

county of ventura

August 22, 2011

City of Santa Paula
Attn.: Janna Minsk
200 South Tenth Street
Santa Paula, CA 93060

E-mail: jminsk@spcity.org

Subject: Comments on the NOP of a DEIR for the East Area 2 Annexation Project

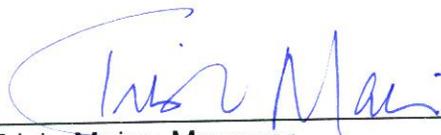
Dear Ms. Minsk:

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

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

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

Sincerely,



Tricia Maier, Manager
Program Administration Section

Attachment

County RMA Reference Number 11-018



VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Laura Hocking/Dawnyelle Addison, Planning DATE: August 10, 2011

FROM: Alicia Stratton

SUBJECT: Request for Review of Notice of Preparation for the East Area 2
Annexation Project, City of Santa Paul (Reference No. 11-018)

Air Pollution Control District staff has reviewed the subject notice of preparation, for a draft environmental impact report (DEIR), which is a proposal for annexation of portions of the East Area 2 Planning Area as designated in the City's General Plan. The annexation project includes related actions, including a General Plan Land Use Amendment and pre-zoning of the annexation area. In addition, adoption of the Santa Paula East Gateway Specific Plan is proposed for a portion of the annexation area. The location of the East Area 2 Annexation Area is located on the northeast edge of the City of Santa Paula.

District staff recommends that the air quality section of the DEIR be prepared in accordance with the 2003 *Ventura County Air Quality Assessment Guidelines* (2003 Guidelines). Specifically, the air quality assessment should consider impacts of the development that would be permitted by the City's General Plan and zoning and the Santa Paula East Gateway Specific Plan. The air quality assessment should evaluate reactive organic compound and nitrogen oxide emissions from future project-related motor vehicles and construction equipment. Additionally, the air quality assessment should consider potential impacts from fugitive dust, including PM10, that will be generated by construction activities. Project consistency with the Ventura County Air Quality Management Plan should be evaluated. Evaluation of greenhouse gas emissions from future development and increase in vehicle trips should be included in the DEIR.

If project-related air quality impacts are deemed significant, appropriate mitigation measures should be identified and included in the environmental impact report.

If you have any questions, please call me at (805) 645-1426.



**COUNTY OF VENTURA
RESOURCE MANAGEMENT AGENCY
PLANNING DIVISION**

MEMORANDUM

DATE: August 8, 2011

TO: Janna Minsk, Planning Director
City of Santa Paula Planning Division

FROM: Nicole Doner, Cultural Heritage Board staff 

SUBJECT: Notice of Preparation of a Draft EIR/East Area Two Planning Area
Annexation; Project # 11-018 dated 7/22/11

The Cultural Heritage Board staff has reviewed the Notice of Preparation of a Draft EIR (mentioned above) and has the following comment:

A Historic Resources Survey of this area referred to as the Ventura County Cultural Heritage Survey Santa Clara Valley Phase VI was completed in 1999 by San Buenaventura Research Associates. The survey boundaries included all of the unincorporated areas between Santa Paula Creek and Hall Road. The survey identified and documented all buildings, structures, and objects at least fifty years of age within the survey boundaries and determined their significance both at the National Register of Historic Places and the local level.

A few properties within the East Area Two Planning Area were identified in the Santa Clara Valley Phase VI survey as culturally significant resources and were declared Sites of Merit by the Ventura County Board of Supervisors in December of 2000. Sites of Merit are County protected sites of historical, architectural or aesthetic merit. Per Section 1362 of Ordinance No. 4225 (Ventura County Cultural Heritage Ordinance), Sites of Merit shall retain their declared status after annexation.

You may review the Santa Clara Valley Phase VI survey at the Ventura County Planning Division website located at:

<http://www.ventura.org/rma/planning/pdf/programs/SurveyReport.pdf>

If you have any questions, please give me a call at 805-654-5042 or contact me at nicole.doner@ventura.org.



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

MEMORANDUM

DATE: July 26, 2011

TO: Resource Management Agency, Planning Division
Attention: Laura Hocking

FROM: Ben Emami, Engineering Manager II *Ben ✓*

SUBJECT: REVIEW OF DOCUMENT 11-018 Notice of Preparation (NOP) of Environmental Impact Report (EIR)
EAST AREA 2 ANNEXATION PROJECT
Annexation of three areas in northeast corner of City of Santa Paula (SSP)
Lead Agency: **City of Santa Paula**

Pursuant to your request, the Public Works Agency -- Transportation Department has reviewed the NOP of an EIR for the East Area 2 Annexation Project.

This project is the annexation of 94.5 acres in three areas designated herein as Area "A", "B", and "C" near or in the northeast corner of the City of Santa Paula.

Area "A" is the largest area and is mostly between State Route 126, the railroad, and west of South Hallock Drive, a city street. Also included are residences north of the railroad accessed via Ferris Lane, a county road, and businesses just west of Santa Paula Creek. Area "B" is the smallest area and is a county island south of State Route 126 and north of Lemonwood Drive, a city street. Area "C" is the second largest area and is north and south of State Route 126 and contiguous with the city's easterly most boundary.

The annexation project includes a series of related actions such as a General Plan Land Use Amendment, pre-zoning, adoption of the Santa Paula East Gateway Specific Plan, and annexation of East Area 1 Specific Plan Area. Current land uses of the three proposed areas for annexation as East Area 2 include residential, commercial, light industrial development, vacant land, and agriculture lane.

Related projects include the East Area 1 Annexation Project reviewed under RMA No.'s 06-039 and 07-075.

We offer the following comments:

1. It is our understanding that this annexation project will include the annexation of the following county transportation facilities:
 - Telegraph Road from Harvard Boulevard, a city street, at the city boundary to 69 feet west of Hallock Drive, a city street.
 - Ferris Lane from Telegraph Road to the northerly end near the railroad.

- Telegraph Road Bridge over Santa Paula Creek designed as Caltrans Bridge Number 52C-79.
2. The boundaries of the three areas to be included in the East Area 2 Annexation Project appear to follow LAFCO guidelines. LAFCO guidelines under Section 3.2.1 state that cities shall annex entire roadway sections and complete intersections adjacent to the territory proposed to be annexed.
 3. It is our understanding that the proposed annexation does not involve development of the parcels to be annexed, therefore the project, as proposed, will not generate new traffic on the Regional Road Network and the local public roads. Any future specific development shall have mitigation measures for the cumulative impact of traffic on Ventura County Regional Road Network. If the cumulative impact of the project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County is potentially significant, a condition for paying the County Traffic Impact Mitigation Fee to the County shall be included.
 4. Please send us the draft EIR when it becomes available for our review and comment.

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

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

ec: Kai Luoma, LAFCO

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**Ventura County
Watershed Protection District
Groundwater Section**

MEMORANDUM

DATE: August 16, 2011

TO: Laura Hocking, RMA Planning

FROM: *Rick Viergutz*
Rick Viergutz

SUBJECT: RMA11-018, Notice of Preparation of EIR, East Area 2 Annexation Project

The Watershed Protection District – Groundwater Section has reviewed the above Notice of Preparation and has provided the following comments:

The Draft Environmental Impact Report discussion needs to answer or address the following:

- 1) Will groundwater quality be affected when the areas presently zoned as Agricultural and Open Space are converted to Mixed Use Commercial/Light Industrial? The study should address potential sources for groundwater contamination, including but not limited to the following: septic systems, sewer connections, use and storage of hazardous materials and chemicals, and possible discharges to groundwater.
- 2) What will be the net change in groundwater demand as a result of this project?
- 3) Clearly describe the proposed future use of the onsite wells.
- 4) Is there adequate infrastructure to provide water to the site?
- 5) Is the use of surface water proposed?

CITY OF SANTA PAULA

OCT - 5 2011

RECEIVED



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

SEP 30 2011

In response refer to:
2011/04864:AH

Janna Minsk
Planning Director
City of Santa Paula
PO Box 569
Santa Paula, California 93061

Dear Ms. Minsk:

NOAA's National Marine Fisheries Service (NMFS) reviewed the Notice of Preparation of a draft Environmental Impact Statement/Report (DEIR) for the City of Santa Paula's (City) proposed annexation of East Area 2. The following information is provided in response to the notice.

NAME OF CONTACT PERSON

Armin Halston is the contact for this project. Correspondence should be sent to Mr. Halston at 501 E. Ocean Blvd., Suite 4200, Long beach, CA 90802. Mr. Halston can be contacted also by telephone (562-980-3264), fax (562-908-4027) and email armin.halston@noaa.gov.

PERMIT OR APPROVAL AUTHORITY

NMFS' jurisdiction involves marine mammals, marine fish, anadromous fish (steelhead and salmon among others) and their habitat. Generally, NMFS reviews proposed actions for determining whether these species or their habitat are likely to be adversely affected, and for recommending measures to avoid, minimize and offset negative effects. Review of projects involving anadromous fish, i.e., steelhead, is performed in the context of either section 7 or section 10 of the Endangered Species Act (ESA) of 1973. Section 7 is the appropriate review when a Federal action (any action authorized, funded, or carried out by a Federal agency) is associated with a project. Review under section 10 applies when no Federal nexus exists. The end result of a review could involve a Biological Opinion or Incidental Take Permit, depending on whether a Federal action is associated with the proposed action.

ENVIRONMENTAL INFORMATION

The environmental document should clearly identify and describe the proposed action including interrelated and interdependent actions to the extent that NMFS could develop an understanding of the potential effects (offsite, onsite, direct, indirect, temporary, permanent) of the action on



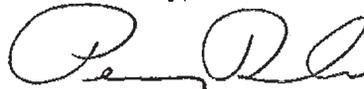
steelhead and their habitat. One key concern involves the extent that the proposed action would either promote or preclude future opportunities to restore the Santa Paula Creek channel to a pre-impact state (i.e., prior to placement within a flood-control channel), including attainment of historical flood-plain connectivity and natural lateral migration of the channel. Any coordination with the U.S. Army Corps of Engineers to address the efficacy of the adjacent flood control channel regarding flood protection and steelhead migration should be included. The environmental document should include a list of measures for avoiding and minimizing potential negative effects of the proposed action on steelhead and their habitat. NMFS' draft Southern California Steelhead Recovery Plan recognizes the Santa Clara River watershed steelhead population, including Santa Paula Creek, as a priority for the recovery of this species and identifies ground water extraction, agricultural and urban development as threat sources. Unavoidable effects should be described fully according to life stage (i.e., spawning, rearing, migration, among others) and relevant features of this species' habitat. The manner in which the preferred alternative would be implemented (e.g., construction schedule, level of manpower, equipment types, access roads) should be clearly described. Ideally, the current abundance of steelhead in the entire affected area should be quantified; such information would be useful for developing an understanding of the potential effect of the proposed action on the local population of steelhead. The potential benefits of the proposed action on steelhead should be described as well. The proposed action would likely qualify as a major construction activity under the National Environmental Policy Act, and in accordance with 50 CFR 402.12(b) a Biological Assessment would be required.

ALTERNATIVES

NMFS has no recommendation at this time, but may identify an alternative upon formal review of the environmental document.

NMFS appreciates the opportunity to provide information to support preparation of the environmental document and looks forward to formal review of the proposed action. NMFS requests the City to inform us of further development on the proposed annexation and DEIR for East Area 2, as well as East Area 1. Please contact Armin Halston at (562) 980-3264 if you have a question concerning this letter or if you would like additional information.

Sincerely,

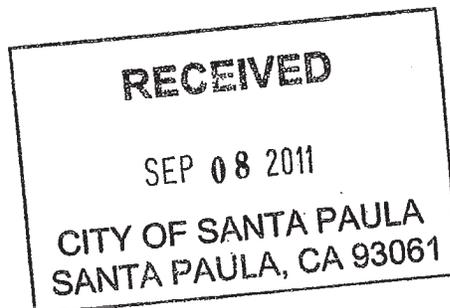


Penny Ruvelas
Southern California Area Office Supervisor
for Protected Resources Division

cc: Jeff Humble, CDFG
Mary Larson, CDFG
Roger Root, USFWS
Copy to Admin file: 151422SWR2011PR00438



South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.dfg.ca.gov



August 26, 2011

Ms. Janna Minsk, Planning Director
City of Santa Paula
200 South Tenth Street
Santa Paula, California 93060
Fax No.: (805) 525-6660
jminsk@spcity.org

Subject: Notice of Preparation of a Draft Environmental Impact Report for the East Area 2 Annexation Project, Ventura County

Dear Ms. Minsk:

The Department of Fish and Game (Department) has reviewed the Notice of Preparation prepared (NOP) by the City of Santa Paula (City) of a Draft Environmental Impact Report (DEIR) for the East Area 2 Annexation Project (Project). The City of Santa Paula is proposing to annex portions of the East Area 2 Planning Area as designated in the City's General Plan. The annexation project includes a series of related actions, including amendment of the General Plan Land Use Element and pre-zoning of the annexation area. In addition, adoption of the Santa Paula East Gateway Specific Plan is proposed for a portion of the annexation area.

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

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

To enable Department staff to adequately review and comment on the project, we recommend the following information, where applicable, be considered during the preparation of the DEIR:

1. A complete, recent assessment of flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats (See Protocols for Surveying and Evaluating

Impacts to Special Status Native Plant Populations and Natural Communities at:
<http://www.dfg.ca.gov/habcon/plant/>).

- a. A thorough recent assessment of rare plants and rare natural communities, following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities.
 - b. A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use within the project area should also be addressed. Recent, focused, species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and U.S. Fish and Wildlife Service.
 - c. Endangered, rare, and threatened species to address should include all those species which meet the related definition under the CEQA Guidelines. (See Cal. Code Regs., tit. 14, § 15380.)
 - d. The Department's Biogeographic Data Branch in Sacramento should be contacted at (916) 322-2493 (www.dfg.ca.gov/biogeodata) to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. Also, any Significant Ecological Areas (SEAs) or Environmentally Sensitive Habitats (ESHs) or any areas that are considered sensitive by the local jurisdiction that are located in or adjacent to the project area must be addressed.
2. A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts.
- a. CEQA Guidelines, Section 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
 - b. Project impacts should also be analyzed relative to their effects on off-site habitats and populations. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas are of concern to the Department and should be fully evaluated and provided. The analysis should also include a discussion of the potential for impacts resulting from such effects as increased vehicle traffic, outdoor artificial lighting, noise and vibration.
 - c. A cumulative effects analysis should be developed as described under CEQA Guidelines, Section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.
 - d. Impacts to migratory wildlife affected by the project should be fully evaluated including proposals to remove/disturb native and ornamental landscaping and other nesting habitat for native birds. Impact evaluation may also include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and staging sites. All migratory nongame native bird species are

- protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory nongame birds as listed under the MBTA.
- e. Impacts to all habitats from City or County required Fuel Modification Zones (FMZ). Areas slated as mitigation for loss of habitat shall not occur within the FMZ.
 - f. Proposed project activities (including disturbances to vegetation) should take place outside of the breeding bird season (February 1- September 1) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). If project activities cannot avoid the breeding bird season, nest surveys should be conducted and active nests should be avoided and provided with a minimum buffer as determined by a biological monitor (the Department recommends a minimum 500-foot buffer for all active raptor nests).
3. A range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources including wetlands/riparian habitats, alluvial scrub, coastal sage scrub, should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.
 - a. Mitigation measures for project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid or otherwise minimize project impacts. Compensation for unavoidable impacts through acquisition and protection of high quality habitat elsewhere should be addressed with off-site mitigation locations clearly identified.
 - b. The Department considers Rare Natural Communities as threatened habitats having both regional and local significance. Thus, these communities should be fully avoided and otherwise protected from project-related impacts (attached).
 - c. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.
 4. An Incidental Take Permit (ITP) from the Department may be required if the project, project construction, or any project-related activity during the life of the project will result in "take," as defined by the Fish and Game Code, of any species protected by CESA (Fish & G. Code, §§86, 2080, 2081, subd. (b), (c)). Early consultation with Department regarding potential permitting obligations under CESA with respect to the project is encouraged (Cal. Code Regs., tit. 14, § 783.2, subd. (b)). It is imperative with these potential permitting obligations that the DEIR prepared by the City in the present case includes a thorough and robust analysis of the potentially significant impacts to endangered, rare, and threatened species, and their habitat, that may occur as a result of the proposed project. For any such potentially significant impacts the City should also analyze and describe specific, potentially feasible mitigation measures to avoid or substantially lessen any such impacts as required by CEQA and, if an ITP is necessary, as required by the relevant permitting criteria prescribed by Fish and Game Code section 2081, subdivisions (b) and (c). The failure to include this analysis in the project DEIR could preclude the Department from relying on the City's analysis

Ms. Janna Minsk, Planning Director

August 26, 2011

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to issue an ITP without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project (See, e.g., Cal. Code Regs., tit. 14, § 15096, subd. (f); Pub. Resources Code, § 21166). For these reasons, the following information is requested:

- a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
 - b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
5. The Department opposes the elimination of watercourses (including concrete channels) and/or the canalization of natural and manmade drainages or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations. The Department recommends a minimum natural buffer of 100 feet from the outside edge of the riparian zone on each side of drainage.
- a. The Department also has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) or a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration Agreement (LSA) is required. The Department's issuance of a LSA is a project subject to CEQA. To facilitate issuance of a LSA, if necessary, the DEIR should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. Again, the failure to include this analysis in the project DEIR could preclude the Department from relying on the City's analysis to issue a LSA without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project.

Thank you for this opportunity to provide comments. Please contact Mr. Daniel Blankenship, Staff Environmental Scientist, at (661) 259-3750 if you should have any questions and for further coordination on the proposed project.

Sincerely,



Edmund Pert
Regional Manager
South Coast Region

cc: Betty Courtney, CDFG, Santa Clarita
Jeff Humble, CDFG, Ventura

RECEIVED

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-6536
FAX: (213) 897-1337

AUG 17 2011
CITY OF SANTA PAULA
SANTA PAULA, CA 93061



*Flex your power!
Be energy efficient!*

August 2, 2011

NOP/Santa Paula East Area 2 Annexation Project
IGR/CEQA No. 110737/NY
Vic. VEN-SR-126
SCH # 2011071068

Ms. Janna Minsk
City of Santa Paula
200 South Tenth Street
Santa Paula, CA. 93060

Dear Ms. Minsk:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project proposes to annex portions of the East Area 2 Planning Area as designated in the City's General Plan

The California Department of Transportation (Caltrans), as the State agency responsible for planning, operations, and maintenance of State highways, shares similar transportation goals with the City. In the spirit of mutual and collaborative planning, we offer our expertise in the areas of transportation modeling, mainline freeway analysis, system and corridor planning, environmental and community impact assessment, as well as identifying critical operational deficiencies affecting freeway congestion, speed, and delay.

For your information, please see excerpts below from the California Environmental Resource Evaluation System website http://ceres.ca.gov/planning/genplan/gp_chapter3.html#circulation that provides information regarding General Plans that you may find helpful:

Caltrans is particularly interested in the transportation planning roles of local general plans and suggests that emphasis be placed on the following areas:

- Coordination of planning efforts between local agencies and Caltrans districts.
- Preservation of transportation corridors for future system improvements; and
- Development of coordinated transportation system management plans that achieve the maximum use of present and proposed infrastructure.”

Circulation Element

It is widely known that Southern California highways are heavily congested especially during morning and evening peak periods. To improve mobility there is the need for capacity enhancing project as well as other innovative alternatives.

New development will increase use of local and regional roadways and the circulation element can identify strategies the City will pursue to maintain good levels of service. Mitigating cumulative traffic impacts may present some challenges. Given that the Los Angeles County's CMP debit and credit system has been suspended, it is recommended that the City consider an alternate local funding plan towards regional transportation improvements. Local funding efforts may include a region or community wide traffic impact program.

It is requested that the City consider implementing a funding program to contribute to improvements on the State highway system, including impacted State Route 126 and on/off ramps. In some case, when local matching funds are offered improvements can be streamlined and/or expedited. The City may take this opportunity to include policies that allow it to procure funds towards regional transportation improvements on any of the freeway interchanges in the vicinity. Procuring funds toward freeway segments, freeway interchanges, freeway on/off-ramps, as well as for bus and rail transit facilities should also be included in the City's goals.

Please include Caltrans in the environmental review process of land use projects within the City General Plan area and all projects that have the potential to significantly impact traffic conditions on State highways. To avoid delays and to clarify any issues that may arise during the development of the traffic impact analysis, we request to involvement during this phase of the process. If it is determined that significant impacts are anticipated on the State highway system the Caltrans will work with the City and applicants to identify appropriate traffic mitigation measures.

The thresholds for significance on State highway facilities are different than those applied in the Los Angeles County Management Program (CMP). For State thresholds and guidance on the preparation of acceptable traffic studies, please refer to the Statewide Guide for the preparation of Traffic Impact Studies at:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

Traffic mitigation alternatives may include vehicular demand reducing strategies, such as incentives for commuters to use transit i.e. park-and-ride lots, discounts on monthly bus and rail passes, vanpools, etc.

Land Use Element

The relationship between land use and transportation is critical. The quality of the State transportation system operation can affect the quality of the local circulation system operation. The Circulation Element of the General Plan should be consistent with the Land-Use and Housing Elements of the General Plan. During the past couple decades, population and economic growth has been strong in Los Angeles County. Projections show that this growth will continue.

It is recommended that special attention be given to the jobs-and-housing balance concept. Communities with predominantly residential allocations should be encouraged to set aside areas for office, commercial/retail, and open space uses. Benefits of balanced communities include: reduction of long morning and evening commutes on State highways, shorter trips which in turn

Ms. Janna Minsk
August 2, 2011
Page 3 of 3

would reduce the consumption of fuel and air pollutants. It may also change direction of trips. Instead of most traffic traveling in one direction during peak periods, some trips may be diverted in the opposite direction. Other land use strategies may include Transit-Oriented Developments (TODs).

Housing Element

As indicated previously, continued high growth is expected for Los Angeles County, which will have impacts to State transportation facilities. For large development projects, efforts should be made to provide affordable housing for young workers and seniors to ensure that substantial numbers of employees can afford to purchase homes and live in proposed projects. Please encourage project proponents to provide information on jobs provided along with housing development phases.

We look forward to reviewing the traffic study. Although a copy of the DEIR will be sent from the State Clearinghouse upon completion, a copy may be sent to the undersigned in advance, in an effort to expedite the review process.

If you have any questions, please feel free to contact Mr. Nerses Armand Yerjanian, the project engineer/coordinator at (213) 897-6536 and refer to IGR/CEQA No. 110737NY.

Sincerely,



DiAnna Watson
IGR/CEQA Program Manager

cc: Scott Morgan, State Clearinghouse

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



September 7, 2011

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

RE: SCH# 2011071068 Santa Paula Area 2 Annexation Project; Ventura County

Dear Ms. Minsk:

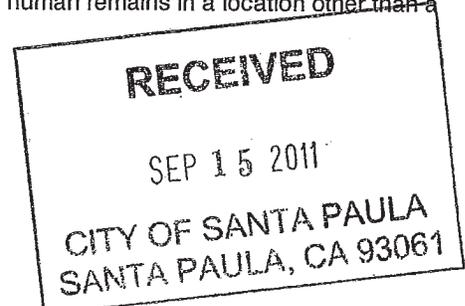
The Native American Heritage Commission has reviewed the Notice of Preparation (NOP) regarding the above referenced project. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

- ✓ Contact the appropriate Information Center for a record search to determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. **Sacred Lands File check completed, no sites indicated.**
 - A list of appropriate Native American Contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst
(916) 653-4040



CC: State Clearinghouse

Native American Contact List

Ventura County

September 7, 2011

Charles Cooke
32835 Santiago Road
Acton , CA 93510
suscol@intox.net

(661) 733-1812 - cell
suscol@intox.net

Chumash
Fernandeno
Tataviam
Kitanemuk

Barbareno/Ventureno Band of Mission Indians
Julie Lynn Tumamait, Chairwoman
365 North Poli Ave
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214

Chumash

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks, CA 91362
folkes@msn.com
805 492-7255
(805) 558-1154 - cell
folkes9@msn.com

Chumash
Tataviam
Fernandefio

Patrick Tumamait
992 El Camino Corto
Ojai , CA 93023
(805) 640-0481
(805) 216-1253 Cell

Chumash

Owl Clan
Dr. Kote & Lin A-Lul'Koy Lotah
48825 Sapaque Road
Bradley , CA 93426
mupaka@gmail.com
(805) 472-9536

Chumash

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road
Grover Beach CA 93433
cheifmvigil@fix.net
(805) 481-2461
(805) 474-4729 - Fax

Chumash

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517
Santa Ynez , CA 93460
varmenta@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax

Chumash

Owl Clan
Qun-tan Shup
48825 Sapaque Road
Bradley , CA 93426
mupaka@gmail.com
(805) 472-9536 phone/fax
(805) 835-2382 - CELL

Chumash

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

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

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2011071068 Santa Paula East Area 2 Annexation Project; Ventura County.

Native American Contact List
Ventura County
September 7, 2011

Stephen William Miller 189 Cartagena Camarillo , CA 93010 (805) 484-2439	Chumash	Charles S. Parra P.O. Box 6612 Oxnard , CA 93031 (805) 340-3134 (Cell) (805) 488-0481 (Home)	Chumash
Santa Ynez Tribal Elders Council Adelina Alva-Padilla, Chair Woman P.O. Box 365 Santa Ynez , CA 93460 elders@santaynezchumash.org (805) 688-8446 (805) 693-1768 FAX	Chumash	Richard Angulo 2513 Laney Circle Denton , TX 76208	Chumash
Randy Guzman - Folkes 655 Los Angeles Avenue, Unit E Moorpark , CA 93021 ndnRandy@yahoo.com (805) 905-1675 - cell	Chumash Fernandeño Tataviam Shoshone Paiute Yaqui	Santa Ynez Band of Mission Indians Tribal Administrator P.O. Box 517 Santa Ynez , CA 93460 info@santaynezchumash. (805) 688-7997 (805) 686-9578 Fax	Chumash
Coastal Band of the Chumash Nation Vennise Miller, Chairperson P.O. Box 4464 Santa Barbara CA 93140 805-305-5517	Chumash	Carol A. Pulido 165 Mountainview Street Oak View , CA 93022 805-649-2743 (Home)	Chumash

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

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2011071068 Santa Paula East Area 2 Annexation Project; Ventura County.

Native American Contact List
Ventura County
September 7, 2011

Melissa M. Parra-Hernandez
119 North Balsam Street Chumash
Oxnard , CA 93030
envvy36@yahoo.com
805-983-7964

Frank Arredondo
PO Box 161 Chumash
Santa Barbara Ca 93102
ksen_sku_mu@yahoo.com
805-617-6884
ksen_sku_mu@yahoo.com

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

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

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2011071068 Santa Paula East Area 2 Annexation Project; Ventura County.

PUBLIC UTILITIES COMMISSION

320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013



August 19, 2011

Jana Minsk, AICP
City of Santa Paula
200 South Tenth Street
Santa Paula, CA 93060

Dear Ms. Minsk:

Re: SCH# 2011071068; Santa Paula East Area 2 Annexation Project

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.

The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the *Notice of Completion & Environmental Document Transmittal-Notice of Preparation* from the State Clearinghouse for the proposed Santa Paula East Area 2 Annexation Project. As the state agency responsible for rail safety within California, we recommend that the City add language to the Santa Paula East Gateway Specific Plan Area so that any future planned development adjacent to or near the still active Fillmore & Western Railroad right-of-way is planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

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.

Language should be in place so that any traffic impact studies undertaken should also address vehicular and pedestrian traffic volumes increase impacts over the affected crossing(s) and associated proposed mitigation measures.

If you have any questions in this matter, please contact me at (213) 576-7078 or at rxm@cpuc.ca.gov.

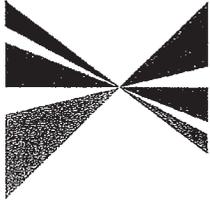
Sincerely,

A handwritten signature in black ink, appearing to read "Rosa Muñoz".

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

C: Dave Wilkinson, Fillmore & Western Railroad
Freddy Cheung, Union Pacific Railroad Company

SOUTHERN CALIFORNIA



ASSOCIATION of GOVERNMENTS

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Policy Committee Chairs

Community, Economic and Human Development
Bill Jahn, Big Bear Lake

Energy & Environment
Margaret Clark, Rosemead

Transportation
Paul Glaab, Laguna Niguel

September 21, 2011

Ms. Janna Minsk, AICP
Planning Director
200 South Tenth Street
Santa Paula, CA 93060
jminsk@spcity.org

RE: SCAG Comments on the Revised Notice of Preparation of a Draft Environmental Impact Report for the East Area 2 Annexation Project [I20110111]

Dear Ms. Minsk:

Thank you for submitting the **Revised Notice of Preparation of a Draft Environmental Impact Report for the East Area 2 Annexation Project [I20110111]** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impact 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 Federal Transportation Improvement Program (FTIP) under California Government Code Section 65080 and 65082.

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 proposed project is an annexation of portions of the East Area 2 Planning Area located on the northeast edge of the City of Santa Paula including related actions including such as an amendment of the General Plan Land Use Element and pre-zoning of the annexation.

Policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Visioning (CGV) that may be applicable to your project are outlined in the attachment. The RTP, CGV, and table of policies can be found on the SCAG web site at: <http://scag.ca.gov/igr>. For ease of review, we would encourage you to use a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format (example attached).

The attached policies are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. **When available, please send environmental documentation ONLY to SCAG's main office in Los Angeles and provide a minimum of 45 days for SCAG to review.** If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895 or leep@scag.ca.gov. Thank you.

Sincerely

Jacob Lieb, Manager
Environmental and Assessment Services

**COMMENTS ON THE REVISED NOTICE OF PREPARATION OF A DRAFT
ENVIRONMENTAL IMPACT REPORT FOR THE
EAST AREA 2 ANNEXATION PROJECT [I20110111]**

PROJECT LOCATION

The proposed project is an annexation of approximately 94.5 acres located on the northeast edge of City of Santa Paula, in Ventura County. The proposed annexation area includes the existing unincorporated island located south of State Route 126 and north of Lemonwood Drive, the area located to the east of the current city limits between State Route 126 and East Area 1 Specific Plan Area, and additional land in the City's East Area 2 Planning Area located to the east of S. Hallock Drive.

PROJECT DESCRIPTION

The City of Santa Paula is proposing to annex portions of the East Area 2 Planning Area designated in the City's General Plan. The annexation project includes a series of related actions, including amendment of the General Plan Land use Element and pre-zoning of the annexation area. In addition, adoption of the Santa Paula East Gateway Specific Plan is proposed for a portion of the annexation area.

Annexation of these areas is proposed to eliminate one existing island of unincorporated territory located south of State Route 126 and to avoid the creation of a second larger island of unincorporated territory when the annexation of the East Area 1 Specific Plan Area, approved by the Ventura Local Agency Formation Commission in March 2011, is recorded.

The City's General Plan Land Use Element currently designates the majority of the annexation area as Mixed Use Commercial/Light Industrial with Santa Paula Creek and Ventura County Branch Rail Line designated as Passive Open Space. The East Area 2 Annexation Area includes existing residential, commercial and light industrial development, vacant land and agricultural land.

The City of Santa Paula will consider the following actions to implement the East Area 2 Annexation Project:

- Amend the City's General Plan Land Use Element to apply the land use designations to the annexation area and revise the boundary of
- Pre-zone the annexation area
- Adopt the proposed Santa Paula East Gateway Specific Plan Area by ordinance
- Apply to the Ventura County LAFCO for annexation

RHNA IMPLICATIONS

The annexation may involve the transfer of housing need determined by the Regional Housing Need Assessment (RHNA) process. Per state housing law, if the County and annexing city reach a mutually acceptable agreement on the number of housing units transferred after annexation, the parties are required to notify SCAG within 90 days after the date of annexation. In the event that both parties cannot reach an agreement, either party may submit a written request to SCAG for a determination on the RHNA allocation for the annexed area. SCAG is currently developing a policy as part of its 5th RHNA cycle methodology to address the determination of future housing need below the jurisdictional level related to an annexation.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

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

Adopted SCAG Regionwide Forecasts¹

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

Adopted VCOG Subregion Forecasts¹

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

Adopted City of Santa Paula Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	34,002	37,963	39,496	40,794	41,929	42,660
Households	9,435	10,557	11,013	11,394	11,732	12,053
Employment	9,464	10,191	10,852	11,419	11,892	12,310

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

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

Regional Transportation Plan Goals:

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

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.*
- GV P2.4** *Support the preservation of stable, single-family neighborhoods.*

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*

CONCLUSION

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.

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

http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

SUGGESTED SIDE BY SIDE FORMAT - COMPARISON TABLE OF SCAG POLICIES

For ease of review, we would encourage the use of a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or not applicable of the policy and supportive analysis in a table format. All policies and goals must be evaluated as to impacts. Suggested format is as follows:

The complete table can be found at: <http://www.scag.ca.gov/igr/>

- Click on "**Demonstrating Your Project's Consistency With SCAG Policies**"
- Scroll down to "**Table of SCAG Policies for IGR**"

SCAG Regional Transportation Plan Goals and Compass Growth Visioning Principles		
Regional Transportation Plan Goals		
Goal/ Principle Number	Policy Text	Statement of Consistency, Non-Consistency, or Not Applicable
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
RTP G3	Preserve and ensure a sustainable regional transportation system.	Consistent: Statement as to why Not-Consistent: Statement as to why or Not Applicable: Statement as to why
Etc.	Etc.	Etc.

October 11, 2011

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

Subject: Revised Notice of Preparation for the East Area 2 Annexation Project

Dear Ms. Minsk:

Thank you for providing the Ventura Local Agency Formation Commission (LAFCo) with the opportunity to review the NOP for the above-referenced project. As a CEQA responsible agency, we are charged with ensuring that environmental documents prepared by lead agencies address the issues that relate to our scope of authority. Please note that these comments are solely those of the LAFCo staff; the document has not been reviewed by the Commission.

The EIR should identify LAFCo as a public agency whose approval is required in conjunction with the development of the proposed project. Indeed, to annex the proposed project area to the City, LAFCo must first take action to approve an application for various changes of organization, collectively referred to as a reorganization. More specifically, the necessary reorganization actions would need to include:

- Annexation to the City
- Detachment from the County Fire Protection District
- Detachment from the Ventura County Resource Conservation District
- Detachment from County Service Area No. 32

LAFCo staff offers the following comments:

Project Description

The description of the commercial development proposed as part of the specific plan is vague. Because the proposal includes the development of a specific plan, we anticipate that additional details of the proposed development will be provided as part of the project description for the EIR.

Agricultural Resources

The NOP includes agricultural resources among the list of topics that will be researched and analyzed in the EIR. However, agricultural resources are not among the topics for which a brief description of the scope of analysis is provided on page 13. The EIR should evaluate the impacts of the proposal on agricultural lands. Please note that LAFCo is required to use the definition of prime agricultural land found in Government Code Section 56064. In addition, LAFCo must review and consider the effects of the conversion of the proposal area to non-agricultural uses, as required by Govt. Code Section 56668(e) and the Ventura LAFCo Commissioner's Handbook (Handbook) Sections 3.1.2 and 3.3.5. Though not a CEQA requirement, it may be appropriate for the EIR to evaluate the proposal's consistency with these policies. If the EIR does not contain such an analysis, it will be required as part of the LAFCo application.

Flood Risks

The NOP indicates that portions of the proposal area are located within flood zones shown on the FEMA Flood Rate Insurance Map, which became effective January 2010. Recent data indicates that a substantial portion of the area to be designated "Specific Plan" may be bisected by a floodway of Huan Creek. Handbook Section 3.3.1.2(h) discourages annexations that would accommodate new development and include a FEMA designated floodway or floodplain unless the hazard can be adequately mitigated. The EIR should base its evaluation of flood risks on the most recent available data.

It appears that the remaining topics identified for study in the EIR are sufficient to address those general areas within the LAFCo scope of authority. Please note that LAFCo staff will review the Draft EIR when it is available and provide further comments.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kai Luoma', written in a cursive style.

Kai Luoma, AICP
Deputy Executive Officer



VENTURA COUNTY WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009
Tom Wolfington, Permit Manager – (805) 654-2061

M E M O R A N D U M

DATE: August 18, 2011

TO: Laura Hocking, RMA/Planning Technician

FROM: Tom Wolfington, P.E. – Permit Section *TW*

SUBJECT: RMA 11-018 – East Area 2 Annexation Project, City of Santa Paula
Notice of Preparation of Environmental Impact Report; Various Parcels
Santa Paula Creek and Orcutt Canyon (Haun Creek), Zone 2

Pursuant to your request, this office has reviewed the subject Notice of Preparation of Environmental Impact Report (NOP of EIR).

PROJECT LOCATION

The project properties are located near the easterly limits of the City of Santa Paula southerly of Texas Lane and the Railroad, both sides of Santa Paula Creek, northerly of Highway 126 except for a triangular parcel between the highway and Lemonwood Drive, and westerly of Orcutt Canyon.

PROJECT DESCRIPTION

The City of Santa Paula is proposing to annex portions of the East Area 2 Planning Area as designated in the City's General Plan. The annexation project includes a series of related actions, including amendment of the General Plan Land Use Element and pre-zoning of the annexation area. In addition, adoption of the Santa Paula East Gateway Specific Plan is proposed for a portion of the annexation area.

The proposed annexation area includes the existing unincorporated island located south of State Route 126 and north of Lemonwood Drive, the area located to the east of the current city limits between State Route 126 and the East Area 1 Specific Plan Area, and additional land in the City's East Area 2 Planning Area located to the east of Hallock Drive. The East Area 2 Annexation Area includes approximately 94.5 acres.

Annexation of these areas at this time is proposed to eliminate one existing island of unincorporated territory located south of State Route 126 and to avoid the creation of a second larger island of unincorporated territory when the annexation of the East Area 1 Specific Plan Area, approved by the Ventura Local Agency Formation Commission (LAFCo) in March 2011, is recorded.

The East Area 2 Annexation Area includes existing residential, commercial, and light industrial development, vacant land, and agricultural land.

The Ventura County General Plan land use designations are Existing Community, Open Space and Agricultural with an Urban Reserve overlay designation. The Urban Reserve overlay is applied in the Ventura County General Plan to all unincorporated land within a city's Sphere of Influence as adopted by the Ventura LAFCo. The County zoning designations for the annexation area include Rural Exclusive for the existing residential area at the northwest edge of the annexation area, Limited Industrial for the developed areas north and south of Telegraph Road, Open Space for a few parcels, and Agricultural Exclusive for vacant land and land currently in agricultural use.

WATERSHED PROTECTION DISTRICT PROJECT COMMENTS:

Although some District property and right-of-way is within the area proposed for annexation, no material effect on the District's ability to operate or maintain these properties and associated facilities is expected to occur as a result of the proposed annexation.

It is noted that the proposed annexation area includes a variety of flood plain designations up through A99. After annexation, the City of Santa Paula will assume flood plain management responsibilities.

It is noted that the NOP of EIR includes the following passage for the section on Hydrology/Water Quality: "The East Area 2 Annexation Area is located north of the Santa Clara River between Santa Paula and Haun Creeks. Portions of the East Area 2 Annexation Area are located in flood zones shown on the FEMA Flood Insurance Rate Map. The EIR will address the potential for the annexation area to be effected by flooding. Existing drainage patterns and estimated future runoff will be reviewed to determine the capacity of existing and planned storm water systems. Storm water quality control measures will also be evaluated."

The District offers no further comments on the Notice of Preparation of Environmental Impact Report.

END OF TEXT

August 22, 2011

To: Janna Minsk
Planning Director
City Of Santa Paula

Regarding East Area 2 Annexation Project NOP , specifically, APN 107-0-041-070(Lot 70) & APN 107-0-041-080(Lot 80):

Before the annexation process began for East Area 1, both parcels had the same county zoning (M1) belonging to the same owner, Harry Stangeland .

The property that includes both lots is currently under a lease to, and being used by, Sawyer Petroleum, serving agricultural customers county-wide.

Lot 80 was switched from EA-2 to EA-1, purportedly to accommodate a "Roundabout" at the intersection of Hallock and Telegraph Road to be annexed as part of EA-1 (pre-zoned LI).

This raised the concern that part of the property would be in the county and the other in the city (which required an exception to LAFCO Policy on the creation of unincorporated Islands).

As it turned out, Lot 80 is not needed for the intersection and the other parcel (lot 70) is part of the proposed annexation to be pre-zoned as Highway Commercial.

That would leave the property with two different zones even though it accommodates a single business. Doing so creates unknown adverse complications should the owner wish to sell or make improvements to the property, the least of which would be determining which zoning a permit must the owner must comply with.

It would seem that there must an uncomplicated remedy to this problem before it reaches LAFCO.

If the intent is to have the strip along Telegraph Rd. near Hallock Dr. zoned Commercial Highway, then that should also include re-zoning Lot 80 to be consistent with Lot 70 .



Ken Chapman
15119 Todd Ln
Santa Paula, CA

CITY OF SANTA PAULA

AUG 22 2011