comment also notes that the Santa Paula Basin Yield Study found that average pumping for the period 1983 through 1995 was 26,000 AFY and is more than the 21,612 noted in Bulletin 118. The WSA included this discussion. Additionally, the WSA was modified to clarify the fact that the 26,000 AFY was based on actual basin pumping and that the Yield Study found this rate of pumping to be sustainable.

- Q1-10 The Comment notes that the term "safe yield" was made when referring to the Santa Paula Basin and that the Yield Study did not determine safe yield. The WSA has been corrected to remove the term Safe yield and refer to yield based on average pumping as noted in the Yield Study.
- Q1-11 The comment notes that the WSA referenced the DWR Bulletin 118 for the source of the estimate that the applied average annual recharge to the Fillmore Basin is 19,125 AF. Additionally, the

comment notes that the estimate for recharge from agricultural return (50 percent of applied agricultural water) seems high. The comment is noted and the WSA has been modified to reflect the concern from UWCD.

- Q1-12 The comment notes that the statement that the Fillmore Basin was 95 percent full in October 1999 was from the DWR Bulletin 118 and not the Yield Study; the WSA has been corrected.

The comment further notes that UWCD disagrees with the statement in Bulletin 118 and is of the opinion that the Fillmore Basin was full in October 1999 as shown in on Figure 4 of the WSA. The WSA has been modified to include this additional information.

- Q1-13 The comment states that there has never been a water budget completed for the Fillmore Basin. The WSA has been changed to reflect this statement and so not to infer that a water budget has been completed.

Additionally, the comment notes that the WSA did not include a discussion or reference to potential recharge of the Fillmore Basin from surface water sources. As noted in the 2003 Annual Report of the Piru and Fillmore Basins, the primary sources of groundwater recharge for the Fillmore basin are the Santa Clara River and Sespe Creek. The 2003 Basin Report states that 20,520 acre-feet of water percolated from the Santa Clara River into the Piru and Fillmore Basins. This represents recharge from UWCD release from Lake Piru for an approximate 2 month period of time. In wet and average years the Fillmore basin receives considerably more natural recharge from flows of Sespe Creek and the Santa Clara River. The WSA has been revised to include this information.

- Q1-14 The comment notes that the WSA provides a discussion of the storage of the Fillmore Basin from DWR Bulletin 118 that states that the total groundwater in storage may be as high as 7 million acre-feet, and then states that UWCD believes that this estimate of total storage is too high. The WSA has been modified to include the reasons supporting UWCD's opinion that this estimate of total storage in the basin is too high.

- Q1-15 The comment notes that the Bulletin 118 overestimates the area of the Fillmore Basin by approximately 6,000 acres. The WSA has been modified to incorporate this information.

The comment goes on to state that Bulletin 118 estimated the useable area to be 2,480 feet deep. Production wells in Fillmore basin are less than 1000 feet deep; only one test well has been drilled to 1820 feet deep and it ran into poor quality water. The WSA has been modified to reflect this information.

Finally, UWCD is also of the opinion that the 12 percent specific yield estimated by DWR in Bulletin 118 is too optimistic and that a more reasonable estimate would be 10 percent or less. This comment is noted and incorporated into the WSA.

- Q1-16 The comment notes that if there are questions to contact Mr. Ken Turner at UWCD. Mr. Turner was contacted to obtain clarifications to the comments in the letter and provided additional information as noted above



# SANTA PAULA ELEMENTARY SCHOOL DISTRICT

Educational Support Center  
201 South Steckel Drive, Santa Paula, CA 93060  
Phone: (805) 933-8802 • Fax: (805) 525-0546

Office of the Superintendent

CITY OF SANTA PAULA

January 7, 2008

JAN - 7 2008

Q2

RECEIVED

Ms. Janna Minsk  
Director of Planning  
City of Santa Paula  
970 E. Ventura Street  
Santa Paula, California 93060-3637

**SUBJECT:** Comments on Draft Environmental Impact Report  
East Area One Specific Plan (Limoneira Company)

Dear Ms. Minsk:

The Santa Paula Elementary School District (SPESD) submits these comments on the East Area One Draft EIR. Our comments focus on issues relating to schools and children in preschool and kindergarten through eighth grade. A separate letter will provide comments on the Specific Plan. For the record, SPESD is the public school district with sole jurisdiction for K-8 students for the entire proposed project. High school age students are served by a separate school district. Q2-1

We appreciate assistance provided by members of the City staff and their consultants. In addition, we wish to acknowledge commitments made by the Limoneira Company to assist local schools in creating quality schools to serve students who will live in the proposed project.

Specific comments are listed below.

1. Project's impact on schools

- a. Comment: The Draft EIR reports impacts on schools will be less than significant (see pages 1-15, 4.13-5, 4.13-10). We believe an incorrect threshold for significance is being applied to school impacts. Construction of 1,500 new homes will bring an estimated 748 new K-8 students, which will have a potentially significant impact on this school district. The EIR should provide documentation that construction of these facilities is feasible with available or reasonably anticipated funding. We are independently working with the Limoneira Company to form a school mitigation agreement that will provide for elementary and middle school facilities to serve the project. We thank the project designers for including land for a new elementary school within the project and ask the City to ensure this land is reserved for a future school. Q2-2
- b. Request: The Final EIR should acknowledge provision of land for an elementary school and ongoing negotiations to finance construction of K-8 school facilities to serve students from the project.

2. Schools should be listed as part of essential infrastructure
  - a. Comment: The Specific Plan and Draft EIR do not include public schools as part of the onsite and offsite infrastructure. By not including schools as part of the community's essential infrastructure the financing program may overlook financial needs of schools and other non-City requirements. Q2-3
  - b. Request: Expand list of onsite and offsite infrastructure to include K-8 schools, including associated preschool and before/after school facilities needed to serve the project.
  
3. Expand discussion of K-8 schools in Project Description:
  - a. Comment: Draft EIR page 1-15 and pages 3-27 and 3-28 describe the proposed high school and community college, however, no mention is made of elementary or middle schools. Q2-4
  - b. Request: Expand project description to clearly identify a proposed elementary school site and an expanded discussion of middle school space needs
  
4. Project Impacts on Santa Paula Street and Other Streets
  - a. Comment: The Draft EIR reports increases to traffic during the morning peak hours on Santa Paula Street and other key streets, including proposed conversion of 10th Street parking lanes to travel lanes during peak traffic hours. For example, Santa Paula at 12th Street will see a doubling in morning peak hour traffic due to the project, and a tripling due to the project and other cumulative changes in the City. Mitigation Measures require the project to pay its "fair share" of the traffic mitigation cost but do not actually require the improvements to be made. Pedestrian and bicyclist safety upgrades will be needed at various intersections to protect elementary and middle school students and their families who must cross Santa Paula Street and other thoroughfares. Q2-5
  - b. Request: We request that the Final EIR address specific pedestrian and bicycle safety needs at intersections affected by traffic from the project. This analysis should include pedestrian and bicyclist safety features of the new bridge across Santa Paula Creek. Additional Mitigation measures such as City Capital Improvement Program (CIP) priorities or reimbursement agreements may be needed to ensure improvements are completed as traffic increases. Further, the City should conduct a Safe Route to School study for eligible intersections.
  
5. Hallock Drive adjacent to proposed elementary school
  - a. Comment: Final design of Hallock Drive and the Hallock/Teague-McKevett Boulevard intersection adjacent to the new elementary school should include special safety features, including special pavement markers, enhanced lighting, and longer sight lines for both pedestrians and drivers. Q2-6
  - b. Request: Incorporate new Mitigation Measure to ensure pedestrian and bicyclist safety at this intersection. If possible, school should be moved away from this higher-volume roadway.
  
6. Safety measures at North Detention Basin adjacent to elementary school
  - a. Comment: The Draft EIR does not describe fencing plans or other safety measures for times the storm water detention basins are holding runoff water. Special safety measures are advisable because the North Detention Basin is adjacent to the elementary school. Q2-7
  - b. Request: Incorporate new Mitigation Measure to ensure safety at both detention basins during times when standing water is present.

7. Use of school fields to detain and filter storm water runoff
- a. Comment: Both the Draft EIR and Specific Plan discuss means of using open spaces to detain storm water during storms. School fields should not be considered for runoff originating off the school property to prevent contamination from filtering from the runoff onto the school's playfields. Q2-8
  - b. Request: Add text to the Draft EIR and revise Figure 5-19 (Specific Plan page 5-228) to prevent runoff from other properties from flowing onto the elementary school site.
8. Hazards and Hazardous Materials:
- a. Comment: Please clarify whether the elementary school site and other areas of the project are affected by potential hazards from the rail line, pipelines, and the airport. These carry special safety requirements for schools. (1) Is there any likely possibility that the rail line will in the future be permitted to carry hazardous wastes or materials? (2) Do any pipelines in or adjacent to the project site carry natural gas, oil, fuel, or other hazardous materials? (3) Page 4.10-4 notes that the project site is under the airport Traffic Pattern Zone, and clearly is within two nautical miles of the airport runway. Q2-9
  - b. Request: Please clarify status of the rail line and pipelines, and include the appropriate figures or charts from the Airport Land Use Plan or other adopted document to more precisely identify the airport impact overlay zones including the Traffic Pattern Zone.
9. Parks and active fields:
- a. Comment: Joint use of fields and shared operations of parks is a valid community goal. The Draft EIR does not include a specific means to provide needed park acreage prior to opening of the high school's fields. The proposed playfields will not be available as public park space if the high school or college fields not be built for any reason or are deferred. Further, there is no clearly stated funding mechanism for development of athletic fields and needed support facilities (e.g., restrooms) at either storm water detention basin. Q2-10
  - b. Request: Provide procedures to create playfields and park space until joint use fields are built so that elementary school fields are not overused due to absence of other fields.
10. Consistency with General Plan
- a. Comment: The Draft EIR states that the project is consistent with the adopted General Plan yet fails to clearly demonstrate that the proposed project will be consistent. Q2-11
  - b. Request: Amend text in Final EIR to clarify measures that make the project consistent with City General Plan policy language.
11. Potential impact of additional acres to be annexed to City of Santa Paula
- a. Comment: Ventura County LAFCO has asked that additional acres be annexed to the City to avoid creating small "islands" of unincorporated territory as the main project area is annexed to the City. We have been told this will occur during a City-initiated annexation of Expansion Area Two. Q2-12
  - b. Request: The Final EIR should report the number of acres affected as well as the estimated population and number of housing units in the additional acreage to be annexed in the separate action that is necessary to comply with this project's approval.
12. Air Quality Figure omitted Grace Thille Elementary School
- a. Comment: please correct analysis and map of sensitive receptors (Draft EIR page 4.5-12) to include Grace Thille School, located at 1144 E. Ventura Street, Santa Paula. Q2-13
  - b. Request: Make appropriate change in analysis and text of Final EIR.

13. Noise standard for schools
- a. Comment: Please clarify in the Final EIR that the Santa Paula Municipal Code standard of 65 DBA will be applied to exterior noise impacts at schools within and affected by the proposed project rather than the state guideline presented in Figure 4.6-5 on page 4.6-12. The Final EIR also should state that the CNEL standard is generally not applicable to schools that primarily operate in daytime hours, as the CNEL is weighted to emphasize nighttime noise impacts and tolerate higher daytime noise levels. Q2-14
  - b. Request: Clarify standard to be used.
14. Noise impact from ongoing construction near new elementary school
- a. Comment: It is likely that home construction will continue after the elementary school opens. Please review analysis and proposed Mitigation Measure on Draft EIR page 4.6-20 which says construction noise will be constrained to between 8am and 6pm weekdays, which are the hours of operation for the school. Q2-15
  - b. Request: This section should be expanded and revised to include feasible and common sense mitigation measures for reducing daytime noise impacts after the school opens.
15. Cumulative impacts on schools:
- a. Comment: Draft EIR page 7-8 states the City has regulations and/or ordinances in place to address cumulative public service impacts, therefore, no cumulative impacts will occur. The Final EIR should identify these regulations and ordinances, and expressly state which ordinances apply to schools and other non-city public services. This summary conclusion in the Draft EIR is incomplete. Q2-16
  - b. Request: Make appropriate change in analysis and text of Final EIR.
16. Glossary reference: Please correct abbreviation of Santa Paula Elementary School District given on page G-5 (SPESD not SPECD). Q2-17

Thank you for your attention to these comments. We will participate in the review and approval process to ensure these concerns are addressed in the final documents. Q2-18

Respectfully,



Ms. Elizabeth DeVita  
Superintendent



Mr. Gary Marshall, President  
Board of Trustees

- c: Board of Trustees, Santa Paula Elementary School District  
Ralph D. Hatland, Asst. Supt., Business & Finance Services

**Q2 RESPONSES TO COMMENTS FROM SANTA PAULA ELEMENTARY SCHOOL DISTRICT, RECEIVED JANUARY 7, 2008**

Q2-1 Comment noted. No response necessary.

Q2-2 The Draft EIR estimates that the East Area 1 Specific Plan would generate 746 students for grades K through 8. The student generation rates used to prepare this estimate were provided by the Santa Paula Elementary School District (SPESD) in February 2007 and include 0.677 students for multi-family units and 0.423 students for single family units. The Draft EIR also notes that based on existing enrollment, the SPESD has a combined remaining capacity for grades K through 5 throughout the City of 158 seats and is currently 453 students over capacity for grades 6 through 8. When the grade K-6 and 6-8 capacity and enrollment figures are combined, the District is currently 295 students over its K-8 capacity. The Draft EIR notes that the District's existing schools are currently over capacity.

It is acknowledged that the impact of the project would be significant if the facilities needed are not provided. The proposed project would be subject to school impact fees. The Santa Paula Elementary School District currently imposes a "Level II" fee of \$4.87 per square foot of new residential construction. Based on an estimated total residential square footage of 2,326,500 (EA1 Specific Plan Table 4-2), the Project will pay approximately \$11,330,055 in fees for additional elementary and middle school facilities. (Table 4-2 of the EA1 Specific Plan will be revised to reflect the SPESD's new Level II fee, which was adopted June 2007.) As such, the payment of school impacts would reduce the impact to less than significant.<sup>4</sup>

In addition, as stated in this comment, the Specific Plan provides a site for a new elementary school. The proposed 10.8-acre elementary school site meets the requirements in the California Department of Education's *Guide to School Site Analysis and Development 2000 Edition*. Furthermore, the applicant and the District are currently negotiating a school mitigation agreement to provide mitigation in excess of the legal requirements in order to physically provide the facilities needed to accommodate K-8 students generated by the project.

Q2-3 Providing land for educational facilities is one of the primary objectives of the proposed Specific Plan. The Draft EIR evaluates the proposed Specific Plan, which designates land within the Specific Plan Area for new K-8 and high school facilities; however, the consideration of school facilities on the land reserved in the Specific Plan is not part of the proposed project infrastructure. Because the Project's obligation is to pay school fees described above, construction of the school facilities is not included in the Infrastructure Plan component of the proposed Specific Plan.

It should be noted that providing preschool and before/after school facilities is not required by the State Education Code. Nevertheless, such facilities could be provided in the school sites provided in the Specific Plan or in the commercial-zoned area near the proposed elementary school site.

Q2-4 The text on pages 1-15 and 3-28 has been revised as requested to identify that the proposed Specific Plan includes an elementary school site and that elementary school facility will be provided through a school mitigation agreement between the applicant and the Santa Paula

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<sup>4</sup> Government Code 65996 – the development fees authorized by Senate Bill 50 are deemed to be full and complete school facilities mitigation for impact caused by new development.

Elementary School District. The revisions also note that this agreement provides for improvements to be made at the District's existing middle school to accommodate students generated by the project.

- Q2-5 Future traffic on 12<sup>th</sup> Street at Santa Paula Street will increase in the future due to project and cumulative traffic. However, with the implementation of proposed mitigation traffic mitigation measures, traffic will operate at a level-of-service (LOS) C and will not resulting significant impacts. The same is true for Santa Paula Street and 10<sup>th</sup> Street.

The *California Code of Regulations*, Title 5, Section 14010(e), states: "The site shall not be adjacent to a road or freeway that any site-related traffic and sound level studies have determined will have safety problems or sound levels which adversely affect the educational program." The school facility should be situated so that students can enter and depart the buildings and grounds safely. As the number of schools providing child care and extended day classes increases, schools need to ensure the safe flow of buses and other traffic through designated areas of the school grounds. When analyzing potential school sites, the selection team should consider a number of safety factors. The size and shape of the site will affect the traffic flow and the placement of pickup and drop-off points for parents. Roads servicing the area must be of sufficient paved width when the point at which the bus loads and unloads pupils is off the main thoroughfare. The need for left turn lanes must be determined. Driveway openings must conform to local ordinances or regulations.

The East Area 1 Specific Plan provides for adequate roadway capacity to allow for traffic to safely travel through the City and project area.

Santa Paula is the major east/west thoroughfare in the southern portion of the East Area 1 Specific Plan and serves as a gateway from downtown across a new bridge over Santa Paula Creek. As proposed, Santa Paula Street would be 53 feet wide (curb to curb including median), Operating speeds would be 30 mile per hour (mph). Walkways would be provided within the 78 foot right-of-way on both sides of the street and would be 5 feet wide. Parking would be provided on both sides of the street. Pedestrian crossings would be provided were necessary and at Santa Paula Creek Drive on the east and Hallock Commercial Street to the west. Pedestrian crossing times would be set at 4 feet per second across the street dimension resulting in 13 second crossing intervals.

The portion of Santa Paula Street on the East Area 1 site would connect the existing Santa Paula Street to the west via a new bridge to be constructed over Santa Paula Creek. The new bridge would have a right-of-way width of 60 feet with curb-to-curb pavement width of 36 feet that would provide for two 12-foot travels lanes (one in each direction) with a 12-foot turn lane in the median. The bridge would include curb tight sidewalks (6 feet wide) in each direction and a two way 12-foot wide bike lane on the north side. The proposed Development Agreement for the project will require the bridge be constructed in the early phases of project development.

Additionally, the City of Santa Paula is eligible to apply for grants from the California Department of Transportation (Caltrans) under the Safe Routes to Schools Program. This program provides grant funding to cities and counties to reduce injuries and fatalities to school children and to encourage increased walking and biking among students. The program achieves this by providing funding for the construction of facilities that enhance safety for pedestrian and bicyclists though the use of pathways, trails, sidewalks and crossings with the likelihood of attracting and encouraging other students to walk and bike. In addition to the state program the federal government provides grant funding for safe routes to school also.

Before school opening, the SPESD would be required under the Education Code to publish a Safe Routes to School Map showing the routes that students who walk or bicycle to school should use.

As the exact location of the elementary school is not determined until the subdivision map, the appropriate conditions (e.g., special pavement markers, enhanced lighting, lines-of-sight, etc.) may be imposed as conditions on the tentative tract map encompassing the elementary school site.

- Q2-6 The Specific Plan identifies a location for a new elementary school site but does not indicate the specific location of the potential school buildings.

Hallock Drive A (from central park to Teague-McKevett Boulevard) is a transitional street from Hallock Commercial Street to the south and more residential neighborhoods to the north. Hallock Drive A will be lined with residential, office and mixed-use buildings on the west and the conceptual elementary school site on the east. Hallock Drive A will be 66-feet wide including the median with two 12-foot travel lanes (one in each direction). Additionally, there will be 8-foot parking lanes one each side. Sidewalks (5-feet wide) will be provided on each side separated from the street by an 8-foot wide landscaped parkway. Pedestrian crossing will be provided as needed and will provide for 4-feet per second crossing times which will result in 16.5 second crossing times for the entire street and 5 second crossing times to the median. Hallock Drive at Teague-McKevett Boulevard is anticipated to operate at a LOS A. As such, traffic volume will be low.

Refer to Response to Comment Q2-5 regarding preparation of a Safe Routes to School Map, imposition of tract map conditions, etc.

The Specific Plan provides for the school site and does not indicate a location of the potential school buildings. The Illustrative Plan contained in the Specific Plan which shows an illustrative school building on the east side of Hallock Drive A located on the proposed 10 acre school site parcel. The District is free to locate the school building anywhere on that site it determines to be most appropriate. It is acknowledged that it may be preferable for the buildings to be on the eastern side of the school site rather than on the western side as shown in the Illustrative Plan. As required by the State Education Code, building setbacks and design are subject to the review and approval of the Department of the State Architect (DSA).

- Q2-7 The upper detention basin located east of the proposed school site will be separated from the school site by a neighborhood street with a 60-foot right-of-way and curb-to-curb pavement of 34 to 36 feet. The basin, in conjunction with the southern detention basin, has been designed to detain peak flow from Haun Creek to the east. The southern basin will be designed to provide for active park play when not needed for stormwater collection and detention purposes. The northern basin, adjacent to the elementary school site will be designed as a passive landscape feature and will be fenced. Given the distance and the fact that the basin is separated from the school street by a neighborhood street and fenced, the potential intrusion by students would be low. Additionally, the elementary school site will be a secured site and will require students to remain on site and students will be supervised during outdoor activities.

- Q2-8 The reference to the use of open space areas to detain stormwater refers to the two detention basins proposed for the Specific Plan Area along Haun Creek. The proposed elementary school site is not designated as Open Space by the Specific Plan and is not intended to detain stormwater. The open space areas within the school site will not be used to collect stormwater from off-site areas. The school sites would only be required to manage as required by applicable stormwater permits stormwater that collected on their sites only.

- Q2-9 The Draft EIR evaluates the proposed Specific Plan, which designates land within the Specific Plan area for new K-8 and high school facilities. However, the construction of school facilities on the land reserved in the Specific Plan is not part of the proposed project and is not evaluated in the Draft EIR. Before acquisition of the school site and construction of the school, the school districts will need to comply with the California Environmental Quality Act, California Department of Education review, Department of Transportation review, etc. Nothing evaluated in this EIR, however, would indicate that the proposed school sites have unacceptable hazards.

The East Area 1 Specific Plan is located immediately north of the Santa Branch Line railroad tracks. The portion of this line adjacent to the Specific Plan is classified by the Federal Railroad Administration as Class 1 Track; under this classification trains are limited to 10 mile per hour (mph) for freight and 15 mph for passenger service. Currently the Fillmore and Western Railway operates recreational excursion trains, dinner trains and theme trains throughout the year along this line. Additionally, the Union Pacific Railroad operates three round-trip freight operations per week (Monday, Wednesday and Friday); this service provides limited freight to Weyerhaeuser and Camarillo Lumber in the City of Santa Paula. Local rail freight generally consists of "carload" products, bulk products that move in traditional rail equipment, such as box cars, tank cars, hoppers, flat cars, etc.

A recent study by the Ventura County Transportation Commission (March 2007) indicates that scenarios for future freight use suggest that freight operating over this line to be light in comparison to other Southern California, likely up to two or three trains per day. Additionally, the Santa Paula Branch line could also provide use as an occasional relief line or detour for rail freight and passengers where either the Coast or Valley Lines are temporarily unavailable. The proposed school site would be approximately 1,500 feet north of the railroad tracks and separated by new development. As such, hazards from operations on the railroad tracks would be minimal to the school site. Additionally, there is no residential development planned south of the railroad tracks that would require school children generated by homes in the Specific Plan Area to need to cross the tracks to reach school. Finally, before site approval and construction, the school district would need to complete environmental review pursuant to the requirements of the Department of Education to address any future hazard that may result for a change in operations along the railway.

Although the proposed school is proposed to be 1,500 feet away from the railroad tracks in the East Area 1 Specific Plan, should the final site be within 1,500 feet, the California Code of Regulations, Title 5, Section 14010(d), established the following regulations pertaining to proximity to railroads:

*If the proposed site is within 1,500 feet of a railroad track easement, a safety study shall be done by a competent professional trained in assessing cargo manifests, frequency, speed, and schedule of railroad traffic, grade, curves, type and condition of track, need for sound or safety barriers, need for pedestrian and vehicle safeguards at railroad crossing, presence of high pressure gas lines near the tracks that could rupture in the event of a derailment, preparation of an evacuation plan. In addition to the analysis, possible and reasonable mitigation measures must be identified.*

The California Education Code Section 17213 prohibits the acquisition of a school site by a school district if the site "contains one or more pipelines, situated underground or aboveground, which carries hazardous substances, acutely hazardous materials, or hazardous wastes, unless the pipeline is a natural gas line which is used only to supply natural gas to that school or

neighborhood." There are no pipelines located within the East Area 1 Specific Plan Area; therefore, there are no potential hazards. However, there are crude oil and natural gas pipelines located to the south of the site along the Santa Paula Branch Line Railway right-of-way (crude oil) and East Main Street (natural gas). Again, these pipelines are more than 1,500-feet from the proposed school site and do not pose a risk. Additionally, before site approval and construction, the school district would need to complete environmental review pursuant to the requirements of the Department of Education to address any future hazard that the pipelines may pose.

The Santa Paula Airport is located approximately 4,000 feet southwest of the East Area 1 Specific Plan. As illustrated in the City's General Plan, the East Area 1 site is not within Inner or Outer Safety Zones or with the Traffic Pattern Zone of the airport. The responsibilities of the school district, the California Department of Education, and the Department of Transportation (DOT), Aeronautics Program, Office of Airports, concerning the school site's proximity to runways are contained in Education Code Section 17215 (as amended by Assembly Bill (AB) 747, Chapter 837, Statutes of 1999).

- Q2-10 The proposed Development Agreement provides that the soccer fields at the southern detention basin will be maintained in perpetuity. (The previous Development Agreement provision allowing the detention basin soccer fields to be removed upon completion of the Sports Park has been eliminated by the City.) The Development Agreement also requires that the detention basin soccer fields will include health facilities. Under the Development Agreement, the construction of the detention basin soccer fields will be paid for by Limoneira Company and maintenance will be paid through the Home Owner's Association or Landscape Maintenance District.

The Sports Park must be completed by the 500th home, according to the Development Agreement. The cost of constructing the Sports Park will be paid by Limoneira Company and maintenance will be paid by the City (with pro-rata contributions from other joint users and/or the Home Owners Association or Landscape Maintenance District). The draft Memorandum of Intent (MOI) with the SPESD (which has gone to the Board for approval on Feb. 12) provides that the Elementary School must be completed in time to open when 150 elementary students are generated in East Area 1. Using the lowest student generation factor from the Draft EIR of 0.423 elementary and middle students per single-family dwelling unit (which equates proportionally to 0.282 K-5 students), even if the first 500 homes built in the project are all single-family, approximately 141 student will be generated and the Elementary School will open around the same time as the Sports Park. Once opened, the use of the elementary school facilities for non-school purposes will be the same as any other SPESD school; no additional requirement of community use is imposed.

- Q2-11 Table 4.1-3 (Proposed Specific Plan Consistency with City of Santa Paula General Plan) of the Draft EIR contains a detailed consistency analysis. In addition, as noted in Section 4.1 (Land Use & Planning) the Draft EIR determined that the proposed project would not be consistent with the General Plan and Santa Paula Municipal Code in the absence of a General Plan Amendment and pre-zoning, respectively.

- Q2-12 The City is currently evaluating and gathering the necessary data to determine the Ventura County Assessor Parcel Numbers (APNs) potentially affected by annexation of the East Area 2. In addition, data relative to acreages, population and housing units contained within the East Area 2 annexation area are also be compiled. This information will be submitted to the Ventura Local Agency Formation Commission as part of its East Area 2 submittal.

- Q2-13 Comment noted. See Section 4.5 (Air Quality) of the FEIR's Clarifications & Revisions document. In addition, the analysis contained within Section 4.5 remains valid concerning potential impacts to the Grace Thille Elementary School.
- Q2-14 The East Area 1 Specific Plan area will become part of the City upon adoption and annexation. As such, the Specific Plan area will be subject to the City of Santa Paula Municipal Code Standard of 65 dBA. Additionally, the California Department of Transportation considers sound at 50 decibels in the vicinity of schools to be the point at which it will take corrective action for noise generated by freeways. (See Streets and Highway Code sections 216 and 216.1.)
- Q2-15 The proposed elementary school site will most likely be constricted after sufficient housing is built to generate students. As currently anticipated, development and construction around and adjacent to the school site would be completed before the opening of the school and would not pose an impact relative to construction noise. However, to the degree possible, construction activities that could result in potential noise impacts will be scheduled to avoid periods when students are outdoors and periods when school is not in session.
- Q2-16 The City's General Plan and Santa Paula Municipal Code contain applicable regulations and/or ordinances affecting all development (including schools and other non-city public services) within the City. In particular, see pages LU-13, LU-25, LU-32, LU-52, LU-60 and LU-65 of the General Plan. In addition, see also Section 16.80 (Subdivision Regulations) of the Santa Paula Municipal Code.
- Q2-17 Comment noted. See the Glossary section of the FEIR's Clarifications & Revisions document.
- Q2-18 Comment noted. No response necessary.



# SANTA PAULA UNION HIGH SCHOOL DISTRICT

Superintendent  
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Assistant Superintendent,  
Business and Classified Personnel  
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CITY OF SANTA PAULA

Q3

JAN 08 2008

RECEIVED

January 3, 2008

Ms. Janna Minsk  
Planning Director  
City of Santa Paula  
970 Ventura Street  
Santa Paula, CA 93060

RE: Response to the Draft Environmental Impact Report for the East Area 1 Specific Plan

The Santa Paula Union High District appreciates this opportunity to comment on the above mentioned project, relative to its impact on public education. Any new housing development within the boundaries of the Santa Paula Union High School District will adversely impact our already over-crowded high schools (comprehensive and continuation). The overall DEIR fairly represents the needs of the Santa Paula Union High School District. However, the District would like to comment on two areas of the report.

Q3-1

## 1. Section 4.13.3 Schools

### Table 4.13-2 Comments – Santa Paula School Characteristics

The enrollment figure based on October 2007 CBEDs should be 1749, not 1744. Also, based on the latest SAB Form 50-2 (the forms used by the State to calculate official district capacities), the capacity for the high school is 1,727.

The Santa Paula Union High School District is sensitive to the fact that enrollment projections may vary significantly from year to year. It's important that projections be made each year and that they be tested for reasonableness in light of year-to-year changes.

Q3-2

The Santa Paula High Schools site acreage is 13.54, not 18.54.

The District does not agree with the estimated decline in enrollment of 150 students per year. It is felt that the number is too high.

2. Section 4.13.4.3 School Impacts

Table 4.13-3 Comments – Student Generation

The SGRs used in the Table 4.13-3 are outdated. The Student Generation Rates (SGRs) shown are from a report issued in June 2006. SGRs prepared for school districts as a requirement for School Facilities Needs Assessment may only be used for one year and must then be recalculated. Therefore, the District suggests that the standard SGRs that the State allows should be the basis for Level I Developer Fees and .2 for 9-12 should be used for basic planning purposes.

Q3-3

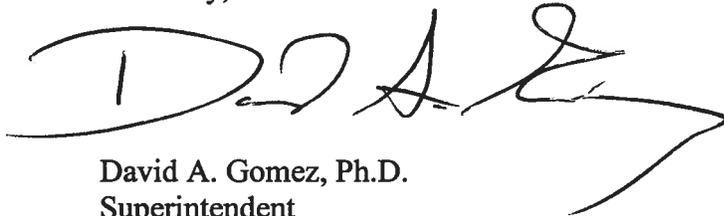
The SPUHSD needs a new high school that will accommodate 1,800 students, not 1,200 students.

Again, we like to express our appreciation to the City of Santa Paula for the opportunity to respond to the DEIR.

Q3-4

If you would like to discuss our comments, please feel free to call me at (805) 525-0988 x20.

Sincerely,

A handwritten signature in black ink, appearing to read "D. A. Gomez", with a long, sweeping underline that extends to the right.

David A. Gomez, Ph.D.  
Superintendent

**Q3 RESPONSES TO COMMENTS FROM SANTA PAULA UNION HIGH SCHOOL DISTRICT, RECEIVED JANUARY 3, 2008**

Q3-1 Comment noted. No response necessary.

Q3-2 The City's review of Table 4.13-2 (Santa Paula School Characteristics) of the Draft EIR indicates that the reference to the 1,744 CBDE could not be found. As such we are unable to make the requested change. However, the City would note that the conclusions contained within the Draft EIR would not change. In addition, as noted on page 4.13-6 of the Draft EIR, the reference to the estimated decline in enrollment of 150 students per year was derived from Santa Paula Union High School District's Long-Term Facilities Master Plan (February 2005). The City recognizes that enrollment projections may vary from year to year. The Draft EIR includes the current information.

Comment noted. See Section 4.13 (Public Services) of the FEIR's Clarifications & Revisions document.

Q3-3 Comment noted. See Section 4.13 (Public Services) of the FEIR's Clarifications & Revisions document.

Q3-4 Comment noted. No response necessary.

Q4

January 7, 2008

Janna Minsk, Planning Director  
City of Santa Paula  
P.O. Box 569  
Santa Paula, CA 93061- 0569

RE: Draft Environmental Impact Report – East Area 1 Specific Plan

Dear Ms. Minsk:

Thank you for the opportunity to respond to the draft environmental impact report (DEIR) for the proposed East Area 1 Specific Plan. To the extent the City will rely on the EIR as a basis for initiating a future sphere of influence amendment and reorganization prior to the development of the Specific Plan area, the Ventura LAFCO will serve as a responsible agency under CEQA. We would like to note that these comments are solely those of the LAFCO staff; the EIR has not yet been reviewed by the Commission.

Q4-1

1. According to DEIR page 4.1-9, the project site is proposed for "...detachment from Ventura County..." as a function of being annexed to the City of Santa Paula. This statement is incorrect. All territory, including that within the boundaries of cities, remains within the boundaries of Ventura County. Instead, please describe the LAFCo action as requested in our comments to the Notice of Preparation: "The actions to be taken by LAFCO should be described in the EIR as a sphere of influence amendment and "reorganization", which will entail annexation of territory to the City of Santa Paula and detachment of the same territory from the Ventura County Resource Conservation District and from the Ventura County Fire Protection District." The only "detachments" required for the annexation of the proposal area to the City of Santa Paula are from the Ventura County Resource Conservation District and from the Ventura County Fire Protection District.

Q4-2

2. To enable LAFCo to act on the sphere of influence amendment and reorganization proposal without creating new unincorporated islands, the DEIR project description information will need to be revised to reference the following additional parcels:

Q4-3

107-0-200-125  
107-0-200-055  
107-0-200-035  
107-0-200-105  
040-0-171-285

040-0-171-255  
040-0-171-125  
040-0-171-135  
040-0-171-145  
040-0-171-110  
107-0-170-195  
107-0-170-180  
107-0-170-215  
107-0-170-245  
107-0-170-110

Q4-3  
Cont.

Because all of these parcels are under the control of the County of Ventura for flood control purposes, they should be included as part of the East Area 1 LAFCo proposal rather than the separate proposals to annex the other potential island areas identified in Figure 4.1-3 since there is no possibility of property owner protest.

3. According to the DEIR, the proposed project will lead to the conversion of 352 acres of land identified as Prime and Unique Farmland to urbanized uses, which represents a significant agricultural resources impact. To address this significant impact, the DEIR appears to defer exclusively to mitigation measures proposed in a report entitled “Agricultural Resources Study for the Proposed East Area 1 Specific Plan Project” prepared by a consulting firm retained directly by the applicant. The mitigation proposed in the applicant’s report consists of the following:
- A 55-acre conservation covenant to be recorded on 55 acres of land currently in avocado production located along the northerly portion of the proposed specific plan site.
  - A 34-acre conservation covenant on other agricultural land owned by the applicant and located within the City of Santa Paula’s Area of Interest.

Q4-4

The applicant therefore proposes to mitigate the significant loss of 352 acres of prime farmland by volunteering to preserve a total of 89 acres of other farmland through a permanent conservation covenant.

According to the applicant’s report, the rationale for conserving 89 acres of farmland in exchange for developing 352 acres of farmland for urban use is that 34 of the 89 acres “...has a higher agricultural productivity than the 297 acres impacted by the project” based on a comparison of average net production revenue between the years spanning 2003 to 2007 (p. 6). The report explains that the difference in value between the two areas is due to the fact that the area proposed to be conserved was planted in strawberries as compared to the area to be developed, which was planted primarily with lemons and avocados during the same time period. As far as we are aware, neither the CEQA

statutes/Guidelines provide for this particular manner of compensating for the permanent loss of prime agricultural soils nor are we aware of any prior precedent for calculating compensatory mitigation for prime farmland conversion solely from an economic basis that varies annually depending on crop type and other factors independent of underlying soil quality.

Even assuming that the proposed mitigation ratio is adequate, the mitigation monitoring and reporting program should at least include a performance standard to account for the fundamental economic assumption upon which the measure is based. For example, an appropriate performance standard would require that the 34 acres under the conservation easement be planted with crops that provide an average net production revenue of not less than \$9,000 (based on 2007 dollars and adjusted upward annually based on inflation) [\$9,000 is the average net annual production per-acre revenue of the 34-acre mitigation site compared to \$1,030 per acre revenue for the area to be developed; page 6 of the “Agricultural Resources Study for the Proposed East Area 1 Specific Plan”]. The DEIR should also objectively analyze the feasibility of successfully accomplishing and monitoring this measure in light of this standard. What remedy would exist if such a standard could not be met in future years?

CEQA Guidelines Section 15126.4 requires that the discussion of mitigation measures distinguish between the measures proposed by the project proponents to be included in the project *and other measures proposed by the lead agency or other persons that are not included by the lead agency determines could reasonably be expected to reduce adverse impacts if required as conditions of approving the project* (emphasis added). Although the Agricultural Resources Study, which is included as a separate technical appendix to the DEIR, identifies the mitigation measures as having been proposed by the applicant, the main body of the document should also explicitly identify the mitigation measures as applicant-proposed to ensure full disclosure to the public and decision makers. Pursuant to the provision highlighted above, it is not clear why the DEIR fails to discuss potentially feasible mitigation for the loss of prime farmland *other* than those proposed by the applicant. For example, other potential mitigation might include a requirement for agricultural cluster development or the imposition of an in-lieu mitigation fee to be used to fund the purchase of additional farmland beyond that proposed by the applicant.

4. As highlighted by the underlined acreage figures in Item #2 above, the DEIR does not address mitigation for the 65-acre difference between the 287 acres used to for the mitigation calculation and the significant loss of 352 total acres identified elsewhere in the document.

5. According to DEIR page 3.13, and Figure 3-6, multiple trail heads would be developed along the northerly edge of the proposed Foothill Neighborhood.

Q4-4  
Cont.

Q4-5

Q4-6

- Because it appears that some trails are routed through or very near the proposed agricultural preserve area, a discussion of the potential incompatibility between public access trail uses and farming uses should be included. | Q4-6  
Cont.
6. According to DEIR Table 4.1-3, General Plan Policy 4.n.n. provides for the addition of new lands into the greenbelt to compensate for lands that may be removed from the greenbelt for Sphere of Influence amendments. According to the Consistency Analysis on the same page, the proposed project would be consistent with this policy based on the proposed mitigation referenced in Item # 2, above. Similar comment applies here: it is unclear how a mitigation ratio consisting of conservation of 0.114 acre of farmland for every 1 acre of prime farmland within the Santa Paula-Fillmore Greenbelt converted to urban uses is consistent with the this General Plan policy. | Q4-7
7. Moreover, the DEIR fails to discuss the consistency of the proposed project and mitigation measures with Implementation Measure #19 on page CO-55 of the same General Plan. According to page LU-41 of the General Plan, Implementation Measures area "...support the goals, objectives, and policies by providing specific programs and standards to carry out the Land Use Element." Implementation Measure #19 states as follows:  
"Applicants for development of land in agricultural production that is within an existing greenbelt...shall provide funds to the Ventura County Agricultural Land Trust for the purchase of agricultural lands and/or easements within the Santa Paula Area of Interest." | Q4-8
8. Figure 4.1-3 was prepared by LAFCo and included as an attachment to our comment letter in response to the Notice of Preparation for the proposed project. Because our letter explaining the Figure is not included in the DEIR, additional explanation should be provided to clarify that the fuscia-colored areas represent the areas that would become unincorporated islands of territory if the proposed project were to be developed. | Q4-9
9. Mitigation Measure LU-3 on page 4.1-40 should be revised to include the words: "and a reorganization" immediately after the word: "Amendment". | Q4-10
10. Mitigation Measure LU-4 on page 4.1-40 should be revised to delete: "an East Area 2" because one of the islands that would be created is located outside of East Area 2. | Q4-11
11. Based on the DEIR reference to the "potential" inclusion of a new library within the proposed Santa Paula Creek Civic District and the "requirement" of a "\$40 parcel tax" to cover the cost of providing the additional library services for the proposed project (page 4.13-11), "the proposed project would result in less than | Q4-12

significant impacts on library services.” It is unclear how this conclusion was reached given that the DEIR includes no reference to a mitigation measure or other requirement to compel the applicant to fund the construction of a new library facility to serve the proposed development. Moreover, it is not legally feasible for any public agency to “require” the assessment of a parcel tax. Such assessments may be authorized only through a vote of the affected property owners and therefore cannot be relied upon as a funding source to address the identified impacts on library services.

Q4-12  
Cont.

12. Although not a specific CEQA comment per se, please note that the City’s application to LAFCo for the sphere of influence amendment and reorganization proposal will need to provide additional information to demonstrate that the City will have adequate on-going revenue sources (in addition to one-time developer fees) to cover the costs necessary to adequately serve the proposed specific plan area over the long term.

Q4-13

Again, thank you for the opportunity to comment. If there are questions regarding our comments, please feel free to contact me at 805-654-2866.

Q4-14

Sincerely,



Kim Uhlich  
Executive Officer

**Q4 RESPONSES TO COMMENTS FROM VENTURA LOCAL AGENCY  
FORMATION COMMISSION, RECEIVED JANUARY 7, 2008**

- Q4-1 Comment noted. No response necessary.
- Q4-2 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.
- Q4-3 The parcels identified for annexation are not located within the East Area 1 Specific Plan and, therefore, are not part of the Project analyzed in the Draft EIR. If included within the City's application to LAFCO, a separate or supplemental environmental document will be prepared if necessary.
- Q4-4 The City of Santa Paula prepared the Draft EIR in conformance with Section 15084 of the *CEQA Guidelines*. This section of the Guidelines states that a Draft EIR shall be prepared by the Lead Agency and that the Lead Agency may either: (1) prepare the Draft EIR with its own staff; (2) contract with another public or private entity to prepare the Draft EIR; (3) accept a Draft EIR prepared by the applicant or a consultant retained by the applicant; or (4) execute a third party contract with the applicant to govern the preparation of the Draft EIR by an independent contractor. The City of Santa Paula contracted with a private consulting firm to prepare the Draft EIR under the direction of City staff.

Section 15084 (b) of the *CEQA Guidelines* states that the Lead Agency may require the project applicant to supply data and information to both determine whether the project may have a significant impact on the environment and to assist the Lead Agency in preparing the Draft EIR. In addition, Implementation Measure 15 in the Santa Paula General Plan Open Space and Conservation Element requires "any new development on designated agricultural lands or designated prime agricultural soils to provide information on the viability of agricultural soils and operations before requesting approval for urban land uses."

The City of Santa Paula requested information from the project applicant related to agricultural resources as allowed by the *CEQA Guidelines* and in conformance with the City's General Plan. The Agricultural Resources Study prepared by the applicant's consultant was reviewed by the City and its EIR consultant and revised in response to the City's comments. The Agricultural Resources section in the EIR was prepared by the City and its EIR consultant and represents the City's independent conclusions. The mitigation measures addressed by this comment are not identified as measures proposed by the applicant because the measures are proposed by the City.

The Agricultural Resources Study included in Appendix C of the Draft EIR includes over 100 pages of detailed information related to the agricultural characteristics of the East Area 1 Specific Plan Area. The City considered all of this information in determining the significance of the impact of the project on agricultural resources and the City's proposed mitigation measures. As indicated in this comment, the EIR identifies as a significant impact the proposed conversion of 352 acres farmland to urban uses.

The Agricultural Resources Study also provides substantial information on the quality and productivity of the agricultural land within the Specific Plan Area. Table 6, East Area 1 – Soil Types and Agricultural Ratings, presented on page 38 of the Agricultural Resources Study provides Capability Grouping and Storie Index ratings for the soils on the site. As described in this study, the U.S. Department of Agriculture Soil Conservation Service uses two systems to determine the agricultural productivity of soil, the Soil Capability Classification System and the

Storie Index Rating System. The Capability Classes range from Class I soils, which have few limitations for agricultural use, to Class VIII soils, which are unsuitable for agriculture. The Storie Index rating system ranks soils characteristics according to their suitability for agriculture from Grade I soils (80 to 100 rating), which have few or no limitations to agriculture, to Grade 6 soils (less than a 10 rating), which are not suitable for agriculture.

The East Area 1 Specific Plan Area contains approximately 156 acres of Class I and II soils (29 acres of Class I soils and 127 acres of Class II soils). The majority of the site, approximately 334 acres, consists of Class IV, VI, VII, and VIII soils. Class IV soils have very severe limitations that restrict the choice of plants or require very careful management, or both. Class VI – VIII soils have severe limitations that generally make these soils unsuitable for agriculture.

The 156 acres of Class I and II soils also are Grade 1 and 2 soils, with Storie Index ratings of 60-100. The other 334 acres are Grade 4-6 soils, with Storie Index ratings ranging from less than 10 to 36. Grade 4-6 soils are considered poorly suited to unsuited for agriculture.

The portions of the site containing the Class I and II soils are also identified as Prime Farmland on the State Important Farmland Maps. Prime Farmland is identified by the State Department of Conservation as land having the best combination of physical and chemical features able to sustain long-term agriculture. The majority of the other land currently under cultivation, 282 acres, is categorized as Unique Farmland, defined as lower quality soils used for the production of the state's leading agricultural crops.

The project applicant represents the original and current farmers of the majority of this site. Due to the rocky content of the soils on the site, agricultural use is restricted to only a few types of commercial fruit trees. The amount and quality of fruit produced is also affected by the relatively poor quality of the majority of the soils on the site.

Mitigation as proposed includes the preservation of 55 acres within the Specific Plan Area currently under cultivation, and the preservation of an additional 34 acres of higher quality farmland within the City's Area of Interest. The proposed offsite mitigation parcel consists of Prime Farmland containing Class I, Grade I soils. The City's determination that preservation of these agricultural lands within the Specific Plan Area and off the site adequately compensates for the proposed conversion of farmland is based on consideration of the overall agricultural quality and productivity of the areas being preserved and is not based solely on an economic basis as indicated in this comment. The value of the crops being produced is one indicator of the agricultural productivity of the agricultural areas being preserved. The City also considered the value of crops being produced to consider the effects on the local agricultural economy.

Mitigation, as defined in Section 15370 of the *CEQA Guidelines*, includes:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.

(e) Compensating for the impact by replacing or providing substitute resources or environments.

Requiring the preservation of other agricultural land as mitigation for direct impacts to agricultural land is consistent with definition of mitigation identified in Section 15370 (e) of the *CEQA Guidelines* as it compensates for the impact by replacing or providing substitute resources. The State Department of Conservation (DOC) in its letter responding to the City's Notice of Preparation for the Draft EIR noted that the direct conversion of agricultural land to other uses is often deemed to be an unavoidable impact by CEQA analyses. This is the appropriate conclusion under CEQA, and is the conclusion reached by the City in the Draft EIR. The direct conversion of the agricultural land within the proposed East Area 1 Specific Plan Area to other uses is an unavoidable significant impact of the project as proposed.

The State DOC also recommended that the City consider the purchase of agricultural conservation easements on other land as partial compensation for the direct loss of agricultural land. This method of mitigation is identified as "partial" compensation as it cannot mitigate the direct impact to a level that is less than significant. The CEQA statute and *Guidelines* do not define specific standards for mitigation. The statute and Guidelines do not expressly allow or prohibit the type and form of mitigation identified by the City in the Draft EIR.

Court decisions on CEQA cases have addressed the topic of mitigation ratios. In *Del Mar Terrace Conservancy, Inc. v. City Council of San Diego* (1992) 10 Cal. App.4<sup>th</sup> 712, the Court of Appeal addressed the issue of mitigation ratios for impacts to biological resources. There, project opponents attacked a mitigation program on the ground that it represented a less aggressive approach to wetlands mitigation than had been followed in the past. Specifically, the City and Caltrans planned to create fewer acres of new wetlands for each acre lost than the Coastal Commission had previously required for other projects in the area. The Court found that "adherence to alleged 'historic ratios' is not required by CEQA, which does not mandate similar mitigation for all similar projects" (*Del Mar* at 741). The issue of mitigation ratios was also addressed by the Court of Appeal in *Environmental Council of Sacramento et al. v. City of Sacramento et al.* (2006) 142 Cal.App.4<sup>th</sup> 1018. In this case, the City proposed to preserve a smaller amount of higher quality habitat to compensate for the loss of a larger amount of lower quality habitat. Again, the Court of Appeal affirmed this mitigation approach as valid.

Land Evaluation and Site Assessment (LESA) is a term used to define an approach for rating the relative quality of land resources based upon specific measurable features. The formulation of a California Agricultural LESA Model is the result of Senate Bill 850 (Chapter 812/1993), which charged the Resources Agency, in consultation with the Governor's Office of Planning and Research, with developing an amendment to Appendix G of the *CEQA Guidelines* concerning agricultural lands. The purpose of this amendment was "to provide lead agencies with an optional methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process" (Public Resources Code Section 21095). The California Agricultural LESA Model is composed of six different factors. Two Land Evaluation factors are based upon measures of soil resource quality. Four Site Assessment factors provide measures of the *size of a site*, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. For a site, each of these factors is separately rated on a 100 point scale. The factors are then weighted relative to one another and combined, resulting in a single numeric score for a given site, with a maximum attainable score of 100 points.

The Agricultural Resources Study evaluates the site using the LESA. Appendix C of the Agricultural Resources Study, which in turn is Appendix C of the Draft EIR, also examines the

quality of the proposed mitigation site using the LESA. The LESA score of the mitigation site is 79, greatly exceeding the LESA score of 67 for the land being converted within EA1. The LESA evaluation of the project site and the proposed mitigation site indicates the higher land resource quality of the mitigation site, *even taking the difference in acreage into consideration.*

The reason for adopting feasible mitigation measures is to “substantially lessen or avoid” significant adverse environmental impacts. (Public Resources Code Section 21002) CEQA does not require a local legislative body, such as the City of Santa Paula, to enact legislation which uniformly applies certain level or standard of mitigation measures to all similar projects submitted for environmental review within its jurisdiction. In *San Franciscans for Reasonable Growth et al. v. City and County of San Francisco* (1989) 209 Cal.App.3d 1502, 1519 the Court determined that once an agency has adopted sufficient measures to at least “substantially lessen” such significant impacts, the agency need not, under CEQA, adopt every mitigation scheme brought to its attention.

It is also important to note the State DOC states in their NOP response letter that “...the most effective approach to farmland conservation and impact mitigation is one that is integrated with general plan policies. For example, the measures suggested above could be most effectively applied as part of a comprehensive agricultural land conservation element in the City’s General Plan. Mitigation measures could then be applied systematically towards large goals of sustaining an agricultural resource base and economy.” (Emphasis added)

The City has looked comprehensively at the large goals of sustaining an agricultural resource base and economy in its General Plan. The General Plan identifies several urban expansion areas, including East Area 1, while including multiple measures to preserve the majority of the agricultural land in the City’s Area of Interest, such as the City Urban Restriction Boundary (CURB) and the City’s participation in defining greenbelts with the neighboring jurisdictions of Fillmore and Ventura. The City’s General Plan also contains a series of Implementation Measures related to the Goals, Objectives, and Policies addressing agricultural resources. As identified above, Implementation Measure 15 in the General Plan Open Space and Conservation Element requires “any new development on designated agricultural lands or designated prime agricultural soils to provide information on the viability of agricultural soils and operations before requesting approval for urban land uses. Implementation Measure 19 in the General Plan Open Space and Conservation Element requires applicants for development of land within an existing greenbelt to provide funds for the purchase of agricultural lands and/or easements within the Santa Paula Area of Interest. This measure does not specify any specific mitigation ratio.

The Agricultural Resources Study provides over 100 pages of information on the quality and productivity of the agricultural land within the East Area 1 Specific Plan Area. As documented in this study and summarized above, the majority of the site, including the portion designated as Unique Farmland on the State Important Farmland Maps, consists of soils that are generally unsuitable for agriculture. The value of the crops produced reflects the low agricultural productivity of the site.

As identified in the Draft EIR, the project will result in the conversion of 352 acres of farmland for urban uses. The project includes the preservation of 55 acres of land within the Specific Plan Area with equal agricultural quality and productivity to the land being impacted. As this land is of equal agricultural quality and value as the land being impacted, the City considers this land to compensate for the impact on an acre by acre basis. Therefore, the City identified land for preservation offsite to compensate for the remainder of the land being impacted (352 acres - 55 acres of comparable agricultural land being preserved = 297 acres remaining). Given the

much higher quality and productivity of the off-site land proposed for mitigation, the City has determined that preservation of this land for long-term agricultural use adequately compensates for the impact to the remaining 297 acres as this land as the off-site land being preserved is of much higher quality, can produce a wide variety of crops and produce crops with an equivalent economic value for the local agricultural economy. By preserving land with the ability to produce crops of an equal economic value, the City is contributing towards maintaining an agricultural resource base and economy as recommended by the State DOC.

The intent of this measure is to compensate for the conversion of agricultural land within the Specific Plan to urban uses by preserving agricultural land of equivalent agricultural quality and productivity as opposed to guaranteeing a specific value of crops be produced on an annual basis. For this reason, the economic performance standard suggested is not warranted or necessary. In addition, imposition of such a standard could affect the feasibility of this measure as the value of crops produced is determined by the market for agriculture products, which is outside the control of the farmer or the City. Consideration of the economic value of the crops produced on the project site as an indicator of agricultural productivity was one of the factors considered along with the agricultural capability of the soils. The areas within the Specific Plan Area and offsite proposed for preservation for agricultural use are of equivalent quality and productivity and are considered to adequately compensate for the agricultural land being impacted for these reasons. The City's determination is based on the information provided in the Agricultural Resources Study. Consideration of other mitigation measures is not required as the City has determine the mitigation to be adequate based on the substantial evidence presented in the Draft EIR.

- Q4-5 As identified in the Draft EIR, the project will result in the conversion of 352 acres of farmland for urban uses. The project includes the preservation of 55 acres of land within the Specific Plan Area with equal agricultural quality and productivity to the land being impacted. As this land is of equal agricultural quality and value as the land being impacted, the City considers this land to compensate for the impact on an acre by acre basis. Therefore, the City identified land for preservation offsite to compensate for the remainder of the land being impacted (352 acres minus 55 acres of comparable agricultural land being preserved equals 297 acres remaining).
- Q4-6 Section 4.2 (Agricultural Resources) of the Draft EIR (see page 4.2-27) notes that potential land use compatibility issues could result due to the proximity of urban and agricultural uses. In particular, it was noted that incidents of pilferage, vandalism, trespass and complaints against standard legal practices could result. These issues were identified by the Draft EIR as significant impacts related to land use compatibility as it relates to agricultural resources. However, a new mitigation measure has been included within the FEIR to address incompatibility issues. As such, see Section 4.2 (Agricultural Resources) of the FEIR's Clarifications & Revisions document.
- Q4-7 Based upon the thresholds contained in Appendix G of the CEQA Guidelines, a project would have a significant impact on the environment if it conflicts with the general plan. Whether or not a specific plan is consistent with the general plan is a legislative decision; that is, the City's interpretation of its own general plan and factual findings is left up to the city council's judgment unless "based on the evidence before [the] city council, a reasonable person could not have reached the same conclusion." *No Oil, Inc. v. City of Los Angeles*, 196 Cal.App.3d 223 (1987); *See also Building Industry Ass'n v. Superior Court*, 211 Cal.App.3d 277 (1989) and *Mitchell v. County of Orange*, 165 Cal.App.2d 1185 (1985). A project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment. General Plan Guidelines, p. 212, Sacramento, Ca.: Governor's Office of Planning and Research, 1990. An exact match is not required, only that the project be in

agreement or general harmony with the general plan. *Greenebaum v. City of Los Angeles*, 153 Cal.App.3d 391 (1984).

No Goal, Objective or Policy of the General Plan requires a project or applicant to mitigate development of acreage within a greenbelt by a particular ratio, such as acre-to-acre. Land Use Urban Expansion Policy 4.n.n. provides generally, “[a]dd new lands into the greenbelt to compensate for lands that may be removed from the greenbelt for Sphere of Influence amendments.” Land Use Urban Expansion Implementation Measure 31, which supports Policy 4.n.n, provides that “[t]he City of Santa Paula shall take the following actions to implement the Urban Expansion goals of the Land Use Element:... amend the greenbelt agreement with the City of Fillmore such that each acre removed from the existing greenbelt would be added to the greenbelt in other locations within the City’s Area of Interest.

There is sufficient evidence in the record for the City Council to reach the conclusion that conservation easements on the 55-acre Agricultural Preserve and the 79-acre Open Space Preserve within the Project Site, together with a conservation easement on 34 acres of highly-productive agricultural land outside of the Project Site and within the City’s Area of Interest, constitute not only quantitative (i.e., greater than 0.5:1) but qualitative mitigation. *See also*, response Q4-4 above. Note that if the City does amend the Fillmore Greenbelt Agreement, a separate environmental document would be required.

- Q4-8 In its entirety, Implementation Measure 19 of the Conservation and Open Space Element of the General plan reads, “Applicants for development of land in agricultural production that is within an existing greenbelt (which includes Santa Paula Canyon, West Area 1, and the area *west of Santa Paula Creek*) shall provide funds to the Ventura County Agricultural Land Trust for the purchase of agricultural lands and/or easements within the Santa Paula Area of Interest (emphasis added).” That East Area 1 is not specifically included even though it is an important Expansion Area identified in the General Plan, that Implementation Measure 19 does specify west of Santa Paula Creek (thereby excluding east of Santa Paula Creek), and that the General Plan specifically intends the City to amend the Fillmore Greenbelt Agreement to remove East Area 1, supports the City Council’s interpretation that it does not apply to East Area 1. Furthermore, the payment of fees is in lieu of land, so it is reasonable for the City Council to accept a conservation easement on the total of 168 acres as satisfaction of Implementation Measure 19.
- Q4-9 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR’s Clarifications & Revisions document.
- Q4-10 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR’s Clarifications & Revisions document.
- Q4-11 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR’s Clarifications & Revisions document.
- Q4-12 Section 4.13 (Public Services) of the Draft EIR noted that the library generates revenue from current secured property taxes collected by the County of Ventura, and from a flat \$40 per parcel tax levied on the approximately 7,500 parcels within the district boundaries. The analysis contained within Section 4.13.4.4 (Library Services Impacts) of the Draft EIR incorrectly assumed that such a tax would also be in place. However, since such a tax outside of the current district boundary would require voter approval, the text should have indicated this requirement. However, the discussion did correctly note that the City can impose development fees, per Section 16, Chapter 160 (Development Impact Fees) of the Santa Paula Municipal Code.

Therefore, the impacts to libraries would remain less than significant with the implementation of the City's developer fee program. See Section 4.13 (Public Services) of the FEIR's Clarifications & Revisions document.

Q4-13 Comment noted. A detailed fiscal impact analysis has been prepared for the proposed project and the information contained within that report provided as part of annexation submittal requirements.

Q4-14 Comment noted. No response necessary.

Board of Directors  
Bruce E. Dandy, President  
Robert Eranio, Vice President  
Daniel C. Naumann, Secretary/ Treasurer  
Sheldon G. Berger  
Lynn Maulhardt  
Roger E. Orr  
F.W. Richardson



Legal Counsel  
Anthony H. Trembley

General Manager  
Dana L. Wischart

## UNITED WATER CONSERVATION DISTRICT

"Conserving Water Since 1927"  
January 30, 2008

CITY OF SANTA PAULA

Jana Minsk  
City of Santa Paula  
P.O. Box 569  
Santa Paula, CA 93060-0569

Q5

JAN 31 2008

RECEIVED

**Reference: Revised Water Supply Assessment for Draft Environmental Impact Report No. SCH # 2006071134; East Area 1 Specific Plan**

Dear Ms. Minsk,

United Water Conservation District is retracting the letter submitted to you, which was dated January 28, and is submitting this revised letter. United Water has reviewed the Revised Water Supply Assessment for the East Area 1 Specific Plan Draft EIR. The City of Santa Paula's Public Works Department has made all of United Water's requested changes to the draft Water Supply Assessment (WSA). United Water presumes that discussion of water supply in the EIR will reflect the changes made to the WSA.

Q5-1

To reiterate from our previous letter, neither the Santa Paul basin nor Fillmore basin are in overdraft and if the projected water supplies can be acquired as generally outlined in the WSA then there should be adequate water supply available for the proposed project. This assumes that no other project within the purview of the City of Santa Paula precedes this project and significantly taps the potential future sources of water outlined in the WSA. Adequate amounts of water from the various projected sources of water (historic pumping on the property, recycled water, SWP water, transferring and purchasing of groundwater allocations within Santa Paula basin, and the ability to increase pumping from the Fillmore Basin) would need to be in place prior to the build-out of each phase of the development.

Q5-2

United Water appreciates the opportunity to comment on the Draft EIR. If you have any questions please contact Ken Turner at 525-4431 or [kent@unitedwater.org](mailto:kent@unitedwater.org).

Q5-3

Sincerely,

Dana L. Wischart  
General Manager

Cc: BDRF  
Ron Calkins, Public Works Director, City of San Buenaventura  
Rob Sawyer, Santa Paula Basin Pumpers Association  
Piru/Fillmore Basins Groundwater Management Council

File: City of Santa Paula

**Q5    RESPONSES TO COMMENTS FROM UNITED WATER CONSERVATION DISTRICT, RECEIVED JANUARY 30, 2008**

Q5-1    Comment noted. See Appendix Q of the FEIR's Clarifications & Revisions document.

Q5-2    Comment noted. No response necessary.

Q5-3    Comment noted. No response necessary.



# SANTA PAULA UNION HIGH SCHOOL DISTRICT

Superintendent  
Dr. David A. Gomez

500 East Santa Barbara St.  
Santa Paula, CA 93060  
(805) 525-0988  
Fax (805) 525-6128

Assistant Superintendent,  
Business and Classified Personnel  
Francine Torrigiani  
Director of Educational Services  
Teri Gem

February 1, 2008

Q6

CITY OF SANTA PAULA

FEB 04 2008

RECEIVED

Ms. Janna Minsk  
Planning Director  
City of Santa Paula  
970 Ventura Street  
Santa Paula, CA 93060

RE: Clarification to Letter Dated January 3, 2008: Response to the Draft  
Environmental Impact Report for the East Area 1 Specific Plan

This letter is to clarify the previous response letter dated January 3, 2008, by the Santa Paula Union High District in reference to our comments to the Environmental Impact Report Draft for East Area 1.

A summary of the CBEDS for the District's high school programs is shown below:

| SPUHS CBEDS 2007 |             |             |                   |             |
|------------------|-------------|-------------|-------------------|-------------|
| Grade            | SPHS        | Renaissance | Non-Public School | Totals      |
| 9                | 517         | 7           | 0                 | 524         |
| 10               | 415         | 39          | 0                 | 454         |
| 11               | 346         | 17          | 1                 | 364         |
| 12               | 350         | 56          | 1                 | 407         |
| <b>Totals</b>    | <b>1628</b> | <b>119</b>  | <b>2</b>          | <b>1749</b> |

Q6-1

A copy of the SAB form 50-02, showing the District's capacity, is shown on page 2:

Q6-2

|   |   |
|---|---|
| SCHOOL DISTRICT<br>SANTA PAULA UNION HIGH | FIVE DIGIT DISTRICT CODE NUMBER (see California Public School Directory)<br>72595 |
| COUNTY<br>VENTURA                         | HIGH SCHOOL ATTENDANCE AREA (HSAA) OR SUPER HSAA (if applicable)                  |

| PART I - Classroom Inventory <input type="checkbox"/> NEW <input type="checkbox"/> ADJUSTED | K-6 | 7-8 | 9-12 | Non-Severe | Severe | Total |
|---|-----|-----|------|------------|--------|-------|
| Line 1. Leased State Relocatable Classrooms   |     |     |      |            |        |       |
| Line 2. Portable Classrooms leased less than 5 years  |     |     |      |            |        |       |
| Line 3. Interim Housing Portables leased less than 5 years                                  |     |     |      |            |        |       |
| Line 4. Interim Housing Portables leased at least 5 years                                   |     |     |      |            |        |       |
| Line 5. Portable Classrooms leased at least 5 years   |     |     |      |            |        |       |
| Line 6. Portable Classrooms owned by district   |     |     | 18   |            |        | 18    |
| Line 7. Permanent Classrooms  |     |     | 50   | 2          |        | 52    |
| Line 8. Total (Lines 1 through 7)   |     |     | 68   | 2          |        | 70    |

**PART II - Available Classrooms**

| Option A.               | K-6 | 7-8 | 9-12 | Non-Severe | Severe | Total |
|-------------------------|-----|-----|------|------------|--------|-------|
| a. Part I, line 4       |     |     |      |            |        |       |
| b. Part I, line 5       |     |     |      |            |        |       |
| c. Part I, line 6       |     |     | 18   |            |        | 18    |
| d. Part I, line 7       |     |     | 50   | 2          |        | 52    |
| e. Total (a, b, c, & d) |     |     | 68   | 2          |        | 70    |

| Option B.                                    | K-6 | 7-8 | 9-12 | Non-Severe | Severe | Total |
|--|-----|-----|------|------------|--------|-------|
| a. Part I, line 8                            |     |     | 68   | 2          |        | 70    |
| b. Part I, lines 1,2,5 and 6 (total only)    |     |     |      |            |        | 18    |
| c. 25 percent of Part I, line 7 (total only) |     |     |      |            |        | 13    |
| d. Subtract c from b (enter 0 if negative)   |     |     | 5    |            |        | 5     |
| e. Total (a minus d)                         |     |     | 63   | 2          |        | 65    |

**PART III - Determination of Existing School Building Capacity**

|                                | K-6 | 7-8 | 9-12  | Non-Severe | Severe |
|--------------------------------|-----|-----|-------|------------|--------|
| Line 1. Classroom capacity     |     |     | 1,701 | 26         |        |
| Line 2. SER adjustment         |     |     |       |            |        |
| Line 3. Operational Grants     |     |     |       |            |        |
| Line 4. Greater of line 2 or 3 |     |     |       |            |        |
| Line 5. Total of lines 1 and 4 |     |     | 1,701 | 26         |        |

The comment below, quoted from the DEIR, is unwarranted and has been shown to be inaccurate.

According to the SPUHSDs Long-Term Facilities Master Plan (February 2005), the number of elementary school students has been declining in recent years, and is expected to continue to decline. By the 2009-2010 school year, these declines will affect high school enrollment, which is anticipated to begin declining at a rate of 150 students per year; in the four years to 2015, the high school population is projected to decline by about 600 students.

Extrapolating enrollment five years beyond a Cohort projection is not an acceptable use of the data. Too many factors may intervene in that time period. The Cohort table in the study cited projects a 2009-2010 enrollment of 1,858. Apparently, an assumption was

Q6-2  
Cont.

made that the decline in enrollment in the elementary districts as shown in the table would continue indefinitely. That has not occurred.

A recently prepared Cohort projection (using the State Allocation Board's Form 50-01 is shown below.

STATE OF CALIFORNIA  
**ENROLLMENT CERTIFICATION/PROJECTION**  
 SAB 50-01 (Rev. 09/04) Excel (Rev. 2/27/2003)

STATE ALLOCATION BOARD  
 OFFICE OF PUBLIC SCHOOL CONSTRUCTION  
 Page 3 of 3

|  |  |
|--|--|
| SCHOOL DISTRICT<br><b>SANTA PAULA UNION HIGH</b> | FIVE DIGIT DISTRICT CODE NUMBER (see <i>California Public School Directory</i> )<br><b>72595</b> |
| COUNTY<br><b>VENTURA</b>                         | HIGH SCHOOL ATTENDANCE AREA (HSAA) OR SUPER HSAA (if applicable)                                 |

**Part A. Enrollment Data - (districts or county superintendent of schools)**

| Grade        | 3rd Previous | 2nd Previous | Previous     | Current      |
|--------------|--------------|--------------|--------------|--------------|
|              | 2004/05      | 2005/06      | 2006/07      | 2007/08      |
| K            | 486          | 528          | 492          | 518          |
| 1            | 577          | 501          | 523          | 509          |
| 2            | 483          | 544          | 477          | 504          |
| 3            | 512          | 445          | 519          | 449          |
| 4            | 489          | 488          | 431          | 498          |
| 5            | 510          | 467          | 471          | 423          |
| 6            | 489          | 492          | 465          | 459          |
| 7            | 501          | 468          | 482          | 449          |
| 8            | 530          | 477          | 445          | 476          |
| 9            | 481          | 490          | 564          | 524          |
| 10           | 481          | 465          | 383          | 454          |
| 11           | 424          | 412          | 405          | 384          |
| 12           | 402          | 393          | 385          | 407          |
| <b>TOTAL</b> | <b>6,365</b> | <b>6,170</b> | <b>6,042</b> | <b>6,034</b> |

**Part B. Pupils Attending Schools Chartered By Another District**

| 3rd Previous | 2nd Previous | Previous | Current |
|--------------|--------------|----------|---------|
|              |              |          |         |

**Part C. Continuation High School - (districts only)**

| Grade | 3rd Previous | 2nd Previous | Previous | Current |
|-------|--------------|--------------|----------|---------|
| 9     |              |              |          |         |
| 10    |              |              |          |         |
| 11    |              |              |          |         |
| 12    |              |              |          |         |

**Part D. Special Day Class Pupils - (districts or county superintendent of schools)**

| Elementary   | Non-Severe | Severe | Secondary    | Non-Severe | Severe |
|--------------|------------|--------|--------------|------------|--------|
| MR           |            |        | MR           |            |        |
| HH           |            |        | HH           |            |        |
| DEAF         |            |        | DEAF         |            |        |
| HI           |            |        | HI           |            |        |
| SLI          |            |        | SLI          |            |        |
| VI           |            |        | VI           |            |        |
| SED          |            |        | SED          |            |        |
| OI           |            |        | OI           |            |        |
| OHI          |            |        | OHI          |            |        |
| SLD          |            |        | SLD          |            |        |
| DB           |            |        | DB           |            |        |
| MH           |            |        | MH           |            |        |
| AUT          |            |        | AUT          |            |        |
| TBI          |            |        | TBI          |            |        |
| <b>TOTAL</b> |            |        | <b>TOTAL</b> |            |        |

**Part E. Special Day Class Enrollment - (county superintendent of schools only)**

| 3rd Previous | 2nd Previous | Previous | Current |
|--------------|--------------|----------|---------|
|              |              |          |         |

**Part F. Number of New Dwelling Units** **1633**

**Part G. District Student Yield Factor** **N/A**

**Part H. Five Year Projected Enrollment - School Facility Program Projections - (except special day class pupils only)**

| K-6 | 7-8 | 9-12  | TOTAL |
|-----|-----|-------|-------|
|     |     | 1,806 | 1,806 |

**Projections - special day class pupils only**

| Elementary   | Non-Severe | Severe | Secondary    | Non-Severe | Severe |
|--------------|------------|--------|--------------|------------|--------|
| MR           |            |        | MR           |            |        |
| HH           |            |        | HH           |            |        |
| DEAF         |            |        | DEAF         |            |        |
| HI           |            |        | HI           |            |        |
| SLI          |            |        | SLI          |            |        |
| VI           |            |        | VI           |            |        |
| SED          |            |        | SED          |            |        |
| OI           |            |        | OI           |            |        |
| OHI          |            |        | OHI          |            |        |
| SLD          |            |        | SLD          |            |        |
| DB           |            |        | DB           |            |        |
| MH           |            |        | MH           |            |        |
| AUT          |            |        | AUT          |            |        |
| TBI          |            |        | TBI          |            |        |
| <b>TOTAL</b> |            |        | <b>TOTAL</b> |            |        |

**Part I. One Year Projected Enrollment - State Relocatable Program Projections - (except special day class pupils only)**

| K-6 | 7-8 | 9-12  | TOTAL |
|-----|-----|-------|-------|
|     |     | 1,733 | 1,733 |

**Projections - (special day class pupils only) (includes Severe & Non-Severe)**

| Elementary   | Secondary | Elementary   | Secondary |
|--------------|-----------|--------------|-----------|
| MR           |           | OI           |           |
| HH           |           | OHI          |           |
| DEAF         |           | SLD          |           |
| HI           |           | DB           |           |
| SLI          |           | MH           |           |
| VI           |           | AUT          |           |
| SED          |           | TBI          |           |
| <b>TOTAL</b> |           | <b>TOTAL</b> |           |

*I certify, as the District Representative, that the information reported on this form is true and correct and that: I am designated as an authorized district representative by the governing board of the district. If the district is requesting an augmentation in the enrollment projection pursuant to Regulation Section 1859.42 (b), the local planning commission or approval authority has approved the tentative subdivision map used for augmentation of the enrollment and the district has identified dwelling units in that map to be contracted. All subdivision maps used for*

Q6-2  
Cont.

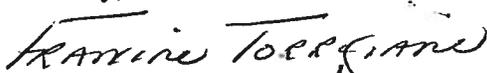
The five-year projection shown in that table (the 2012-2013 school year) is 1,808 – not as robust an increase as shown in the 2005 projection, but still not showing a decline. It might also be noted that the Office of Public School Construction recognizes the volatility of year-to-year projections for small school district by allowing (but not requiring) them to use projections for three years, rather than the one year required of larger districts.

The District believes that because the Student Generation Rates shown in the DEIR are outdated, and because they can change substantially from year to year (based on the effect of the previous five years' enrollment), the employment of the Student Generation Rate of .2 students per dwelling unit approved by the Office of Local School Construction for use in Level 1 developer fee studies for grades 9-12 provides a good basis for projecting future enrollments.

The situation regarding student generation, school size, and the need for a new high school as described in the District's 2005 Long-Term Facilities Plan has changed substantially. At that time, a development of approximately 2,500 homes was expected to be built, in addition to East Area 1, Adams Canyon, and a variety of infill projects totaling in excess of 5,000 new dwelling units. Had those come to fruition as expected, the District might well have needed two campuses with a capacity of 2,200 or more students. That no longer seems to be the case, and the District is looking to provide the best learning environment possible for approximately 1,800 students.

If further clarification is needed, please call me at (805) 525-0988 x22.

Sincerely,



Francine Torrigiani  
Assistant Superintendent of Business/Classified Personnel

Q6-2  
Cont.

Q6-3

**Q6 RESPONSES TO COMMENTS FROM SANTA PAULA UNION HIGH SCHOOL DISTRICT, RECEIVED FEBRUARY 1, 2008**

Q6-1 Comment noted. No response necessary.

Q6-2 The analysis contained within the Draft EIR was based upon the District's Long-Term Facilities Master Plan (February 2008) and as such, reflected information contained within that document. The City appreciates the additional clarification information concerning school generation rates and has revised the FEIR to reflect such information. See Section 4.13 (Public Services) of the FEIR's Clarifications & Revisions document.

Q6-3 Comment noted. No response necessary.



**Ventura County**  
**AGRICULTURAL POLICY ADVISORY COMMITTEE**

P.O. Box 889, Santa Paula, CA 93061  
815 East Santa Barbara Street  
Telephone: (805) 933-3165, (805) 647-5931  
FAX: (805) 525-8922

February 4, 2008

Q7

CITY OF SANTA PAULA  
FEB 08 2008  
RECEIVED

Janna Minsk  
City of Santa Paula  
Planning Director  
P.O. Box 569  
Santa Paula, CA 93061-0569

**SUBJECT: East Area 1 Specific Plan**

Dear Ms. Minsk:

On January 9, 2008, the Ventura County Agricultural Policy Advisory Committee (APAC) received a presentation by Limoneira Company officials concerning the East Area 1 Specific Plan. Gil Ruiz, Senior Project Manager, representing the City of Santa Paula also participated in the meeting.

Q7-1

Limoneira officials asked APAC to comment on whether the proposed agricultural buffer between the Specific Plan's urban structures and off-site adjacent farmland is consistent with and meets the standards of the APAC Agricultural/Urban Buffer Policy.

Q7-2

As you may know, the Agricultural/Urban Buffer Policy recommends a 300-foot setback between new urban structures and other sensitive uses and the project's property line next to off-site farmland. Where there is appropriate vegetative screening, the recommended setback may be reduced to 150 feet. An additional recommendation is that an 8-foot chain link fence with top bar should be installed between the project and the off-site farmland to deter trespass.

Q7-3

According to the Draft EIR, some of the proposed residences will be within either 300 feet or 150 feet of the eastern property line adjacent to off-site farmland. In areas with a 300-foot setback, vegetative screening would not be required. In areas with a 150-foot setback, it is understood that vegetative screening will be installed.

Q7-4

The presentation also clarified that each planned residence will have individual fencing and that the eastern boundary of the project will have a separate perimeter fence.

Q7-5

On January 9, 2008, our committee determined that the East Area 1 Specific Plan proposes an agricultural buffer that is consistent with and meets the standards of the

Q7-6

APAC Agricultural/Urban Buffer Policy.

Q7-6  
Cont.

If you any questions concerning this letter please contact APAC Staff Planner, Rita Graham, at (805) 933-8415 / [rita.graham@ventura.org](mailto:rita.graham@ventura.org) and your inquiry will be forwarded to the committee.

Q7-7

Sincerely,



Charles Schwabauer, Chairman  
Agricultural Policy Advisory Committee (APAC)

Ventura County Agricultural Policy Advisory  
Committee Members:

|                    |              |
|--------------------|--------------|
| Roland Messori     | District 1   |
| Sanger Hedrick     | District 2 * |
| Bob Pinkerton      | District 3 * |
| Charles Schwabauer | District 4   |
| Tom Pecht          | District 5   |

\* These members stated a possible conflict of interest and withdrew from participation.

**Q7 RESPONSES TO COMMENTS FROM VENTURA COUNTY AGRICULTURAL  
ADVISORY COMMITTEE, RECEIVED FEBRUARY 4, 2008**

Q7-1 Comment noted. No response necessary.

Q7-2 Comment noted. No response necessary.

Q7-3 Comment noted. No response necessary.

Q7-4 Comment noted. No response necessary.

Q7-5 Comment noted. No response necessary.

Q7-6 Comment noted. No response necessary.

Q7-7 Comment noted. No response necessary.

**RESPONSES TO COMMENTS FROM COUNTY AGENCIES**

# RESOURCE MANAGEMENT AGENCY county of ventura

Planning Division

Kimberly L. Rodriguez  
Director

January 7, 2008

CITY OF SANTA PAULA  
JAN 08 2008  
RECEIVED

City of Santa Paula  
Attn: Janna Minsk, Planning Director  
P.O. Box 569/93061-0569  
200 South Tenth Street  
Santa Paula, CA 93060

C1

FAX #: 805-525-6660

Subject: East Area 1 Specific Plan

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document.

C1-1

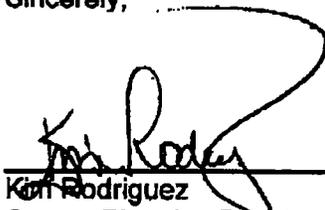
Your proposed responses to these comments should be sent directly to the commenter, with a copy to Chuck Anthony, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

C1-2

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Chuck Anthony at (805) 654-3683.

C1-3

Sincerely,

  
Kim Rodriguez  
County Planning Director

|                   |          |         |           |            |   |
|-------------------|----------|---------|-----------|------------|---|
| Post-It® Fax Note | 7671     | Date    | 1-8-08    | # of Pages | 8 |
| To                | J. Minsk | From    | K. Graves |            |   |
| Co./Dept.         |          | Co.     |           |            |   |
| Phone #           |          | Phone # | 654-2478  |            |   |
| Fax #             | 525-6660 | Fax #   |           |            |   |

Attachment

County RMA Reference Number 07-075

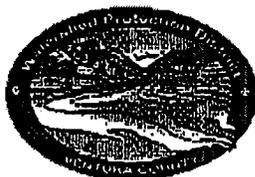
**C1    RESPONSES TO COMMENTS FROM COUNTY OF VENTURA RESOURCE  
MANAGEMENT AGENCY, RECEIVED JANUARY 7, 2008**

C1-1    Comment noted. No response necessary.

C1-2    Comment noted. No response necessary.

C1-3    Comment noted. No response necessary.

C2



**VENTURA COUNTY  
WATERSHED PROTECTION DISTRICT  
PLANNING AND REGULATORY DIVISION  
800 South Victoria Avenue, Ventura, California 93009  
PAUL CALLAWAY, Permit Manager - 805 654-2011**

**DATE:** December 20, 2007  
**TO:** Chuck Anthony, Resource Management Agency  
**FROM:** Paul Callaway, Permit Manager  
Watershed Protection District  
**SUBJECT:** RMA #07-075.EAST AREA 1 SPECIFIC PLAN  
SANTA PAULA

After review by Environmental Services, Water Resources and Planning and Regulatory of the Watershed Protection District, county of Ventura our comments are as follows for the above project:

Section 4.9 Hydrology and Water Quality. The mitigation measures described in Section 4.9.5 include allowances for grading during the rainy season (October 15 through April 15). The current Draft Ventura County Municipal Separate Storm Sewer System Order (NPDES No. CASOO4002), which is expected to be adopted in 2008, includes a prohibition on grading during the rainy season (October 15 through April 15) in the absence of a Board approved variance. While the current permit is in draft form, it is anticipated the final permit will be issued to the co-permittees before the end of 2008, which is expected to be in advance of City approval for construction permits. Since the City is a co-permittee and the prohibitions and requirements of the draft NPDES permit will apply in the City, the proposed development and mitigation measures that address water quality should, at this time, be designed in accordance with the pending development requirements and prohibitions of the aforementioned permit.

C2-1

Section 7.3.9 Cumulative Impacts Related to Hydrology and Water Quality. The discussion of cumulative water quality impacts in the DEIR is deficient. This discussion fails to disclose whether any of the runoff from this development would enter a listed impaired water body (i.e., the Santa Clara River) or a water body proposed for listing on the 2008 Section 303(d) list. Further, this section of the DEIR needs to be revised to competently describe whether the project's contribution to the cumulative impacts are cumulatively considerable in light of the current 303(d) listing on the Santa Clara River, and how such impacts would be mitigated.

C2-2

RMA 07-075

Page 2 of 2 pages

December 20, 2007

In addition, upon review of the East Area Specific Plan the Watershed Protection District notes several items that require the developers to work with the District to produce facilities that meet our life safety standards and facilities that will require permits from the District, these facilities include the upper and lower detention basins on Haun Creek/Orcutt Canyon Drain and the Santa Paula Street Bridge. The Developers should be advised to contact the District very early in their development planning to determine the District's requirements for these facilities, and connections to the Haun Creek and Santa Paula Creek, developers should also be conditioned to obtain permits from the District for all these facilities and to meet our standards which is that there must be no increase in peak runoff rate in any storm frequency. A detailed analysis of Haun Creek will be requested by the District.

C2-3

End of Text

**C2 RESPONSES TO COMMENTS FROM VENTURA COUNTY WATERSHED PROTECTION DISTRICT, PLANNING AND REGULATORY DIVISION, RECEIVED DECEMBER 20, 2008**

- C2-1 Comment noted. See Section 4.9 (Hydrology & Water Quality) of the FEIR's Clarifications & Revisions document.
- C2-2 Section 7.0 (Cumulative Impacts) of the Draft EIR was predicated on the assumption that all planned projects within the City's jurisdiction would comply with all applicable stormwater and water quality requirements contained within the Ventura County Municipal Storm Water Permit NPDES Permit No. CAS004002. The City of Santa Paula is a participating municipality under the County-wide permit. Under the terms of the permit, the Ventura County Watershed Protection District (VCWPD) and other co-permittees (i.e., City of Santa Paula) are required to implement NPDES Permit No. CAS004002 (including the Monitoring and Reporting Program, Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP), and Ventura Countywide Stormwater Quality Management Plan (SMP)). The analysis contained within Section 4.9 (Hydrology & Water Quality) of the Draft EIR determined that adherence to these requirements would result in less than significant impacts relative to water quality. A similar conclusion was made for the Cumulative Impact analysis contained within the Draft EIR. As such, receiving waters such as the Santa Clara River which are currently or proposed to be on the Section 303(d) list would not be adversely affected by the proposed project or by projects noted in Table 7-1 (Planned and Proposed Land Uses in the Vicinity of East Area 1 Specific Plan) of the Draft EIR.
- C2-3 Comment noted. See Section 4.9 (Hydrology & Water Quality) of the FEIR's Clarifications & Revisions document.

C3



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

**MEMORANDUM**

**DATE:** December 27, 2007  
**TO:** Resource Management Agency, Planning Division  
Attention: Chuck Anthony  
**FROM:** Nazir Lalani, Deputy Director *NLC*

**SUBJECT: REVIEW OF DOCUMENT 07-075, EAST AREA 1 SPECIFIC PLAN**  
Notice of Availability of Draft Environmental Impact Report (DEIR) for the City of Santa Paula East Area 1 Specific Plan. The East Area 1 Specific Plan consists of approximately 501 acres located within the unincorporated Ventura County, immediately east of the City of Santa Paula. The following uses are proposed: (1) 1,500 residential dwelling units, (2) up to a total of 285,000 SF of retail and office space, and up to 150,000 SF of light industrial and research and development space; and (3) approximately 375,800 SF identified for civic uses (high school, community college, etc.) and some 170 acres for open space and active parks. The project site is proposed for reorganization, including, without limitation, detachment from Ventura County and annexation to the City of Santa Paula.  
Applicant: Limoneira Company  
Lead Agency: City of Santa Paula

The Public Works Agency -- Transportation Department has reviewed the DEIR for the subject project. The project The following uses are proposed: (1) 1,500 residential dwelling units, (2) up to a total of 285,000 SF of retail and office space, and up to 150,000 SF of light industrial and research and development space; and (3) approximately 375,800 SF identified for civic uses (high school, community college, etc.) and some 170 acres for open space and active parks. The East Area 1 Specific Plan consists of approximately 501 acres located within the unincorporated Ventura County, immediately east of the City of Santa Paula. The project site is proposed for reorganization, including, without limitation, detachment from Ventura County and annexation to the City of Santa Paula.

C3-1

The PWA-Transportation Department offers the following comments:

- 1. We generally concur with the comments in the Initial Study for MND for those areas under the purview of the Transportation Department. Page 4.4-14 of the DEIR estimates that this project would generate approximately 30,329 daily trips in year 2020.

C3-2

2 The improvements at Telegraph Road and Hallock Drive should be paid for by the developer and not just pro rata share, as provided on Mitigation Measure T-2, Table 1-5 (Summary of Impacts, Mitigation Measures and Level of Significance after Mitigation) page 1-19. The intersection is operating at a satisfactory level of service, but at project build-out it will be at F. Almost all of the additional traffic on Hallock Drive, will be from this project. The EIR should be revised to reflect this change. C3-3

3. The improvements at Hwy 126 and Hallock Drive should be paid for by the developer and not just pro rata share, as provided on Mitigation Measure T-1, page 1-18. The intersection is operating at a satisfactory LOS, but at project build-out it will be at F. Almost all of the additional traffic on Hallock Drive, will be from this project. The EIR should be revised to reflect this change. C3-4

4. Mitigation Measure T-14, page 1-22, states that at the intersection of Faulkner Road and SR 126 ramps, the applicant must pay its pro rata cost to reconfigure the westbound approach by converting one through-lane to one left-turn lane. This mitigation measure should be included in the project condition. C3-5

5. The EIR should include the project specific impact, and mitigation measures for the impacts of additional traffic due to this project on Ventura County local roads and intersections, in particular to the segment of Telegraph Road from and to Santa Paula city limits. C3-6

6. The internal capture rates assumed in Table 4.4-9 (Project Trip Generation Estimates for Year 2020), are not consistent with ITE Trip Generation Manual data. The developer/permittee shall provide documents to support and justify these assumed internal capture rates. C3-7

7. The cumulative impacts that result from the incremental impact of traffic generated by this project, when added to other closely related past, present, and reasonably foreseeable probable future projects, may be individually minor, but collectively significant over a period of time. The EIR should address the cumulative impact of this project on County local roads and the Regional Road Network. To mitigate the cumulative impact of traffic, the EIR should include a condition for payment of the Traffic Impact Mitigation Fee (TIMF). The fee is due before the issuance of the building permit. C3-8

Based on the fee schedule established in accordance with County TIMF Ordinance Code 8601-0 et seq. for the area identified in the Ordinance as the Santa Paula Impact Fee District and the trip generation information provided in the DEIR, the fee due to the County is:

$$30,329 \text{ ADT} \times \$44.16/\text{ADT} = \underline{\$1,339,328.64}$$

The above estimated fee may be subject to adjustment at the time of deposit, due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record construction cost index. The above is an estimate only based on information provided in the DEIR.

8. Page 4.1-9, last paragraph (Consistency with General Plan and Non-Coastal Zoning Ordinances) of the DEIR, provides that the project site is proposed for reorganization, including, without limitation, detachment from Ventura County and annexation to the City of Santa Paula. In accordance with the Ventura LAFCO Commissioner's Handbook, section 3.2.1, cities shall annex entire roadway sections adjacent to territory proposed to be annexed and shall include complete intersections. The EIR should require conditions for annexing County roadways adjacent to this project, in particular, the segment of Telegraph Road from and to the City of Santa Paula city limits, and the whole segment of Ferris Drive.

C3-9

9. Truck routes for the construction of this project should also be identified in the EIR. Before start of construction, the Traffic Management Plan (TMP) must be submitted to the City of Santa Paula, County Transportation Department, and Caltrans. The TMP should provide mitigation measures acceptable to the Transportation Department for any impacts this project may have on the County local roads and network system; in particular, any impacts on Telegraph Road. The mitigation measures should be such that they can be reasonably enforced and guaranteed.

C3-10

10. The mitigation measure should include reconstruction of any damaged or defaced asphalt concrete paving and driveways per County Standards. Prior to commencing construction, the applicant will videotape the existing roadway impacted by this project. The videotape prepared and submitted by the applicant shall be used in conjunction with an after hauling inspection to determine, if any, of the above existing surface improvements were damaged by trucks during hauling. The TMP should also identify the truck routes the project proposes to use. The traffic control plan for any lane closures/reductions within the County right-of-way must be also approved by the County Transportation Department.

C3-11

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

C3-12

Please call me at 654-2080 if you have any questions.

**C3 RESPONSES TO COMMENTS FROM COUNTY OF VENTURA PUBLIC WORKS AGENCY, TRANSPORTATION DEPARTMENT, RECEIVED DECEMBER 27, 2008**

- C3-1 Comment noted. No response necessary.
- C3-2 Comment noted. No response necessary.
- C3-3 This intersection will operate at an unacceptable LOS for the Cumulative Base Scenario (i.e., without the proposed project). Therefore, the proposed project would contribute to the cumulative impact; and the applicant is only required to pay its pro-rata costs. Nevertheless, the proposed Development Agreement will require that the applicant construct this improvement and receive reimbursement for that portion of the cost in excess of its pro rata share.
- C3-4 This intersection will operate at an unacceptable LOS for the Cumulative Base Scenario (i.e., without the proposed project). Therefore, the proposed project would contribute to the cumulative impact; and the applicant is only required to pay its pro-rata costs. Nevertheless, the proposed Development Agreement will require that the applicant construct this improvement and receive reimbursement for that portion of the cost in excess of its pro rata share.
- C3-5 This comment recommends that the City consider requiring the project to make implement the improvements to the intersection of Faulkner Road and the SR 126 Ramps identified to mitigate project cumulative impacts rather than requiring payment of a pro rata share of the cost of these improvements. The traffic study indicates, in Table 16, that the project will contribute approximately 5% of the future traffic at this intersection. The proposed project, therefore, contributes to a cumulative impact at this intersection but does not result in a project level significant impact at this intersection. For this reason, payment of a pro rata share of the cost of the improvements needed to mitigate the identified cumulative impact is the most appropriate mitigation measure. Requiring the project to make the identified improvements would not be equitable given that the project will contribute only 5% of the total future traffic volume at this intersection.
- C3-6 The East Area 1 Specific Plan Area is located on the eastern edge of the City of Santa Paula. The project traffic study is comprehensive and addresses potential project and cumulative traffic impacts as 40 intersections. Telegraph Road to the east of Santa Paula is designated as SR 126 and impacts to the portion of SR 126 between Sespe Road and Hallock Drive are assessed in the traffic study. The traffic study indicates that the project will contribute a very small amount of traffic to the portion to Telegraph Road to the west of the Santa Paula. Impacts to the intersection of Telegraph Road and Peck Road on the western edge of the City are addressed in the traffic study. As shown in Figure 7A in the traffic study the project will generate few trips to Telegraph Road west of this intersection. During the morning peak hour, the project will generate 20 eastbound trips to the west of this intersection and 15 eastbound trips. During the evening peak hour, the project will generate only 15 eastbound trips on Telegraph Road west of Peck Road and 10 westbound trips.
- C3-7 The comment states that the internal capture rates used in estimating project trip generation are not consistent with ITE Trip Generation Manual data and requests additional justification. The methods and assumptions used to estimate trip generation for the proposed East Area 1 project are described on pages 4.4-14 through 4.4-17 of the Draft EIR. As shown in Table 4.4-9, reductions were made to several of the proposed land uses to account for their estimated

interaction with other uses on the site: retail, office and civic facilities, high school, elementary school and community college. The adjustments ranged from 5% to 75%, depending on the specific use. Taken together, the total estimated reduction in trips due to internal capture was 15% of the daily trips, 19% of the morning peak hour trips and 16% of the afternoon peak hour trips. These assumptions were developed in conjunction with City staff and the project team and, as noted in the Draft EIR, no additional trip adjustments were made for pass-by trips or transit trips.

In preparing the response to this comment, information in Chapter 7 of the “Trip Generation Handbook, 2<sup>nd</sup> Edition” (ITE, 2004) was reviewed again. A detailed methodology is presented for use in estimating the internal trip capture for residential, retail and office uses within mixed-use developments, such as the proposed East Area 1 development, for the midday peak hour, the p.m. peak hour and on a daily basis. Given the nature of the traffic impact analysis in the Draft EIR, which focuses on analysis of the a.m. and p.m. peak hour conditions at selected study intersections, the p.m. peak hour trip reductions were reviewed. That methodology suggests that approximately 6% of gross p.m. peak hour trips estimated for the entire project may be made between its residential, retail and office components. Given the facts that the City currently has six elementary schools and one high school and that, at full build-out, the proposed development within East Area 1 would increase the population of Santa Paula by up to 5,275 people (an increase of approximately 18%) (page 4.16-4), the assumptions made in the Draft EIR that 65% of the elementary school trips, 75% of the high school trips and 5% of the community college trips would be captured within the project area are not unreasonable. Taking these additional trips into consideration, the total internal trip capture for the project during the p.m. peak hour would be almost 19% of the gross trip generation. Thus, the total adjustments to the trip generation estimates that were made in the Draft EIR are slightly more conservative than, though generally consistent with, those based on the method described in the professional literature.

- C3-8 Comment noted. See Section 4.4 (Transportation & Circulation) of the FEIR’s Clarifications & Revisions document.
- C3-9 As part of its LAFCO annexation application, the City will request that the segment of Telegraph Road from and to the City limits and the whole segment of Ferris Drive be included in the proposal.
- C3-10 Section 3.0 (Project Description) (see page 3-28) of the Draft EIR noted that construction access (truck routes) would be via State Route 126, Hallock Drive and Telegraph Road. In addition see Section 4.4 (Transportation & Circulation) of the FEIR’s Clarifications & Revisions document for further information on the Traffic Management Plan (TMP).
- C3-11 Comment noted. See Section 4.4 (Transportation & Circulation) of the FEIR’s Clarifications & Revisions document.
- C3-12 Comment noted. No response necessary.

C4

VENTURA COUNTY  
AIR POLLUTION CONTROL DISTRICT

Memorandum

*Email  
formatted*

TO: Chuck Anthony/Kristine Graves, Planning

DATE: January 7, 2008

FROM: Alicia Stratton

SUBJECT: Request for Review of a Draft Environmental Impact Report (DEIR) for the East Area 1 Specific Plan, City of Santa Paula (Reference No 07 075)

Air Pollution Control District staff has reviewed the subject project, which is specific plan consisting of 501 acres located within unincorporated Ventura County, immediately east of the city of Santa Paula. The following uses are proposed: 1,500 residential dwelling units, 285,000 sq. ft. of retail and office space, and up to 150,000 sq. ft. of light industrial and research and development space, and 375,000 sq. ft. of civic uses (high school, community college, etc.), and 170 acres for open space and parks.

C4-1

Section 4.5 of the of the DEIR address air quality issues pertaining to the project. We concur with the findings of this discussion that significant short-term and operational air quality impacts would result from the project. The mitigation measures described in Sections 4.5.5.1, 4.5.5.2, 4.5.5.3, 4.5.5.4 and 4.5.5.5 will minimize short-term and operational air quality impacts from the project. Further, we note that the Health Risk Assessment described in Section 4.4 concludes that potential health risks from the project would be less than significant. Our Air Toxics expert has reviewed the Health Risk Assessment and concurs with its findings.

C4-2

If you have any questions, please contact Alicia Stratton at 645-1426 or by email me at [alicia@vcapcd.org](mailto:alicia@vcapcd.org).

**C4    RESPONSES TO COMMENTS FROM VENTURA COUNTY AIR POLLUTION  
CONTROL DISTRICT, RECEIVED JANUARY 7, 2008**

C4-1    Comment noted. No response necessary.

C4-2    Comment noted. No response necessary.

County of Ventura  
Planning Division  
MEMORANDUM

C5

TO: Chuck Anthony  
FROM: Bruce Smith, Manager  
General Plan Section

DATE: January 7, 2008

SUBJECT: Draft Environmental Impact Report for East Area 1 Specific Plan Draft EIR  
(Santa Paula)  
Reference No. 07-075

The Ventura County Planning Division has reviewed the Draft Environmental Assessment/Environmental Impact Report (DEIR) for the above Specific Plan project. We offer the following comments:

**Description** - The proposed project would add 1,500 dwelling units (a mix of single-family detached, single-family attached, multi-family and work-live units), 285,000 square feet of commercial floor area, 150,000 square feet of industrial floor area and 375,000 square feet of civic floor area. The project also includes a community college site, high school site, elementary school site, a community park and several smaller neighborhood parks, linear parks, town greens, plazas and trailhead parks.

C5-1

**Circulation** - Access to the project site is limited to Santa Paula Street and Hallock Drive, which are both located in the southwest corner of the parcel. Given the number of dwelling units proposed, we recommend that the City of Santa Paula require several additional fully improved public access points. The most feasible points of access appear to be Say Road to the west, Dike Road and Padre Lane to the south and Peres Lane to the east.

C5-2

As a related matter, we note that the Fire Department has determined that the project has insufficient emergency access. Mitigation T-17 would require additional emergency access as required by the Fire Department however the additional emergency access roads are not disclosed.

C5-3

**C5 RESPONSES TO COMMENTS FROM COUNTY OF VENTURA, PLANNING DIVISION, RECEIVED JANUARY 7, 2008**

C5-1 Comment noted. No response necessary.

C5-2 The comment recommends that the City of Santa Paula require several additional roadway links to the surrounding street system based on the number of housing units proposed within the East Area 1 project site.

The proposed development within East Area 1 would take access through a northward extension of Hallock Drive and an eastward extension of Santa Paula Street. While it is acknowledged that additional vehicular access points to the project site would enhance its accessibility, it would be adequately served by the two proposed roadway links. The proposed East Area 1 Specific Plan was developed in close coordination with City of Santa Paula staff over the course of several years, including staff of the Planning, Public Works and Fire Departments, and the City of Santa Paula did not submit a comment letter on the Draft EIR. The two roadway connections that are proposed are identified in the Circulation Element of the Santa Paula General Plan as required at the time East Area 1 is developed (page CI-28). That document also identifies one additional roadway improvement to provide access to the project site, a short one-way connection from westbound SR-126 to Telegraph Road. The Draft EIR includes a detailed traffic impact analysis which assessed the need for that roadway link and determined that it would not be necessary to provide adequate access to the site; that is, with the identified mitigation measures traffic operations at the analyzed intersections would be at acceptable levels of service.

C5-3 The comment incorrectly states that Santa Paula Fire Department has determined that the project has insufficient emergency access and that mitigation measure T-17 would require additional emergency access roads. In fact, the City of Santa Paula did not submit a comment letter on the Draft EIR and no such determination has been made.

As stated in the response to Comment C5-2, the proposed East Area 1 Specific Plan has been developed in close consultation with City staff, including the Fire Department. Based on information and analysis in the Draft EIR (page 4.4-35), the proposed primary and secondary roads in the project area would provide less than the 20-foot roadbed required to allow one response vehicle to pass another because curb parking would be permitted. Therefore a potentially significant adverse impact was identified. The identified impact is not related to the presence of emergency access roads, but rather to the design of the proposed roads within the project site. The mitigation identified for this potential emergency access impact calls for individual development projects brought forward within the framework of the proposed specific plan to submit emergency access plans to the Santa Paula Fire Department for review and approval. It requires that the Department's recommendations be fully complied with at that time.



CITY OF FILLMORE

CENTRAL PARK PLAZA  
250 Central Avenue  
Fillmore, California 93015-1907  
(805) 524-3701 • FAX (805) 524-5707

February 12, 2008

C6

Ms. Janna Minsk  
City of Santa Paula  
Planning Director  
200 S. Tenth Street  
Santa Paula, CA 93060

Subject: Comment letter on Draft Environmental Impact Report for the Santa Paula East Area 1 Development Project

Dear Ms. Minsk:

Thank you for providing the City of Fillmore with the opportunity to comment on the Draft Environmental Impact Report for the Santa Paula East Area 1 development project in the City of Santa Paula. C6-1

The proposed project involves the construction of 1,500 residential dwelling units, and commercial, industrial and institutional land uses on approximately 501 acres within an area known as East Area 1 within the City of Santa Paula's Sphere of Influence. The project site is located immediately east of the existing City of Santa Paula city limits. C6-2

The project site is located within the Santa Paula-Fillmore greenbelt. This greenbelt was established via a resolution of approval in 1980 and covers approximately 34,200 acres. The eastern boundary of the agreement lies at the Sespe Creek adjacent to the City of Fillmore and the western boundary runs down along Santa Paula Creek. The southern boundary is the South Mountain ridgeline and Oak Ridge, and the northern boundary lies at the Los Padres National Forest boundary. C6-3

Replacement acreage should be identified and agreements secured to compensate for acreage removed from the Santa Paula-Fillmore greenbelt area. Further, the City of Fillmore would like for the amended Santa Paula-Fillmore Greenbelt Agreement to be adopted via an Ordinance. C6-4

Thank you for the opportunity to comment on the Santa Paula East Area 1 Draft Environmental Impact Report. Please feel free to contact me at (805) 524-3701 if you should have any questions regarding this correspondence. C6-5

Regards,

Steve Conaway  
Mayor  
City of Fillmore

**C6 RESPONSES TO COMMENTS FROM THE CITY OF FILLMORE, RECEIVED FEBRUARY 12, 2008**

C6-1 Comment noted. No response necessary.

C6-2 Comment noted. No response necessary.

C6-3 Comment noted. No response necessary.

C6-4 As noted within Section 4.2 (Agricultural Resources) of the Draft EIR, a total of 55 acres of agricultural lands contained within the East Area 1 project site will remain in active production. This area has been identified as an Agricultural Preserve in the East Area 1 Specific Plan. In addition, a conservation easement will also be recorded over 34 acres of agricultural land located within the southwest portion of the City's Area of Interest. The City would also note that some 79 acres of Open Space located immediately adjacent to the proposed Agricultural Preserve is also proposed within the Specific Plan. Therefore, the total acreage proposed for conservation would be 168 acres of which 134 acres would remain in the Santa Paula-Fillmore Greenbelt.

Comment noted concerning the City of Fillmore's recommendation that the amendment of the Santa Paula-Fillmore Greenbelt be adopted via Ordinance.

C6-5 Comment noted. No response necessary.

C7

**Janna Minsk**

---

**From:** Katrina Rice Schmidt [schmidt@ci.ojai.ca.us]  
**Sent:** Monday, January 07, 2008 3:35 PM  
**To:** Janna Minsk  
**Cc:** Jere Kersnar  
**Subject:** East Area 1 Specific Plan EIR

Janna:

Thank you for giving the City of Ojai the opportunity to review the Draft EIR for the East Area 1 Specific Plan. | C7-1

Based upon the project description and the impact discussion, City of Ojai staff has no comments regarding the Draft EIR. | C7-2

~~~~~  
Katrina Rice Schmidt, AICP  
City Planner  
City of Ojai  
401 S. Ventura St.  
PO Box 1570  
Ojai, CA 93024  
(805) 640-2555

**C7    RESPONSES TO COMMENTS FROM THE CITY OF OJAI, RECEIVED  
JANUARY 7, 2008**

C7-1    Comment noted. No response necessary.

C7-2    Comment noted. No response necessary.

**RESPONSES TO COMMENTS FROM THE GENERAL PUBLIC**



**Sierra Club**

Los Padres Chapter

Santa Barbara and Ventura Counties

Arguello Group

Conejo Group

Santa Barbara Group

Sespe Group

Alan Sanders  
Conservation Chair  
232 N. Third St.  
Port Hueneme Ca. 93041  
805-488-7988  
alancatdaddy@aol.com

January 7, 2008

Janna Minsk  
City of Santa Paula  
P.O. Box 569/ 93061-0569  
200 South Tenth Street  
Santa Paula. Ca 93060

**GP1**

**RE: Draft Environmental Impact Report No. SCH # 2006071134 for East Area 1, Santa Paula**

**INTRODUCTION**

Dear Ms. Minsk,

The Sierra Club, Los Padres Chapter, has had a long history of involvement with efforts to protect sensitive habitat areas, open spaces and agricultural lands in Ventura County.

We have examined the Draft Environmental Impact Report, ("DEIR") for the location known as the East Area 1("SSP") project, hereinafter referred to as the ("Project").

The DEIR for this Project is fatally flawed by both procedural and substantive deficiencies and is inadequate as a matter of law under the California Environmental Quality Act, ("CEQA") because: 1) The project description is unclear and incomplete; 2) The DEIR fails to adequately discuss the Project's environmental setting; 3) The DEIR fails to identify and adequately discuss significant environmental effects of the Project; 4) The DEIR fails to properly identify and discuss cumulative impacts of the Project; 5) The DEIR fails to consider growth inducing impacts; 6) The proposed mitigation measures are inadequate as a matter of law; 7) The DEIR fails to consider social and economic impacts; 8) The DEIR fails to adequately discuss alternatives to the proposed project; 9) The DEIR must comply with CEQA.

GP1-1

Therefore, the Club recommends that the draft document be revised and recirculated as required by Public Resources Code Section ("PRCS") 21000 *et seq.*, and the CEQA Guidelines, California Code of Regulations, title 14, section 1500 *et seq.*, ("CEQA Guidelines").

Moreover, the DEIR contains only the most truncated "analysis" of the far-reaching environmental consequences of the Project. In most instances, the DEIR systematically disregards the severity of most of the Project's environmental impacts. This failure is especially apparent in regards to the DEIR's analysis of biological impacts. While noting that the area provides habitat for several endangered, threatened and rare plant and wildlife species, the DEIR makes no attempt to actually analyze the Project's impacts on those species. The document's treatment of impacts related to loss of agricultural resources is equally flawed. In a glaring omission, the DEIR fails to provide any mitigation for the loss of County farm land that would occur upon implementation of the Project. This deficiency is especially disturbing inasmuch as

GP1-2

the process of adoption of the proposed plans presents a tremendous opportunity to preserve agricultural land and to adopt a farm land preservation program.

GP1-2  
Cont.

The DEIR also fails to adequately identify or analyze a reasonable range of alternatives to the Project that could potentially reduce adverse impacts, as is required by CEQA. The DEIR fails to consider broad land use considerations, and alternative approaches to habitat restoration, agricultural land protection, recreational uses, and transportation planning. The document’s alternatives analysis focuses on only a few issues.

GP1-3

Perhaps most important, the DEIR’s failure to provide the requisite impact analysis undermines the opportunities and advantages of the environmental review process.

GP1-4

Because the DEIR fails to honestly evaluate the need for habitat restoration, agricultural land protection, recreational uses, and transportation planning, the document fails to sufficiently analyze impacts and mitigation measures, does not identify an acceptable range of alternatives to the proposed Project, and all but ignores the Project’s cumulative impacts. Only by circulating a corrected document can the public, decision-makers, and the affected agencies be adequately informed of the Project’s environmental repercussions.

GP1-5

**THE DEIR DOES NOT COMPLY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

**1. The DEIR Fails to Provide an Adequate Project Description**

Under CEQA, the inclusion in the EIR of a clear and comprehensive description of the proposed Project is critical to meaningful public review.

Here the DEIR omits important information relating to details of the Project which are necessary to ascertain the validity of the environmental impact analysis. Specifically, the Project’s proposal to urbanize an area that is now characterized by sensitive habitat areas and agricultural lands is not evaluated in terms of conflicts with County zoning, greenbelts and the CURB line. Additionally there are plans to widen local roadways purportedly to accommodate traffic flows at a particular level of service (“LOS”) that is completely unjustified in the DEIR.

GP1-6

The project description obtained in the DEIR fails to identify and discuss critical aspects of the project. For example, the project could include substantial amendments to CURB lines. The required amendments to the greenbelt agreements and CURB lines thus constitute major revisions to a central policy that governs the entire east area, not just the area of the Project site. The failure of the DEIR to provide any discussion of these major aspects of the Project renders the Project description fatally deficient.

In a similar vein, the proposed amendments to the zoning ordinance will affect an area much larger than the footprint of the identified developments. Although the proposed language included in the documents provided to the public is unclear, it appears that the City is proposing to create a new class of “uses” in the area that are currently not permitted. These new or revised uses include general commercial uses, industrial uses, and impacts related to the proposed residential and industrial development.

## 2. The DEIR Fails to Adequately Discuss the Project's Environmental Setting

An EIR “must include a description of the environment in the vicinity of the project, as it exists before the commencement of the project, from both the local and a regional perspective.” Knowledge of the regional setting is critical to the assessment of environmental impacts. CEQA requires that special emphasis be placed on environmental resources that are rare or unique to the region that would be affected by the project.

An EIR’s description of a project’s environmental setting plays a crucial part in all of the subsequent parts of the EIR because it provides “the baseline physical conditions by which a lead agency determines whether an impact is significant.” The DEIR’s discussion of the area’s existing biological resources is sorely deficient.

Ventura County is host to over 100 special status species. The project area provides habitat at various times for many of these species. The survival of these species and capacity for reproduction in the wild are in immediate jeopardy. Many of these species are currently experiencing a dramatic rate of decline. Given the magnitude of these issues, one would expect the DEIR to have included comprehensive surveying and mapping of these resources. Instead, the document merely contains a rather shallow representation of the general locations of generic plant and animal species. The DEIR has failed to identify area migration corridors. Absent this environmental information, it is simply not possible for the DEIR to estimate how implementation of the proposed plans would impact the area’s sensitive biological resources, or its wildlife movement corridors.

GP1-7

A draft EIR must discuss any inconsistencies between the proposed project and existing general plans and regional plans, including, but not limited to, air quality control plans, and regional transportation plans.

## 3. The DEIR Fails to Adequately Analyze and Mitigate the Project’s Significant Environmental Impacts

Meaningful analysis of impacts effectuates one of CEQA’s fundamental purposes: to “inform the public and responsible officials of the environmental consequences of their decisions before they are made.” The DEIR fails to fulfill this paramount CEQA purpose, both because it neglects to present all relevant facts relating to the Project’s potential environmental impacts and because its cursory conclusions are based upon no analysis.

A draft EIR must identify and focus on the possible significant environmental effects of a proposed project.

GP1-8

The DEIR for the Project fails to identify a number of potential effects of the Project that are significant within the meaning of CEQA. The DEIR further fails to adequately or accurately discuss certain of the effects that are identified. The following considers land use, biological, visual quality, air and water quality, traffic and noise, and public safety impacts in turn.

The DEIR should conclude that the planned widening of roads will have a direct, significant impact on migration corridors and possibly on other biological resources as well. Given the extensive biological resources in the area, the impacts to these resources would be significant. The DEIR, however, contravenes CEQA because it fails to actually analyze these significant impacts. CEQA requires that an EIR must be detailed, complete, and reflect a good faith effort at full disclosure.

The DEIR’s treatment of biological resources impacts does not come close to meeting this legal standard. Indeed, with the exception of a limited discussion relating to the potential for a few select problems with wildlife, the DEIR never addresses the actual and specific consequences to the area’s endangered, threatened and rare species from the impacts created by the Project. Once the DEIR conducts the necessary surveys and mapping, it must analyze the loss of habitat that would occur as a result of the Project. A revised document must, for example, correlate an individual aspect of the project to sensitive habitat and sensitive species, analyze the severity and extent of habitat loss in the context of the quality of the habitat, identify the specific species that would be impacted, and, finally, analyze the significance of the expected impacts in light of these facts. Unless and until the EIR is revised to provide a comprehensive analysis of impacts to the area’s myriad biological resources, the public and decision-makers will remain uninformed as to whether the magnitude of project components contemplated by the DEIR will destroy the biodiversity of the area.

GP1-9

**a) Land Use**

A project is normally considered to have a significant effect on the environment if it will “conflict with adopted environmental plans and goals of the community where it is located.” The project will conflict with the adopted land use plans for the County, which prohibits development that harms agriculture, sensitive habitat areas and wildlife. The Project clearly will have a significant effect on the environment in this regard.

GP1-10

The DEIR completely misses the point that although most of the impacts on sensitive habitats would be characterized as "indirect impacts," they are nevertheless devastating to the area. In fact, the level of adversity created by indirect impacts may sometimes exceed the level of adversity created by direct impacts, especially when dealing, as in this case with unique, sensitive habitats. Therefore the DEIR must come to grips with the reality that even though the projects goals don't include destruction of sensitive habitat areas and the resident species, this is exactly the predictable result and that there is mitigation for all of the impacts that follow.

GP1-11

The DEIR fails to consider the effects of conflicts with existing land uses. The DEIR must evaluate the impacts associated with the project on Base Land Use, upon Social and Cultural impacts and upon economic impacts.

GP1-12

Residential development within the proximity of agricultural areas creates a significant adverse impact that has no listed mitigation.

Industrial and/or commercial development with the proximity of NBPM creates a significant adverse impact that has no listed mitigation.

The DEIR should identify that annexation should be listed as Class I unmitigated significant impacts because:

- 1) The proposal would create or result in corridors, peninsulas, or flags of city or district areas or would otherwise cause or further the distortion of existing boundaries.
- 2) The proposal would result in a premature intrusion of urbanization into a predominantly agricultural area.

GP1-13

- 3) The proposal is inconsistent with state law, adopted spheres of influence, adopted general or specific plans, or these policies.
- 4) For reasons of topography, distance, natural boundaries, or like considerations, the extension of services would be financially infeasible, or another means of supplying services by acceptable alternatives is preferable.
- 5) Annexation would encourage a type of development in an area that due to terrain, isolation or other economic or social reasons, is not in the public interest.
- 6) The proposal appears to be motivated by inter-agency rivalry or other motives not in the public interest.
- 7) The proposed boundaries do not include logical service areas or are otherwise improperly drawn.

GP1-13  
Cont.

#### **b) Biological Resources**

A finding of significance is mandatory when a project “has the potential to substantially degrade the quality of the environment” to “reduce the number or restrict the range of a rare or endangered plant or animal community.” A project is normally considered to have a significant effect on the environment if it will: “Substantially affect a rare or endangered species of animal or plant or the habitat of the species;” “interfere substantially with the movement of any resident or migratory fish or wildlife species,” or “substantially diminish habitat for fish, wildlife or plants.” CEQA Guidelines, Appendix G (c), (d), (t).

The biological information contained in the DEIR does not provide substantial evidence in support of a finding that the Project will not have a significant effect on wildlife species. Although the DEIR devotes substantial attention to assembling some data on wildlife species in the area, this analysis is devoted largely to the footprint of the developments to the exclusion of the surrounding agricultural lands and sensitive habitat areas.

GP1-14

The DEIR failed to document the full range of wildlife or sensitive species likely to be found within the project area.

The most striking deficiency in the DEIR’s biological analysis is the lack of coordination with local experts and other responsible agencies in developing comprehensive and current surveys of bird species in the area. For this reason alone, the DEIR’s biological analysis is patently deficient.

#### **c) The DEIR Fails to Adequately Identify or Analyze the Air Quality Impacts that Would Result From Implementation of the Project**

A project will normally be considered to have a significant effect on the environment if it will “violate any ambient air quality standards, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations.” The Project will result in the emission of subject pollutants in a nonattainment zone. Accordingly, the Project will result in, or contribute to the violation of a local air quality standard, and is inconsistent with local and state air quality plans that mandate reductions in emissions.

GP1-15

The essential argument of the DEIR appears to be that since air quality in the area is already degraded, the additional degradation caused by the project will not be significant. The courts, however, have expressly rejected this kind of analysis of significant impacts, which seeks to minimize individual

impacts by measuring them against combined effects. The courts have instead demanded that effects be viewed cumulatively, with the significance of the impacts determined on the basis of considering project impacts together with combined effects.

Ventura County is a non-attainment area for the federal 8-Hour Ozone Standard and the State P.M.-10 Standard. As such, the DEIR should have fully analyzed the consequences of implementing the Project on air pollution levels and the County's ability to attain air quality standards. CEQA requires an EIR to analyze the severity and extent of the impact. Once again, the DEIR makes no attempt to quantify the increase in emissions resulting from the increase in population, nor to model the effect that the increased emissions would have on attainment projections. The DEIR must provide this analysis.

The DEIR's air quality "analysis" ignores altogether the air quality impact of widening area roadways contemplated by the Project. The correlation between air pollution and vehicular emissions is well documented. The DEIR's complete failure to identify the increase of air emissions and the effect that these emissions would have on the attainment of ozone and particulate standards triggers the need for recirculation of the DEIR.

GP1-15  
Cont.

The flaws in the DEIR's air quality analysis extend beyond its failure to adequately identify and analyze the impacts relating to ozone in PM-10. California has classified the particulate fraction of diesel exhaust as a toxic air contaminant and established toxicity criteria for those emissions. Diesel exhaust causes cancer and other serious health effects. Implementation of the roadway expansion portion of the project combined with increased daily vehicle trips generated by project plans would likely result in a substantial increase in diesel particulate emissions. Sources of these diesel emissions include increased truck travel along expanded roads, and the heavy-duty construction equipment used to construct the project. The revised DEIR should identify the increase in diesel particulate emissions from implementation of the Project and provide an analysis on the health effects from these increased emissions. The revised DEIR should also identify and analyze the feasibility of implementing alternatives to diesel.

**d) The DEIR Fails to Adequately Identify and Analyze the Traffic Impacts that Would Result From the Project**

The DEIR fails to attempt to assess the actual effect on traffic that would result from implementation of the roadway projects. Data on additional intersections is necessary. Assessments made on the reduction of Levels of Service, ("LOS") due to previous projects or proposed mitigations are inaccurate, always underestimating LOS levels and therefore minimizing the listed traffic impacts. The public and decisionmakers want to know how the project will alter driving time and congestion along particular routes. This isn't clear with the DEIR. In order for the public and decision-makers to understand the traffic consequences of the Project, the DEIR must acknowledge that the roadway projects would result in a significant increase in traffic and analyze the consequences of this increased traffic.

GP1-16

The Project's approach to building its way out of apparent traffic congestion is especially troubling in light of the DEIR's failure to justify the need for the roadway projects. The City should revise the DEIR's project description to fully explain the correlation between the updated demographic projections and the need to widen area roadways.

In sum, the failure of the DEIR to accurately portray the existing and projected traffic levels and the need for the roadway projects contemplated by the Project undercuts the legitimacy of the environmental impact analysis. In addition, because the DEIR fails to actually analyze the traffic consequences of roadway projects, as required by CEQA, the DEIR must be revised and recirculated.

A project normally will be considered to have a significant environmental impact if it will “cause an increase in traffic which is substantial in relation to the existing traffic load and the capacity of the street system.” The location for the proposed projects will require the alternation of roadways. The Project would contribute to a significant increase in traffic on adjacent county roads and city streets that is not considered within the DEIR.

GP1-16  
Cont.

**e) The DEIR Fails To Adequately Mitigate Impacts Relating To The Loss Of Agricultural Land**

The DEIR identifies that the Project would result in the loss of several hundred acres of agricultural lands resulting from implementation of the proposed specific plans. This loss of agricultural lands would constitute a significant impact on the environment. Rather than identify feasible mitigation measures capable of minimizing impact, the DEIR cites the goal of the Project as proposed.

GP1-17

The DEIR’s failure to conduct the necessary study to determine the feasibility of a farm land preservation program clearly violates state law.

**f) Water**

State law now requires that future sources of water be identified. The DEIR claims that water supplies are adequate but fails to provide a detailed analysis to support this conclusion. The balance of water present in two local aquifers is dependent upon regional, seasonal water flow. More information is needed on the total water available to all parties so that the DEIR can evaluate the true amount of water available for the project.

GP1-18

**4. The DEIR fails to adequately analyze the cumulative impacts of the Project.**

An EIR must discuss significant “cumulative impacts.” Because the project area provides habitat for a vast array of sensitive species, and because implementation of the Project would significantly impact these species, the DEIR should have carefully analyzed the cumulative impacts to biological resources. Incredibly, the DEIR contains no analysis whatsoever of the Project’s cumulative impact upon biological resources. The DEIR makes no attempt, for example, to identify projected development plans and projects for other jurisdictions in the area. The DEIR’s failure to analyze the cumulative impacts from all of these other projects triggers the requirement that the EIR be revised and recirculated.

GP1-19

In analyzing the “cumulative impacts” of a project, an EIR must consider “the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects.” The DEIR apparently relies on the “list” method for its analysis of cumulative impacts. The list of projects provided, however, is incomplete. Furthermore, the discussion of the cumulative impacts of the listed projects is inadequate.

Additionally, after adoption of the existing General Plan, the City has acted to annex substantial amounts of acreage outside the City’s sphere of influence. The City is currently working toward several similar annexations. Therefore, analysis of cumulative impacts cannot be confined just to areas within the city limits, sphere of influence, or the CURB line.

**5. The DEIR Fails to Adequately Identify or Analyze the Project’s Growth-Inducing Impacts**

GP1-20

CEQA requires that an EIR include a “detailed statement” setting forth the growth-inducing impacts of the proposed project. The statement must “discuss the ways in which the proposed project could foster economic growth, or the construction of additional housing, either directly or indirectly in the surrounding environment.” It must also discuss how projects “may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively” or “remove obstacles to population growth.”

The planned widening of the area road network could have growth-inducing effects. But rather than generally discuss where and when this growth would occur or evaluate the environmental impacts associated with this growth, the DEIR merely states that impacts of this growth are addressed in other sections of the EIR. We cannot find any evidence that the DEIR has, in fact, analyzed the effect of this growth anywhere in the DEIR. Moreover, the DEIR fails to address impacts that may result from the area east of the Project site where the SOAR ordinance has effect, that project-related but SOAR-exempt components of the Project can be located.

GP1-20  
Cont.

While the DEIR need not predict the precise form, location and amount of commercial and residential development resulting from the proposed Project, it must attempt to describe the general form, location and amount of such development that now seems reasonable to anticipate. The revised DEIR must include this analysis.

#### **6. The mitigation measures for the project are inadequate as a matter of law.**

Under CEQA, mitigation measures must be capable of “avoiding,” “minimizing” or “reducing” potential environmental impacts. Agencies may not rely on mitigation measures of unknown efficacy in concluding that significant impacts will be lessened or avoided. When mitigation measures may result in significant effect, these effects must also be analyzed.

Under these principles, the mitigation measures proposed for the Project are inadequate as a matter of law.

With respect to impacts on biological resources, the DEIR completely fails to understand both the nature of numerous significant indirect impacts created by the Project or the type of mitigations required to have any effect on minimizing the impacts that are created.

GP1-21

CEQA requires that mitigation measures be identified and analyzed. “Purpose of an environmental impact report is...to list ways in which the significant effects of such a project might be minimized....”

In the present case, the DEIR’s failure to conduct an analysis of the impacts to biological resources renders it unable to identify proper mitigation for such impacts or to propose alternatives that could alleviate them. Amazingly, rather than propose realistic mitigation measures, the DEIR looks to the good will of other agencies and individuals to develop, implement and fund required mitigations.

Because many impacts to biological resources will be significant, the detailed analysis of environmental analysis must be performed now. Though forecasting the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.” *Id.* at 206. Citing CEQA Guidelines Section 15144.

In light of the flaws identified above, the EIR must be substantially revised and recirculated before the City can properly consider approving the Project.

**7. THE DEIR Fails To Consider And Mitigate Social And Economic Impacts**

The project does nothing to help the working class people of Santa Paula.

GP1-22

**8. The DEIR Fails To Adequately Describe A Reasonable Range of Alternatives to the Proposed Project.**

CEQA requires the analysis of feasible alternatives to projects. The DEIR largely fails to identify a reasonable range of on- and offsite alternatives as required by CEQA.

Every EIR must describe a range of alternatives to the proposed project and its location that would feasibly attain the Project's basic objectives while avoiding or substantially lessening the Project's significant impacts. A proper analysis of alternatives is essential for the DEIR to comply with CEQA's mandate that significant environmental damage be avoided or substantially lessened where feasible.

Implementation of the project plans would significantly impact the area's biological resources, farm lands, air quality, cultural resources, and the character of several communities. Although the DEIR includes purported "alternatives" to the Project, these alternatives are not developed to the same level of serious consideration as is given to the preferred project. Unfortunately, these alternatives are no substitute for a true alternatives analysis that would address all of the other issues that are present within the project location area.

GP1-23

Ventura County is at a crossroads. While retaining much of its agricultural and rural charm, the County is rapidly changing by adopting the same land use and traffic characteristics of its southern neighbors. Unfortunately, Ventura County is insufficiently supported by any real alternatives to the automobile. The DEIR now has an important opportunity to implement a more balanced approach to land use development and transportation planning by adopting objectives, principles and standards designed to protect the diminishing resources in the County. Specifically, the City should take any and all action to substantially alter residents' current dependence on the private automobile. The revised DEIR must include an alternative that embraces forward-looking and comprehensive land use and transportation planning designed to protect the environment and maintain quality of life for those living and working in this area.

In addition to the DEIR's failure to identify and analyze a credible range of alternatives, the document also fails to provide an adequate comparative environmental evaluation of project alternatives. The EIR must include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed Project. Here, the DEIR fails to provide the requisite comparative analysis of the few alternatives it does provide.

The document provides no detailed analysis—and certainly no quantification—addressing the environmental impacts likely to result from each alternative. The revised DEIR should provide this analysis.

**9) The DEIR Should Be Redrafted and Recirculated.**

GP1-24

CEQA requires recirculation of a revised DEIR “when significant new information is added to an environmental impact report” after public review and comment on the earlier DEIR. The opportunity for meaningful public review of significant new information is essential “to test, assess, and evaluate the data and make an informed judgment as to the validity of the conclusions to be drawn therefrom.” An agency cannot simply release the draft report that “hedges on important environmental issues while deferring a more detailed analysis to the final [EIR] that is insulated from public review.”

In order to cure the panoply of DEIR defects identified in this letter, the City will have to obtain substantial new information to adequately assess the impacts from the proposed Project and to identify effective mitigation capable of alleviating these significant impacts. CEQA requires that the public have a meaningful opportunity to review and comment upon this significant new information in the form of a recirculated draft EIR.

GP1-24  
Cont.

**CONCLUSION:** For the foregoing reasons, the Sierra Club urges the City to delay further consideration of the Project unless and until it prepares and recirculates a revised draft EIR that fully complies with CEQA and the CEQA Guidelines.

Thank you for your consideration.

Sincerely,  
  
Alan Sanders

|                                 |
|---------------------------------|
| Alan Sanders                    |
| Conservation Chair              |
| Sierra Club, Los Padres Chapter |

**GP1 RESPONSES TO COMMENTS FROM SIERRA CLUB, LOS PADRES  
CHAPTER, RECEIVED JANUARY 7, 2008**

- GP1-1 Comment noted. See responses GP1-2 through GP1-24 below of this FEIR's Responses to Comments document.
- GP1-2 Comment noted. See responses GP1-3 through GP1-24 below of this FEIR's Responses to Comments document.
- GP1-3 Comment noted. See responses GP1-4 through GP1-24 below of this FEIR's Responses to Comments document.
- GP1-4 Comment noted. See responses GP1-5 through GP1-24 below of this FEIR's Responses to Comments document.
- GP1-5 Comment noted. See responses GP1-6 through GP1-24 below of this FEIR's Responses to Comments document.
- GP1-6 Section 3.0 (Project Description) of the Draft EIR provides a comprehensive and detailed project description of the proposed project's components and discretionary actions and is in compliance with Section 15124 of the California Environmental Quality Act (*CEQA Guidelines* (2007)).

Sections 4.1 (Land Use & Planning) and 4.2 (Agricultural Resource) of the Draft EIR contained a detailed discussion of the project's potential impacts relative to Ventura County zoning, greenbelts and the City of Santa Paula's City Urban Restriction Boundary (CURB). We would also note that Section 4.4 (Transportation & Circulation) of the Draft EIR also discussed in detail the need for roadway widening in order to address project-related increases/decreases in level of service (LOS) along area roadways.

Section 3.0 (Project Description) of the Draft EIR (see pages 3-6 and 3-29) note that the proposed project is located outside of the City's existing CURB and that discretionary actions, among other things, would require its amendment. In addition, page 3-7 of the Draft EIR contains a detailed discussion of the Santa Paula-Fillmore Greenbelt Agreement. As noted previously, Sections 4.1 and 4.2 of the Draft EIR address potential impacts associated with the CURB and Santa Paula-Fillmore Greenbelt Agreement. We would also note that the City's General Plan contemplated amending the Santa Paula-Fillmore Greenbelt as part of actions associated with the East Area 1 project (a planned urban Expansion Area). Inherent in these assumptions was the acknowledgement that the CURB would need to be amended, pending voter approval. Both the CURB and Santa Paula-Fillmore Greenbelt Agreement are but two of many policy guidelines identified within the City's General Plan to guide development within the East Area 1 Expansion Area and the City as a whole.

The East Area 1 project site is currently located within unincorporated Ventura County and therefore, outside of the City's planning and land use jurisdiction. The project site currently does not have a Santa Paula Municipal Code (SPMC) zoning designation. As noted in Section 4.1 (see page 4.1-4) of the Draft EIR, the East Area 1 Expansion Area is proposed to be designated as SP-3 in SPMC Chapter 16.25. The SPMC would be pre-zoned SP-3 East Area 1. Further, as noted in this Section of the Draft EIR, SPMC establishes Specific Plan zones that facilitate the logical, coordinated planning of large areas for a variety of land uses and types of development. When a specific plan is adopted, its regulations may supersede any conflicting

provisions of the SPMC. On issues where the adopted specific plan is silent, development must be implemented in accordance with the SPMC.

Moreover, we would note that page 4.1-10 provided added clarification on this matter in which the Draft EIR states:

*“While the SPMC does not currently apply to the Project Site (adopting the Specific Plan (designated as SP-3 East Area 1) as rezoning would allow the City to establish its proposed designation in advance of its annexation approval requests with LAFCO), once it is annexed to the City, the zoning would be consistent with the SPMC. Thus, with mitigation consisting of rezoning and annexation, the project would result in less than significant impacts as to zoning regulations.”*

- GP1-7 Section 4.7 (Biological Resources) of the Draft EIR contains a detailed discussion of the environmental setting of biological resources contained on-site and within adjacent areas. Plant communities are shown on Figure 4.7-1 (Plant Communities of the East Area 1 Project Site) and discussed in detail on pages 4.7-3 through 4.7-5. In addition, those plant communities identified as sensitive by resource agencies, including the California Department of Fish and Game (CDFG) are also noted. Similarly, pages 4.7-5 and 4.7-6 provide a detailed discussion of common wildlife species anticipated and/or observed utilizing the project site or adjacent areas. Further, pages 4.7-7 through 4.7-19 evaluate the potential presence (or observations thereof) of special status plants (including protected trees), animals and plant communities. We would also note that the Section 4.7.3 (Methodology Related to Biological Resources) of the Draft EIR includes a detailed discussion of the field surveys (including focused surveys) conducted for sensitive species, based upon the presence of suitable habitat. As indicated within this section, focused surveys for riparian birds and fish were conducted. Moreover, wildlife migration corridors are also discussed in detail on pages 4.7-20 and an evaluation of potential impacts contained on page 4.7-32.

The Draft EIR contains an evaluation of the proposed project’s consistency with applicable plans. Concerning biological resources, we would note that Appendix G (Biological Resources Study) of the Draft EIR contains a consistency analysis relative to the City’s General Plan and United States Fish and Wildlife Service Recovery Plans for the least Bell’s vireo and southwestern willow flycatcher. Similar consistency analyses are contained within the Draft EIR for land use, agricultural resources, air quality and noise.

- GP1-8 The Draft EIR (page 4.7-32) noted that Santa Paula and Haun Creeks facilitate wildlife movement. However, there are no planned roadway widenings within this area, although a bridge across Santa Paula Creek would be constructed. Impacts to biological resources associated with bridge construction and operation were evaluated in detail within the Draft EIR. As noted within Section 4.4 (Transportation & Circulation) the proposed project would only require road widening along State Route (SR) 126 between Peck Road and Briggs Road. This would include construction of an additional travel lane in each direction. This is an area is dominated by agricultural and commercial uses which have limited value to biological resources, including common wildlife and sensitive species. However, a review of available aerial maps and windshield survey<sup>5</sup> indicates that two drainages which contain riparian plant species is present and as such, could contain and/or provide resources for sensitive species. In addition, these drainages may also be subject to jurisdiction by the United States Army Corps

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<sup>5</sup> Note: The area between Briggs and Peck Roads is located on private property and was not accessible. In addition, due to safety concerns, a detailed review of this area along SR-126 was not possible.

of Engineers, Regional Water Quality Control Board – Los Angeles or the CDFG. Moreover, it is possible that these drainages contain trees protected by the County's Tree Protection Ordinance. Widening of this area could also increase the potential for urban pollutants to enter these waterways. Therefore, impacts to these resources due to proposed road widening between Peck and Briggs Roads could be potentially significant.

To address these issues, see Section 4.7 (Biological Resources) of the FEIR's Clarifications & Revisions document.

GP1-9 Comment noted. See responses GP1-7 above of this FEIR's Responses to Comments document.

GP1-10 Section 4.1 of the Draft EIR noted the following concerning consistency with the Ventura County General Plan & Non-Coastal Zoning Ordinance:

*"The project site is proposed for reorganization, including, without limitation, detachment from Ventura County and annexation to the City of Santa Paula. Provided LAFCO approves such reorganization, the project site would no longer be subject to Ventura County land use and zoning controls, as contained within Ventura County's General Plan and Non-Coastal Zoning Ordinance. Consequently, if LAFCO approves a reorganization application, implementing the proposed project would not conflict with the Ventura County General Plan or Non-Coastal Zoning Ordinance."*

Moreover, the Draft EIR acknowledged that significant impacts to agricultural resources and sensitive habitats and wildlife could result. To address these impacts, the Draft EIR provides for the implementation of feasible mitigation measures.

GP1-11 Section 4.7 of the Draft EIR concluded that the implementation of mitigation measures for both direct and indirect impacts to biological resources would reduce these to less than significant.

GP1-12 Section 4.1 of the Draft EIR provides a detailed analysis of potential land use impacts (including existing uses) associated with implementation of the proposed project. Section 15131 of the *CEQA Guidelines* (2007) provides specific instructions on the evaluation of economic and social effects which are to be evaluated within an Environmental Impact Report. Briefly, CEQA notes that economic or social effects of a project are not to be treated as significant effects on the environment. Further, CEQA also indicates that the focus of the analysis is on the physical changes. The Draft EIR's evaluation of potential impacts from implementation of the proposed project followed these guidelines.

Section 4.2 (Agricultural Resources) of the Draft EIR addressed potential impacts associated with compatibility between urban and agricultural uses. In addition, the analysis concluded that mitigation measures were necessary in order to address impacts. Comments received on the Draft EIR also noted this potential issue. As such, an additional mitigation measure was included within the FEIR in order to address this issue (see Section 4.2 of the FEIR's Clarifications & Revisions document).

This comment cannot be addressed since the meaning of the acronym "NBPM" is unknown. The City requests further clarification.

GP1-13 Section 4.1 of the Draft EIR noted that implementation of the proposed project would result in significant adverse impacts related to Ventura Local Agency Formation Commission (LAFCO)

reorganization policy related to the creation of islands of unincorporated areas within the City's boundary, provided annexation was approved. To address this issue, the Draft EIR indicated the following (see page 4.1-33):

*"It should be noted that providing annexation of the project is approved by Ventura LAFCO, the City intends to address the islands of unincorporated territory created by the East Area 1 Specific Plan. The City will submit a separate annexation/reorganization application associated with the East Area 2 Expansion Area."*

Section 4.1 of the Draft EIR dedicates considerable discussion of the project site's planned conversion from agriculture to urban uses. As indicated, the East Area 1 is one of five Expansion Areas identified in the City's General Plan. The conversion of the project site from agricultural to urban uses has been contemplated since 1998 and is part of the City's long-term planning process. Moreover, the City's General Plan and the East Area 1's Draft EIR evaluated in detail the potential consequences and impacts from this action.

Sections 3.1 (Project Description) and 4.1 of the Draft EIR note that the proposed project is located outside of the City's existing Sphere of Influence (SOI). However, the project site is located within the City's Area of Interest and has been identified in its General Plan as a proposed Expansion Area. The Draft EIR notes that the current proposal is inconsistent with the City's General Plan relative to proposed uses identified for the East Area 1 Expansion Area and as such, indicates that a General Plan Amendment (in addition to other discretionary actions) is required. The Specific Plan prepared for the East Area 1 project site meets all state requirements and was made available during public circulation of the Draft EIR.

The East Area 1 Specific Plan includes a detailed fiscal impact analysis which will be included in the City's request for annexation application. As required, the analysis provides information (including assumptions and calculation) concerning the fiscal impacts and feasibility of annexing the project site.

The East Area 1 project site is located immediately east of the City's corporate boundary (across Santa Paula Creek). This portion of the City and unincorporated Ventura County are largely urbanized. In addition, they contain existing roadways and associated urban infrastructure to support existing populations and land use densities. As noted in Appendices D (Traffic Study), N (Domestic Water Report), O (Domestic Sewer Report), P (Recycled Water Report) and Q (Water Supply Assessment & Verification Report) of the Draft EIR, some feasible upgrades to existing infrastructure would be required.

Ventura County is the only adjacent local agency with land use planning jurisdiction currently associated with the project site. The County is aware that the project site is part of a planned urban expansion area it is the City's intention to annex the area. The City is unaware of any *"inter-agency rivalry or other motives not in the public interest"* as asserted by the comment and therefore, requests further clarification on this matter. It is the intention of the City to work closely with Ventura LAFCO and the County on all aspects of the proposed annexation.

Pending annexation approval, utilities and services associated with the project site would be provided by the City.

GP1-14 Comment noted. See responses GP1-7, GP1-8 and GP1-11 above of this FEIR's Responses to Comments document.

GP1-15 Air quality projections are an integral part of local and state ambient air quality standard attainment plans. These plans estimate reductions to stationary and mobile sources through regulatory controls, as well as forecast population increases and the effect that will have on the regional attainment of health-protective standards. On a project-specific level, the argument as to whether a project has a significant air quality impact is made using emission-based thresholds, and conformity determinations with approved regional air quality attainment plans that use air quality projections. The air quality analysis fully evaluated the consequences of implementing the project through the comparison of project-specific emission estimates and proposed development phases with respective VCAPCD guidelines thresholds and AQMP population forecasts.

The Draft EIR used emission-based significance thresholds established by the VCAPCD for evaluating regional air quality project impacts under CEQA. Emissions were quantified for evaluation of regional air quality impacts toxics air contaminants, carbon monoxide, and particulate matter from fugitive dust. The CEQA analysis compared emissions with established emission thresholds to evaluate the East Area 1 project significance, health risk modeling, and project consistency with regional air quality plans.

The VCAPCD Guidelines state that projects determined to not cause an exceedance of the population forecast contained in the AQMP are generally considered consistent with the plan. As presented in the DEIR, projects that are considered consistent with the AQMP would not interfere with attainment, because this growth is included in the projections utilized in the formulation of the AQMP. Therefore, projects that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the VCAPCD's recommended daily emissions thresholds. Because the applicant recognizes that the project may cause short-term exceedances of emission threshold for ozone, mitigations have been presented in the DEIR to increase transportation reduce emissions from non-project generated motor vehicle trips by funding programs to promote ridesharing, public transit and bicycling.

The project was determined to have short-term significant impacts, however a project may show a significant air emission on a short-term basis it would not necessarily have significant cumulative effect because these impacts are tied more closely to regional rather than localized air quality values. The air quality technical report supporting the DEIR analyzed the cumulative impacts of the East Area 1 project with 20 other related projects based upon data provided by the City of Santa Paula for the Traffic Impact Study. The cumulative analysis projects included all projects which could become operational within the same timeframe as the project, thus the cumulative build out assumptions utilized for to determine long-term air quality impacts due to continuing operations were consistent with the traffic analysis. Further, by conforming to the long-term population forecasts that demonstrate future attainment of ozone and particulate matter in Ventura County, the project has shown potential impacts to be within attainment projections.

Health risk impacts from construction-related toxic air contaminant (TAC) emissions were evaluated. The project contains a detailed health risk assessment (HRA) of diesel particulate matter emitted from the engine exhaust of diesel-fueled internal combustion engines. The project health risk assessment evaluated emissions using current state and local analysis methods, including current health risk exposure assumptions, cancer potency factors, and conservative air dispersion modeling analysis. The implementation of alternatives to diesel fuel is included in the analysis by using mobile source emission factor modeling, which incorporates the phase-in of tier standards for particulate matter from internal combustion equipment.

This response concludes that the air quality analysis is substantially complete and comprehensive in its evaluation of potential air quality impacts due to the East Area 1 project.

- GP1-16 The Draft EIR assesses the impacts of all improvements required to support the proposed East Area 1 Specific Plan project, including roadway improvements. The Santa Paula General Plan identifies the easterly extension of Santa Paula Street and the northerly extension of Hallock Drive as circulation network improvements planned to serve East Area 1 in the Circulation Element. These roadway improvements were assessed in the General Plan EIR and these roadway improvements are also fully assessed in the East Area 1 Specific Plan Draft EIR. All impacts of the roadway improvements proposed within the Specific Plan Area are also addressed in the Draft EIR as are the impacts of the improvements to intersections identified to mitigate project and cumulative impacts.

While the East Area 1 Specific Plan Area is located at the eastern edge of the City, the traffic study addresses potential project and cumulative impacts at 35 intersections throughout the City of Santa Paula as well as impacts to five segments of SR 126. The year 2020 traffic analysis does not assume any future roadway improvements that are not already programmed by the City of Santa Paula. Accordingly, the traffic study does not minimize traffic impacts as suggested in this comment. The traffic study accurately portrays existing and projected traffic conditions and identifies significant project and cumulative impacts as required by CEQA and the CEQA Guidelines. With implementation of the identified mitigation measures, all significant impacts can be mitigated to a less than significant level.

- GP1-17 The project site is located within an area planned for urbanization and identified within the City's General Plan as the East Area 1 Expansion Area. The City is unaware of any provisions of state law which require that a farmland preservation program feasibility analysis be conducted. In addition, it should be noted that the proposed project includes the preservation of 55 acres in the form of an on-site agricultural preserve and 34 acres within the City's Area of Interest which will include recordation of a conservation easement.

- GP1-18 Section 4.15 (Utilities & Services) of the Draft EIR noted that information contained within that section was derived from various technical reports. In particular, it was noted that detailed information on the project's domestic water consumption and supply and reliability were available within Appendices N (Domestic Water Report) and Appendix Q (Water Supply Assessment & Verification Report). This section of the Draft EIR summarized the findings contained within Appendices N and Q. For a more detailed overview of these issues, the City recommends that these reports be reviewed.

The City would also note that some of the information contained within Appendix Q has been revised to reflect comments made during circulation of the DEIR. As such, see Section 4.15 (Utilities & Services) and Appendix Q of the FEIR's Clarifications & Revisions document.

- GP1-19 Section 7.0 (Cumulative Impacts) of the Draft EIR provides a discussion of cumulative impacts, as required by Section 15130 of the *CEQA Guidelines*. Moreover, CEQA provides for two approaches when identifying the range of projects to include within the analysis: (1) list approach (i.e., past, present and probably projects); or (2) summary of projections contained within a general plan or related planning documents, or in a prior environmental document which has been adopted or certified.

The City selected the "list" approach (see Table 7-1 (Planned & Proposed Land Uses in the Vicinity of East Area 1 Specific Plan) of the Draft EIR) since it: (1) is adequate, per

requirements of CEQA; and (2) captures to a greater extent potential cumulative impacts. As noted in Figure 7-1 (Locations of Related Projects) of the Draft EIR, the projects contained within Table 7-1 include the Adams Canyon, Fagan Canyon and East Area 2 Expansion Areas. These areas are currently within the City's Area of Interest, CURB or SOI and are planned for future annexation, as noted in the General Plan. These planned Expansion Areas in addition to the list of project's contained within Table 7-1 meet CEQA's intent when considering the range of projects to include.

The City would also notes that unlike other Cities in Ventura County and Southern California in particular, some ten miles or more of non-urbanized areas exists between it and other urbanized areas. As such, it is the City's contention that including projects outside of the geography noted in Figure 7-1 of the Draft EIR may not fully capture the actual range of cumulative impacts. Moreover, the City is unaware of any urban development proposed outside of an existing County or city Save Our Agriculture Resources (SOAR) boundary which is currently contemplated and that could in some manner change the significance conclusions contained within the Draft EIR for this or other environmental parameter evaluated.

- GP1-20 The Draft EIR, in Section 6.0 (Growth Inducing Impacts) (see pages 6-1 through 6-7) dedicates considerable analysis to the project's potential to induce growth both directly and indirectly. This section of the Draft EIR is specifically required by Section 15126.2 (d) of the *CEQA Guidelines* (2007). The City would note that the comment made concerning the Draft EIR's lack of analysis of the project's growth-inducing impacts is unsubstantiated. Further, that the statement "*the DEIR merely states that impacts of this growth are addressed in other sections of the EIR. We cannot find any evidence that the DEIR has, in fact, analyzed the effect of this growth anywhere in the DEIR*" is accurate. The City's review of the Draft EIR indicates that the reader should refer to Section 6.0 for a discussion of growth-inducing impacts.

Pending Ventura LAFCO annexation approvals, all proposed infrastructure improvements would be constructed within the City's corporate limit. The City is unaware at this time of the need to construct these improvements outside of its potential CURB. In addition, the City has not been made aware by Ventura County that additional infrastructure associated with the proposed project or other future non-related project is necessary. In addition, the City would note that it does not have the authority to preclude the construction of future infrastructure within areas outside of its current jurisdictional boundary.

The Draft EIR, in Section 3.1 (Project Description), Table 3-3 (Summary of Proposed Land Uses by Neighborhood & District) contains a detailed description of all land uses (including square footage, acres, dwelling units, etc.) proposed for the East Area 1 project. In addition, Figure 3-4 (East Area 1 Illustrative Plan) shows the proposed location of these land uses.

- GP1-21 As noted in Section 4.7 (Biological Resources) and Appendix G (Biological Resources Study for the East Area 1 Specific Plan Area), agricultural areas, such as those largely comprising the project site, provided limited value to both common and sensitive species which may be potentially present. The proposed project includes the preservation of 79 acres of natural areas located within the northern portion of the project site. These areas contain natural lands comprised of common and sensitive plant communities and habitat types. The preservation of these areas would contribute to reducing impacts to biological resources found locally and county-wide as a result of project implementation. Moreover, the proposed project includes the enhancement of Haun Creek, a perennial drainage which is currently high degraded within the project limits. As noted in Section 4.7 of the Draft EIR, these enhancements would include removal of giant reed (*Arundo donax*) and re-vegetation of this area with native plant species.

The Draft EIR contains some 16 feasible mitigation measures which would be required to be implemented as part of project approvals or in securing project-related permits from applicable agencies. The City would also note that funding for these measures would be provided by the Project Applicant and/or its Contractor and would not be predicated on the availability of resources by others, as asserted by the comment.

The analysis contained within Section 4.7 determined that with the implementation of mitigation measures, impacts to biological resources would be less than significant.

GP1-22 Comment noted. Although this is not an issue required for analysis, per CEQA the City would note that Section 4.16 (Population & Housing) determined the following:

*“The proposed Specific Plan is expected to result in the generation of approximately 1,035<sup>6</sup> jobs on-site. Currently, in Santa Paula there is a lack of non-agricultural and private commercial jobs. Nearly one-third of the employment workforce work for the City of Santa Paula, and over 7,000 residents commute to jobs located outside of the City.<sup>7</sup> The provision of these jobs will provide more job opportunities to City of Santa Paula residents. Therefore, the proposed project will result in a beneficial impact on employment.”*

GP1-23 Section 5.0 (Alternatives to the Proposed Project) included a detailed evaluation of project alternatives, per Section 15126.6 of the *CEQA Guidelines* (2007). In addition, it also provides an overview of key provisions of the *CEQA Guidelines* pertaining to the alternatives analysis. A total of five (5) project Alternatives were evaluated in the Draft EIR. These Alternatives reflect the *CEQA Guidelines*’ requirement to select “a reasonable range of alternatives” for evaluation in the Draft EIR. The *CEQA Guidelines* also note that the significant effects of the Alternatives should be discussed, but in less detail than the significant effects of the proposed project. The evaluation of impacts for each alternative reflects this requirement.

GP1-24 Comment noted. In addition, the City would note that its General Plan planning efforts make provisions for orderly development and decreased dependence on the automobile. Moreover, the East Area 1 Specific Plan reflects this effort by incorporating a balance of land use types (including multiple dwelling unit type and pricing, commercial, civic and light industrial uses) which reflect the long-term vision of this planned Expansion Area and the General Plan vision as a whole.

The analysis contained within Section 5.0 of the Draft EIR includes an evaluation of the Alternative’s ability to meet the project’s defined objectives. In addition, Table 5-16 (Comparison of the Environmental Impacts of All Project Alternatives) of the Draft EIR compared these Alternatives and determined that Alternative 4 (East Area 1 Specific Plan – 1,250 Dwelling Units) was the environmentally superior alternative, amongst the five Alternatives evaluated.

---

<sup>6</sup> Hoffman Associates, Inc. – East Area One Fiscal Analysis of Annexation, 2007.

<sup>7</sup> City of Santa Paula General Plan, 1998.

The analysis contained in the Draft EIR is substantial, adequately discloses and addresses potential impacts associated with implementation of the proposed project and meets the substantive requirements of CEQA. The additional information provided in the Draft EIR does not constitute “significant new information,” which is defined under CEQA as new significant impacts, substantial increase in the severity of an impact, or new mitigation that is not adopted, so as to require recirculation. As such, the City does not intend to re-circulate the Draft EIR.



**Friends of the Santa Clara River**  
660 Randy Drive, Newbury Park, California 91320-3036 • (805) 498-4323

January 4, 2008

GP2

CITY OF SANTA PAULA  
JAN 07 2008  
RECEIVED

Janna Minsk  
City of Santa Paula  
P.O. Box 569/93061-0569  
200 South Tenth Street  
Santa Pauls. CA 93060

**Board of Directors**

Ron Bottorff  
*Chair*  
Barbara Wampole  
*Vice-Chair*  
Ginnie Bottorff  
*Secretary*

**Re: Draft Environmental Impact Report No. SCH # 2006071134**

Dear Ms. Minsk,

Friends of the Santa Clara River submit the following comments on the subject DEIR.

**Affiliated Organizations**

California Native Plant Society  
L.A./Santa Monica Mountains Chapter

Santa Clarita Organization for Planning the Environment (SCOPE)

Sierra Club  
Angeles Chapter  
Los Padres Chapter

Surfrider Foundation

Audubon Society  
Ventura Chapter

Ventura County Environmental Coalition

Wishtoyo Foundation

The DEIR states (page 4.1-6) that East Area 1 lies outside Santa Paula's CURB and that voter approval will be required to relocate the CURB. Since the project area is currently outside Santa Paula's Sphere of Influence, it is not clear whether a county-wide SOAR vote is triggered also.

GP2-1

Please clarify the statement on page 4.7-5, under "Fish", that there is no direct connectivity of Haun Creek to the Santa Clara River. The creek evidently drains to the river at some point.

GP2-2

Regarding water supply, we note that Santa Paula's 2005 Urban Water Management Plan shows water supply to be adequate, with a surplus even for multiple dry years (Table 4.15-3, page 4.15-11). However, the following statement on page 4.15-10 is telling: "Thus, *so long as groundwater production does not exceed the long-term supply of recharge to these respective basins* (italics added), these basins will remain a reliable source of water for the City and all of its demands, including the project, during normal, single dry, and multiple dry years." It is clear to anyone who has studied California's overall water situation that future water supplies are problematic. Santa Paula, of course, is not alone in using what are likely optimistic projections of future supplies. It is clear that water conservation is becoming vitally important and that all feasible methods of achieving water conservation should be pursued.

GP2-3

Friends recommend use of the Ahwahnee Water Principles (Local Government Commission, Sacramento, CA, July, 2006) as a general guide for all aspects of project design related to water use, recharge zones, landscaping, and minimization of impervious surfaces.

GP2-4

The project area, as noted in the DEIR, currently supports 405 acres of lemon and avocado orchards. Most of these orchards will be replaced by urban development. Partial mitigation for this loss of agricultural land consists of conservation easements on 55 acres along the northern portion of the East Area 1 site and 34 acres of other agricultural land owned by the applicant. Another potential mitigation measure would involve establishment of an agricultural easement on part or all of the property just east of the project on the opposite bank of Haun Creek, along what would eventually become the new western boundary of the Santa Paula – Fillmore Greenbelt. Such an easement would establish an impediment to further growth eastward from Santa Paula into the Greenbelt and mitigate much more effectively for the growth inducement impacts of the project.

GP2-5

The DEIR states (page 4.7-33) that the project is consistent with recovery plans for the least Bell's vireo and southwestern willow flycatcher and, further, that "habitat will be preserved and enhanced through the removal of false bamboo and restoration of this portion of Haun Creek." We presume the details of this restoration will be covered under the Conceptual Streambed Restoration Plan.

GP2-6

Thank you for the opportunity to comment on the East Area 1 DEIR.

GP2-7

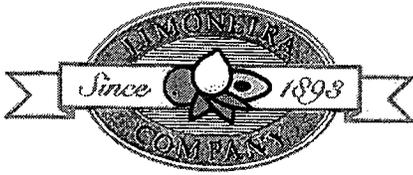
Sincerely,



Ron Bottorff, Chair

**GP2 RESPONSES TO COMMENTS FROM FRIENDS OF THE SANTA CLARA RIVER, RECEIVED JANUARY 4, 2008**

- GP2-1 A County-wide Save Open Space Agriculture Resources (SOAR) vote would not be required since the project site is contemplated for annexation by the City of Santa Paula. Voters in the City of Santa Paula would need to approve the project's proposed General Plan Amendment.
- GP2-2 The reference to Haun Creek's lack of connectivity to the Santa Paula Creek was meant to note that this drainage, although perennial lacks surface flows sufficient to support fish species (either common or sensitive).
- GP2-3 Comment noted. See response Q1-11 through Q1-15 above of this FEIR's Responses to Comments document.
- GP2-4 The City has reviewed the Ahwahnee Water Principles contained within the following website: [http://www.lgc.org/ahwahnee/h2o\\_principles.html](http://www.lgc.org/ahwahnee/h2o_principles.html). The City would note that the proposed project would include design principle features and other requirements that reflect and/or achieve seven of the ten Community Principles identified.
- GP2-5 The General Plan currently makes no provisions for the establishment of an agricultural easement on properties to the east of East Area 1. Further, such lands are privately held and the recordation of easements or other covenants would need to be approved by the existing land owners. The City currently has no mechanism to enforce such an action.
- GP2-6 Restoration of Haun Creek will require coordination with the United States Army Corps of Engineers, CDFG and Regional Water Quality Control Board-Los Angeles, before initiation of all activities within this drainage. As noted in Section 4.7 (Biological Resources) of the Draft EIR, these activities would require a Conceptual Streambed Restoration Plan, which will need to consider impacts (if any) to least Bell's vireo and southwestern willow flycatcher before its implementation. The Plan will therefore, require coordination with resource agencies responsible for the recovery of these species, including the United States Fish and Wildlife Service and CDFG.
- GP2-7 Comment noted. No response necessary.



CITY OF SANTA PAULA

JAN 07 2008

RECEIVED

1141 CUMMINGS ROAD  
SANTA PAULA, CA 93060  
(805) 525-5541

January 7, 2008

City of Santa Paula  
200 South Tenth Street  
Santa Paula, CA 93060

GP3

**Attention:** Ms. Janna Minsk, Planning Director

**Regarding:** East Area 1 Specific Plan  
Draft Environmental Impact Report

Dear Ms. Minsk:

The Limoneira Company and the East Area 1 project team have reviewed the Draft Environmental Impact Report prepared by the City of Santa Paula for our proposed East Area 1 Specific Plan. We appreciate the thoroughness of the information and analysis in the Draft EIR. The City has prepared a Draft EIR that complies with the California Environmental Quality Act by identifying potential significant effects on the environment and appropriate measures to mitigate these effects to the extent possible. The following comments are offered on some of the conclusions in the Draft EIR related to the topics of land use and agricultural resources which we believe do not fully reflect the East Area 1 project as presented in the specific plan.

GP3-1

As you know, we have worked closely with the City to create a plan for East Area 1 that fulfills the vision of the Santa Paula General Plan, which identifies East Area 1 as an urban expansion area. The Draft EIR concludes that the project is consistent with almost all of the numerous goals, objectives and policies contained in the General Plan Land Use Element and includes a general plan amendment to make minor revisions to the General Plan where necessary. This amendment would modify the current CURB boundary to include the East Area 1 Expansion Area and modify the allowed land uses in East Area 1. The Draft EIR concludes, even with the approval of the proposed General Plan Amendment, the project would not be consistent with some General Plan goals and objectives. We believe the project as proposed, inclusive of the general plan amendment, is fully consistent with the City's General Plan.

GP3-2

The Draft EIR Land Use Section concludes the project is not consistent with Objective 3 (f) of the General Plan Land Use Element, which calls for appropriate density standards to be established for each residential designation defined in the General Plan. This determination is based on minor inconsistencies identified between Table LU-5 and Figure LU-5 in the current Land Use Element related to the amount of neighborhood commercial land uses planned for East Area and the type and density of these uses proposed. The proposed General Plan Amendment will amend

GP3-3

this table and figure to create consistency between the General Plan and Specific Plan.

GP3-3  
Cont.

The Draft EIR Land Use Section also concludes that the project as proposed is inconsistent with Goal 4.5 of the General Plan, which calls for urban expansion to be directed away from the most productive agricultural areas within the City's Area of Interest. This determination is based on the fact that the project will result in the conversion of agricultural land to urban uses. This conclusion does not consider the East Area 1 project in the full context of the General Plan.

GP3-4

The Land Use Element contains a detailed set of goals, objectives and policies and states the goals are statements providing direction, while the related objectives identify specific steps towards achieving these goals and the policies are specific statements that guide decision-making. The Land Use Element also includes implementation measures supporting the goals, objectives, and policies through specific programs and actions.

GP3-5

Goal 4.5 is one of 9 goals related to the urban expansion of the City of Santa Paula as envisioned in the General Plan. Policy 4.p.p in the Land Use Element specifically calls for the establishment of plans for the development of the land between Santa Paula Creek and Haun Creek in East Area 1 and 2. The East Area 1 Specific Plan is consistent with this implementation measure and the clearly defined intent in the General Plan to facilitate the expansion of the City of Santa Paula east to Haun Creek and preserve the most productive agricultural areas in the City's Area of Interest between Haun Creek and the City of Fillmore.

GP3-6

Policy 4.p.p., discussed above, also calls for the establishment of a plan for the development of East Area 1 consistent with the mix of land uses defined in Table LU-5 in the Land Use Element. The conclusion in the Draft EIR Land Use section is that the project is not fully consistent with this portion of this policy as the proposed uses differ from those defined in Table LU-5. Again, the proposed General Plan Amendment will amend this table to create consistency between the General Plan and Specific Plan.

GP3-7

The Draft EIR Land Use Section also concludes the project is not consistent with Policy 4.c.c., which calls for limiting annexations to the City's amended Sphere of Influence as recommended in the Land Use Element. The Land Use Element specifically recommends inclusion of East Area 1 in the City's amended Sphere of Influence and, therefore, the project is consistent with this policy.

GP3-8

The Draft EIR Land Use Section concludes the project is not consistent with Policy 4.f.f. of the Land Use Element, which limits the development of land annexed to the City to the annual number of units available under the City's Growth Management Ordinance. This ordinance allows the annual allocation of units to be carried over from year to year. Given the current total number of units available for allocation and the proposed

GP3-9

adoption of the East Area Specific Plan by ordinance, the Specific Plan will be consistent with the City's growth management policies.

GP3-9  
Cont.

Finally, the Land Use Section concludes that the project as proposed is not consistent with Policy 9.f.f. in the Land Use Element that calls for the improvement of the visual appearance of the lands and development in the railroad corridor. The Specific Plan as proposed is consistent with Implementation Measure 121 in the Land Use Element, which contains specific design principles for new development in the railroad corridor. As the Specific Plan is consistent with this measure implementing Policy 9 f.f., the Specific Plan is consistent with this policy.

GP3-10

In summary, the proposed East Area 1 Specific Plan project has been carefully planned to be consistent with the goals, objectives, and policies of the Santa Paula General Plan and the project includes a General Plan Amendment to amend the text and figures defining the allowed land uses in East Area 1 to make the General Plan and Specific Plan consistent.

GP3-11

The East Area 1 project has also been planned to be compatible with the existing agricultural uses that will remain to the east of Haun Creek. As recognized in the Draft EIR, the Specific Plan incorporates an agricultural buffer based on the County of Ventura Agricultural/Urban Buffer Policy. The Draft EIR concludes that this buffer will not completely eliminate potential land use incompatibilities between urban uses in East Area 1 and nearby agricultural uses. Please note that this buffer policy was developed with input from the agricultural community and has been proven to be effective over time in creating compatibility between agricultural areas and urban uses.

GP3-12

The Draft EIR also notes that the project may result in changes to the micro climate that may affect agricultural activities in the area. This conclusion is based, in part, on the assumption that the introduction of urban uses would increase the amount of light reflective surfaces on the site, which would increase existing day and nighttime ambient temperatures. After stating the extent to which this would occur is unclear, the Draft EIR concludes this effect will be significant. The Draft EIR cites information from the U.S. EPA indicating this effect can result temperature increases of 1 to 10 degrees.

GP3-13

Further review of the EPA documentation cited in the EIR indicates that suburban residential development, such as that proposed, has been found to result in increases in ambient temperatures of 3 degrees or less. The East Area 1 project as proposed contains a substantial amount of open space and, for this reason, cannot even be considered suburban residential development. Almost 200 of the 501 acres in the specific plan area will consist of green open space, including the agricultural preserve, parks, playfields, and the two major detention basins incorporated into the landscaped greenway planned along Haun Creek. The proposed Haun Creek Greenway and the two detention basins will provide a substantial green buffer between developed areas and agricultural uses to the east of

GP3-14

Ms. Janna Minsk  
January 7, 2008  
Page 4

The Draft EIR also identifies the introduction of urban pollutant sources, including carbon monoxide from automobiles, as having a potentially significant effect on micro climate. The detailed air quality analysis in the Draft EIR concluded that traffic from the project would not result in the creation of any substantial concentrations of carbon monoxide. In fact, the conclusion in the Draft EIR Air Quality Section is that carbon monoxide concentrations that would result from the project would be well below U.S. EPA and State of California standards and therefore, this would not be a significant effect of the project. The Draft EIR also identifies the introduction buildings and changes to the landscape character of the site as having a potential effect on local wind patterns. As described above, the overall pattern of development will be low density in nature, with large amounts of open space dispersed throughout the community. In addition, the overall change to the topographic character of the site from grading will be minimal and all buildings will be low in height. These changes will not result in any substantial changes to local wind patterns. In summary, the East Area 1 project will not have any substantial effect on the micro climate of the area that would result in adverse impacts to surrounding agricultural activities.

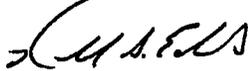
GP3-14  
Cont.

The East Area 1 Specific Plan has been developed to implement the City's General Plan by adding carefully planned new neighborhoods, community facilities, and open space areas to the City that will be compatible with the agricultural areas east of Haun Creek. We would appreciate your consideration of these comments and appropriate revisions to the land use and agricultural resources analysis in the Final EIR.

GP3-15

Very Truly Yours,

Limoneira Company



Harold S. Edwards  
President & CEO

**GP3 RESPONSES TO COMMENTS FROM LIMONEIRA COMPANY, RECEIVED JANUARY 7, 2008**

- GP3-1 Comment noted. No response necessary.
- GP3-2 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.
- GP3-3 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.
- GP3-4 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.
- GP3-5 Comment noted. No response necessary.
- GP3-6 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.
- GP3-7 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.
- GP3-8 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.
- GP3-9 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.
- GP3-10 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.
- GP3-11 Comment noted. See Section 4.1 (Land Use & Planning) of the FEIR's Clarifications & Revisions document.
- GP3-12 Section 4.2 of the Draft EIR noted that while the buffer would assist in reducing impacts, it would not entirely eliminate (absent the provision of fencing) the potential for trespass, vandalism, pilferage or complaints against standard legal practices. The City would note that concurrence on this point was reflected by the members of the Ventura County Agricultural Policy Advisory Committee at their meeting of January 9, 2008 and which was attended by City staff and representatives of the Limoneira Company. At that meeting it was mutually agreed that fencing would by and large eliminate these potential impacts. As such, the provision of fencing will be included within the project design for the areas east of the East Area1 Specific Plan along Haun Creek (see Section 4.2 of the FEIR's Clarifications & Revisions document).
- GP3-13 Section 4.2 of the Draft EIR noted that potentially significant impacts related to micro-climates could result with implementation of the proposed project. However, as noted in Section 4.2.7 (Level of Significance after Mitigation) of the Draft EIR, with the implementation of mitigation measures noted in Section 4.2.6 (Mitigation Measures), increases in ambient air temperatures would be reduced to less than significant impacts. In addition, the City would note that the introduction of 1,500 residential dwelling units, 150,000 square feet of light industrial,

285,000 square feet of commercial and 375,800 square feet of civic land uses is normally defined as urban/suburban development, contrary to the comment made.

GP3-14 Comment noted. See Section 4.2 (Agricultural Resources) of the FEIR's Clarifications & Revisions document, per GP3-13.

GP3-15 Comment noted. No response necessary.

**ATTACHMENTS**

**ATTACHMENT A**  
**NOA AND NOC**

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# PUBLIC NOTICE of Availability

## DRAFT ENVIRONMENTAL IMPACT REPORT NO. SCH # 2006071134

**PROJECT:** East Area 1 Specific Plan

**PROJECT DESCRIPTION:** The East Area 1 Specific Plan consists of approximately 501 acres located within unincorporated Ventura County, immediately east of the City of Santa Paula. Portions of the site are currently in active agricultural production. The following uses are proposed: (1) 1,500 residential dwelling units (du), (2) up to a total of 285,000 square feet of retail and office space, and up to 150,000 square feet of light industrial and research and development space; and (3) approximately 375,800 square feet identified for civic uses (high school, community college, etc.) and some 170 acres for open space and active parks. This DEIR documents the technical analysis of the potential impacts of the proposed project related to land use and planning, agricultural resources, mineral resources, transportation and circulation, air quality, noise, biological resources, geology and soils, hydrology and water quality, hazards and hazardous materials, aesthetics, cultural and historic resources, public services, recreation, utilities and services, and population and housing. Significant unavoidable adverse impacts that cannot be avoided or mitigated below a level of significance were identified for land use and planning, agricultural resources, air quality, aesthetics, cultural and historic resources.

The DEIR was prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000, et seq.) and the CEQA Guidelines (California Code of Regulations Sections 15000, et seq.).

**PROJECT CONTACT:** Janna Minsk, Planning Director  
Gilberto Ruiz, Senior Project Manager

**PHONE:** (805) 933-4214, ext 244  
(714) 648-2051

**WRITTEN COMMENTS:** The DEIR is being circulated for public review and comment from November 16, 2007 to January 7, 2008. All comments must be written and should be directed to Janna Minsk, Planning Director, City of Santa Paula. **Comments are due no later than January 7, 2008 at the address below.** Pursuant to State law, comments received after that date may not be considered.

Comments should be addressed to: Janna Minsk  
City of Santa Paula  
P.O. Box 569/93061-0569  
200 South Tenth Street  
Santa Paula, CA 93060

### REVIEWING LOCATIONS

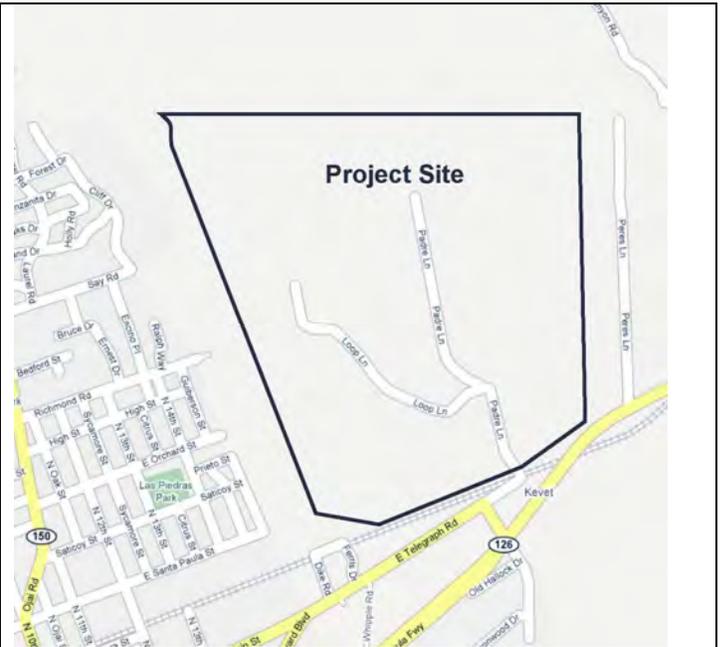
COPIES OF THE DEIR SCH # 2006071134 ARE AVAILABLE FOR PUBLIC REVIEW ON NOVEMBER 15, 2007 AT THE FOLLOWING LOCATIONS:

**City of Santa Paula**  
Planning Department  
200 South Tenth Street  
Santa Paula, CA 93060

**City of Santa Paula**  
City Hall (City Clerk's Office)  
970 E. Ventura Street  
Santa Paula, CA 93060

**Blanchard Community Library**  
119 North 8<sup>th</sup> Street  
Santa Paula, CA 93060

**Ventura County Clerk's Office**  
Hall of Administration, Main Plaza  
800 South Victoria Avenue  
Ventura, CA 93009-1210



## Explanation of the Notice of Completion Form

Form A is **required** to be submitted with 15 copies of every draft Environmental Impact Report and Negative Declaration that is reviewed through the State Clearinghouse (see CEQA Guidelines Section 15085[d]).

### LEAD AGENCY

**Project Title:** This is the project's common name. It is best to use project specific words to facilitate database searches.

**Lead Agency:** This is the name of the public agency that has legal responsibility for preparation and review of the environmental document.

**Contact Person:** Name of contact person from the Lead Agency. This should not be the consultant's name.

**Mailing Address:** This is the mailing address for the contact person at the Lead Agency. State comments will be mailed to this address.

**Phone:** Phone number of the contact person at Lead Agency.

**City:** City of the Lead Agency address. This is not necessarily the city in which the project is located.

**Zip:** Zip code of the Lead Agency. Please indicate the new nine-digit zip code if applicable.

**County:** County of the Lead Agency address. This is not necessarily the county in which the project is located.

### PROJECT LOCATION

**County:** County in which the project is located. Most state agencies assign projects for review according to the county of the project. The State Clearinghouse is not always able to determine the location of the project based on the address of the Lead Agency. An example of this problem is Los Angeles Department of Airports projects located at Ontario International Airport.

**City/Nearest Community:** City or town in which the project is located, or the community nearest the location of the project.

**Total acres:** The total area encompassed by the project site gives some indication of the scope of the project and its regional significance.

**Cross Streets:** Indicate the nearest major cross street or streets.

**Assessor's Parcel Number:** For locational purposes.

**Section, Township, Range and Base:** Please indicate base meridian. If you are not able to provide Assessor's Parcel Number, please indicate Section, Township, and Range.

**Highways, Airports, Railroads, Schools, and Waterways (including streams or lakes):** These identifiers are of consequence to many projects. By restricting the information to those features within a two-mile radius of the project site, unnecessary data collection can be avoided. Please indicate the name(s) of the waterways, airports, railroads, schools, and the route number(s) of the state highways.

### DOCUMENT TYPE

This identifies the nature of the environmental document. Mark appropriate blanks with an "X."

### LOCAL ACTION TYPE

This helps reviewers understand the type of local approvals that will be required for the project and the nature of the project and its environmental documentation. Mark appropriate blanks with "X."

### DEVELOPMENT TYPE

This data category helps identify the scope of the project for distribution purposes. Additionally, the information serves to identify projects of a similar character to assist in the reuse of environmental documents. For some of the development types, the form asks for the number of acres, square footage, and number of permanent employees. Fill in the blanks.

### PROJECT ISSUES DISCUSSED IN DOCUMENT

These are the topics on which the environmental document focuses attention. These are not necessarily the adverse impacts of the project, but the issues which are discussed in some depth. Check appropriate blanks.

### PRESENT LAND USE AND ZONING

This enables the agencies to understand the extent of the changes proposed and again helps to identify projects with similar environmental issues for later reuse of information.

### PROJECT DESCRIPTION

This response should provide a brief (1-2 paragraph) description of the proposed project, yet thorough enough for the reviewing agencies to understand the total project concept. The data categories can provide guidance and structure to the explanation given.

### REVIEWING AGENCIES CHECKLIST

The second page of the form lists the agencies and departments to whom SCH may distribute a draft document. The Lead Agency can indicate for SCH's information any Responsible, Trustee, or concerned agencies they would like to review the document, or who have previously been involved in the project's review. Any agencies that received the document directly from the Lead Agency also should be marked accordingly.

### LOCAL PUBLIC REVIEW PERIOD

This section is to be filled in when the Notice of Completion form is being filed and not being submitted with environmental documents.

### CONSULTING FIRM

This information is to be filled in only if applicable.

### APPLICANT

This identifies whether the applicant/project proponent is a private developer or the Lead Agency.

Notice of Completion & Environmental Document Transmittal

SCH # \_\_\_\_\_

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

Project Title: \_\_\_\_\_

Lead Agency: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Project Location:

County: \_\_\_\_\_ City/Nearest Community: \_\_\_\_\_ Total Acres: \_\_\_\_\_

Cross Streets: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Assessor's Parcel No. \_\_\_\_\_ Section: \_\_\_\_\_ Twp. \_\_\_\_\_ Range: \_\_\_\_\_ Base: \_\_\_\_\_

Within 2 Miles: State Hwy #: \_\_\_\_\_ Waterways: \_\_\_\_\_

Airports: \_\_\_\_\_ Railways: \_\_\_\_\_ Schools: \_\_\_\_\_

Document Type:

- CEQA: [ ] NOP [ ] Draft EIR NEPA: [ ] NOI Other: [ ] Joint Document
[ ] Early Cons [ ] Supplement to EIR (Note prior SCH # below) [ ] EA [ ] Final Document
[ ] Neg Dec [ ] Subsequent EIR (Note prior SCH # below) [ ] Draft EIS [ ] Other \_\_\_\_\_
[ ] Mit Neg Dec [ ] Other \_\_\_\_\_ [ ] FONSI

Local Action Type:

- [ ] General Plan Update [ ] Specific Plan [ ] Rezone [ ] Annexation
[ ] General Plan Amendment [ ] Master Plan [ ] Prezone [ ] Redevelopment
[ ] General Plan Element [ ] Planned Unit Development [ ] Use Permit [ ] Coastal Permit
[ ] Community Plan [ ] Site Plan [ ] Land Division (Subdivision, etc.) [ ] Other \_\_\_\_\_

Development Type:

- [ ] Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_ [ ] Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_
[ ] Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_ [ ] Transportation: Type \_\_\_\_\_
[ ] Commercial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_ [ ] Mining: Mineral \_\_\_\_\_
[ ] Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_ [ ] Power: Type \_\_\_\_\_ MW \_\_\_\_\_
[ ] Educational \_\_\_\_\_ [ ] Waste Treatment: Type \_\_\_\_\_ MGD \_\_\_\_\_
[ ] Recreational \_\_\_\_\_ [ ] Hazardous Waste: Type \_\_\_\_\_
[ ] Other: \_\_\_\_\_

Project Issues Discussed in Document:

- [ ] Aesthetic/Visual [ ] Fiscal [ ] Recreation/Parks [ ] Vegetation
[ ] Agricultural Land [ ] Flood Plain/Flooding [ ] Schools/Universities [ ] Water Quality
[ ] Air Quality [ ] Forest Land/Fire Hazard [ ] Septic Systems [ ] Water Supply/Groundwater
[ ] Archeological/Historical [ ] Geologic/Seismic [ ] Sewer Capacity [ ] Wetland/Riparian
[ ] Biological Resources [ ] Minerals [ ] Soil Erosion/Compaction/Grading [ ] Growth Inducement
[ ] Coastal Zone [ ] Noise [ ] Solid Waste [ ] Land Use
[ ] Drainage/Absorption [ ] Population/Housing Balance [ ] Toxic/Hazardous [ ] Cumulative Effects
[ ] Economic/Jobs [ ] Public Services/Facilities [ ] Traffic/Circulation [ ] Other \_\_\_\_\_

Present Land Use/Zoning/General Plan Designation:

Project Description: (please use a separate page if necessary)

**Reviewing Agencies Checklist**

continued

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X". If you have already sent your document to the agency please denote that with an "S".

- |                                                                 |                                                                                         |
|-----------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Air Resources Board                    | <input type="checkbox"/> Office of Emergency Services                                   |
| <input type="checkbox"/> Boating & Waterways, Department of     | <input type="checkbox"/> Office of Historic Preservation                                |
| <input type="checkbox"/> California Highway Patrol              | <input type="checkbox"/> Parks & Recreation                                             |
| <input type="checkbox"/> Caltrans District # _____              | <input type="checkbox"/> Pesticide Regulation, Department of                            |
| <input type="checkbox"/> Caltrans Division of Aeronautics       | <input type="checkbox"/> Public Utilities Commission                                    |
| <input type="checkbox"/> Caltrans Planning                      | <input type="checkbox"/> Reclamation Board                                              |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> Regional WQCB # _____                                          |
| <input type="checkbox"/> Coastal Commission                     | <input type="checkbox"/> Resources Agency                                               |
| <input type="checkbox"/> Colorado River Board Commission        | <input type="checkbox"/> S.F. Bay Conservation & Development Commission                 |
| <input type="checkbox"/> Conservation, Department of            | <input type="checkbox"/> San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy |
| <input type="checkbox"/> Corrections, Department of             | <input type="checkbox"/> San Joaquin River Conservancy                                  |
| <input type="checkbox"/> Delta Protection Commission            | <input type="checkbox"/> Santa Monica Mountains Conservancy                             |
| <input type="checkbox"/> Education, Department of               | <input type="checkbox"/> State Lands Commission                                         |
| <input type="checkbox"/> Office of Public School Construction   | <input type="checkbox"/> SWRCB: Clean Water Grants                                      |
| <input type="checkbox"/> Energy Commission                      | <input type="checkbox"/> SWRCB: Water Quality                                           |
| <input type="checkbox"/> Fish & Game Region # _____             | <input type="checkbox"/> SWRCB: Water Rights                                            |
| <input type="checkbox"/> Food & Agriculture, Department of      | <input type="checkbox"/> Tahoe Regional Planning Agency                                 |
| <input type="checkbox"/> Forestry & Fire Protection             | <input type="checkbox"/> Toxic Substances Control, Department of                        |
| <input type="checkbox"/> General Services, Department of        | <input type="checkbox"/> Water Resources, Department of                                 |
| <input type="checkbox"/> Health Services, Department of         | <input type="checkbox"/> Other _____                                                    |
| <input type="checkbox"/> Housing & Community Development        | <input type="checkbox"/> Other _____                                                    |
| <input type="checkbox"/> Integrated Waste Management Board      |                                                                                         |
| <input type="checkbox"/> Native American Heritage Commission    |                                                                                         |

-----  
**Local Public Review Period (to be filled in by lead agency)**

Starting Date \_\_\_\_\_ Ending Date \_\_\_\_\_

|                                              |                         |
|----------------------------------------------|-------------------------|
| <b>Lead Agency (Complete if applicable):</b> | <b>Applicant:</b> _____ |
| Consulting Firm: _____                       | Address: _____          |
| Address: _____                               | City/State/Zip: _____   |
| City/State/Zip: _____                        | Phone: (____) _____     |
| Contact: _____                               |                         |
| Phone: (____) _____                          |                         |

-----  
Signature of Lead Agency Representative \_\_\_\_\_ Date \_\_\_\_\_

**ATTACHMENT B**  
**DISTRIBUTION LIST**

---

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NICK GREEN  
VENTURA CO. EDITION  
93 SOUTH CHESTNUT ST.  
VENTURA, CA 93001

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Ojai, CA 93024

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**Friends of Santa Clara River**  
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Santa Paula

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Wally Bobkiewicz

City Attorney  
Karl Berger

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Dr. Gabino Aguirre

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Community Services Director  
Brian A. Yanez

Council Member  
Ralph J. Fernandez

Vice Mayor  
John T. Procter

Josie Herrera  
City Clerk

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Community Development Director  
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Fillmore, CA 93015

Public Work Director/  
City Engineer  
Cliff Finley

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Gary Nasalroad, Chair  
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Richard C. Araiza

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