

# East Gateway Project

## Final Environmental Impact Report



Prepared For:

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

# **Final Environmental Impact Report**

## **East Gateway Project**

### **City of Santa Paula**

**(SCH No. 2011071068)**

**Prepared for:**

City of Santa Paula  
970 Ventura Street  
Santa Paula, California 93060

**Prepared by:**

Meridian Consultants, LLC  
860 Hampshire Road, Suite P  
Westlake Village, California 91361

**January 2013**

## TABLE OF CONTENTS

<b>Section</b>	<b>Page</b>
1.0 Introduction	1.0-1
2.0 Summary of the Public Review Process	2.0-1
3.0 Responses to Comments	3.0-1
4.0 Revisions to the Draft EIR	4.0-1

### **Appendices**

Appendix 1.0 Mitigation Monitoring and Reporting Program

*A disc containing both the Final and Draft EIR is attached on the inside back cover.*

## 1.0 INTRODUCTION

---

### 1.1 PURPOSE

This Final Environmental Impact Report (Final EIR) was prepared for the East Gateway Project by the City of Santa Paula (the City). The Final EIR consists of the September 2012 Draft EIR, which is incorporated by reference, comments on the Draft EIR received during the 45-day public comment period, written responses to those comments, and changes to the text of the Draft EIR. Since this Final EIR incorporates the Draft EIR by reference, a disc containing the Draft EIR is attached to this Final EIR on the inside back cover. The Draft EIR may also be viewed electronically on the City's website at: <http://www.ci.santa-paula.ca.us/>.

The City prepared this Final EIR to the California Environmental Quality Act (CEQA; California Public Resources Code §21000, *et seq.*) and in accordance with the *Guidelines for the Implementation of the California Environmental Quality Act* (California Code of Regulations, Title 14, §15000, *et seq.*, State CEQA Guidelines). The CEQA Guidelines require the City to prepare an EIR for any project that may have a significant impact on the environment. The East Gateway Project is a "project" as defined by the State CEQA Guidelines. Upon preliminary review, the City determined that the East Gateway Project may have significant effects on the environment. Consequently, this EIR was prepared.

As the Lead Agency for this Project, the City is required by the State CEQA Guidelines §15089 to prepare a Final EIR. The Final EIR will be used by the City as part of its decision-making process, and will incorporate mitigation measures for Project implementation. A Mitigation Monitoring and Reporting Program (MMRP), inclusive of revisions following the publication of the Draft EIR, is attached to this document as **Appendix 1.0**.

### 1.2 PROJECT BACKGROUND

The East Gateway Project proposes a series of related actions including an application for reorganization with the Ventura County Local Agency Formation Commission (LAFCo). In addition, the Project proposes a General Plan Amendment to the Land Use Element and pre-zoning of the Project area including adoption the East Gateway Specific Plan affecting a portion of the Project site.

The East Gateway Project implements the City's plans for the East Area 2 Planning Area as defined in the Santa Paula General Plan. It would also fulfill Condition No. 22 of the LAFCo Resolution No. 10-12 (adopted March 16, 2011) approving the East Area 1 Specific Plan reorganization and annexation (East Area 1 Project). As proposed, the East Gateway Project involves a series of related actions including jurisdictional reorganization (annexation), a General Plan Amendment (to the Land Use Element), and

adopting a Specific Plan and pre-zoning for the Project area.

Jurisdictional reorganization (annexation), as approved by LAFCo, would remove an existing island of unincorporated territory located south of SR 126 and avoid creation of a second larger island of unincorporated territory when the approved East Area 1 Project annexation is recorded.

The Draft EIR was prepared in accordance with CEQA, the State *CEQA Guidelines*, and the City's Environmental Guidelines (Santa Paula Guidelines). The Draft EIR was circulated for public review from September 7, 2012 through October 22, 2012.

The purpose of this Final EIR is to inform decision makers and the general public of any significant environmental impacts that may be associated with the planning, construction, and operation of the proposed Project. It is also intended to identify appropriate feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts.

### **1.3 ORGANIZATION OF FINAL EIR**

As required by the State *CEQA Guidelines* §15132, the Final EIR consists of the following elements:

- The Draft EIR or a revision of the draft;
- A list of persons, organizations, and public agencies commenting on the Draft EIR (see **Section 2.0**);
- Comments and recommendations received on the Draft EIR (see **Section 3.0**);
- Responses to significant environmental points raised in the review and consultation process (see **Section 3.0**);
- Revisions to the Draft EIR (**Section 4.0** and **Appendix A**); and
- Additional information is also provided, including a description of the public hearing (**Section 2.0**).

### **1.4 DECISION MAKING PROCESS**

The City is the Lead Agency for this Final EIR because it has the principal responsibility for approving and implementing the East Gateway Project. The City will use the Final EIR in its decision-making process to consider the environmental effects of this proposed Project in determining whether or not to proceed. The State *CEQA Guidelines* require that the City certify that:

- The Final EIR was completed in compliance with CEQA;
- The Final EIR was presented to the City in a public meeting and the City reviewed and considered the information contained in the Final EIR prior to considering the proposed Project; and
- The Final EIR reflects the City's independent judgment and analysis (State *CEQA Guidelines* §15090).

In conjunction with certification of the Final EIR, the City must prepare one or more written findings of fact for each significant environmental impact identified in the document. These findings must either state that:

- The Project was changed (including adoption of mitigation measures) to avoid or substantially reduce the magnitude of the impact;
- Changes to the Project are within another agency's jurisdiction and have been or should be adopted; or
- Specific considerations make mitigation measures or alternatives infeasible.

If impacts are identified in the EIR as significant and unavoidable, the City would be required to issue a Statement of Overriding Considerations for approval of the Project if specific social, economic, or other factors justify a project's unavoidable adverse environmental effects. However, there are no significant and unavoidable impacts associated with the proposed East Gateway Project.

If the City decides to approve a project for which a Final EIR has been prepared, the City will issue a Notice of Determination (NOD).

## 2.0 SUMMARY OF PUBLIC REVIEW PROCESS

---

### 2.1 NOTICE OF COMPLETION AND DRAFT EIR DISTRIBUTION

On July 22, 2011, the City of Santa Paula circulated a Notice of Preparation (NOP #1; State Clearinghouse Number [SCH] 2011071068) of an environmental impact report (EIR) for review and comment by the public, responsible, and reviewing agencies. The 30-day NOP review period ended on August 22, 2011.

On August 29, 2011, the City circulated a revised NOP (NOP #2) for review and comment. The NOP was revised to reflect minor changes in the proposed pre-zoning of portions of the annexation project area made by the City of Santa Paula in response to comments from LAFCo. The 30-day review period for the revised NOP ended on September 29, 2011.

The purpose of public and agency review of the NOP is to assist in identifying potential environmental effects of the Project as proposed to assist the lead agency in:

1. focusing the EIR on the effects determined to be potentially significant;
2. identifying the effects determined not to be significant;
3. explaining the reasons for determining that potentially significant effects would not be significant; and
4. identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the Project's environmental effects.

During the 30-day NOP comment periods, written comments were received from 13 different agencies, organizations, and individuals. Due to these potential effects that could result from implementation of the proposed Project, an EIR is required to more fully evaluate potential adverse environmental impacts that may result from development of the proposed Project.

The Draft EIR was released for agency and public review on September 7, 2012, and consisted of approximately 550 pages with appendices, including a detailed analysis of impacts in 14 environmental issues including:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources

- Cultural Resources
- Geology/Soils
- Greenhouse Gas
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Noise
- Public Services
- Transportation/Traffic
- Utilities/Service Systems

A summary of public involvement opportunities during the CEQA process is presented below. A list of persons, organizations, and public agencies commenting on the Draft EIR, the comments received on the Draft EIR, and responses to the comments are provided in **Section 3.0** of this Final EIR.

## **2.2 PUBLIC REVIEW**

On September 13, 2012, the release of the Draft EIR was noticed by the City in the Santa Paula Times newspaper notifying interested parties of availability of the Draft EIR for the proposed Project; the notice included information on how to access the Draft EIR.

A Notice of Completion (NOC) was issued on September 7, 2012 to the State Clearinghouse and entities commenting on the NOP. The Draft EIR was made available for public review for 45-days until October 22, 2012. Upon the request of Ventura County LAFCo, the review and comment period was extended by the City until November 6, 2012.

### **EIR Information and Review Sites**

The Final EIR for the proposed Project is directly distributed to entities making comments on the Draft EIR. The Final and Draft EIR are also available for review at the following locations:

City of Santa Paula  
Planning Department  
970 Ventura Street  
Santa Paula, California 93060

Blanchard Community Library  
119 N. 8<sup>th</sup> Street  
Santa Paula, California 93060

In addition, the Final EIR and Draft EIR are available on the City's website at <http://www.ci.santa-paula.ca.us/>.

**Public Review Period**

In compliance with the State *CEQA Guidelines*, the City provided a public review period of 45 days through October 22, 2012 for the Draft EIR. Upon LAFCo's request, the review was extended through November 8, 2012 to allow for Ventura County LAFCo to submit comments. The City provided for written comments on the Draft EIR to be submitted by mail and in person to the City's Planning Department.

The comments received by the City during the public review period are reproduced in this Final EIR along with responses to comments.

## 3.0 RESPONSES TO COMMENTS

---

This section provides copies of the comments submitted on the Draft EIR. Each comment set is immediately followed by the corresponding responses.

The City received a total of 13 comment letters for federal agencies, state agencies, local agencies, environmental organizations, and the general public. **Table 3.0-1, Comment Letters Received on the East Gateway Project Draft EIR**, lists all comments and shows the comment set identification number for each letter.

**Table 3.0-1  
Comment Letters Received on the East Gateway Project Draft EIR**

<b>Agency/Entity/Individual</b>	<b>Name of Commenter</b>	<b>Date of Comment</b>	<b>Letter No.</b>
Native American Heritage Commission	Dave Singleton, Program Analyst	September 12, 2012	1
Ventura County, Public Works Agency, Transportation Department	Ben Emami, Engineering Manager II	September 27, 2012	2
National Marine Fisheries Service	Penny Ruvelas, Southern California Office Supervisor for Protected Resources	October 15, 2012	3
Ventura County, Resource Management Agency	Tricia Malier, Manager Planning Programs Section	October 16, 2012	4
Ventura County Watershed Protection District	Tom Wolfington, P.E., Permit Manager	October 19, 2012	5
County of Ventura, Cultural Heritage Board	Nicole Doner, Board Staff	October 22, 2012	6
California Department of Fish and Game	Daniel S. Blankenship, Staff Environmental Scientist	October 22, 2012	7
Keep Sespe Wild Committee	Alasdair Coyne	October 22, 2012	8
Governor's Office of Planning and Research, State Clearinghouse and Planning Unit	Scott Morgan, Director	October 23, 2012	9
Nordman Cormany Hair & Compton on behalf of McGaelic Group LP	Kenneth M. High, Jr., Of Counsel	October 24, 2012	10
State of California, Department of Conservation, Division of Land Resource Protection	Molly A. Penberth, Manager, Conservation Program Support Unit	October 26, 2012	11
Governor's Office of Planning and Research, State Clearinghouse and Planning Unit	Scott Morgan, Director	October 29, 2012	12
Ventura County Local Agency Formation Commission (LAFCo)	Kai Louma, AICP, Deputy Executive Officer	November 8, 2012	13

Letter No. 1

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
Fax (916) 657-5390  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
ds\_nahc@pacbell.net



**RECEIVED**  
SEP 18 2012  
CITY OF SANTA PAULA  
SANTA PAULA, CA 93061

September 12, 2012

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

Re: SCH#2011071068; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the "East Gateway Project;" located in the City of Santa Paula, Ventura County, California.

Dear Ms. Minsk:

The Native American Heritage Commission (NAHC) is the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3<sup>rd</sup> 604).

1-1

This letter includes state and federal statutes relating to Native American historic properties or resources of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9. This project is also subject to California Government code Section 65352.3.

1-2

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC recommends that the lead agency request that the NAHC do a Sacred Lands File search as part of the careful planning for the proposed project.

1-3

1-4

The NAHC 'Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

1-5

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway.

1-6

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties, including archaeological studies. [The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

1-6

1-7

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

1-8

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of he NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

1-9

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

1-10

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

1-11

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

1-12

2.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton  
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts  
Ventura County  
September 12, 2012**

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

Chumash  
Tataviam  
Ferrnandeño

San Luis Obispo County Chumash Council  
Chief Mark Steven Vigil  
1030 Ritchie Road  
Grover Beach CA 93433  
(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

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

Chumash

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

Chumash

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

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

**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 applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011071068; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the East Gateway Project; located in the City of Santa Paula; Ventura County, California.**

**Native American Contacts  
Ventura County  
September 12, 2012**

<p>Randy Guzman - Folkes 6471 Cornell Circle Moorpark , CA 93021 <b>ndnRandy@yahoo.com</b> (805) 905-1675 - cell</p>	<p>Chumash Fernandeño Tataviam Shoshone Paiute Yaqui</p>	<p>Carol A. Pulido 165 Mountainview Street Oak View , CA 93022 805-649-2743 (Home)</p>	<p>Chumash</p>
<p>Coastal Band of the Chumash Nation Toni Cordero, Chairwoman P.O. Box 4464 Santa Barbara CA 93140 cordero44@charter.net 805-964-3447</p>	<p>Chumash</p>	<p>Melissa M. Parra-Hernandez 119 North Balsam Street Oxnard , CA 93030 envvy36@yahoo.com 805-983-7964 (805) 248-8463 cell</p>	<p>Chumash</p>
<p>Charles S. Parra P.O. Box 6612 Oxnard , CA 93031 (805) 340-3134 (Cell) (805) 488-0481 (Home)</p>	<p>Chumash</p>	<p>Frank Arredondo PO Box 161 Santa Barbara CA 93102 ksen_sku_mu@yahoo.com 805-617-6884 ksen_sku_mu@yahoo.com</p>	<p>Chumash</p>
<p>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</p>	<p>Chumash</p>	<p>Santa Ynez Tribal Elders Council Freddie Romero, Cultural Preservation ConsInt P.O. Box 365 Santa Ynez , CA 93460 freddyromero1959@yahoo. 805-688-7997, Ext 37</p>	<p>Chumash</p>

**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 applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011071068; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the East Gateway Project; located in the City of Santa Paula; Ventura County, California.**

**Native American Contacts  
Ventura County  
September 12, 2012**

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

Barbareno/Ventureno Band of Mission Indians  
Raudel Joe Banuelos, Jr.  
331 Mira Flores Court Chumash  
Camarillo , CA 93012  
805-987-5314

**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 applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011071068; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the East Gateway Project; located in the City of Santa Paula; Ventura County, California.**

**Notice of Completion & Environmental Document Transmittal**

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

**SCH #2011071068**

**Project Title:** East Gateway Project  
**Lead Agency:** City of Santa Paula **Contact Person:** Janna Minsk  
**Mailing Address:** 970 Ventura Street **Phone:** 805-933-4214  
**City:** Santa Paula **Zip:** 93060 **County:** Ventura

**Project Location:** County: Ventura **City/Nearest Community:** Santa Paula  
**Cross Streets:** State Route 126 and Hallock Road **Zip Code:** 93060  
**Longitude/Latitude (degrees, minutes and seconds):** 34 ° 21 ' 28.84" N / 119 ° 02 ' 42.66" W **Total Acres:** 94.5  
**Assessor's Parcel No.:** Various **Section:** 11 & 12 **Twp.:** 3N **Range:** 21W **Base:**  
**Within 2 Miles:** State Hwy #: SR 126 **Waterways:** Santa Paula Creek and Santa Clara River  
**Airports:** Santa Paula **Railways:** Santa Paula Branchline **Schools:** Santa Paula

**Document Type:**  
**CEQA:**  NOP  Draft EIR **NEPA:**  NOI **Other:**  Joint Document  
 Early Cons  Supplement/Subsequent EIR  EA  Final Document  
 Neg Dec  (Prior SCH No.)  Draft EIS  Other:  
 Mit Neg Dec  Other:

**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  Other:



**Development Type:**  
 Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_  
 Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
 Commercial: Sq.ft. 310,000 Acres \_\_\_\_\_ Employees \_\_\_\_\_  
 Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_  
 Educational: \_\_\_\_\_  
 Recreational: \_\_\_\_\_  
 Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_  
 Transportation: Type \_\_\_\_\_  
 Mining: Mineral \_\_\_\_\_  
 Power: Type \_\_\_\_\_ MW  
 Waste Treatment: Type \_\_\_\_\_ MGD  
 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:**  
 City - Open Space & Mixed Use Commercial/Light Industrial; County - Agricultural, Open Space, Existing Community  
**Project Description:** (please use a separate page if necessary)  
 The East Gateway Project ("East Gateway Project") would implement the City's plans for the East Area 2 Planning Area as defined in the Santa Paula General Plan. It would also fulfill conditions of the Ventura County Local Agency Formation Commission Resolution No. 10-12 approving the East Area 1 Specific Plan reorganization and annexation ("East Area 1 Project"). As proposed, the East Gateway Project involves a series of related actions including jurisdictional reorganization (annexation), a General Plan Amendment (to the Land Use Element), and adopting a Specific Plan and pre-zoning for the project area.

State Clearinghouse Contact: MW (916) 445-0613  
 State Review Began: 9-7-2012  
 SCH COMPLIANCE: 10-22-2012

**Project Sent to the following State Agencies**

- Resources
- Boating & Waterways
- Coastal Comm
- Colorado Rvr Bd
- Conservation
- Fish & Game # 5
- Delta Protection Comm
- Cal Fire
- Historic Preservation
- Parks & Rec
- Central Valley Flood Prot.
- Bay Cons & Dev Comm.
- DWR
- Cal EMA
- Resources, Recycling and Recovery
- Bus Transp Hous
- Aeronautics
- CHP
- Caltrans # 7
- Trans Planning
- Housing & Com Dev
- Food & Agriculture
- Public Health
- State/Consumer Svcs
- General Services
- Cal EPA
- ARB: Airport/Energy Projects
- ARB: Transportation Projects
- ARB: Major Industrial Projects
- SWRCB: Div. Financial Assist.
- SWRCB: Wtr Quality
- SWRCB: Wtr Rights
- Reg. WQCB # 4
- Toxic Sub Ctrl-CTC
- Yth/Adlt Corrections
- Corrections
- Independent Comm
- Energy Commission
- NAHC
- Public Utilities Comm
- State Lands Comm
- Tahoe Rgl Plan Agency
- Conservancy
- Other:

Please note State Clearinghouse Number (SCH#) on all Comments  
**2011071068**

SCH#: \_\_\_\_\_  
 Please forward late comments directly to the Lead Agency

AQMD/APCD: 39  
 (Resources: 9, 8)

**RESPONSE TO LETTER 1 – Native American Heritage Commission dated September 12, 2012**

- 1-1** This comment states that the Native American Heritage Commission (NAHC) is the designated “Trustee Agency” for the State of California for the protection and preservation of Native American cultural resources.

The City of Santa Paula understands and acknowledges the role of the NAHC in the environmental review process.

- 1-2** This comment notes the NAHC has included state and federal statutes relating to Native American historic properties of religious and cultural significance with their letter.

The Draft EIR contains a listing of federal and state regulations applicable to cultural resources, including those relating to Native American interests, in **Section 5.5.3**.

- 1-3** The comment notes that CEQA requires that any project that causes a substantial adverse change in the significance of any historical resources, including archaeological resources, is a significant effect requiring preparation of an environmental impact report (EIR).

The City acknowledges that requirements of CEQA, such as including the evaluation of cultural resources, including archaeological resources, as part the EIR for the proposed Project (see **Section 5.4**).

- 1-4** The comment notes that the lead agency is required to assess whether the proposed Project will have an adverse impact on cultural resources, including archaeological resources, within the area affected by the proposed Project. The lead agency is required to assess whether the Project will have an adverse impact on such resources within the ‘area of potential effect (APE),’ and if so, mitigate that effect.

The Draft EIR includes an evaluation of cultural resources within the proposed Project area. A Phase I cultural resource survey was prepared, which included an archival records search to determine if any archaeological sites had been previously identified within the Project area. No known sites are located within the Project area. As grading and other activities that result in ground disturbance could potentially result in impacts to resources that have not been previously identified, the Draft EIR (see **Section 5.5.5**) includes mitigation measures for this potential impact.

- 1-5** The comment notes that sacred sites, as defined by the NAHC, are confidential and exempt from public disclosure via the Public Records Act.

The City recognizes the sensitivity of sacred sites and has not released any information relative to such sites to the public.

- 1-6** The comment suggest that early consultation with Native American tribes be conducted to avoid unanticipated discoveries and to access knowledge of religious and cultural significance of historic properties in the Project area.

The City recognizes the need to work cooperatively with local Native American tribes, as required. As part of the East Gateway Project, the City initiated the SB 18 process and contacted appropriate tribal representatives regarding this Project and offered the opportunity to consult in the review of the Project. To date, no tribes have responded to this offer to consult.

- 1-7** The comment notes that the NAHC recommends avoidance as the preferred method to protect Native American resources that could be damaged or destroyed.

The City concurs that avoidance is the preferred method to protect cultural resources. The Draft EIR (see **Section 5.5.5**) recommends mitigation measures that provide protection for potential cultural resources that may be discovered during implementation of the proposed Project (see **Mitigation Measure 5.5-3**). Should any such resources found be considered significant by an approved archaeologist and Native American representation, further recommendations will be made as to their protection and or recovery.

- 1-8** The comment notes that if the proposed Project is under the jurisdiction of the National Environmental Policy Act (NEPA), further consultation and compliance with federal statutes may be required.

The proposed Project is not currently subject to the requirements of NEPA or other federal regulations.

- 1-9** This comment reiterates the need for confidentiality of “historic properties of religious and cultural significance.”

The City acknowledges the need for confidentiality and has not provided any sensitive information to the public.

- 1-10** The comment notes that provisions for inadvertent discovery of human remains mandate a

process to be followed if such occurs.

The EIR provides mitigation should any human remains be discovered. Please see **Mitigation Measure 5.5-13**.

- 1-11** The comment suggests that consultation on projects must be an ongoing process between Native American tribes and the lead agency.

The City recognizes the need to maintain ongoing dialogue with Native American tribes over the course of the Project. Accordingly, the City has included provisions with the mitigation measures for Native American tribes to act as field monitors in the event any cultural resource are encountered when grading or other ground disturbing activities are conducted within the East Gateway Project Area. The City will also continue to work with local Native American tribes to assure that they are aware of Project activities.

- 1-12** The comment reiterates the NAHC's recommendation of avoidance of cultural sites, including burial sites.

The City agrees that avoidance should be the first priority. As the records search did not identify any known resources within the site, consideration of avoidance of known resources was not required at this time. The EIR contains mitigation measures to avoid impacts to any cultural resources that may be encountered during field activities and excavations.

Letter No. 2



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

**MEMORANDUM**

**DATE:** September 27, 2012

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

**FROM:** Transportation Department *Ben*

**SUBJECT:** **REVIEW OF DOCUMENT 11-018-2** Draft Environmental Impact Report (DEIR)  
**East Gateway Project (East Area 2 Annexation Project)**  
East Gateway Specific Plan for 36.4 acres of 94.5-acre East Area 2 Annexation including one parcel to be annexed to the City of Santa Paula with up to 360,000 SF of building space for various uses (city).  
Lead Agency: **City of Santa Paula**

Pursuant to your request, the Public Works Agency – Transportation Department has reviewed the DEIR for the East Gateway Project (East Area 2 Annexation Project).

This project is the East Gateway Specific Plan for approximately one-third of East Gateway Project Area, also known as East Area 2, located south of East Area 1 in the Santa Paula Area of Interest. The East Gateway Project involves a series of related actions, including an annexation of one parcel, a General Plan Amendment (GPA), and adoption of the Specific Plan for zoning parcels in the Plan. The East Gateway Specific Plan includes most of the easterly portion of East Area 2 and parcels to the west in the city's jurisdictional boundary.

According to the Transportation Analysis by Fehr & Peers, dated July and August 2012 (Appendix 5.13), the East Gateway Specific Plan Area will generate approximately 20,980 average daily trips, 1,010 morning peak-hour trips, and 2,270 evening peak-hour trips for 360,000 SF (8.26 acres) of building space for light-industrial, manufacturing, and retail/shopping land uses. The analysis includes 10% walk/bicycle trip credits and 15% pass-by credits (Table 5.13-4). In addition, according to the analysis, full build-out of the East Gateway Area (or East Area 2) will include a total of 899,500 SF (20.65 acres) of building space for the following land uses: 560,000 SF of retail/shopping space; 68,500 SF of business park space; 215,000 of general light industrial space; and 56,000 SF of manufacturing space.

We offer the following comments:

1. Our comments dated September 8, 2011 are still valid (attached). □ 2-1
2. No project-specific impacts on County roadways were identified in the DEIR. The □ 2-2

- DEIR should evaluate and provide Mitigation Measures for the site-specific impacts this project may have on the County's Regional Road Network. Of particular interest to the County are the potential traffic impacts to Telegraph Road (county portion from Main St./ Harvard Blvd. to Hallock Dr.). 2-2
3. The Transportation Analysis and Mitigation Measures appear to be based on the East Gateway Specific Plan Area with 8.26 acres for various land uses, not the full development of the East Gateway Area, also known as East Area 2, with 20.65 acres for various land uses. 2-3
  4. The DEIR for the East Gateway Specific Plan Area should address the annexation of county roadways in the larger East Gateway Project Area or East Area 2. Section 3.2.1 of the Ventura Local Agency Formation Commission (LAFCO) Commissioner's Handbook states that cities shall annex entire roadway sections adjacent to the territory proposed to be annexed and shall include complete intersections. Of particular interest to the County are Telegraph Road east of the city limits and all of Ferris Drive. 2-4
  5. Should the City of Santa Paula choose not to annex Telegraph Road as part of the East Gateway Specific Plan, then the City of Santa Paula should require the developer to dedicate right-of-way and improve Telegraph Road along the development frontage in accordance with the most appropriate County Road Standard. 2-5
  6. The DEIR should address and provide Mitigation Measures for the increased demands for transit services due to the development of the East Gateway Specific Plan Area and larger East Gateway Project Area or East Area 2. 2-6
  7. The DEIR should incorporate the Transportation Vision adopted by the Board on January 24, 2006, in particular, the Bicycle Vision, which includes the following: 2-7
    - Establish a system of bicycle lanes/trails linking all county cities
    - Establish adequate bicycle lanes on well-used bicycle routes
    - Provide adequate bicycle-carrying capacity on public transit vehicles
    - Encourage provision of adequate bicycle racks and lockers.
  8. The DEIR should address the impacts this project will have on the Regional Road Network and local public roads during construction. 2-8
    - a. The DEIR should identify the truck routes, number of trucks, and construction duration for the construction phase of the project.
    - b. The Mitigation Measures for the construction phase of this project should include a Traffic Management Plan (TMP) and a Traffic Control Plan (TCP). The Mitigation Measures should be such that they can be reasonably enforced and guaranteed.
    - c. Before start of construction, the TMP and TCP should be reviewed and approved by the City of Santa Paula, the Transportation Department, and Caltrans.

d. The Mitigation Measures for this project should also include a provision for repairing or replacing asphalt concrete roadway and appurtenant structures damaged during construction.

2-8

9. The cumulative impacts of the development of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, will be potentially significant. To address the cumulative adverse impacts of traffic on the County Regional Road Network, the appropriate Traffic Impact Mitigation Fee (TIMF) should be paid to the County. Based on the information provided in the DEIR, and the reciprocal agreement between the City of Santa Paula and the County of Ventura, the fee due to the County would be:

$$20,980 \text{ ADT}^* \times \$59^{**}/\text{ADT} = \$1,237,820$$

2-9

- \* Trip Generation for full build-out of East Gateway Project Area only per Memorandum from Fehr & Peers dated July 26, 2012
- \*\* County TIMF for Santa Paula Traffic District #2

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.

10. Please send us subsequent environmental documents for this project as they become available for our review and comment.

2-10

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

ec: Kai Luoma, LAFCO

F:\transport\LanDev\Non\_County\11-018-3 SP.doc



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

**MEMORANDUM**

**DATE:** September 8, 2011

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

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

**SUBJECT: REVIEW OF DOCUMENT 11-018** Revised 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 (city)  
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 on Texas lane, a private road, 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

F:\transport\LanDev\Non\_County\11-018-2 SP.doc

**RESPONSE TO LETTER 2 – Ventura County Public Works Agency, Transportation Department dated September 27, 2012**

- 2-1** The comment notes that the County Transportation Department submitted comments on the revised NOP on September 8, 2001, and that these comments are still valid.

The inter-departmental memorandum from the Ventura County Transportation Department to the Ventura County Resource Management Agency dated September 8, 2011 states that the proposed East Gateway Project includes the annexation of East Area 1 to the City of Santa Paula. While the East Gateway Project is located immediately south of the approved East Area 1 Specific Plan Project, annexation of East Area 1 is a separate action and is not a part of the proposed East Gateway Project.

This memorandum lists roads within the East Gateway Project area that are currently under the County's jurisdiction and states that the boundaries of the annexation area appear consistent with LAFCo guidelines. The comment correctly states that no specific development projects are currently proposed but rather the East Gateway Project includes a series of actions that would facilitate its future development as part of the City of Santa Paula.

- 2-2** The comment suggests that no project-specific County roadways were identified in the Draft EIR, and that the document should evaluate and provide mitigation for site-specific impacts the proposed Project may have on the County's Regional Road Network, particularly the County portion of Telegraph Road.

The transportation analysis in the Draft EIR (see **Appendix 5.13**) did analyze potential impacts on the portion of Telegraph Road currently under County jurisdiction and identified specific mitigation measures at its intersections with Harvard Boulevard, Main Street, and Hallock Drive. This segment of Telegraph Road is proposed for annexation as part of the proposed Project and will no longer be under County jurisdiction.

- 2-3** This comment suggests that the transportation analysis and mitigation appear to be based on the East Gateway Specific Plan and does not consider the full development potential of the East Gateway Project Area.

As discussed in the Draft EIR (see page 5.13-24 and Table 5.13-4), and presented fully in **Appendix 5.13** to the Draft EIR, the transportation impact analysis assesses the potential impacts of the maximum development that may occur within the entire East Gateway area. As a point of clarification, the acreages cited in the comment refer to acres of building area, as

calculated by the commenter, rather than acres of land.

- 2-4** The comment suggests that the Draft EIR should address the annexation of County roadways in the larger East Gateway Project area or the East Area 2.

It should be noted that the proposed East Gateway Project includes annexation of the roadways mentioned in this comment, consistent with Ventura LAFCo Policies, as well as the adjoining land that is currently outside the City's boundary.

- 2-5** The comment suggests that should the City choose not to annex Telegraph Road as part of the East Gateway Specific Plan, it should require the developer to dedicate right-of-way and improve Telegraph Road along the development frontage in accordance with the appropriate County standards.

This is not anticipated because, as stated above in **Response to Comment 4**, the proposed East Gateway Project includes the annexation of Telegraph Road between Harvard Boulevard and Hallock Drive as well as the adjoining land areas.

- 2-6** The comment suggests the Draft EIR address and provide mitigation for increased demand for services resulting from development of the Project area.

At this time, as stated on page 11 of **Appendix 5.13** of the Draft EIR, no transit service is provided directly to the East Gateway Project Area, which presently contains a limited amount of development. As discussed in the Draft EIR, existing transit service in the City includes the Vista Highway 126 commuter bus service between Fillmore and Ventura, the Santa Paula Commuter Bus, and a citywide Dial-A-Ride service. While the proposed Project will not impact or substantially increase the need for transit service, the Project presents an opportunity for future extension of transit service.

At this time, there are no plans by VISTA to add transit services. Note that the existing Vista SR 126 commuter bus runs adjacent to the area and a future transit stop could be provided. The Draft EIR (see page 5.13-49) concluded that the annexation and development of the area as proposed will not conflict with any policies regarding public transit, bicycle, or pedestrian facilities.

As discussed on page 26 of **Appendix 5.13** of the Draft EIR, no reduction in project trip generation estimates was made to reflect anticipated transit use and no transit impact was identified in the Draft EIR. The Circulation Element of the Santa Paula General Plan states that

transit service may be extended into expansion areas as development occurs.

The proposed Project is a series of actions (annexation, General Plan amendment, pre-zoning, adoption of a specific plan), rather than a specific development proposal. As specific development projects are planned in the East Gateway area, the need to provide for and accommodate future transit service will be considered.

- 2-7** The comment suggests that the Draft EIR should incorporate the Transportation Vision adopted by the County Board of Supervisors in 2006 including the Bicycle Vision.

The Circulation Element of the Santa Paula General Plan includes a Bicycle and Trail Plan. Some planned bicycle facilities currently exist, such as portions of the Santa Paula Branch Line Multi-Purpose Trail/Bikeway.

The proposed East Gateway Project anticipates the extension of that bikeway through the project area, and new development that occurs there will facilitate that extension. It should be noted that the East Gateway Specific Plan includes a requirement that new development include bicycle parking and that fixed-route transit buses operated by VISTA are currently equipped with bicycle racks.

The annexation and development of the East Gateway Project Area as proposed will not conflict with any policies or plans for bicycle facilities in the City as discussed above.

- 2-8** The comment suggests that the Draft address impacts that the proposed Project will have on the County's Regional Road Network during construction.

As described in **Sections 2.1** and **2.2** of the Draft EIR, no specific development projects are proposed at this time. The proposed East Gateway Project consists of a series of actions, including annexation that will allow for future development in the project area subject to the City's proposed General Plan and zoning designations and the proposed East Gateway Specific Plan.

The traffic impact analysis (see **Appendix 5.13**) in the Draft EIR assessed the potential traffic impacts associated with the maximum amount of development that would be permitted within the project area by the proposed land use designations. Because no specific development projects are proposed at this time, estimates of truck trip generation, phasing, and duration cannot be provided. The Circulation Element of the Santa Paula General Plan (Figure CI-8) includes a map of designated truck routes, which includes Telegraph Road, Harvard Boulevard,

and 12<sup>th</sup> Street. SR-126, as a state highway is also appropriate for use as a truck route, within the weight and size limits imposed by Caltrans.

It should be noted that mitigation measures specified in the Draft EIR restrict traffic during construction, including **Mitigation Measure 5.11-7** which requires that haul routes be approved by the City and the County prior to construction and **Mitigation Measure 5.8-5**, which requires the preparation of a construction traffic management plan prior to grading and new development.

- 2-9** The comment notes that the proposed Project may result in significant impacts when considered with cumulative growth in the County. To address cumulative adverse impacts of traffic on the County's Regional Road Network, the appropriate Traffic Impact Mitigation Fee (TIMF) should be paid to the County.

The traffic impact analysis (see **Appendix 5.13**) in the Draft EIR provides a comprehensive study of potential traffic impacts that could result from development within the East Gateway project area. All significant impacts except one were found to be fully mitigated with the implementation of specific physical mitigation measures, as described in the **Section 5.13.5** of the Draft EIR. The one location where a significant cumulative impact would remain following mitigation is at the intersection of 10<sup>th</sup> Street and Harvard Boulevard, within the City of Santa Paula.

Consistent with the City's practice of imposing the County's TIMF on new development projects, this fee will be calculated and collected by the City at the time that specific development projects are approved and permits for construction are issued by the City.

- 2-10** The comment requests that any subsequent environmental documents for the proposed Project be submitted to the Department for review as they become available.

The City will provide any subsequent environmental documents prepared for individual development projects within the project area to the County Transportation Department as requested.

Letter No. 3



**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

OCT 15 2012

In response refer to:  
 151422SWR2012PR01847

Janna Minsk  
 AICP, Planning Director  
 City of Santa Paula, Planning Department  
 970 Ventura Street  
 Santa Paula, California 93060

Dear Ms. Minsk:

NOAA Fisheries reviewed the Draft Environmental Impact Report (DEIR) for the City of Santa Paula's (City) East Gateway Project (Project). In general, the Project includes jurisdictional reorganization (annexation), a General Plan Amendment (to the Land Use Element), and pre-zone and adoption of a Specific Plan for a portion of the Project area. On September 30, 2011, through written correspondence, NOAA Fisheries provided guidance on the scope and type of information that should be addressed in the DEIR to develop an understanding of the potential effects of the Project on the endangered Southern California Distinct Population Segment (DPS) of steelhead (*Oncorhynchus mykiss*).

NOAA Fisheries offers the following comments on the DEIR and associated appendices:

- NOAA Fisheries understands there is currently no development plan for any of the remaining portions of the East Gateway Project area. When development plans are initiated for construction in proximity to the Santa Paula Creek channel, the City should incorporate provisions into the plans that would promote historical flood-plain connectivity and natural lateral migration of the creek channel. Specifically, the City should: (1) consider how the construction of impervious surfaces and the compaction of pervious surfaces influence the river flow regime, and (2) evaluate the drainage of surface runoff through storm sewers to the river network (see Gurnell et al. 2007<sup>1</sup> for further discussion on the relationship between urban development and river geomorphology). 3-1
- Proposed large commercial center site plans (e.g., major, new retail commercial centers) should implement an appropriate streamside protection zone (i.e., riparian buffer) given the current characteristics of the stream channel (i.e., Santa Paula Creek and Haun Creek). A riparian buffer would allow for the restoration of riparian habitat and natural 3-2

<sup>1</sup> Gurnell, A., M. Lee, and C. Souch. 2007. *Urban Rivers: Hydrology, Geomorphology, Ecology and Opportunities for Change*. *Geography Compass* 1/5 (2007): 1118–1137, 10.1111/j.1749-8198.2007.00058.x



cannel processes, thus creating and maintaining habitat for aquatic-dependent species, including endangered steelhead.

3-2

- The City should evaluate the projected increased demand of water use as a result of any additional development plans. The City should incorporate a discussion into the DEIR that speaks to direct and indirect impacts including the potential to reduce the amount and extent of streamflow in Santa Paula Creek, and therefore living space for endangered steelhead.
- Although the DEIR addresses the history of past and on-going projects along Santa Paula Creek (Section 5.4), the provided Project description does not clearly characterize the likely impacts (direct, indirect, temporary, permanent, individual and cumulative) on steelhead from proposed infrastructure.

3-3

3-4

NOAA Fisheries appreciates this opportunity to review and provide comments on the DEIR for the proposed East Gateway Project. Please contact Brittany Struck at 562-432-3905 or via email at [Brittany.Struck@noaa.gov](mailto:Brittany.Struck@noaa.gov) if you have any questions concerning this letter, or if you require additional information.

Sincerely,



Penny Ruvelas  
Southern California Office Supervisor  
for Protected Resources

cc: Jeff Humble, CDFG  
Mary Larson, CDFG  
Roger Root, USFWS  
Copy to file: 151422SWR2012PR01847

### RESPONSE TO LETTER 3 – National Marine Fisheries Service dated October 15, 2012

**3-1** The comment notes that NOAA understands that no development is currently planned for the portions of the East Gateway Project Area that are currently undeveloped and suggests that when development is proposed, the City should incorporate provisions into the plans that would promote historical flood-plain connectivity and natural lateral migration of the channel of Santa Paula Creek.

As discussed in the Draft EIR (see pages 5.9-8 through 5.9-20), the U.S Army Corps of Engineers (USACE) has been working to implement a comprehensive flood control project on Santa Paula Creek which would offer conservation opportunities, including habitat enhancement, and protection of existing agricultural and urban development. The Santa Paula Creek Flood Control Project was constructed by the USACE, Los Angeles District, in Santa Paula Creek between the confluence with the Santa Clara River and Stewart's Crossing. Construction occurred in three phases (Reach 1 [downstream of Highway 126], Reach 2 [Highway 126 to the railroad bridge], and Reach 3 [upstream of the railroad bridge including the fish ladder]) between 1997 and 2002. The planning and design of this Project is documented in the General Reevaluation Report (GRR).

The City recognizes the ecological importance of Santa Paula Creek, as discussed in the General Plan and noted in the Draft EIR (see page 5.9-60). Further, the Conservation and Open Space Element of the City's General Plan (see page 5.4—41 of the Draft EIR) identifies goals that provide for protection of natural habitat along Santa Paula Creek, and this will be considered by the City as individual development projects are proposed near Santa Paula Creek within the East Gateway Project Area.

As this comment acknowledges, there is no development planned at this time adjacent to Santa Paula Creek as the areas are only being annexed. The areas to be annexed by the City (not including the East Gateway Specific Plan area) are currently partially developed, and include impervious surfaces that contribute to the existing volume of storm water runoff from the project area.

As noted in the Draft EIR (see page 5.9-60), future development within the East Gateway Project Area will be subject to the requirements of the 2010 Ventura Countywide Stormwater Municipal Permit (Order No. R4-2010-0108) as issued by the Los Angeles Regional Water Quality Control Board. This will include adherence to the 2011 Update to the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures. These new land development

requirements became effective on October 11, 2011. All development is required to meet the standards in Subpart 4.E "Planning and Land Development Program" of the 2010 Ventura Countywide Stormwater Municipal Permit. Consequently, projects are required to comply with the Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) prepared to describe in detail all activities subject to regulation, management measures, schedules for implementation of measures, and specific standards against which success is measured within Ventura County.

The drainage Plan for the Santa Paula East Gateway Specific Plan is presented in **Figure 2.0-16** in the Draft EIR. The Specific Plan notes that storm drain facilities would be sized to meet City of Santa Paula standards and accommodate the increased runoff generated by the increase in impervious surfaces. The storm drain system would discharge into the existing channels of Haun Creek. The Specific Plan area would include bioswales, bioretention cells, infiltration trenches, permeable pavement, and/or detention basins as needed based on the final site plan for development. These are examples of the types of facilities required by the 2010 Ventura Countywide Stormwater Municipal Permit that would also be incorporated into development projects in the portion of the East Gateway Project Area adjacent or near Santa Paula Creek.

- 3-2** The comment suggests that proposed large commercial center site plans implement an appropriate streamside protection zone.

The proposed Project includes the East Gateway Specific Plan that would provide for the development of a large commercial center west of Haun Creek. The East Gateway Specific Plan is described in **Section 2.4.2** of the Draft EIR. This Specific Plan Area was planned to allow development of a large commercial center. Large commercial centers could also be developed on the vacant land located west of South Hallock Drive between SR 126 and Telegraph Road. This portion of the project area is not located adjacent to Santa Paula or Haun Creeks. Development of large commercial centers is not anticipated in the remainder of the project area, including the portion adjacent to Santa Paula Creek, due to the existing pattern of development and the size of parcels in this area.

The East Gateway Specific Plan includes a number of policies listed on pages 2.0-17 and 2.0-18 of the Draft EIR. These policies provide guidance for the proposed development along stream Haun Creek on the east and Santa Clara River on the south that are consistent with this comment, including:

**D. The Specific Plan area edges abutting the Greenbelt, creeks or river are landscaped with native and non-invasive plants to transition smoothly to those natural or agricultural environments.** Buildings and streets near the plan area's edges utilize special details for connecting the development sensitively with the offsite areas to be left in a natural state.

In addition, the East Gateway Specific Plan (see pages 2.0-27 to 2.0-29) provides for landscaping standards including that existing drainage ways must be preserved and enhanced.

The East Gateway Specific Plan will require drainage improvements to convey and treat stormwater runoff as it traverses the site. Stormwater will be collected through catch basins on site and routed through a storm drain system to an on-site detention basin as shown in the East Gateway Specific Plan.

As shown in Table 5.9-9, Preliminary East Gateway Specific Plan Drainage Estimates, in the Draft EIR, an increase in peak flows will occur from development in the East Gateway Specific Plan area, but this increase would be attenuated to existing condition peak flows by collecting runoff in a future on-site detention basin. Based on preliminary calculations, this future basin would have a capacity of approximately 3.5 acre-feet. Stormwater would be retained on site through the use of the detention basin and bioretention cells spaced throughout the parking areas, which would be sized at the tentative map design level to the City of Santa Paula and County of Ventura standards. The natural drainage channel will remain in its current location conveying flows from north of the freeway down to Haun Creek. The channel will be enlarged from the original condition to convey any flood overflow from Haun Creek and to protect the proposed development.

**3-3** The comments suggest that the City evaluate the projected increased water demand as a result of additional development plans, and that the EIR incorporate a discussion of direct and indirect impacts on the potential to reduce stream flow in Santa Paula Creek which could interfere with living space for endangered steelhead.

Water for future development within the East Gateway Project area would be provided by the City of Santa Paula.

As noted in the Draft EIR (see page 5.14-1), the City of Santa Paula currently has water rights from two sources: groundwater allocation from the Santa Paula Basin and surface water through an agreement with the Canyon Irrigation Company. Surface water from Santa Paula Creek was a major source of potable water supply for the City's service area until wells were drilled into the Santa Paula Basin to augment the supply from Santa Paula Creek. Currently, the

Santa Paula Basin is the City's sole source of potable water supply.

As further noted in the Draft EIR (see page 5.14-5), the City's groundwater supply includes production from five active wells. Domestic water is pumped from Well Nos. 1-B, 11, 12, 13, and 14. **Table 5.14-5, City Groundwater Well Production**, in the Draft EIR summarizes the City's groundwater resources by well including current status, well capacity, and 2010 production. Well Nos. 12 and 14 produced 81 percent of the water for the City in 2010.

Finally, there are several options that the City may consider for meeting future water demands including: long-term transfer of water rights; short-term transfer of water rights; State Water Project (SWP) water; use of recycled water; and supporting water demand management programs. Implemented over time, these programs are expected to provide the City with sufficient supplies to meet future water demands.

The Draft EIR (see **Section 5.14.5.4**) notes that the proposed Project is currently served by both the City of Santa Paula municipal water system and by an existing groundwater well (Farmer Irrigation Company Well No. 7A) located within the Santa Paula Basin. Existing City water demand for the East Gateway Project area for the one-year period from July 2010 through August 2011 was 38.99 acre-feet. Water supply for irrigation on the East Gateway Specific Plan area is historically supplied from on-site wells that overlie the Santa Paula and Fillmore Basins. Existing wells in the area include four wells owned and operated by Farmers Irrigation Company, Inc.

The land use and zoning designations proposed for the East Gateway Project would allow up to 899,500 square feet of development, which would require approximately 41.9 afy of water, an amount that is approximately 56 percent of the water demand projected for this area in the City's UWMP.

In accordance with SPMC §52.021, since the land within the East Gateway Project Area is not currently served by the City's water system, the owners of the property to be annexed and served by the City are required to transfer their groundwater rights to the City. As discussed above, the City's Urban Water Management Plan identifies sufficient water supplies to meet the needs of the Project. In addition, since the 41.9 afy needed is only marginally higher than the 39 afy now being used, there will be only a marginal effect on groundwater.

- 3-4** The comment suggests that the Draft EIR does not clearly characterize potential impacts on steelhead from proposed infrastructure.

The Draft EIR (see **Section 5.4.5.1**) discusses potential impacts to southern California steelhead. As noted therein, southern steelhead are each known to occur in Santa Paula Creek, and the portion of Santa Paula Creek adjacent to the East Gateway Project is considered critical habitat for the southern steelhead.

Please note that the East Gateway Project does not include any planned infrastructure that would directly or indirectly affect Santa Paula Creek. No physical modifications to Santa Paula Creek are proposed as part of the East Gateway Project and, for this reason, direct impacts to Santa Ana sucker and southern steelhead will not result from the East Gateway Project. In addition, the City's Drainage, Water, and Sewer Master Plan do not identify any infrastructure planned in the East Gateway Project Area that would directly or indirectly impact Santa Paula Creek.

Letter No. 4

Planning Division

Kimberly L. Prillhart  
Director

RESOURCE MANAGEMENT AGENCY

# county of ventura

October 16, 2012

City of Santa Paula  
Planning Division  
Attn.: Janna Minsk  
970 Ventura Street  
Santa Paula, CA 93060

E-mail: [jminsk@spcity.org](mailto:jminsk@spcity.org)

Subject: Comments on the DEIR for the East Gateway Project (East Area 2 Annexation Project)

Dear Ms. Minsk:

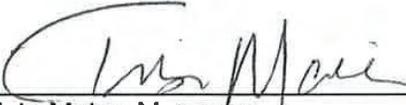
Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document. Additional comments may have been sent directly to you by other County agencies.

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.

4-1

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

Sincerely,



Tricia Maier, Manager  
Planning Programs Section

Attachments

County RMA Reference Number 11-018-2



Printed on Recycled Paper



**RESPONSE TO LETTER 4 – Ventura County Resource Management Agency dated October 16, 2012**

**4-1** The comment notes that the County has reviewed the Draft EIR and that comments received from intra-county review are provided.

The comment is noted. Comments from other County departments (Cultural Heritage Board, Public Works and Watershed Protection District) are responded to separately.

Letter No. 5



**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: October 19, 2012

TO: Laura Hocking, RMA/Planning Technician Planner  
 Resource Management Agency, Planning Division

FROM: Tom Wolfington, P.E., Permit Manager *TW*

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

Pursuant to your request, this office has reviewed the subject Draft Environmental Impact Report (DEIR).

**PROJECT LOCATION**

The project is located within the East Area 2 Planning Area as designated in the City of Santa Paula's General Plan. Subject properties are located near the southeasterly limits of the City of Santa Paula, both sides of Santa Paula Creek and Highway 126 and the Railroad, and westerly of Orcutt Canyon (Haun Creek).

**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 project is referred to as the East Gateway Project and it 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 and adjacent land already within the City. Specific land development projects are not being proposed as part of the DEIR.

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

October 19, 2012  
 RMA 11-018-2 East Gateway Project (East Area 2 Annexation Project)  
 Page 2 of 3

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:**

The Ventura County Watershed Protection District (District) understands that discussions are underway with respect to the East Area 1 Annexation to provide for distribution of costs related to capital improvements, operations and maintenance of flood control features for Santa Paula Creek and Haun Creek (Orcutt Canyon). While not necessarily a matter for CEQA processing at this stage, the District expects that the current discussions will be expanded or continued to establish similar provisions for the East Area 2 Annexation area.

5-1

The District recommends that the Final EIR incorporate and provide a discussion on the technical findings of the draft Flood Insurance Study (FIS) for the Santa Clara River and Orcutt Canyon (Haun Creek) as they pertain to the East Area 2 Annexation Project; to acknowledge the presence of the District's two jurisdictional red line channels within and adjacent to the project area (Santa Paula Creek, Haun Creek); to acknowledge the need to obtain District permits prior to any land disturbance activity as well as the District's standards for mitigating increases in impervious area within the project area; and to include a statement that the City of Santa Paula will assume full floodplain management responsibilities under the National Flood Insurance Program (NFIP) for the East Area 2 Annexation Project (East Gateway) area.

5-2

5-3

5-4

The District recommends the following items to be addressed in the Final EIR.

1. The DEIR addresses existing flooding conditions in the East Area 2 Annexation Area however, the Federal Emergency Management Agency (FEMA) draft Flood Insurance Study (FIS) for the Santa Clara River provides updated flood risk information which places East Area 2 in a 1% annual chance (100-year) floodplain and possibly in the Regulatory Floodway of Orcutt Canyon (Haun

5-5

October 19, 2012

RMA 11-018-2 East Gateway Project (East Area 2 Annexation Project)

Page 3 of 3

Creek). The flood risks presented in the draft Santa Clara River FIS and the flooding hazards presented in the current Cooperating Technical Partners FIS Orcutt Canyon study should be addressed in the Final EIR.

5-5

2. There are three Ventura County Watershed Protection District (District) jurisdictional redline channels located immediately adjacent to the proposed annexation areas, these being Orcutt Canyon (northeasterly), Santa Clara River (southerly), and Santa Paula Creek (westerly). It should be stated in the Final EIR that any activity in, on, over, under or across any jurisdictional red line channel, including the channel bed and banks, will require a permit from the District. In addition, a project can not impair, divert, impede or alter the characteristics of the flow of water running in any jurisdictional red line channel. If development is proposed to be connected to a District jurisdictional red line channel or other facility, the District criteria for mitigating any increase in impervious area is that the peak flow after development shall not exceed the peak flow under existing conditions for any frequency of event.

5-6

3. The DEIR states that the proposed annexation area includes a variety of floodplain designations including Zone A99. The Final EIR should acknowledge that after annexation, the City of Santa Paula will assume full floodplain management responsibilities under the National Flood Insurance Program (NFIP).

5-7

4. On Page 8 of the DEIR (Section 5.9 - Hydrology/ Water Quality: Santa Clara River), the following statement is made regarding the peak discharge levels in the Santa Clara River during the 1969 floods:

*"The largest and most damaging recorded natural floods in the Santa Clara River watershed occurred in 1969. During these floods, the 50-year (Q50), and Q100 peak discharge levels were reached in many channels."*

5-8

These figures are based on information that was produced from limited data available in 1969. The Q50 and Q100 peak discharge levels are higher now according to most recent hydrological analysis undertaken by the District. On Page 17(4<sup>th</sup> paragraph), the 100-year event is cited to be 38,400 cfs; it should be 39,400 cfs.

5-9

5. On Pages 13 and 15, statements are made that the USACE removed 300,000 cy of material from the FRMC however; the HDR report states it was 335,000 cy. Please make these corrections.

5-10

6. On Page 16, (Hydraulic Analysis) - 1st paragraph: This sentence is confusing, please rewrite. Also, please revise the reference "design year flow" to "design flow".

5-11

5-12

END OF TEXT

**RESPONSE TO LETTER 5 – Ventura County Watershed Protection District dated October 19, 2012**

5-1 This comment notes that the Ventura County Watershed Protection District (District) understands that discussions are underway with respect to East Area 1 and the associated annexation to provide for the distribution of costs related to capital improvements, operations, and maintenance of flood control features for Santa Paula Creek and Haun Creek (Orcutt Canyon). The District anticipates that the discussions may be expanded to establish similar provisions for the East Area 2 annexation area.

Subsequent to the date of this comment letter, the District, the City of Santa Paula, and the Limoneira Company (Limoneira), the owner of the approved East Area 1 Specific Plan project located immediately north of the East Gateway Project area, concluded these discussions. As noted in the District's comment, those discussions are separate from the East Gateway Project.

At this time, no specific improvements to Santa Paula Creek are identified by the District. Additional studies, to be prepared by the District, will be completed to determine the improvements needed to provide flood control protection for the East Gateway Project Area. Current information, as presented in the East Gateway Draft EIR, shows the East Area 1 Specific Plan Area is protected from flooding by the existing Santa Paula Creek flood control improvements constructed by the USACE.

Limoneira has agreed to provide funding on an ongoing fair-share basis for the maintenance of the existing Santa Paula Creek flood control improvements.

Limoneira also agreed to provide funds for the District to conduct the studies necessary to determine the additional flood control improvements needed to protect areas downstream of the East Area 1 Specific Plan Area, including existing developed portions of the City of Santa Paula and the western portion of the East Gateway Project Area, from flooding from the lower portion of Santa Paula Creek. In addition, Limoneira agreed to provide a portion of the funds needed for these future flood control improvements

The East Gateway Project as defined and evaluated in the Draft EIR does not include any proposed drainage improvements that would directly impact either Santa Paula or Haun Creek. In addition, no substantial change in existing drainage conditions is proposed that would indirectly impact either Santa Paula or Haun Creeks. The East Gateway Specific Plan Area is located adjacent to Haun Creek and would not be affected by flooding from Santa Paula Creek. The remainder of the area proposed for annexation includes developed and undeveloped

parcels under the control of multiple owners. There are no specific plans for development at this time in these areas. The City will continue to cooperate with the District to determine appropriate improvements to provide flood control protection for the portion of the East Gateway Project Area subject to flooding from Santa Paula Creek and identify sources of funding to construct and maintain these improvements.

- 5-2** This comment recommends that the Final EIR incorporate and provide a discussion on the technical findings of the draft Flood Insurance Study (FIS) for the Santa Clara River and Haun Creek (Orcutt Canyon) as they pertain to the East Gateway Project Area and requests that the City acknowledge that both Santa Paula and Haun Creek are under the District's jurisdiction.

The City acknowledges that both Santa Paula and Haun Creek are under the jurisdiction of the District. The City is also aware of the 2009 Draft FIS Study completed by Map IX and Dewberry Consultants. This study provides an update of flood risk information used as the basis for the 2010 Flood Insurance Rate Map for Orcutt (Haun) Creek. The information in the 2009 Draft FIS Study will be used as the basis of a Conditional Letter of Map Revision for the East Gateway Project, should one be determined to be necessary, if the project is approved.

The existing agricultural channel that bisects the East Gateway Specific Plan Area will need to be widened to accommodate overflows on the west side of Orcutt Creek in a 100-year storm event to meet applicable FEMA standards. According to the 2009 FIS study, the amount of overflow resulting from a 100-year storm event at Orcutt Creek is approximately 4,300 cfs before a 'failed levee' condition FEMA would be required on the west side of the creek. A channel approximately 10 feet deep, 20 feet wide on the bottom with 2:1 side slopes would be needed to accommodate this overflow amount. Since improvements are planned upstream in the East Area 1 Specific Plan Area that will reduce the amount of peak stormflows in Haun Creek, the East Gateway Specific Plan proposes drainage improvements that reflect updated peak flow rates and overflow rates within Orcutt Creek.

- 5-3** This comment requests that the City acknowledge the need to obtain District permits before any land disturbance activity as well as the District's standards for mitigating increases in impervious area within the proposed Project area.

The City recognizes that the District has responsibility in the county for the control and conservation of flood and storm waters and for the protection of watercourses, watersheds, public highways, life, and property in the District from damage or destruction from these waters. Further, the City acknowledges that the District has authority over jurisdictional

channels as established through a number of ordinances and policies passed by the Ventura County Board of Supervisors.

Accordingly, the City recognizes that permits would need to be approved and issued by the District for any improvements to Santa Paula or Haun Creek. As noted in **Response to Comment 3-1**, future development of the East Gateway Specific Plan Area and any other future development within the rest of the area proposed for annexation will be subject to the requirements of Ventura Countywide Municipal Stormwater Permit Order No. R4-2010-0108 (2010 Stormwater Permit). This will include adherence to the 2011 Update to the Ventura County Technical Guidance Manual for Stormwater Quality Control Measures. The new land development requirements became effective on October 11, 2011. All new development projects, for which applications were not deemed complete for processing before this effective date, are subject to new rules if they meet Applicability Criteria defined by the Los Angeles RWQCB. New development is required to meet the requirements of Subpart 4.E "Planning and Land Development Program" of the 2010 Stormwater Permit. All future development within the East Gateway Project Area will be required to comply with the Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP), which was prepared to describe in detail all activities subject to regulation, management measures, schedules for implementation of measures, and specific standards against which success is measured within Ventura County.

- 5-4** This comment requests that the Final EIR include a statement that the City will assume full floodplain management responsibilities under the National Flood Insurance Program (NFIP) for the East Gateway Project Area after the proposed annexation is complete.

The City of Santa Paula participates in the NFIP and has been deemed by FEMA to be in good standing in the NFIP. The City and FEMA are cooperating technical partners, as defined by FEMA, and executed a partnership agreement providing for cooperative work efforts to create and maintain accurate, up-to-date flood hazard information for the City.

The City will assume floodplain management responsibilities under NFIP for the East Gateway Project Area upon completion of all approvals including the annexation by LAFCo.

- 5-5** This comment notes that the Draft EIR addresses the existing flood conditions in the East Gateway Project area and requests that flood risks as identified in the draft Santa Clara FIS and the Cooperating Technical Partners FIS Orcutt Canyon (Haun Creek) study be addressed in the Final EIR. Please see **Response to Comment 5-2** above for a discussion of this information as it applies to the East Gateway Project Area.

- 5-6 The comment notes that three District jurisdictional redline channels are located adjacent to the proposed Project area and requests that the note that a permit from the District is required for any disturbance of these channels, that alteration of the flow in these channels is not allowed, and that any increase in runoff from development that would affect the flow in these channels has to be mitigated in accordance with District criteria. As stated in **Response to Comment 5-3** above, the City acknowledges the District's jurisdiction over these channels.
- 5-7 This comment notes that the proposed Project includes a variety of floodplain designations including Zone A99. The comment requests that the City assume full floodplain management responsibilities under the NFIP. As stated in **Response to Comment 5-4** above, the City will assume this responsibility after annexation.
- 5-8 The comment notes that the information on page 5.9-8 of the Draft EIR states the largest and most damaging historic flood flows in Santa Paula Creek occurred in 1969 and requests the Final EIR note that the projected Q50 and Q100 peak discharge levels are higher in the District's most recent hydrological analysis than the levels that occurred in 1969.

The Draft EIR (see pages 5.9-16 to 5.9-20) discusses the floodplain inundation mapping that was completed for the existing channel for the peak flow of 39,400 referenced in this comment. The analysis in the Draft EIR (see page 5.9-69 and 5.9-70) notes that portions of the western portion of the East Gateway Project Area are located within the 100-year floodplain for Santa Paula Creek based on a (39,400 cfs event as recently defined by the VCWPD and USACE. The East Gateway Specific Plan Area is not located within a flood hazard area adjacent to Santa Paula Creek. When considering the recently redefined 39,400 cfs 100-year floodplain for Santa Paula Creek (as shown in **Figure 5.9-6** in the Draft EIR), the area that would be flooded is substantially reduced as a result of the ACOE Santa Paula Creek Improvement Project. However, certain parcels in the annexation area would still be located within the 100-year floodplain. While no specific development projects are proposed for these areas at this time, these parcels could be developed or redeveloped over time with uses as permitted by the proposed zoning for these areas. Therefore, impacts would be potentially significant for the portion of the annexation area located in the 100-year floodplain and less than significant for the remainder of the East Gateway Project Area.

- 5-9 This comment notes that the 100-year event cited on page 5-9-17 of the Draft EIR is incorrect as cited (38,400 cfs) and should be 39,400 cfs.

The comment is noted and the correction has been made in **Section 4.0** of this Final EIR.

- 5-10** This comment notes that the Draft EIR (pages 5.9-13 and 5.9-15) states that the USACE removed 300,000 cubic yards (cy) of materials from the existing flood risk management channel (FRMC) in 2010 while the latest study prepared by the USACE states 350,000 cy was removed and requested that this information be updated.

The comment is noted and the correction has been made in **Section 4.0** of this Final EIR.

- 5-11** This comment requests that a statement in the Draft EIR on the Hydraulic Analysis be rewritten.

The comment is noted and the discussion has been revised as requested in **Section 4.0** of this Final EIR.

- 5-12** This comment requests that the reference to “design year flow” be revised to “design flow.”

The comment is noted and the term has been revised as requested in see **Section 4.0** of this Final EIR.

CULTURAL HERITAGE BOARD  
**county of ventura**

October 22, 2012

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



**SUBJECT:** Comments on the Draft EIR for the East Gateway Project (East Area Two Planning Area) Annexation  
 Project # 11-018-02 dated 9/7/12

The Cultural Heritage Board staff has reviewed the Notice of Availability of a Draft EIR for the East Gateway Project's East Area Two Planning Area. The following comments on the Draft EIR are provided:

Section 5.5.2 – Cultural Resources - Existing Conditions (page 5.5-1, last sentence of the last paragraph) states:

*There are no sites listed on the Ventura County Inventory that are located within the East Gateway Project Area.*

**Comment:** This statement is inaccurate. There are twenty-one properties within the East Gateway Project (East Area Two Planning Area) that were designated as County Sites of Merit by the Ventura County Board of Supervisors on December 12, 2000. In 2000, the Board of Supervisors declared those Santa Clara Valley Phase VI survey properties with National Register Status Codes between 1 through 5 as culturally significant resources. 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. The following properties located within the East Area Two Planning Area continue to be considered Sites of Merit:

Known Land Use	APN	Address
Sheehan Oil Tool	107-0-020-290	17905 E Telegraph
Bridge Court Motel	107-0-030-040	17962 E Telegraph
George Nowak Ranch	107-0-041-010	18029 E Telegraph
Milton Nowak residence	107-0-041-040	18101 E Telegraph
Newsom residence	107-0-041-050	18113 E Telegraph

6-1

October 22, 2012 CHB Memorandum  
 East Gateway Project Draft EIR  
 East Area Two Planning Area  
 Page 2 of 3

Known Land Use	APN	Address
Kimura Ranch	107-0-040-030	18102 and 18114 E Telegraph
Clark Oil	107-0-041-060	18115 E Telegraph
Strangeland Trucking	107-0-041-070	18145 E Telegraph
Quinonez residence	107-0-030-060	18227 E Telegraph
Longtin ranch/residence	107-0-040-205	18236, 18212, 18216, 18220, 18224, 18228, 18232, 18245 18245 E Telegraph
Ferris Gardens Subdivision of 1928	107-0-020-075	29 Ferris Drive
" "	107-0-020-245	48 Ferris Drive
" "	107-0-020-255	60 Ferris Drive
" "	107-0-020-085	65 Ferris Drive
" "	107-0-020-095	71 Ferris Drive
" "	107-0-020-105	101 Ferris Drive
" "	107-0-020-115	121 Ferris Drive
" "	107-0-020-125	131 Ferris Drive
Mosher Oil	107-0-030-050	11 Whipple Rd
97 Whipple Rd	107-0-030-145	97 Whipple Rd
John Messer Ranch	107-0-011-335	112 Whipple Rd

6-1

Please revise the Draft EIR to reflect that the above properties are designated as historical resources and consider the potential impacts of the project on these properties. Where substantial evidence in the EIR indicates that significant adverse impacts to these historical resources may occur, the lead agency must address the potentially significant adverse impacts to these resources, as well as alternatives and mitigation to avoid or reduce to a level of insignificance those potential impacts. The preferred alternative for mitigating impacts to historical resources is avoidance or preservation in place.

6-2

October 22, 2012 CHB Memorandum  
East Gateway Project Draft EIR  
East Area Two Planning Area  
Page 3 of 3

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Nicole Doner".

Nicole Doner  
Cultural Heritage Board Staff

**RESPONSE TO LETTER 6 – Ventura County Cultural Heritage Board dated October 22, 2012**

**6-1** The comment suggests that the Draft EIR incorrectly notes that there are no properties designated within the East Gateway Project Area (East Area Two Planning Area) designated by Ventura County as County Sites of Merit. The comment states that 21 properties exist within the project area that are designated as such by the County Board of Supervisors.

The statement referenced in the Draft EIR (see page 5.5-1) does not state that the project area does not contain any County Sites of Merit, but notes that the Inventory of Ventura County Historical Landmarks (Table) (see Figure 1.8.2 of the Resource Appendix of the Ventura County General Plan), dated June 2011, does not identify any historical landmarks and points of interest within the East Gateway Project area.

The twenty-one properties referenced in this comment are identified as historic resources for purposes of analysis in the Draft EIR. The CEQA Historic Resources Report contained in **Appendix 5.5** of the Draft EIR was prepared by San Buenaventura Research Associates. The Santa Clara Valley Phase VI Survey referenced in this comment was also prepared by San Buenaventura Research Associates for the County. The East Gateway Historic Resources Report states on page 5 that the findings of the Santa Clara Valley Phase VI Survey were reviewed and accepted by the Office of Historic Preservation, and adopted by the Ventura County Cultural Heritage Board.

All of the properties (45 in total) identified in the Historic Resources Study for the East Gateway Project were identified and subject to a comprehensive and intensive historic resources survey of over 1,700 parcels conducted in two phases completed in 1996 and 1999, as noted in the Draft EIR (see page 5.5-2). The survey identified a National Register of Historic Places (NRHP) rural historic district eligible under Criterion A and Criterion C. If a property was evaluated in the 1999 Historic Resources Survey completed by the County, the Historic Resources Report (**Appendix 5.5** of the Draft EIR) reflects the NR status code assigned to each property in the survey. A new or revised CHR status code is based on a field survey of the area conducted in connection with the recent historic resources survey.

The Historic Resources Report (**Appendix 5.5** of the Draft EIR) summarizes the parcels evaluated for eligibility in the 1999 Historic Resources County survey. As noted in the Historic Resource Report, the status code system was revised in 2003, subsequent to the completion of the survey, from the previous “NR Status Code” system to the present “CHR Status Code.”

Consequently, the table presented in the Historic Resources Report for the East Gateway Project reflects both a translation of the old codes to the new system and a revision based on current conditions. As noted in both the Historic Resources Report (**Appendix 5.5** of the Draft EIR) and the Draft EIR (see page 5.5-6), only those parcels with a CHR Status Code prefix of five (5) or lower should be regarded as potential historic resources for the purposes of CEQA.

The Draft EIR (see **Section 5.5.5.1**) identifies potential impacts to the properties considered potential historic resources as noted above and mitigation for the potential impacts.

- 6-2** The comment suggests that where substantial evidence indicates that significant adverse impacts to potential historic resources may occur, the City, as Lead Agency, must address the impacts, as well as mitigation and alternatives to avoid or reduce the level of the impact to less than significant.

The Draft EIR (see **Section 5.5.5.1**) identifies potential impacts to historic resources and mitigation (see **Mitigation Measure 5.5-1**) to reduce the potential impacts identified to a less than significant level. As noted in the Draft EIR (see page 5.5-23), all of these properties are located within the areas proposed for annexation that are not within the East Gateway Specific Plan Area. As there is currently no specific development proposed for parcels containing identified local resources, there are no potential impacts at this time. However, should development be proposed that could potentially impact these historic resources, the mitigation identified will avoid or reduce impacts to a less than significant level.

**Letter No. 7**

Page 1 of 1

**Janna Minsk**

---

**From:** Daniel Blankenship [DSBlankenship@dfg.ca.gov]  
**Sent:** Monday, October 22, 2012 5:05 PM  
**To:** Janna Minsk  
**Subject:** DEIR East Gateway Project SCH 2011071068

Dear Ms. Minsk,

Thank you for the opportunity to comment on the above referenced DEIR. Thank you for taking note of NOP comments that the Department provided. The Department concurs with the proposed biological mitigation measures. If during the pre-construction surveys (or anytime), the project or consulting biologists observe sensitive species within or in close proximity to the project footprint, I recommend that the consulting biologist contact the Department for advise and to develop a solid plan of action to further minimize impacts.

7-1

7-2

Daniel S. Blankenship  
Staff Environmental Scientist  
CA Department of Fish and Game  
P.O. Box 802619  
Santa Clarita, CA 91380-2619  
phone/fax (661) 259-3750  
cell (661)644-8469  
[dsblankenship@dfg.ca.gov](mailto:dsblankenship@dfg.ca.gov)

10/25/2012

**RESPONSE TO LETTER 7 – California Department of Fish and Game (CDFG) dated October 22, 2012**

**7-1** The comment notes that the CDFG's comments on the Notice of Preparation were considered and that the CDFG concurs with the information and analysis in the Draft EIR and the proposed mitigation measures identified for potential impacts to biological resources from future development within the East Gateway Project Area.

**7-2** The comment requests that during pre-construction surveys, or other appropriate times during the implementation of the Project, should sensitive species be observed within or in close proximity to the Project footprint, the project biologist contact CDFG to advise and develop a plan of action to further minimize impacts.

Mitigation measures are proposed (see **Section 5.4.5.1** of the Draft EIR and **Mitigation Measures 5.4-1** through **5.4-8**) that require surveys for sensitive species prior to construction. Mitigation measures require that if sensitive species are found during these surveys, CDFG be consulted.

Letter No. 8

**KEEP SESPE WILD COMMITTEE  
P.O. BOX 1523,  
OJAI, CA. 93024**

October 22, 2012

**EAST GATEWAY PROJECT DEIR COMMENTS**

The DEIR fails to address the issue of steelhead migration at the project location, which affects the ability of steelhead to reach important spawning habitat upstream in Santa Paula Creek and its tributaries, such as Sisar Creek. The only mentions of steelhead are in a few pages of the Background section of the DEIR, where there is a discussion of the steelhead fishladder about one mile upstream of the project boundary. The southern steelhead are listed as a federal endangered species, and the channel of Santa Paula Creek is a migration corridor to historic spawning and rearing grounds upstream. The lower reaches of Santa Paula Creek have created an effective blockage to steelhead migration, and the resolution of this issue is tied to the ability to re-configure the channel to allow effective volitional passage.

8-1

The DEIR also fails to identify the widening of the creek channel at the project location as a successful mitigation measure for flood risks there (and a likely improvement for steelhead migration as well).

The annexation of the East Gateway Project should be accompanied by an analysis which recognizes explicitly the need for channel widening at this narrowest chokepoint of the flood control channel, to alleviate both the existing flood hazard, as well as the steelhead migration issue.

8-2

The USACE Dec. 2011 study, Overtopping Alternatives Report, proposes an option to remove the Hwy. 126 bridge piers (while strengthening the bridge), raise the railroad bridge, and widen the channel down from the Telegraph Road bridge, as a means to allow flood waters and sediment to pass downstream more readily. We support this option, though the channel widening may need to be expanded further.

8-3

The original, pre-development lower Santa Paula Creek was a broad alluvial fan, probably a mile across at the junction with the Santa Clara River. The alluvial fan, being Nature's way to spread out large volumes of creek-borne sediment, is now squeezed between two concrete walls that are at their narrowest point only 65 feet apart. It is no wonder that this USACE channelization project, which was built with no sediment modeling analysis, causes flooding at high storm flows.

It recently cost \$4 million of federal funds to clear 340,000 cubic yards of sediment from the channel of lower Santa Paula Creek. A 100-year storm is calculated to deliver 810,000 cubic yards of sediment to this channel.

The USACE Dec. 2011 HHR Appendix failed to model the flood hazard of a 28,000 cfs or a 39,400 cfs flood followed later in the season by a 10-year flood of 10,323 cfs. The channel cannot be cleared of built-up sediment between storms, until the dry season.

8-4

A 200-year flood would deliver a flood flow of 52,993 cfs; a 500-year flood a flow of 76,909 cfs.

It has been shown that a major fire in the upper Santa Paula Creek watershed is capable of multiplying the sediment load in the creek channel downstream by a factor of seven.

The V.C. Watershed Protection District in a fall 2010 study analyzed a potential 100-year flood that might come downstream after lower Santa Paula Creek was already filled with sediment, and found a massive flood flow of 750 acre feet per hour topping each bank of the lower creek in and above this project area, for as long as the peak flow lasts.

Widening the lower creek channel, especially at the chokepoint in the area of this project, is the key to a longterm safe and dry City of Santa Paula, with no ongoing costly payments for regular sediment removal, and with improved access for migrating steelhead.

8-4

Thank you for this opportunity to comment.

Alasdair Coyne, Keep Sespe Wild, Ojai.

|



Hydrology | Hydraulics | Geomorphology | Design | Field Services

## TECHNICAL MEMORANDUM

<b>Date:</b>	October 22, 2012
<b>To:</b>	Alasdair Coyne, Keep Sespe Wild
<b>From:</b>	Chris Campbell
<b>Project:</b>	12-1032 – East Gateway Project
<b>Subject:</b>	Review of the Draft EIR and Flooding Issues

### 1 INTRODUCTION

At the request of Alasdair Coyne with Keep Sespe Wild, cbec, inc. eco engineering (cbec) prepared comments to address the threat of flooding from Santa Paula Creek in the context of annexation of the East Gateway Project (EGP; also known as East Area 2) into the City of Santa Paula. These comments were prepared from our review of the materials identified in the reference list. Based on our understanding of the unresolved issues with the Santa Paula Creek Flood Control Project (FCP) design and updated base flood hydrology (i.e., base flood of 39,400 cfs), recommendations have been identified to provide for an updated analysis of flood conveyance and fish passage based on current information.

### 2 FLOODING

The Draft Environmental Impact Report (DEIR) for the East Area 1 (EA1) Specific Plan (City of Santa Paula, 2007a & 2007b), which is directly north of the EGP and the railroad, simply addressed potential flooding concerns from Santa Paula Creek by stating that the Letter of Map Revision (LOMR) issued in 2001 eliminated flooding in the western half of EA1 by containment of the Santa Paula Creek base flood (i.e., 28,000 cfs) within the newly reconstructed FCP and the to be completed fish ladder. Based on the information presented to the Federal Emergency Management Agency (FEMA), the LOMR request was granted to redesignate the flood hazard area along Santa Paula Creek, with no Base Flood Elevations (BFEs) determined, to a Special Flood Hazard Area (SFHA) as Zone A99 (FEMA, 2001). However, in order to remove the Zone A99 designation, and to reflect that the FCP provides base flood protection, the USACE would need to provide certification that the FCP is complete.

8-5

The DEIR for EGP (City of Santa Paula, 2012) addressed potential flooding concerns from Santa Paula Creek by acknowledging that significant portions of the EGP are already within FEMA designated 100-

8-6

year floodplain (i.e., Zone A99) as well as the floodplain delineated by the USACE (2011) using the updated base flood hydrology (i.e., 39,400 cfs). As such, flood impacts to portions of the EGP would be potentially significant. To mitigate these significant flood impacts to less than significant, the DEIR simply states that 1) no new housing or structures will be introduced beyond those that currently exist within the annexation area, and 2) the future development of annexed parcels within the EGP would need to comply with FEMA requirements by elevating structures one foot above the base flood elevation and prepare CLOMR/LOMR submittals to FEMA. It should be noted that base flood elevations have not been determined for Zone A99.

8-6

However, mitigation of flood impacts to the EGP to less than significant is not that simple. As previously identified for EA1, the USACE would need to provide certification that the FCP is complete in order to remove the Zone A99 designation and reflect that the FCP provides base flood protection for those areas affected by Santa Paula Creek. With updated base flood hydrology, the current configuration of the FCP does not protect areas outside of the channel against the base flood. If the Zone A99 designation is not removed by the time that new construction is proposed within the affected EGP parcels, rigorous floodplain analyses would need to be performed by the applicant to determine the base flood elevation in order to set accurate building pad elevations. However, base flood elevations to FEMA standards have not yet been determined for the affected areas as part of any detailed and ongoing studies to present (e.g., USACE, 2011) given the complexities of modifying and certifying the FCP.

As highlighted by cbec in a letter prepared for Friends of the Santa Clara River on February 21, 2011 in reference to annexation of EA1, previous hydraulic and sediment transport analyses (USACE, 2010b; USACE, 2010c) and supporting analyses (HDR, 2010a; HDR, 2010b) for the FCP were inadequate as they failed to adequately address the revised base flood hydrology (VCWPD, 2006; VCWPD, 2010), the downstream boundary conditions, and sedimentation profiles in a rigorous and consistent manner. The most recent FCP report prepared by the USACE (2011), the *Hydrology, Hydraulics, and Sedimentation Appendix*, appears to include more thorough hydraulic and sediment transport analyses that are rigorous and consistent in the evaluation of the outdated base flood (i.e., 28,000 cfs), which is now considered the 50-year (design) flood, and the updated base flood (i.e., 39,400 cfs). In summary, the USACE (2011) report includes the following methods and findings:

8-7

- The previous base flood of 28,000 cfs was updated to 39,400 cfs per VCWPD (2010).
- The 60-day balanced hydrographs for sediment transport modeling were updated for 28,000 cfs and 39,400 cfs.
- The allowable sediment profile was revised as was the design invert in the upstream reach.
- Sediment transport modeling was performed using a calibrated HEC-6T model for 28,000 cfs and 39,400 cfs to define the modified design sediment profile at 28,000 cfs and the maximum sediment profile at 39,400 cfs. These sediment profiles were used in subsequent hydraulic analyses.
- Steady state hydraulic modeling was performed in HEC-RAS for 28,000 cfs and 39,400 cfs using a coincident water surface elevation on the Santa Clara River of 267.9 ft NAVD88:

- Water surface elevations on the Santa Clara River up to 273 ft NAVD88, which is the base flood elevation on the Santa Clara River, were found to have no significant differences upstream of Station 10+00.
- For 28,000 cfs, the existing FCP channel with the modified design sediment profile overtopped the channel downstream of Highway 126.
- For 39,400 cfs, the existing FCP channel with the maximum sediment profile overtopped the channel 900 feet upstream of the railroad (both banks), upstream of Highway 126 (right bank only), and downstream of the Highway 126. The earthen embankment upstream of Highway 126 on the right bank was assumed to fail.
- If overtopping was predicted, earthen embankments were assumed to fail to the existing landside toe elevation whereas concrete walls were assumed to remain intact.
- Floodplain inundation mapping of steady state channel losses was performed in HEC-RAS for 28,000 cfs and 39,400 cfs with the assumption that culverts and underpasses on Highway 126 were blocked or subject to backwater from the Santa Clara River.

As demonstrated by the USACE (2011), significant portions of the City of Santa Paula west and east of the FCP, to include portions of EGP, would be inundated at 39,400 cfs due to the limited capacity of the FCP in the lower reaches. The general flooding patterns are corroborated by independent 2D hydrodynamic modeling conducted by cbec that was previously presented at the LAFCo hearing on March 16, 2011 in regards to annexation of EA1. In summary, the 2D modeling by cbec includes the following methods, assumptions, and findings:

- A 2D hydrodynamic (unsteady) model was constructed for the FCP and vicinity based on existing modeling efforts conducted by cbec on the Santa Clara River:
  - The coupled 1D/2D modeling platform MIKE FLOOD as developed by DHI ([www.dhigroup.com](http://www.dhigroup.com)) was used. The MIKE FLOOD model includes MIKE 21 Flexible Mesh to represent the channels, levees, and floodplains in 2D and MIKE 11 to represent the hydraulic structures and bridge crossings in 1D.
  - The model domain was truncated to the area of interest from a larger model domain.
  - The topography for the 2D portion of the model was based on the Ventura County 2005 LiDAR and FCP design conditions.
  - The hydraulic structures for the 1D portion of the model were reconstructed from HEC-RAS modeling conducted by HDR (2010a), to include the proposed Santa Paula Street bridge.
  - The hydraulic roughness was based on FEMA (2009a) restudy assumptions correlated by cbec to 2005 vegetation mapping (Stillwater & URS, 2007).
  - The flood hydrology was based on VCWPD (2010) design flows for the 100-year event, to include the 39,400 cfs for Santa Paula Creek. Upstream flows and downstream stage on the Santa Clara River for the truncated model domain, as based on the VCWPD (2010) flood hydrology, were derived from the larger model domain.
  - The sediment profile is based on 125% of the sediment volume as initially derived from HDR (2010a; 2010b).

8-7

- Earthen embankments and concrete walls were not assumed to fail in the event of overtopping.
- Significant portions of the City of Santa Paula are inundated under the 100-year flood conditions, to include portions of EA1 and EGP. Figure 1 shows the floodplain inundation mapping predicted by the 2D model, which includes the FEMA designated floodways overlain by:
  - The maximum inundation footprint (as water depth) for coincident flooding on Santa Paula Creek and the Santa Clara River
  - The approximate project boundaries for EA1 and EGP
  - The upstream floodplain inundation limits prepared by the USACE (2011) using a 1D steady state HEC-RAS model.
- Based on the 2D hydrodynamic results:
  - Flows up to the 5-year recurrence interval start overtopping the channel between Telegraph Road and Highway 126.
  - Flows up to the 10-year recurrence interval start overtopping the channel between the railroad and Telegraph Road.
  - Flows greater than the 10-year recurrence interval start overtopping the channel up to 900 feet upstream of the railroad.

8-7

As demonstrated by the 2D modeling performed by cbec, significant portions of the City of Santa Paula and most of the EGP annexation area outside of the East Area Specific Plan area inundated by the updated based flood of 39,400 cfs. Further demonstrated by Figure 1, there are differences in the floodplain inundation footprints prepared by cbec and the USACE (2011). The inundation mapping by cbec clearly shows that flows break out of the channel up to 900 feet upstream of the railroad whereas the USACE mapping shows inundation extents closer to 400 feet upstream of the railroad even though it is stated to be 900 feet. As such, more area to the east of the FCP is predicted by cbec to be inundated, thereby impacting nearly all of the EGP annexation area outside of the East Area Specific Plan area. Further to the west of the FCP, the inundation footprint extends approximately 250 to 400 feet further north due to the coincident backwater conditions imposed by the Santa Clara River. While it is stated in the DEIR for EGP by Jensen Design & Surveying, Inc. (Appendix 5.9.b) and Hawks & Associates (Appendix 5.9.c) that the USACE (2011) analysis is very conservative and represents a worst case scenario due to the perceived extra ponding caused by blockage of Highway 126 underpasses, it is evident from Figure 1 that the USACE (2011) blockage / backwater and steady state assumptions are perhaps not conservative enough considering that the 2D model is unsteady, uses updated hydrology for the Santa Clara River, and can account for transient storage effects and complex flow routing more effectively than a 1D hydraulic model.

As reviewed by Hawks & Associates in the DEIR for the EGP (see Appendix 5.9.c), the USACE completed an Overtopping Alternatives Report in December 2011. This report was not made available to cbec. However, according to Hawks & Associates, this report analyzed different options for improvements to the FCP from the railroad to the south of Highway 126. This reach of the FCP was selected for analysis because it was most prone to sedimentation and overtopping. Three channel modifications were

8-8

evaluated at 28,000 cfs and 39,400 cfs, with their respective maximum sediment profiles, to include Option 1, Option 2, and Option 3:

Option 1: construct parapet walls downstream of Highway 126 to Station 10+00.

Option 2: analyze channel improvement options beneath Highway 126 to include removal of the side drain on channel left, removal of the side drain and changing the right side sloping embankment to vertical, and all of the above with the addition of moving the channel left vertical wall all the way to the left abutment.

Option 3: a combination of Options 1 and 2, widening the Highway 126 bridge and constructing parapet walls downstream of Highway 126 downstream to Station 10+00.

Only Options 1 and 3 conveyed the 28,000 cfs flow downstream of Highway 126 and none of the Options conveyed the 39,400 cfs flow due to overtopping at the railroad. The USACE further analyzed two more options with the goal of containing the 39,400 cfs flow for the entire FCP, to include Option 1 and Option 2:

8-8

Option 1: construct parapet walls to contain all overtopping and raise the railroad 3 feet.

Option 2: remove the Highway 126 bridge piers to make it clear span, raise the railroad, widen the channel from Telegraph Road through Highway 126, and construct parapet walls downstream of Telegraph Road.

According to Hawks & Associates review, both of these options were capable of containing the 39,400 cfs flow. As such, annexation of the EGP should accommodate the need to widen the FCP and not unduly constrain the potential widening for flow and sediment conveyance purposes.

Further, it is recommended that for an area as complex as the confluence of Santa Paula Creek and the Santa Clara River, coincident flooding of Santa Paula Creek and the Santa Clara River be based on the same flood hydrology, hydraulic modeling of Santa Paula Creek and the Santa Clara River be dynamically coupled, and a 2D modeling be used to route overtopping flows.

### 3 FISH PASSAGE

In the design of the FCP, there was the need for a grade control stabilization structure at the upstream extent of the FCP capable of providing fish passage for endangered steelhead over a 50 foot grade drop. The grade control stabilization structure that was implemented was a grouted riprap apron with a fish ladder. The fish ladder suffered significant structural damage in the January 2005 flood, and due to its relative position in the river bend, was outflanked, which resulted in significant sediment deposition at the top and bottom of the fish ladder. As a result, an evaluation of fish passage improvements or alternatives to the existing fish ladder was undertaken (USACE, 2010a). Two (2) of the alternatives, that

8-9

were eventually ruled out, included a roughened channel (i.e., grouted riprap with embedded boulders) at shallower slopes than the existing fish ladder. With some modifications (e.g., 2% step-pools), these alternatives may warrant further analysis. As currently indicated by the USACE (2011), a modification on Alternative A will be carried forward with proposed modifications to the fish ladder in its current configuration.

With such deep excavation to accommodate the FCP design, daylighting and/or headcutting of the underlying Sespe formation is possible at low flows. Observations have been presented in the referenced documents (USACE, 2010a, 2010b, & 2010c) that demonstrate the ability of the pilot channel within its confined corridor to meander to the limits of the grouted riprap slopes, incise through bed material below the toes of the grouted riprap slopes, and headcut into the Sespe formation, resulting in low flow fish passage barriers. To our knowledge, the maintenance of noticeable fish passage barriers forming within the pilot channel during low flows has not been performed.

8-9

Subsequent sediment transport model results also confirmed that low flow degradation of the channel over a 10-year period is significant and up to 8 feet below the toes of the grouted riprap slopes. While extension of the grouted slopes below probable scour depths is a viable solution to address undermining of the grouted riprap slopes (USACE, 2011), an alternative solution is to widen the FCP to accommodate the tendency for the pilot channel to meander to achieve its equilibrium slope without creating fish passage barriers due to excessive downcutting. As such, annexation of EGP should accommodate the need to widen the FCP and not unduly constrain the ability to improve fish passage purposes.

## 4 SUMMARY

At present, the FCP has not been certified due to ongoing flood conveyance, sedimentation, and fish passage concerns. As evident from the discussion above, flood conveyance is a key concern relative to annexation of the EGP. Based on updated base flood conditions (i.e., 39,400 cfs), there remains a significant flood risk to property and life within the current City limits as well as areas proposed for annexation within the EGP. Without certification of the FCP, development within the EGP would be severely hampered as no base flood elevations have been determined for the current FEMA designated floodplain (i.e., Zone A99). Determination of base flood elevations is complicated by sedimentation in the lower reach of the FCP from Telegraph Road to the Santa Clara River, which results in overtopping of the FCP during the 39,400cfs flow from 900 feet upstream of the railroad to the Santa Clara River. However, the extent and depth of inundation caused by the overtopping flows is not fully addressed by the current studies in a comprehensive manner.

8-10

As shown by the 2D hydrodynamic modeling performed by cbec for updated base flood conditions, the inundation extents and depths differ from those prepared by the USACE (2011). These discrepancies are significant and partially highlight the differences in modeling methods (e.g., 1D steady state versus 2D unsteady) and modeling assumptions (e.g., earthen embankment failure versus no failure; static downstream boundary versus dynamic downstream boundary based on updated base flood hydrology). However, these discrepancies also highlight the variability in model outcomes and suggest that decisions

8-11

considering annexation of the EGP need to be more robust and comprehensive given the significant flood risk posed to property and life.

8-12

As an option explored by the USACE (2011) to eliminate overtopping during the 39,400 cfs flow, channel widening downstream of Telegraph Road was evaluated and found to be successful as part of a broader solution. However, the DEIR for the EGP did not identify (nor exclude) this as a successful mitigation measure to mitigate flood risks. Widening the channel also benefits the effective and reliable passage of endangered steelhead by allowing the low flow pilot channel to meander, thereby minimizing fish passage barriers due to excessive downcutting. Annexation of the EGP should accommodate the need to widen the FCP and not unduly constrain the potential widening for flow / sediment conveyance and fish passage purposes.

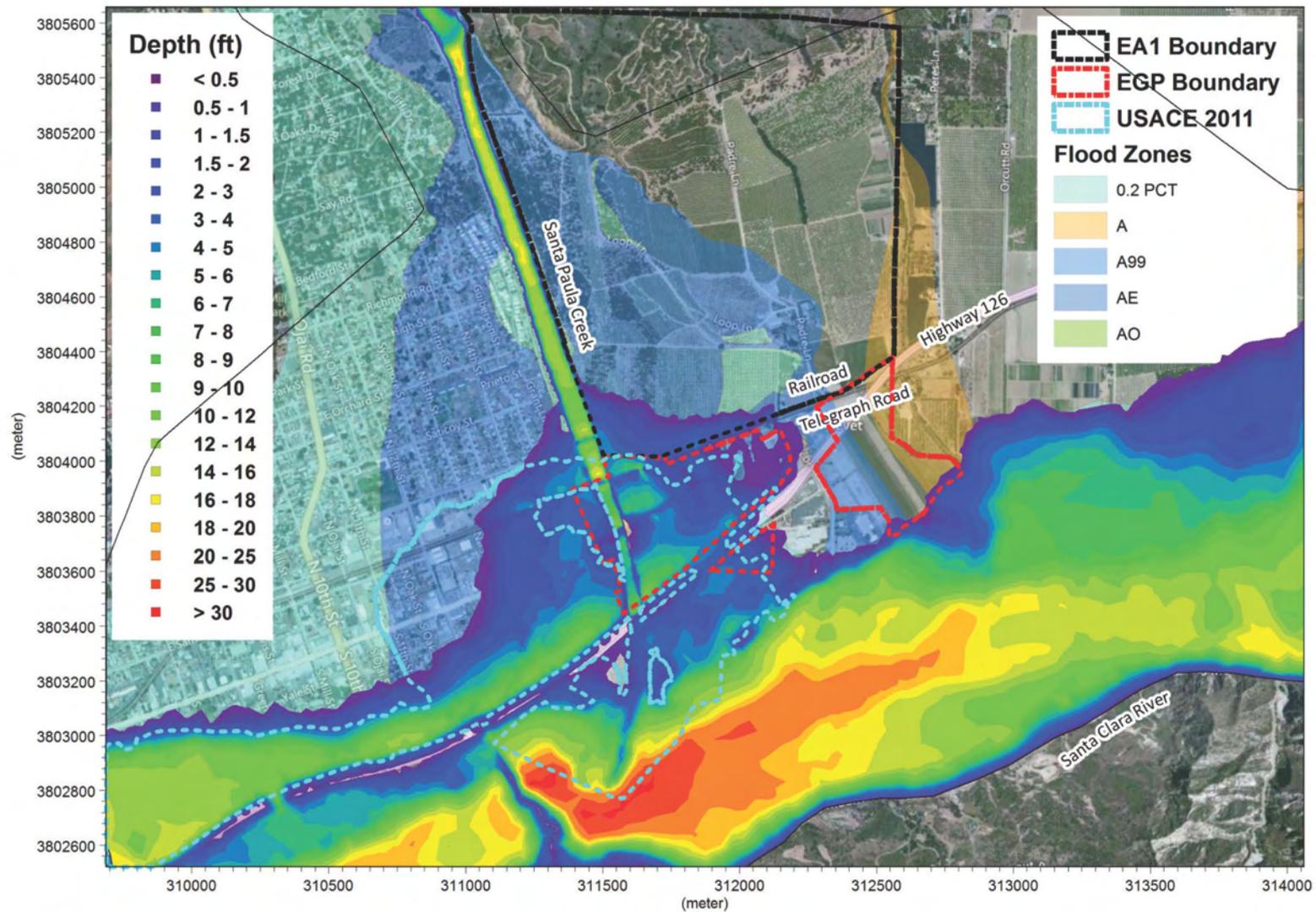
8-13

## 5 REFERENCES

- City of Santa Paula. 2007a. Draft Environmental Impact Report for the East Area 1 Specific Plan, Volume I. State Clearinghouse Number 2006071134. Prepared by P&D Consultants for the City of Santa Paula, November 2007. Source: <http://www.ci.santa-paula.ca.us/eastareaone/>
- City of Santa Paula. 2007b. Draft Environmental Impact Report for the East Area 1 Specific Plan, Volume II Technical Appendices. State Clearinghouse Number 2006071134. Prepared by P&D Consultants for the City of Santa Paula, November 2007. (Review limited to Appendix I [Drainage Study]). Source: <http://www.ci.santa-paula.ca.us/eastareaone/>
- City of Santa Paula. 2012. Draft Environmental Impact Report East Gateway Project. Prepared by Meridian Consultants LLC for the City of Santa Paula, September 2012.
- FEMA. 2010. Flood Insurance Study, Ventura County, California, and Incorporated Areas (Volumes, 1, 2, and 3). FIS Effective Date: January 20, 2010. Website: <http://www.msc.fema.gov/>
- FEMA. 2009a. Flood Insurance Restudy Santa Clara River and Tributaries, Ventura County, California, Technical Support Data Notebook, August 2009. Source: [http://www.map9-m.com/projects/santa\\_clara\\_river\\_watershed\\_study/](http://www.map9-m.com/projects/santa_clara_river_watershed_study/)
- FEMA. 2009b. Letter of Final Determination to the City of Santa Paula. Ref. # 115N(C), dated July 20, 2009. Source: <http://www.msc.fema.gov/>
- FEMA. 2001. Letter of Map Revision to the City of Santa Paula. Case # 01-09-308P, effective May 22, 2001. Source: <http://www.msc.fema.gov/>
- HDR. 2010a. Santa Paula Creek Hydraulic Modeling. Technical memorandum dated October 21, 2010.
- HDR. 2010b. Addendum to Santa Paula Creek Hydraulic Modeling Analysis (10/21/2010). Addendum to technical memorandum dated October 27, 2010.
- NMFS. 2010a. NOAA letter to USACE. January 25, 2010.
- NMFS. 2010b. NOAA Technical Memorandum – Preliminary Data Needs for Reviewing the Proposed Santa Paula Creek Flood Control Project Phase II (Inlet Structure Fish Passage). January 14, 2010.
- Stillwater Sciences & URS Corporation. 2007. Riparian Vegetation Mapping and Preliminary Classification for the Lower Santa Clara River and Major Tributaries, Ventura County, California. Volume I. Prepared by Stillwater Sciences and URS Corporation for the California State Coastal Conservancy and the Santa Clara River Trustee Council.

East Gateway Project  
Review of the Draft EIR and Flooding Issues

- USACE. 2010a. Santa Paula Creek Flood Control Project Phase II. Alternatives Evaluation and Conceptual Design for Fish Passage Improvement at the Santa Paula Creek Flood Control Channel Inlet. Prepared by HDR|CDM for the USACE, April 9, 2010.
- USACE. 2010b. Santa Paula Creek Flood Control Project Sedimentation Analysis Report. Prepared by HDR|CDM for the USACE, May 21, 2010.
- USACE. 2010c. Santa Paula Creek Flood Control Project Sedimentation Analysis Report Appendix. Prepared by HDR|CDM for the USACE, September 3, 2010.
- USACE. 2011. Santa Paula Creek Flood Control Project Hydrology, Hydraulics, and Sedimentation Appendix. Prepared by HDR|CDM for the USACE, December 2011.
- VCWPD 2006. Santa Clara River 2006 Hydrology Update, Phase I from Ocean to County Line. Ventura County, CA.
- VCWPD 2010. Santa Clara River Feasibility Study, Report Addendum: Hydrologic Modeling of the Santa Clara River with U.S. EPA Hydrologic Stimulation Program – FORTRAN (HSPF) December 2009. Ventura County Watershed Protection District, Los Angeles County Department of Public Works, U.S. Army Corps of Engineers, Los Angeles District, Ventura County, CA.

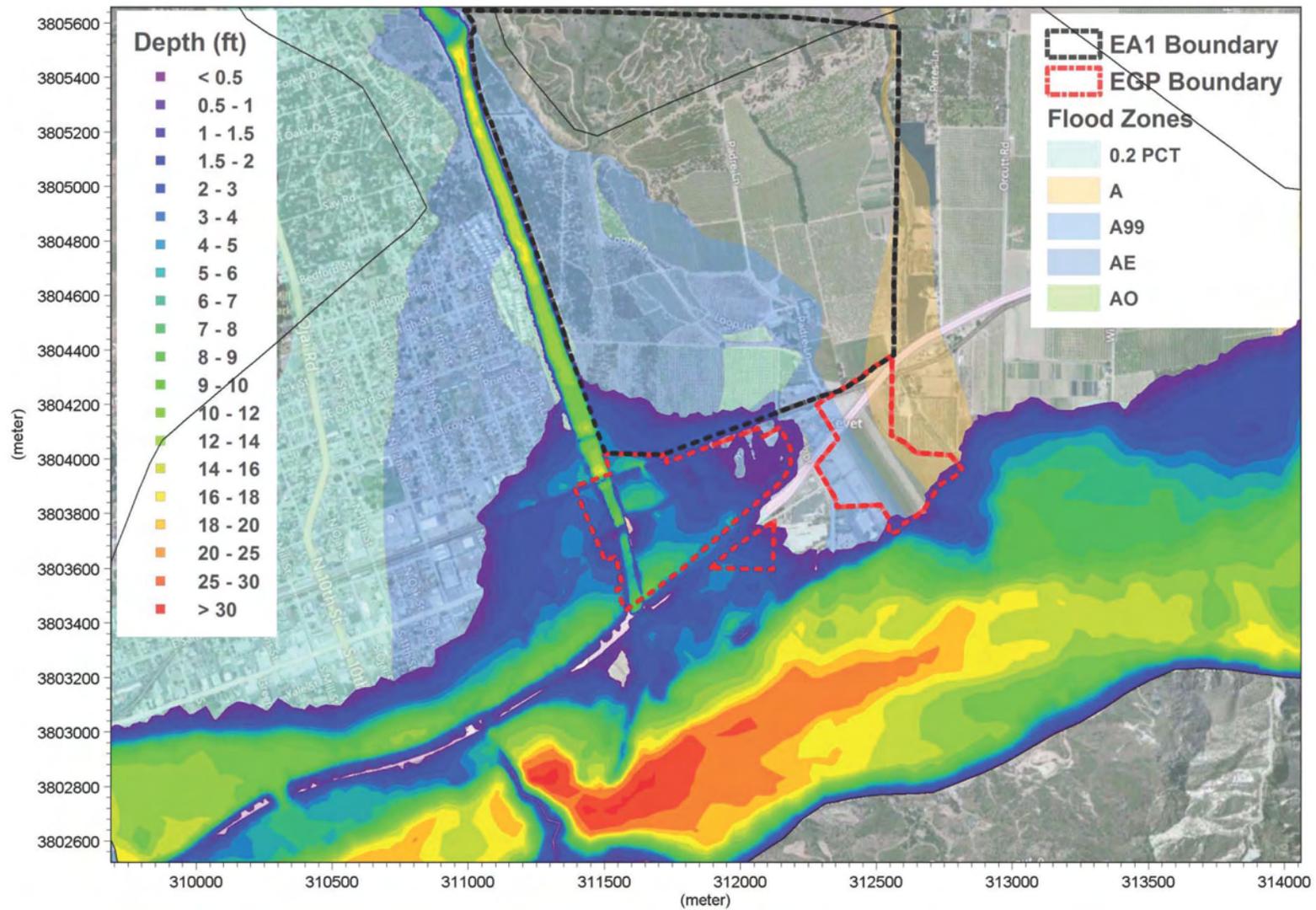


Sources: maximum inundation extents and flood depths based on MIKE FLOOD modeling performed by cbec for 39,400 cfs; cyan outline shows maximum inundations extents based on HEC-RAS modeling by USACE (2011); black outline is the East Area 1 boundary; red outline is the a East Gateway Project boundary



East Gateway Project  
**Maximum inundation during 39,400 cfs flood**  
 Project No. 12-1032 Created By: AMS  
**Figure 1**

R:\Projects\12-1032\_East\_Gateway\Fig1\_39400cfs\_Max.docx  
 10/22/2012



Notes:



East Gateway Project  
**Updated base flood maximum inundation extents**

Project No. 12-1032

Created By: CRC

**Figure 1**

C:\Users\c.campbell\Desktop\SCR\Fig1\_39.4k\_cfs\_results.docx  
 10/22/2012

## RESPONSE TO LETTER 8 – Keep Sespe Wild Committee dated October 22, 2012

- 8-1** The comment suggests that the Draft EIR fails to address the issue of steelhead migration at the Project location.

The Draft EIR includes a substantial amount of information on the Southern California steelhead. **Section 5.4.2** of the Draft EIR provides information on existing habitat characteristics in Santa Paula Creek for the Southern California steelhead. Southern steelhead are known to occur in Santa Paula Creek, and the portion of Santa Paula Creek adjacent to the East Gateway Project is considered critical habitat for the southern steelhead (see Draft EIR page 5.4-47).

As required by LAFCo, the proposed Project includes annexation of a portion of Santa Paula Creek. However, the East Gateway Project does not include any proposed alterations to Santa Paula Creek. In addition, no individual development projects are proposed at this time in the areas to the east of Santa Paula Creek that are proposed for annexation.

As further noted in the Draft EIR (see page 5.9-63), “The proposed annexation and East Gateway Specific Plan would not substantially change or alter the existing drainage patterns in the area. The East Gateway Project Area is located between Santa Paula Creek on the west and Haun Creek on the east and the annexation and subsequent development will not involve any change or alteration to either of these drainage features.”

As stated in the Draft EIR (see page 5.4-47), “No physical modifications to Santa Paula Creek are proposed as part of the East Gateway Project and, for this reason, direct impacts to Santa Ana sucker and southern steelhead will not result from the East Gateway Project.”

- 8-2** This comment suggests that the EIR should identify the widening of Santa Paula Creek at the Project location as a successful mitigation for flood risks and improvement for steelhead migration.

The East Gateway Project consists of a series of proposed actions, including annexation of land located adjacent to Santa Paula Creek and a portion of the creek to the City of Santa Paula. No specific development projects are proposed at this time and no improvements to Santa Paula Creek are included in the proposed Project.

The Draft EIR (see **Section 5.9.5.8**) discusses potential flooding hazards from Santa Paula Creek. The Draft EIR states “When considering the recently redefined 100-year floodplain for Santa Paula Creek (39,400 cfs event as shown in **Figure 5.9-6**), the area that would be subjected to

inundation under the 100-year event would be substantially reduced as a result of the ACOE Santa Paula Creek Improvement Project. However, certain parcels in the annexation area would still be located within the 100-year floodplain,” (Draft EIR at 5.9-70).

The Draft EIR (see page 5.9-70) goes on to state “While no specific development projects are proposed for these areas at this time, these parcels could be developed or redeveloped over time with uses as permitted by the proposed zoning for these areas. Therefore, impacts would be potentially significant for the portion of the annexation area located in the 100-year floodplain and less than significant for the remainder of the East Gateway Project Area.” The Draft EIR also states “The East Gateway Specific Plan would not be within any inundation areas as shown on **Figure 5.9-6**. Impacts would be less than significant.”

Additional studies, to be prepared by the Ventura Watershed Protection District (District), will be completed to determine the improvements needed to provide flood control protection for the portions of the East Gateway Project Area, and other portions of the City of Santa Paula, currently subject to flood risk from Santa Paula Creek. These studies and environmental review of any proposed improvements, will consider alternatives for providing flood protection, which may include consideration of widening of the channel as suggested in this comment.

- 8-3** The comment notes that the USACE has published a study that proposes options to address flooding along Santa Paula Creek, and expresses support for some of the options considered.

As noted in **Response to Comment 8-2**, the District will be conducting additional studies to identify appropriate flood control improvements. These studies will consider the options identified in the USACE Overtopping Alternatives Report, along with other options, such as widening the channel in appropriate locations.

- 8-4** The comment states the lower Santa Paula Creek was once a broad alluvial fan at the junction of the Santa Clara River. The comments further notes that the USACE has historically maintained the Santa Paula Creek channel, including sediment removal. The comment suggests that the USACE studies regarding the channel have failed to model appropriate flood hazards (up to 39,400 cfs) and that floods greater than the 100-year event (200-year or 500-year events) would result in increased flow and sediment. The comment further states that the District analyzed potential flooding that could cause overtopping. Finally, the comment notes that widening the lower creek channel is an option to address long-term flooding and ongoing maintenance issues.

As noted in **Response to Comment 8-2**, the District will be conducting additional studies to identify appropriate flood control improvements. These studies will consider the options

identified in the USACE Overtopping Alternatives Report, along with other options, such as widening the channel in appropriate locations.

The following comments and responses are provided to the cbec, inc. eco engineering (cbec) letter provided as an attachment to the Keep Sespe Wild Committee letter.

- 8-5** The comment notes the current flood zone designation is the subject of a Letter of Map Revision (LMOR) issued in 2001. The comment further states that to remove the Zone A99 designation from the project site and reflect that the Santa Paula Flood Control Project provides base flood protection; the USACE will need to provide certification that the Santa Paula Flood Control Project is complete.

The City understands the potential need for a change to approved flood map designations; however, the flooding is an existing condition and no physical change is proposed that would impact the current floodplain conditions within the East Gateway Project Area at this time as part of this Project. In addition, no specific individual development projects are proposed at this time in the portion of the East Gateway Project Area located to the east of Santa Paula Creek proposed for annexation. The East Gateway Specific Plan Area is located adjacent to Haun (Orcutt) Creek and is not affected by potential flooding from Santa Paula Creek.

- 8-6** The comment notes that the Draft EIR addresses potential flooding concerns and that portions of the East Gateway Specific Plan are within a FEMA designated 100-year floodplain (Zone A99) as well as within the USACE delineated floodplain using the 39,400 cfs event for Santa Paula Creek. This comment further suggests that while the Draft EIR identifies mitigation, the Project would require a CLOMR or LOMR from FEMA.

The comment is correct. Should development occur within those areas designated by FEMA as within the 100-year floodplain, a Conditional LOMR would be required. However, the areas within the 100-year floodplain are only proposed for annexation at this time and no development is proposed.

- 8-7** The comment notes that the USACE completed studies (2011) regarding the hydraulic and sediment transport for Santa Paula Creek and previous comments had been provided on the inadequacy of these studies.

The appropriate governing agencies would evaluate whether a 100-year event through Santa Paula Creek should be mapped with a design channel bottom from USACE or a channel bottom with an allowable sediment profile. The proposed East Gateway Project does not affect the

existing conditions of the Santa Paula Creek floodplain.

The 2D flood modeling by cbec for the Santa Paula Creek was completed on March 2011 using the 2010 USACE report sedimentation profiles. The cbec analysis does not use the recent USACE 2011 report sedimentation profile, which calibrates a sediment profile generated by a 39,400 cfs storm event with the HEC-6T program. The results of latest HEC-6T modeling completed by the USACE are, therefore, more accurate than the assumed 125 percent projection of the 28,000 cfs sediment profile used in the 2010 USACE report. The difference between the two sediment profiles ranges between 0.5 meters (lower) and 2.5 meters (higher) depending on the location within the creek, with the 2010 USACE report being the higher profile. Since the cbec model does not use the more recent lower sediment profile for a creek bottom to model the flooding condition, the City does not concur with the results of the cbec modeled floodplain map exhibit.

- 8-8** The comment suggests that the USACE Overtopping Alternative Report (2011) notes that the reach of Santa Paula Creek from the railroad to SR 126 was the most prone to sedimentation and overtopping. The comment notes the alternatives were evaluated by the USACE in its 2011 study, and that Santa Paula Creek should be modified to address flooding. The comment suggests that as a result, annexation of the East Gateway Project should accommodate the Santa Paula Flood Control Project and not unduly constrain the potential widening for flow and sediment conveyance purposes. The comment further suggests that due to the proximity of the East Gateway Project to the confluence of Santa Paula Creek and the Santa Clara River, the same flood hydrology and modeling be used for both systems.

As previously noted in **Response to Comment 8-2**, additional studies, to be prepared by the Ventura Watershed Protection District (District), will be completed to determine the improvements needed to provide flood control protection for the portions of the East Gateway Project Area, and other portions of the City of Santa Paula, currently subject to flood risk from Santa Paula Creek. These studies will consider alternatives for providing flood protection, including the options identified in the USACE Overtopping Alternatives Report, along with other options, such as widening the channel in appropriate locations.

- 8-9** The comment notes that the Santa Paula Creek Flood Control Project provides for fish passage for the endangered steelhead. The comment further notes that the design of the existing fish ladder has created barriers to fish passage and that preventive maintenance to address fish barriers within the channel has not been performed. Therefore, the comment suggests that widening the channel be considered to accommodate increased sedimentation, and thereby reduce ongoing maintenance needs. Further, this comments states that the proposed East

Gateway Project should not constrain future improvements to the Santa Paula Creek Flood Control Project.

As stated in **Response to Comment 8-8**, the Project will not constrain the options for future improvements because no specific development projects are proposed for these areas at this time. It should be noted that the portion of the East Gateway Project Area located adjacent to Santa Paula Creek contains existing development and new development could be proposed and processed through Ventura County at this time. Annexation of these areas will not change the existing conditions or the potential for additional future development to any great degree as the existing County and proposed City zoning designations allow similar uses.

- 8-10** The comment summarizes previous statements regarding flood conveyance, sedimentation and fish passage concerns.

The comment is noted.

- 8-11** The comment again suggests that the commenter disagrees with the prior hydraulic modeling completed by the USACE, and that the annexation of the East Gateway Project annexations be more robust and comprehensive.

As noted in **Response to Comment 8-7** above, the City has reviewed the latest USACE modeling for Santa Paula Creek and the cbec modeling and found the USACE modeling to be more accurate. The District will be completing additional studies of Santa Paula Creek to determine appropriate improvements to provide adequate flood protection for the East Gateway Project Area and existing areas of the City subject to flooding from Santa Paula Creek.

- 8-12** The comment suggests that option of widening the channel downstream of Telegraph Road explored by the USACE to address eliminate overtopping during the 39,400 cfs event was not identified by the Draft EIR as a successful mitigation measure to mitigate flood risks.

As discussed in the responses above, the East Gateway Project will not constrain options that may be identified by the District to provide adequate flood control projects, as the only annexation of areas located adjacent to Santa Paula Creek are proposed at this time.

Letter No. 9



EDMUND G. BROWN JR.  
GOVERNOR

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



KEN ALEX  
DIRECTOR

October 23, 2012

RECEIVED  
OCT 25 2012  
CITY OF SANTA PAULA  
SANTA PAULA, CA 93061

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

Subject: East Gateway Project  
SCH#: 2011071068

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 October 22, 2012, 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.

9-1

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."

9-2

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,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**RESPONSE TO LETTER 9 – Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit dated October 23, 2012**

- 9-1** The comment notes that the Native American Heritage Commission (NAHC) is the designated “Trustee Agency” for the State of California for the protection and preservation of Native American cultural resources.

The City acknowledges the receipt of these comments and has included it in the Final EIR as letter No. 1.

- 9-2** The comment notes that Public Resources Code §21104(c) requires that responsible or other agencies can only make substantive comments regarding those activities involved in a project that are within an area of expertise of the agency or that are to be carried out or approved by the agency.

The City notes this comment on the role of public agencies reviewing the Draft EIR.

**Letter No. 10**



KENNETH M. HIGH, JR.  
*Of Counsel*

(805) 988-8344 *direct*  
(805) 988-7744 *fax*  
*khigh@nchc.com*

October 24, 2012

**RECEIVED**  
  
OCT 25 2012  
**CITY OF SANTA PAULA**  
**SANTA PAULA, CA 93061**

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

**Re: McGaelic Group LP Pre-Zoning Application**

Dear Ms. Minsk:

This firm represents the McGaelic Group LP which owns an 11 acre parcel in the City's East Gateway project area located past of Hallock Drive, between E. Telegraph Road and SR-126. This property is currently planned for, and is designated "Highway Commercial", on the City General Plan Land Use Map. The City's Draft EIR studied the impact of development of this parcel with the Highway Commercial uses allowed by the General Plan.

The City's Draft EIR recognizes that while this parcel is designated on the State Department of Agriculture Important Farmland Map as "Prime Farmland", it does not meet the criteria for this designation as it has not been irrigated or actively farmed for more than four years prior to the last update of the State Important Farmland Map for Ventura County. Since the criteria for classification as Prime Farmland have not been met, this designation will be removed by the State during the next update of the State Important Farmland Map. In addition, the Draft EIR notes this parcel also does not meet the separate definition of "prime agricultural land" in the Government Code used by the Ventura County LAFCo. From a practical point of view, this parcel has not been farmed for over six years because it is economically infeasible due to its small size and because it is now virtually surrounded by properties which are either already developed with commercial buildings or are fully entitled for residential development under the East Area I Specific Plan and Development Agreement by Limoneira Company. Accordingly, annexation and development of this parcel with the uses permitted by the City's General Plan will not result in a significant impact to farmlands, since it is not farmland.

**10-1**

In spite of all the foregoing, the staff of LAFCo recommends that the City pre-zone the property as Agricultural because it is still designated as such on the County General Plan, which was adopted over a decade ago without taking into account any of the considerations mentioned above, and because the City has not approved a development project for this property as of this date, as if annexation were the last step in the

Ms. Janna Minsk  
 October 24, 2012  
 Page 2

development process instead of the first. As LAFCo is requiring the City to annex this property at this time to avoid the creation of an unincorporated island when the approved East Area I annexation is recorded, the recommendation to zone the property for agricultural uses while it is designated for commercial purposes by the City's General Plan is nonsensical. But, what makes the recommendation even more bizarre is the fact that such recommended action is **NOT LEGALLY PERMISSABLE**. To do so would violate Government Code Section 65860, which mandates that City zoning be consistent with the City General Plan.

Moreover, the practical impact of pre-zoning the property Agriculture should be considered. Under the conditions of annexation which LAFCo would impose under the guidelines in the LAFCo Handbook, the City could not re-zone it Highway Commercial to make it consistent with the City General Plan as required by Section 65860 for a period of two years without making findings that exceptional circumstances exist. This would require the owner to apply to rezone the property to develop it with the uses allowed by the General Plan, which represents the only economic use of the property as it is no longer suitable for agriculture.

10-1

The City should not require the owners of this property to go through the time and expense of changing a zoning designation which should never be adopted in the first place, in order to use it for the exact purposes anticipated by the General Plan. This would impede the implementation of the City's General Plan in the East Gateway Project Area, with the jobs, tax revenue, and community services anticipated to follow, and needlessly delay the development which the owner intends to start as soon as practicable after annexation.

For these reasons, the land owner respectfully requests that the City pre-zone the property as Highway Commercial in conformance with the City General Plan.

Very truly yours,

NORDMAN CORMANY HAIR & COMPTON LLP

Kenneth M. High, Jr.  
 Of Counsel

KMH:kac

cc: Michael Penrod  
 John Cotti, Esq.

00499\001\LTR\10769088.3

**RESPONSE TO LETTER 10 – Nordman Cormany Hair & Compton on behalf of McGaelic Group LP dated October 24, 2012**

**10-1** These comments note that the parcel owned by the McGaelic Group is recognized in the Draft EIR as being designated on the State Important Farmland Map as “Prime Farmland,” and also that the land does not currently meet the criteria for this designation.

These comments further note the recommendation from Ventura LAFCo staff that the City pre-zone the property as Agricultural is not appropriate as this zoning designation is inconsistent with the proposed General Plan land use designation and because this parcel has not been farmed for over six years. The comment requests that the land be pre-zoned Highway Commercial, which would be consistent with the proposed General Plan designation.

Because the proposed General Plan designation is Mixed Use Commercial/Light Industrial, the EIR assumes, for the purposes of assessing impacts to agricultural resources, that this parcel will be developed at some time in the future. Therefore, if the City decided to zone these parcels in conformance with the proposed General Plan designation, there would be no change in the significance of impact to agricultural resources.

These comments are noted and will be considered by the Planning Commission and City Council as part of the review of the Project.

Letter No. 11

NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., GOVERNOR



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2656 • WEBSITE conservation.cd.gov

RECEIVED  
NOV 01 2012  
CITY OF SANTA PAULA  
SANTA PAULA, CA 93061

RECEIVED

OCT 29 2012

STATE CLEARING HOUSE

clear  
10/22/12  
late e

October 26, 2012

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

Subject: Draft Environmental Impact Report for the East Gateway Project -  
SCH # 2011071068

Dear Janna Minsk:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Program Environmental Impact Report (DEIR) for the East Gateway Project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description

The East Gateway Project consists of 94.5 acres and is within and adjacent to the City of Santa Paula, in Ventura County. The proposed project would include an East Gateway Specific Plan on 36.4 acres that puts forth a master plan for development standards, guidelines, and implementation measures for retail, commercial, office and industrial space. There are no current applications for specific developments.

The project has existing General Plan land use designations of Existing Community, Open Space and Agricultural with an Urban Reserve overlay, and existing zoning designations of Rural Exclusive (for existing residential areas), Limited Industrial, Open Space, and Agricultural Exclusive. The project has no parcels under Williamson Act contract. The project area currently produces 21.2 acres of row crops including cabbage, parsley, and cilantro. The Specific Plan area also contains 12.4 acres of orchards. Implementation of the proposed project would convert this farmland to urban uses and would preclude future agricultural uses on the site.

*The Department of Conservation's mission is to balance today's needs with tomorrow's challenges and foster intelligent, sustainable, and efficient use of California's energy, land, and mineral resources.*

Janna Minsk  
 October 26, 2012  
 Page 2 of 5

### Comments

Per the 2010 Important Farmland Map for Ventura County, produced by the Farmland Mapping and Monitoring Program (FMMP), the planning area is designated as Prime Farmland and Unique Farmland. The conversion of this farmland is a material consideration for the California Environmental Quality Act (CEQA). Therefore, the Division recommends that the final EIR address the following items to provide a comprehensive discussion of potential impacts of the project on agricultural land and activities:

11-1

#### Impacts on Agricultural Land

Land use conversion statistics from the Important Farmland Data Availability webpage<sup>1</sup> document a net loss of more than 13,348 acres of Prime Farmland in Ventura County from 1984 to 2010, with an annual average loss of more than 550 acres per year. The Department notes that this cumulative loss represents a permanent impact to the agricultural resources of the County and the State, and shows why the remaining prime agricultural resources should be protected whenever feasible.

In 2010, approximately \$ 1,856,684,000 in farm sales was generated in Ventura County<sup>2</sup>, which demonstrates the high productivity of agricultural lands in the region. The City of Santa Paula proposes changes that are adjacent to Important Farmland on the surrounding valley floor. Loss of this agricultural resource base should be avoided or mitigated whenever possible. The Department also recommends that the City consider the impacts to the remaining agricultural support infrastructure in the area should prime, productive agricultural lands be converted to nonagricultural uses.

11-2

11-3

Under 14 C.C.R. § 15064.7, impacts on agricultural resources may also be both quantified and qualified by use of established thresholds of significance. As such, the Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model. The California LESA model is a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website at:

11-4

[http://www.consrv.ca.gov/DLRP/qh\\_lesa.htm](http://www.consrv.ca.gov/DLRP/qh_lesa.htm)

<sup>1</sup> [http://redirect.conservation.ca.gov/dlrp/fmmp/product\\_page.asp](http://redirect.conservation.ca.gov/dlrp/fmmp/product_page.asp)

<sup>2</sup> California Agricultural Resource Directory 2010-2011

[http://www.cdfa.ca.gov/statistics/PDFs/ResourceDirectory\\_2010-2011.pdf](http://www.cdfa.ca.gov/statistics/PDFs/ResourceDirectory_2010-2011.pdf)

Janna Minsk  
 October 26, 2012  
 Page 3 of 5

The Department would like to request a clarification of what we believe might be several misconceptions present in the DEIR. In describing the Project's agricultural land impacts, the Agricultural Resources section states that the East Gateway Project, including the Specific Plan, is subject to the "prime farmland" definition of Government Code § 56064, as per the Ventura Local Agency Formation Commission:

*The East Gateway Project area includes approximately 94.5 acres...The project area contains approximately 63.3 acres of class II soils of which 39.0 acres have a Storie Index rating of 86...All other soils have a class II soil rating with a Storie Index below 80, and as such are not considered prime agricultural farmland according to Government Code § 56064<sup>3</sup>.*

The DEIR appears to indicate that land can only be considered "prime" under Section 56064 if it meets both criteria (soil rating and Storie Index). However, the statute states:

Government Code § 56064. "Prime agricultural land" means an area of land...that meets any of the qualifications: (a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible. (b) Land that qualifies for rating 80 through 100 Storie Index rating. (c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003. (d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre. (e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years. (emphasis added)

11-5

Based on the legislative criteria, references to "prime farmland" under Government Code § 56064 should include lands meeting any of the five criteria, as opposed to those that meet only a selected single criterium. Thus, the Department recommends that the

<sup>3</sup> *Id.*

Janna Minsk  
 October 26, 2012  
 Page 4 of 5

Final Environmental Impact Report independently cites how many of the 94.5 acres of annexed area are classified as Land Capability Class or and how many of the total acres have a Storie Index rating of 80 and above.

11-5

Mitigation Measures

Although direct conversion of agricultural land may be an unavoidable impact under CEQA analysis, mitigation measures, including compensatory mitigation, must be considered and adopted if feasible. The document explains that 32.2 acres of Prime Farmland and 8.0 acres of Unique Farmland will be converted to non-agricultural use, for a total of 40.2 acres of Important Farmland impacted<sup>4</sup>. Of that amount, 11.4 acres are discounted by the City, even though those acres are classified as Prime Farmland in the 2010 Ventura County FMMP map, because the City notes that "...this area has not been irrigated or actively farmed over the last two update cycles before 2010..."<sup>5</sup>. Should those 11.4 acres be removed from the impact calculation, 28.8 acres of Important Farmland remain directly affected by implementation of this project to be mitigated where feasible.

11-6

The Project's conversion of farmland to nonagricultural use represents a permanent reduction in the State's agricultural land resources. As such, the Department recommends the use of permanent agricultural conservation easements on land of at least equal quality and size as compensation for the direct loss of agricultural land. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline § 15370. The Department recommends that Mitigation Measure 5.2-1 be altered in the Final Environmental Impact Report to instead base the conservation covenant on the acreage of prime farmland being converted with a 1:1 ratio.

11-7

This mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements.

11-8

One source that has proven helpful for regional and statewide land conservation is the California Council of Land Trusts (CCLT), which deals with all types of conservation easements. CCLT may provide the City with information regarding the mechanisms

11-9

<sup>4</sup> City of Santa Paula, East Gateway Project Draft Environmental Impact Report, p. 5.2-14. September 2012.

<sup>5</sup> *Id.* at p. 5.2-15.

Janna Minsk  
 October 26, 2012  
 Page 5 of 5

and fees associated with conservation easements, and with referrals to local land trusts. CCLT's web site is:

<http://www.calandtrusts.org>

11-9

Another source is the Division's California Farmland Conservancy Program (CFCP), which has worked with CCLT and other partners to secure conservation easements throughout the State of California. CFCP's web site is:

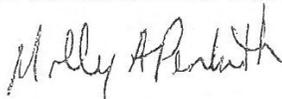
<http://www.conservation.ca.gov/DLRP/CFCP/Pages/Index.aspx>

The establishment of agricultural conservation easements in Ventura County would represent a commitment to sustaining the agricultural economy and resource base. Many local jurisdictions have established agricultural easement mitigation programs using the mechanisms described above. If the City were not able to make arrangements for easement mitigation through one of these or many other land trusts operating in California, the Department would be available to assist.

11-10

Thank you for giving us the opportunity to comment on the DEIR for the City of Santa Paula's East Gateway Project. Please provide this Department with the date of any hearings for this particular action, and any staff reports pertaining to it. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Associate Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

Sincerely,



Molly A. Penberth, Manager  
 Division of Land Resource Protection  
 Conservation Program Support Unit

cc: State Clearinghouse  
 Ventura Local Agency Formation Commission

**RESPONSE TO LETTER 11 – California Department of Conservation dated October 26, 2012**

- 11-1** The comment notes that portions of the East Gateway Project area are designated as Prime and Unique Farmland by the Farmland Mapping and Monitoring Program (FMMP) and the conversion of this farmland is a material consideration under CEQA.

The Draft EIR includes full assessment of the potential impact of the proposed Project to agricultural resources in **Section 5.2**, consistent with the recommendation in this comment.

The Draft EIR (see page 5.2-2), incorrectly overestimated amount of land in the East Gateway Project area identified as important farmland on the current State Important Farmland Map for Ventura County. The information provided for the East Gateway Specific Plan area in the Draft EIR is correct. The East Gateway Specific Plan area includes 25.2 acres of Prime Farmland, 7.8 acres of Urban and Built-up Land, and 3.6 acres of Other Land as designated on the 2010 State Important Farmland Map for Ventura County. The information for the remainder of the East Gateway Project area proposed for annexation has been corrected. The other areas proposed for annexation include 16.6 acres of Prime Farmland, 8.0 acres of Unique Farmland, 26.6 acres of Urban and Built-up Land, and 7.1 acres of Other Land. In total, the East Gateway Project includes 41.4 acres of Prime Farmland and 8.0 acres of Unique Farmland as designated on the 2010 State Important Farmland Map.

Page 5.2.2 of the Draft EIR providing information on the State Important Farmland Map designations for the East Gateway Project area has been corrected as shown in Section 4.0 of this Final EIR.

- 11-2** The comment notes that the proposed Project is adjacent to Important Farmland on the surrounding Santa Clara Valley floor, and that Ventura County had over \$1.856 billion in farm sales in 2010. The comment further states the loss of agricultural resource base should be avoided or mitigated whenever possible.

The City acknowledges that the East Gateway Project is adjacent to other agricultural lands in the valley, and that agriculture is an important component of the area. Preservation of agricultural resources is recognized in the City's General Plan, which identifies the East Area 2 Planning Area, including the East Gateway Project Area, as an area proposed for annexation to allow for the reasonable expansion of the City to meet the Goals and Objectives of the General Plan.

The Santa Paula General Plan recognizes that agriculture has historically been, and will continue to be, an important component of the City's economy (see page 5.2-7 of the Draft EIR). The General Plan Update EIR assessed the impacts of future development of the East Area 2 Planning Area and loss of Prime Farmland or Farmland of State-wide Importance and determined this impact to be significant. The policies and implementation measures contained in the General Plan call for the protection of viable prime agricultural lands, and minimizes development on such lands to the extent possible.<sup>1</sup> Further, the City has complied with the mitigation measures identified in the General Plan Update EIR that provide for "agricultural Cluster Development" and adoption of an "Urban Growth Boundary" to minimize impacts to agricultural land in the City's Planning Area addressed in the General Plan. As noted in the General Plan Update EIR, agricultural clustering could include use of conservation easements to protect remaining agricultural lands.<sup>2</sup>

In addition to adopting a City Urban Restriction Boundary, the City has a record of preserving agricultural lands through existing greenbelt agreements with Ventura County and the neighboring cities of Fillmore and Ventura that preserve large areas of agricultural land. The existing Santa Paula Fillmore Greenbelt was enlarged to compensate for the loss of agricultural land in the East Area 2 Planning Area. In addition, this greenbelt was recently strengthened as it was adopted by ordinance by the Cities of Santa Paula and Fillmore and the County of Ventura.

As noted in the Draft EIR (see pages 5.2-2 to 5.2-4), according to the Ventura County Annual Crop Report for 2010, the estimated gross value for Ventura County agriculture was \$1,859,151,000.

On a countywide basis, cabbage, with a value of \$22,431,000, was harvested on 4,046 acres; cilantro, with a value of \$15,862,000, was harvested on 3,309 acres; and parsley, with a value of \$7,285,000, was harvested on 760 acres. Based on the gross revenues per acre for each of these row crops, the individual crop values of crops grown on the East Gateway Specific Plan portion of the Project site would range from about \$101,624 to \$203,213 per crop. As this area yields three crops per year, the annual gross revenue from the East Gateway Specific Plan Area for these row crops typically grown on this site would range from \$352,500 to \$609,600, or \$16,600

---

<sup>1</sup> City of Santa Paula, General Plan Update EIR, p. F-4.1-11

<sup>2</sup> City of Santa Paula, General Plan Update EIR, Mitigation Measure AG-1(a).

to \$28,600 per acre. According to the 2011 Crops Report, the average value for harvested Fruit and Nut Crops was \$21,160 per acre and for Vegetable Crops was \$13,888 per acre.<sup>3</sup>

The Draft EIR notes that there is limited production within the existing orchards and other agricultural areas within the other areas proposed for annexation at this time. The vacant parcels located west of South Hallock Drive between SR 126 and Telegraph Road have not been actively farmed for a number of years. As noted on page 5.2-15 of the Draft EIR, these parcels have not been irrigated or actively farmed over the last two update cycles before release of the 2010 Important Farmland Map for Ventura County. However, the Draft EIR does recognize that the loss of agricultural land designated as Prime or Unique is a significant impact and mitigation is proposed in addition to the mitigation programs already identified in the General Plan, which will preserve large areas of agricultural land to compensate for the agricultural land that will be developed under the City's General Plan.

- 11-3** The comment suggests that the City consider the impacts to the remaining agricultural support infrastructure in the area should prime, agricultural lands be converted to nonagricultural uses.

The City considered the overall impact of farmland conversion on the County's agricultural industry in the City's General Plan. As noted in the previous responses, the City has implemented programs identified in the General Plan to preserve large amounts of agricultural land within and adjacent to the City's Planning Area to ensure the long-term viability of the agricultural industry in Ventura County, including the infrastructure needed to support the agricultural industry.

- 11-4** The comment notes that impacts to agricultural resources may be evaluated with the USDA Land Evaluation and Site Assessment (LESA) Model.

Use of the LESA model was considered, but the proposed Project does lend itself to evaluation using the LESA Model because the agricultural land included in the East Gateway Project Area consists of a set of non-contiguous parcels of different sizes and configurations. The LESA Model is most appropriate for use in assessing a single parcel of agricultural land.

- 11-5** The comment requests clarification on the use of various definitions of the "prime farmland," including those contained in Government Code §56064 and application of the various criteria identified therein. The comment recommends that the Final EIR cite how much of the 94.5 acres

---

<sup>3</sup> Ventura County, Office of the Agricultural Commissioner, Ventura County 2011 Annual Crop Report "Connecting the Dots," July 24, 2012.

of farmland in the East Gateway Project Area is classified as Land Capability Class I or II and how many have a Storie index rating of 80 and above.

The Draft EIR used both the Department of Conservation’s FMMP definition of Prime Farmland as noted on the most recent State Important Farmland Map and the definition provided in Government Code §56064. See the discussion in the Draft EIR on pages 5.2-14 to 5.2-16.

Soils in the portion of the East Gateway Project Area proposed for annexation are comprised of 7.9 acres of Anacapa sandy loam 2 to 9 percent slopes (AcC), 33.5 acres of Cortina stony sandy loam 2 to 9 percent slopes (CrC), 18.5 acres of Mocho gravelly loam 2 to 9 percent slopes (MrC), 28.8 acres of Pico sandy loam 0 to 2 percent slope (PcA), 5.8 acres of Pico sandy loam 2 to 9 percent slopes (PcC), and 7.9 acres of Riverwash (Rw). Of the PcA soils, approximately 2.3 acres are covered by SR 126. The Draft EIR incorrectly on page 5.2-2 that there were 31.1 acres of Pico sandy loam (PcA) soils in the East Gateway Project area; the correct total is 28.8 acres of PcA.

The Storie index for soils within the East Gateway Project is listed below. As shown, the East Gateway Project Area (not including the portion containing SR 126), has a total of 36.7 acres with a Storie Index greater than 80.

Map Unit Symbol	Map Unit Name	Capability Class	Storie Index Rating	Net Project Acres
AcC	Anacapa sandy loam, 2 to 9 percent slopes	II	86	7.9
CrC	Cortina stony sandy loam, 2 to 9 percent slopes	IV	27	33.5
MrC	Mocho gravelly loam, 2 to 9 percent slopes	II	68	18.5
PcA	Pico sandy loam, 0 to 2 percent slopes	II	86	28.8
PcC	Pico sandy loam, 2 to 9 percent slopes	II	77	5.8
Rw	Riverwash (Santa Paula Creek channel)	VIII	2	<u>0.0</u>
<b>Total</b>				94.5

The East Gateway Project Area does not contain any Class I soils as defined by the NRCS. The Project area contains approximately 61.0 acres of Class II soils as shown in the table above. The Project area also contains 36.7 acres with soils that have a Storie Index rating of 80 or higher (AcC – 7.9 acres and PcA – 28.8 acres) as shown in the table above. These soils are also identified as Class II soils.

These 61.0 acres of land containing Class II soils and/or soils with a Storie Index of 80 or higher are considered prime agricultural farmland according to Government Code §56064. However, this Government Code definition only applies to land that “has been not been developed for a

use other than agricultural use.”

The East Gateway Project Area contains numerous parcels that are developed, but contain Class II Soils. Only 41.4 acres of the 61.0 acres containing Class II soils are undeveloped and available for agricultural use. These parcels include:

APN	Acres	Location
107-0-041-010	2.1	East Gateway reorganization area (APN 107-0-041-015)
107-0-042-030	3.1	East Gateway reorganization area (APN 107-0-042-015)
107-0-042-030	11.0	East Gateway reorganization area (APN 107-0-042-030)
107-0-043-065	<u>25.2</u>	East Gateway Specific Plan Area (APN 107-0-043-065)
Total	41.4	

This 41.4 acres of land not developed for a use other than agricultural use meet the Government Code §56064 of Prime farmland.

- 11-6** The comment notes that although direct conversion of agricultural land may be an unavoidable impact under CEQA, mitigation measures, including compensatory mitigation, must be considered and adopted if feasible. The comment states that the amount of Prime farmland has been discounted in the Draft EIR.

The Draft EIR (see pages 5.2-16 through 5.2-18) provides an evaluation of a number of mitigation measures and their feasibility. The Draft EIR notes that the City has considered and implemented a number of measures to preserve agricultural land in its General Plan, as discussed above. In addition to these measures, the Draft EIR identifies **Mitigation Measure 5.2-1** (page 5.2-18) as additional mitigation. However, even with the implementation of all feasible mitigation measures, the Draft EIR concludes the loss of prime farmland is a significant and unavoidable impact of the Project.

As noted in the Draft EIR (see page 5.2-14), land within the East Gateway Project Area is designated on the State Important Farmland Map as Prime (41.4-acres) and Unique (8.0 acres) Farmland. The Draft EIR further notes (see page 5.2-15) that 14.1 acres of Prime Farmland located south of East Telegraph Road, north of SR 126, west of Hallock Drive, (Kimura [3.1 acres] and McGrath [11.0 acres] parcels) have not been irrigated or actively farmed over the last two update cycles before 2010, and do not meet this definition of Prime Farmland for this reason. As a result, the net acreage of Prime Farmland impacted is 27.3 acres. When combined with the 8.0 acres of Unique Farmland in the project area, the total amount of Important Farmland (Prime and Unique) is 35.3 acres.

The East Gateway Specific Plan area contains approximately 25.2 acres of Prime Farmland, and no Unique Farmland.

**Mitigation Measure 5.2-1**, which was identified for this impact, has been modified to reflect both Prime and Unique farmlands (see **Section 4.0** of this Final EIR).

- 11-7** The comment requests that **Mitigation Measure 5.2-1** be revised to provide for permanent easements on land of “at least equal quality and size” as compensation for the direct loss of agricultural land. The comment suggests a ratio of 1:1 be established.

The City has determined that the loss of Prime agricultural land is a significant impact. Therefore, the City has proposed **Mitigation Measure 5.2-1** to require that a conservation easement be established on other lands to provide for the same “production value of the prime farmland being taken out of production” to ensure land of equal quality is preserved as mitigation. The production value is to be determined as the annual average of the total crop value for the four-year period prior to the issuance of a grading permit.

As noted in **Response to Comment 11-2**, the average value per acre of crop production on the Project areas is \$16,600 to \$28,600 per acre. According to the 2011 Crops Report, the average value for harvested Fruit and Nut Crops was \$21,160 per acre and for Vegetable Crops was \$13,888 per acre. Therefore, depending upon the specific crop planted, the amount of land set aside for mitigation would be equivalent in size to the agricultural land impacted.

The City has used this mitigation approach previously and determined that this generally resulted in the preservation of land of equal quality, based on economic value of the crops produced, and equal size as the agricultural land being impacted.

- 11-8** The comment suggests that **Mitigation Measure 5.2-1** can be implemented by either outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements.

The City understands that there are various methods to accomplish the implementation of conservation easements. The City prefers to require the applicant to directly mitigate the impact rather than utilize a third party.

- 11-9** The comment notes that the California Council of Land trusts is a source for identifying and implementing regional and statewide land conservation easements.

See **Response to Comment 11-8**. The comment is noted.

- 11-10** The comment notes that the establishment of agricultural easements in Ventura County would represent a commitment to sustaining the agricultural economy and resource base.

The City agrees and is requiring the preservation of land through the proposed mitigation measure in addition to the other programs, such as the establishment of agricultural greenbelts east and west of the City to preserve large areas of agricultural land to sustain the agricultural economy and resource base.

Letter No. 12



EDMUND G. BROWN JR.  
GOVERNOR

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



KEN ALEX  
DIRECTOR

October 29, 2012

RECEIVED  
NOV 01 2012  
CITY OF SANTA PAULA  
SANTA PAULA, CA 93061

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

Subject: East Gateway Project  
SCH#: 2011071068

Dear Janna Minsk:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on October 22, 2012. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

12-1

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

12-2

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2011071068) when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044  
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**RESPONSE TO LETTER 12 – Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit dated October 29, 2012**

- 12-1** The comment notes that the Clearinghouse is submitting comments (Department of Conservation letter No. 11) that it received after the close of the state review period, which are being forwarded, as they provide information that should be addressed in the final EIR.

The City acknowledges the receipt of the comments and has included them in the Final EIR as letter No. 11.

- 12-2** The comment notes that CEQA does not require Lead Agencies to respond to late comments. However, the City is encouraged to incorporate these comments into the Final EIR.

The City acknowledges the receipt of this letter and has included it in the Final EIR as letter No. 11. Responses are provided to the comments in this letter.



## VENTURA LOCAL AGENCY FORMATION COMMISSION

COUNTY GOVERNMENT CENTER • HALL OF ADMINISTRATION

800 S. VICTORIA AVENUE • VENTURA, CA 93009-1850

TEL (805) 654-2576 • FAX (805) 477-7101

WWW.VENTURA.LAFCO.CA.GOV

November 8, 2012

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

RE: Draft Environmental Impact Report – East Gateway Project (East Area 2)

Dear Ms. Minsk:

Thank you for providing the Ventura Local Agency Formation Commission (LAFCo) with the opportunity to comment on the subject draft environmental impact report (DEIR). 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 DEIR has not been reviewed by the Commission.

The project includes a reorganization to allow for the annexation of an approximately 70-acre area known as East Area 2. The filing of an annexation proposal to annex this area was a condition of LAFCo's approval of the East Area 1 reorganization. The annexation of this area was necessary to avoid the creation of an unincorporated island that would otherwise be created once the East Area 1 reorganization is finalized. No development within the 70-acre area is proposed at this time. The reorganization proposal also includes the annexation of approximately 36 acres located east of and abutting the City to allow for development of the East Gateway Specific Plan, which includes either a regional retail center of up to 310,000 square feet or a mixed use employment center of up to 360,000 square feet.

LAFCo staff offers the following comments:

### Project Description

Section 2.5.2 should be amended to include detachment from County Service Area 33 as part of the reorganization that LAFCo must approve.

13-1

### Agricultural Resources

The DEIR does not accurately identify the acreage of prime farmland that will be impacted by the project. When evaluating and considering impacts to prime agricultural land, LAFCo must utilize the definition of prime agricultural land found in Government Code Section

13-2

Janna Minsk  
November 8, 2012  
Page 2

56064. If land meets any one of the five criteria identified in Section 56064 it is considered to be prime (the DEIR incorrectly assumes that land must meet more than a single criteria to be considered prime). The DEIR notes that there are approximately 63.3 acres within the proposal area that are classified as class II soils by the USDA Natural Resources Conservation Service, thus meeting the first criterion listed in Section 56064. Therefore, the proposal will adversely impact 63.3 acres of prime agricultural land (not the 39 acres identified in the DEIR). The DEIR should be amended to evaluate impacts and mitigation measures for these 63.3 acres.

13-2

#### *Mitigation measures*

Mitigation measure 5.2-1 proposes to mitigate impacts to agricultural resources by requiring a conservation covenant on other prime agricultural land. The amount of acreage to be preserved under the conservation covenant will be only that amount necessary to provide for the same production value of the prime farmland that will be converted. Pursuant to this mitigation plan, preservation of one acre of land containing a high value-producing crop could be considered mitigation for the loss of several acres of a land containing a low value-producing crop. The production value of the farmland that will be converted will be based on the average of the total crop value for the four year period prior to issuance of a grading permit. However, the impact to be mitigated is not the loss in crop value but the conversion of prime agricultural soils. The value of the crop that may have been produced has nothing to do with the permanent loss of the prime soils. Thus, the proposed mitigation does not mitigate the impact. Furthermore, because substantial amounts of the prime soils that are to be converted have not been farmed in recent years, the value of the average crop production has been substantially reduced. In fact, the four year average crop value on approximately 15 acres is \$0, in which case no mitigation would be required even though the 15 acres will be permanently converted to non agricultural uses. As noted in the October 26, 2012 comment letter from the State Department of Conservation, mitigation measures, including compensatory mitigation, must be considered and adopted if feasible, even if the impact remains significant. The DEIR should consider mitigating the impacts to agricultural resources by conserving an equivalent number of acres of prime soils.

13-3

Regarding cumulative impacts, the DEIR provides no analysis. Instead, the DEIR notes the percentage of the agricultural lands that will be converted within the proposal area to the amount of agricultural land that currently exists throughout the County, which is not a discussion of cumulative impacts. The DEIR then discusses and proposes mitigation for speculative impacts to agricultural resources from possible future development in Adams Canyon, Fagan Canyon, and other areas. The DEIR should discuss the cumulative impacts to agricultural resources from approved and proposed development projects, including, but not limited to, the East Area 1 Specific Plan and the development projects currently proposed west of and adjacent to the City. Such cumulative impacts must be mitigated to the extent feasible.

13-4

#### Public Services

##### *Fire Services*

The DEIR concludes that adequate levels of fire protection service can be provided without an analysis of the potential impacts to fire services. There is no discussion regarding the

13-5

Janna Minsk  
 November 8, 2012  
 Page 3

ability of the current fire stations to respond to the increased demands that would be expected from the development, the response times from current fire stations, or the impacts if construction of the proposed fire station (or the railroad crossing at Hallock Drive) in East Area 1 is delayed until after construction of the proposed development. Without further analysis, the conclusion that impacts to fire services will be less than significant is not supported.

13-5

*Police Protection*

According to the DEIR, the approximate average response time for police service calls was about 4 minutes and 20 seconds in 2007. It is unclear why the DEIR cites such dated information. According to information provided to LAFCo by the City, response times for emergency calls averaged approximately 8 minutes in 2011. Average response time to non-emergency calls was over 23 minutes. Also, according to the DEIR, there is no recognized County or City standard for response times. However, according to the City, there are, in fact, City standards for police response times. The City's goal is to respond within 2 minutes to emergency calls and 5 minutes for non-emergency calls. The DEIR should be amended to reflect current conditions and should discuss the measures that are used by the City's police department to ensure adequate police services.

13-6

Hydrology and Water Quality

Pursuant to Section 3.3.1.2 of the Ventura LAFCo Commissioner's Handbook, among the factors unfavorable to approval of a reorganization is if "the proposal area would accommodate new development and includes a...FEMA designated floodway or floodplain, or other hazardous area designated by federal, state, or local public agencies, unless the Commission determines that the hazard or hazards can be adequately mitigated." In a comment letter prepared by the Ventura County Watershed Protection District, dated October 19, 2012, the District noted various flood-related issues that should be further analyzed and, if necessary, mitigated. Many of these issues are germane to LAFCo's consideration of the proposal and should be thoroughly evaluated in the DEIR.

13-7

Again, thank you for providing LAFCo the opportunity to review the DEIR. Please do not hesitate to contact me should you have any questions.

Sincerely,



Kai Luorila, AICP  
 Deputy Executive Officer

C: LAFCo Commissioners

**RESPONSE TO LETTER 13 – Ventura Local Agency Formation Commission dated November 6, 2012**

**13-1** The comment requests that the Draft EIR identify detachment from County Service Area 33 as part of the reorganization action to be considered by LAFCo. This action was included as part of **Section 2.5.2, Required Permits and Approvals** (see **Section 4.0** of this Final EIR).

**13-2** The comment suggests that the Draft EIR does not accurately identify the acreage of Prime farmland that will be impacted by the Project. The comments notes that Government Code §56064 defines Prime agricultural land as “an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the stated criteria, including, if irrigated, a rating of Class I or Class II in the NRCS land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.”

The comment is correct in stating the criteria listed under the Government Code §56064. However, this Government Code definition only applies to land that “has been not been developed for a use other than agricultural use.” The East Gateway Project area has numerous parcels that are developed but contain Class II soils. Of the 61.0 acres containing Class II soils, only 41.4 acres are undeveloped and available for agricultural use as identified below:

APN	Acres
107-0-041-010	2.1
107-0-042-030	3.1
107-0-042-030	11.0
107-0-043-065	<u>25.2</u>
	41.4

Consequently, 41.4 acres of undeveloped agricultural land considered to be Prime farmland would be impacted by future development that would be allowed by the proposed Project. The Final EIR (see **Section 4.0** of this document) has been changed to reflect the correct acreage of Prime farmland that meets the criteria in Government Code § 56064.

**13-3** The comment suggests that **Mitigation Measure 5.2-1** is inadequate to mitigate the loss of Prime farmland.

The Draft EIR (see pages 5.2-16 to 5.2-18) provides an analysis of potential mitigation measures. The Draft EIR finds that, while requiring a conservation easement will compensate for the loss of the agricultural land in the East Gateway Project Area, this compensation will fully mitigate the loss of existing prime farmland. Therefore, impacts will be significant and unavoidable.

As previously noted in **Response to Comment 11-7**, the City has proposed **Mitigation Measure 5.2-1** to require that a conservation easement be established on other lands that provide for the same production value as the prime farmland being taken out of production. This approach results in land of equal quality, as measured in terms of production, to that being taken out of production being preserved.

- 13-4** The comment suggests that no analysis of mitigation is provided, and that impacts to the loss of agricultural resources from other development projects, including but not limited to East Area 1, be evaluated and mitigated.

The Draft EIR (see **Section 5.2.6**) provides an analysis of cumulative impacts based on the analysis of citywide cumulative impacts in the City's General Plan and General Plan EIR. This approach is consistent with the State *CEQA Guidelines* § 15130, which state an adequate analysis of cumulative impacts can be provided based on a summary of information in an adopted general plan that describes or evaluates conditions contributing to the cumulative effect. See also **Response to Comment 11-2**, which discusses the mitigation programs included in the General Plan and General Plan to mitigate the cumulative impact as identified in the General Plan EIR, including the establishment of an urban growth boundary and the establishment of agricultural greenbelts to the west and east of the City. The East Gateway Project Area is located within the East Area 2 Planning Area as defined in the General Plan, and for this reason, the cumulative impacts to agriculture land as addressed in the General Plan and General Plan EIR, includes this Project.

With regard to East Area 1, that EIR also found that loss of Prime farmland to be significant and unavoidable. Further, the City imposed mitigation to reduce the impact (See Final EIR for the East Area 1 Specific Plan; State Clearinghouse Number 2006071134).

- 13-5** The comment suggests that the Draft EIR provides no discussion of the current ability of the fire stations to respond to increased demands that would be expected of the East Area 1 project and that without further discussion the conclusion is not supported.

The East Gateway Project is a separate project and not dependent on the completion of the East Area 1 project. As noted in the Draft EIR (see page 5.12-11) "Development of the East Gateway Specific Plan in the near term, and development of the balance of the project area over the long-term, would increase the demand for services and resources provided by the Santa Paula Fire Department." No development is proposed at this time for the other portions of the East Gateway Project.

The Draft EIR (see page 5.12-12) does note that “Adequate levels of fire prevention, suppression and emergency medical response can be provided to the East Gateway Project area, without detriment to the existing community, through the resources available at the City’s two existing fire stations, and through resources that will be available at a new station to be built in East Area 1 Project.”

- 13-6** The comment suggests that the Draft EIR should be updated to reflect information provided by the City to LAFCo regarding emergency response times for police protection and emergency calls.

The Final EIR (see **Section 4.0** of this document) has been revised to reflect the updated information. The updated information does not result in any new significant impacts.

- 13-7** The comment suggests that the various flood-related issues identified by the Ventura County Watershed Protection District in its letter of October 19, 2012 be addressed in the Draft EIR, be further analyzed and, if necessary, mitigate as many of these issues that are germane to LAFCo’s consideration of the proposed Project.

The commenter is directed to the **Responses to Comments 5-1 to 5-12** provided to Ventura County Watershed Protection District’s letter (**Letter Number 5**).

## 4.0 REVISIONS TO THE DRAFT EIR

---

In accordance with the State *CEQA Guidelines* § 15132, this section presents the changes that were made to the Draft EIR to clarify or amplify its text in response to comments. Such changes are insignificant as the term is used in the State *CEQA Guidelines* § 15088.5(b).

Changes to the Draft EIR use “~~strike-out~~ and double underline” format (not track changes) to reflect all changes made to the Draft EIR. Each change is preceded by a brief explanation of the reason for the change.

### Section 2.5.2 Other Required Permits and Approvals

*The following changes have been made as the suggestion of the Ventura Local Agency Formation Commission’s Comment 13-1:*

<u>Page</u>	<u>Revision:</u>
-------------	------------------

2.0-52

**Regional and Local Agencies**

- Ventura County Air Pollution Control District – approval of air control emission plans.
- Ventura County Watershed Protection District – approval of stormwater drainage and flood control improvements, and water quality control permits.
- Ventura Local Agency Formation Commission for detachment of Ventura County Service Area 33.

**Section 5.2.2 Existing Conditions**

*The following changes have been made:*

**Page**                      **Revision:**

5.2-2                              The East Gateway Specific Plan Area includes 25.2 acres of Prime Farmland, 7.8 acres of Urban and Built-up Land, and 3.6 acres of Other Land as designated on the 2010 State Important Farmland Map for Ventura County. The remainder of the area proposed for annexation includes 16.2 ~~43.6~~ acres of Prime Farmland, 8.0 acres of Unique Farmland, 26.6 ~~53.6~~ acres of Urban and Built-up Land, and 7.1 ~~6.8~~ acres of Other Land. In total, the East Gateway Project includes 41.4 acres of Prime Farmland and 8.0 acres of Unique Farmland.

None of the parcels in the East Gateway Project area are under either Williamson Act or Farmland Security Act contracts.

As shown in **Figure 5.2-2, East Gateway Project Soils Map**, soils in the portion of the East Gateway Project area proposed for annexation are comprised of 7.9-acres of Anacapa sandy loam 2 to 9 percent slopes (AcC), 33.5-acres of Cortina stony sandy loam 2 to 9 percent slopes (CrC), 18.5-acres of Mocho gravelly loam 2 to 9 percent slopes (MrC), 28.8 ~~31.1~~ acres of Pico sandy loam 0 to 2 percent slope (PcA), and 5.8-acres of Pico sandy loam 2 to 9 percent slopes (PcC), ~~and~~ ~~7.9-acres of Riverwash (Rw)~~. The East Gateway Specific Plan area is comprised of 7.9-acres of AcC, 0.3-acres of CrC, 10.5 acres of MrC, and 17.9-acres of PcA.

**Section 5.2.5.1 Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

*The following changes have been made at the suggestion of the Department of Conservation’s Comment 11-5:*

**Page**                      **Revision:**

5.2-15 to 5.2-16              The East Gateway Project annexation area includes approximately 94.5 acres. The project does not contain class I soils as defined by the NRCS. The project

area contains approximately 61.0 ~~63.3~~ acres of class II soils of which 36.7 ~~39.0~~ acres have a Storie Index rating of greater than 80 (86).

Of these 3.15 acres consist of SR 126 and East Telegraph Road and 7.5 acres consist of urban and built up land north of East Telegraph Road (10.65 acres in total). This reduces the actually land available for agricultural use that has a Storie Index rating of 86 or greater within the East Gateway Project area to approximately 28.35 acres of prime agricultural land as defined by Government Code §56064. These ~~All~~ other soils have a class II soil rating with a Storie Index below 80, and as such are not considered prime agricultural farmland according to Government Code §56064 under this criterion.

The 61.0 acres containing soils with a capability class of II and/or a Storie Index of 80 or above are considered prime agricultural farmland according to Government Code §56064 under this criterion. However, the Government Code includes only land that “has been not been developed for a use other than agricultural use.” The East Gateway Project area has numerous parcels that are developed but have a soil capability class of II. The total project area that has a soil class of II is 61.0 acres; however, only 41.4 acres are undeveloped and available for agricultural use. The parcels within the East Gateway Project not developed for a use other than agricultural use include:

<u>APN</u>	<u>Acres</u>	<u>Location</u>
<u>107-0-041-010</u>	<u>2.1</u>	<u>East Gateway reorganization area</u>
<u>107-0-042-030</u>	<u>3.1</u>	<u>East Gateway reorganization area</u>
<u>107-0-042-030</u>	<u>11.0</u>	<u>East Gateway reorganization area</u>
<u>107-0-043-065</u>	<u>25.2</u>	<u>East Gateway Specific Plan</u>
<u>Total</u>	<u>41.4</u>	

As such, 41.4 acres of land designated as capability class II not developed for a use other than agricultural use would be considered Prime farmland.

Government Code §56064 also defines prime agricultural land as land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years, and will return during the commercial period on an annual basis not less than \$400 per acre. The East Gateway Specific Plan portion of the project area contains 21.2 acres of land that has returned \$400 per acre on an annual basis that meets this criterion in the Government Code for prime agricultural land.

In total, the East Gateway Project area contains a total of 41.4 ~~28.35~~ acres that has either 1) returned over \$400 per acre on an annual basis, ~~or 2)~~ 3) contains Class I/II soils or ~~2) has~~ 3) a Storie Index rating of 80 to 100, meeting the definition of prime agricultural land as defined in Government Code §56064. Under the criteria used by the Ventura County LAFCo, the conversion of 41.4 ~~28.35~~ acres of farmland meeting the definition of prime agricultural land contained in the Government Code and used by LAFCo represents a potentially significant agricultural resources impact.

## Adoption of Agriculture Cluster Development

*The following change has been made at the suggestion of the Department of Conservation's Comment 11-5:*

<u>Page</u>	<u>Revision:</u>
-------------	------------------

5.2-17	The parcels identified as prime farmland consists of approximately <u>41.4</u> <del>28.35</del> acres are not contiguous. As such, they do not lend themselves to cluster development. The areas would remain fragmented and, for the most part, are surrounded by non-agricultural uses that would inhibit productive agricultural operations. Existing surrounding uses (Residential and commercial) are not compatible with continuing agricultural operations and would restrict the ability to use non-organic farming techniques. Efforts to retain them as open space and agricultural uses would continue to be subjected to development pressures. As such, this mitigation is not considered a long-term viable option, and is not feasible.
--------	--

## Mitigation Requirements

*The following changes have been made at the suggestion of the California Department of Conservation's Comment 11-5:*

<u>Page</u>	<u>Revision:</u>
-------------	------------------

5.2-18	<b>5.2-1</b> Before approval of grading permits that will convert Prime <u>and Unique</u> farmland <u>within the East Gateway Specific Plan area</u> as designated on the Department of Conservation's most recent State Important Farmland Map <u>or meeting the criteria under Government Code §56054</u> , the applicant must record
--------	---

agricultural conservation covenant, in a form approved by the City of Santa Paula, on other Prime and/or Unique farmland currently under agricultural production within the City of Santa Paula's Area of Interest.

The area of the conservation covenant shall be based on the production value of the Prime or Unique farmland not developed for a use other than agricultural use being taken out of production. The production value shall be determined as the annual average of the total crop value for the four (4) year period prior to the issuance of a grading permit. The conservation covenant shall provide for an equivalent amount of acreage to provide for the same production value on the Prime or Unique farmland being lost (e.g., if one acre of Prime or Unique farmland being converted produces \$500,000 of crops per year, then an agricultural covenant shall be placed on one-half [ $\frac{1}{2}$ ] acre of land producing \$1,000,000 per year.)

**Section 5.9.2.1 Surface water Hydrology**

**Floodplain Boundaries for Existing Channel with 39,400 cfs Event**

*The following changes have been made as the suggestion of the Ventura County Watershed Protection District's Comment 5-10:*

<u>Page</u>	<u>Revision:</u>
5.9-13	In late 2009 and early 2010, the USACE removed approximately <del>300,000</del> <u>335,000</u> cy ( <del>229,400</del> <u>256,126</u> cubic meters) of material from the FRMC. This sediment removal action was largely needed as a result of sediments that were deposited from a flood series of storms, which had a peak flow of 27,500 cfs in the winter of 2004 – 2005. This 27,500 CFS peak flow was the largest flow event on record for Santa Paula Creek, and nearly reached the 28,800 cfs design event for the Santa Paula Creek Flood Control Project. Sediment volumes deposited during this storm event were similar to those projected for the original channel design. However, the actual pattern of deposition had greater sediment depths at the downstream end of Reach 1 and gradually decreased towards the upstream end of Reach 3.

*The following changes have been made as the suggestions of the Ventura County Watershed Protection District's Comments 5-11 and 5-12:*

## Hydraulic Analysis

### Page                      Revision:

5.9-16                      The two flow conditions, the 28,000 cfs design year storm the FRMC project ~~was designed to address~~, and the 39,400 cfs design year flow, which resulted in scour and deposition were evaluated by the USACE in 2010 using numerical sediment transport models and hydraulic analysis models. The modeling was able to verify observed events and allow predictive evaluation of potential conditions, such as an extended low-flow period.

*The following changes have been made as the suggestion of the Ventura County Watershed Protection District's Comment 5-9:*

### **Floodplain Boundaries for Existing Channel with 39,400 cfs Event**

### Page                      Revision:

5.9-17                      As shown on **Figure 5.9-6**, portions of the East Gateway Annexation Area would be subject to flooding under the 100-year ~~38,400~~ 39,400 cfs event. As shown, the areas potentially subject to flooding from a 39,400 cfs event are primarily located east of Santa Paula Creek and west of Whipple and Ferris Roads. Depth of inundation ranges from zero to 3.0 feet or less for the area north of SR 126 east of Santa Paula Creek to zero to over 5.0 feet for the area south of SR 126 east of Santa Paula Creek. Based on these estimated inundation depths, the areas of inundation north of SR 126 and east of Santa Paula Creek would be located in Zones X and AH per FEMA Classifications; the areas of inundation south of SR 126 and east of Santa Paula Creek would be located in located in Zones, X, AH, AE and A.

### **Section 5.9.5.8      Place within a 100-year flood hazard structures which would impede or redirect flood flows.**

## Mitigation Measures

*The following changes have been made as the suggestion of Keep Sespe Wild Committee's Comment 8-2:*

### Page                      Revision:

5.9-71                      **5.9-5**    For areas within the reorganization (annexation areas) that are within

year flood zone, before the construction of structures in areas designated as Flood Zone A (100-year flood plain), future improvements will be considered by the City and County, as appropriate, to be removed from areas must be raised to an elevation of at least 1-foot above the 100-year flood plain elevation. Project applicants at the time of development must design drainage and flood protection improvements to remove the portion of the annexation area from the FEMA-defined 100-year flood plain hazard area.

Before the beginning of construction activities, the project applicant at the time of development must submit to FEMA an application for and obtain a Conditional Letter of Map Revision (CLOMR) and implement all conditions imposed by FEMA. Before occupancy of any structures, the project applicant must obtain a Letter of Map Revision (LOMR), and potentially a No Rise Certificate, indicating that construction and implementation of the designed improvements was completed in accordance with the CLOMR and FEMA requirements and that the proposed project has been effectively removed from the 100-year flood hazard area.

### Section 5.12.2.2 Police Protection

*The following changes have been made as the suggestion of the Ventura Local Agency Formation Commission's Comment 13-6:*

<u>Page</u>	<u>Revision:</u>
-------------	------------------

5.12-3	In <del>2007</del> <u>2011</u> , the approximate average response time for calls for service was about <u>8 minutes</u> <del>4 minutes and 20 seconds</del> . <del>There is no recognized County of City standard for response times. The SPPD does not track this time as a measure of service delivery. The City has a goal of responding to emergency calls within 2 minutes and non-emergency call of within 5 minutes.</del>
--------	---

**APPENDIX 1.0 – Mitigation Monitoring and Reporting Program**

# **Mitigation Monitoring and Reporting Program**

## **East Gateway Project**

### **City of Santa Paula**

**Prepared for:**

City of Santa Paula  
970 Ventura Street  
Santa Paula, California 93060

**Prepared by:**

Meridian Consultants, LLC  
860 Hampshire Road, Suite P  
Westlake Village, California 91361

**December 2012**

## TABLE OF CONTENTS

<b>Section</b>	<b>Page</b>
1.0 Introduction	1
1.1 Monitoring Authority	1
1.2 Enforcement Responsibility	1
1.3 Monitoring Compliance Responsibility	2
1.4 General Monitoring Procedures	2
1.5 Mitigation Monitoring Table	3

## **1.0 MITIGATION MONITORING PROGRAM**

---

As the Lead Agency under the CEQA, the City of Santa Paula (the City) is required to adopt a program for reporting or monitoring regarding the implementation of mitigation measures for this project, if it is approved, to ensure that the adopted mitigation measures are implemented as defined in the East Gateway Project Final EIR. The Lead Agency responsibility originates in Public Resources Code § 21081.6(a) (Findings), and the State *CEQA Guidelines* § 15091(d) (Findings) and 15097 (Mitigation Monitoring or Reporting).

### **1.1 Monitoring Authority**

The purpose of a Mitigation Monitoring and Reporting Program (MMRP) is to ensure that measures adopted to mitigate or avoid significant impacts are implemented. A MMRP can be a working guide to facilitate not only the implementation of mitigation measures by the Project proponent, but also the monitoring, compliance and reporting activities of the City and any monitors it may designate.

The City may delegate duties and responsibilities for monitoring to other environmental monitors or consultants as deemed necessary, and some monitoring responsibilities may be assumed by responsible agencies, such as affected jurisdictions and cities, and state agencies. The number of construction monitors assigned to the project will depend on the number of concurrent construction activities and their locations. The City Planning Director or his/her designee(s), however, will ensure that each person delegated any duties or responsibilities is qualified to monitor compliance. It is the responsibility of the environmental monitor assigned to each spread to ensure that appropriate agency reviews and approvals are obtained.

The City's Planning Director or his/her designee will also ensure that any deviation from the procedures identified under the monitoring program is approved by the City. Any deviation and its correction shall be reported immediately to the City or its designee by the environmental monitor assigned to the construction spread.

### **1.2 Enforcement Responsibility**

The City is responsible for enforcing the procedures adopted for monitoring through the environmental monitor assigned to each construction activity. Any assigned environmental monitor shall note problems with monitoring, notify appropriate agencies or individuals about any problems, and report the problems to the City Planning Director or his/her designee.

### 1.3 Mitigation Compliance Responsibility

The City is responsible for successfully implementing all the mitigation measures in the MMRP, and is responsible for assuring that these requirements are met by all of its construction contractors and field personnel. Standards for successful mitigation also are implicit in many mitigation measures that include such requirements as obtaining permits or avoiding a specific impact entirely. Other mitigation measures include detailed success criteria. Additional mitigation success thresholds will be established by applicable agencies with jurisdiction through the permit process and through the review and approval of specific plans for the implementation of mitigation measures.

### 1.4 General Monitoring Procedures

**Environmental Monitors.** Many of the monitoring procedures will be conducted during the construction phase of the project. The City is responsible for integrating the mitigation monitoring procedures into the construction process. To oversee the monitoring procedures and to ensure success, the City's Planning Director may assign an environmental monitor assigned to each construction activity who must be on site during that portion of construction that has the potential to create a significant environmental impact or other impact for which mitigation is required, and that the monitoring program is followed.

**Construction Personnel.** A key feature contributing to the success of mitigation monitoring will be obtaining the full cooperation of construction personnel and supervisors. Many of the mitigation measures require action on the part of the construction supervisors or crews for successful implementation. To ensure success, the following actions, detailed in specific mitigation measures, will be taken:

- Procedures to be followed by construction contractors hired to do the work will be written into contracts between the City and any construction contractors. Procedures to be followed by construction crews will be written into a separate document that all construction personnel will be asked to sign, denoting agreement.
- One or more pre-construction meetings will be held to inform all and train construction personnel about the requirements of the monitoring program.
- A written summary of mitigation monitoring procedures will be provided to construction supervisors for all mitigation measures requiring their attention.

**General Reporting Procedures.** Site visits and specified monitoring procedures performed by other individuals will be reported to the City’s Planning Director, his/her designee(s) and/or environmental monitor assigned to the relevant construction spread. A monitoring record form will be submitted to the environmental monitor by the individual conducting the visit or procedure so that details of the visit can be recorded and progress tracked by the environmental monitor. A checklist will be developed and maintained by the City’s Planning Director, his/her designee(s) and/or environmental monitor to track all procedures required for each mitigation measure and to ensure that the timing specified for the procedures is properly completed. The environmental monitor will note any problems that may occur and take appropriate action to rectify the problems.

**Public Access to Records.** The public is allowed access to records and reports used to track the monitoring program. Monitoring records and reports will be made available for public inspection by the City’s Planning Director or his/her designee on request.

## 1.5 Mitigation Monitoring Table

**Table 1.0-1, Mitigation Monitoring Program – East Gateway Project,** present the mitigation monitoring tables for each environmental discipline.

**Table 1.0-1  
Mitigation Monitoring Program – East Gateway Project**

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
<b>Aesthetics</b>				
Have a substantial adverse effect on a scenic vista?	<b>5.1-1</b> Before issuance of an occupancy permit for property developed within the proposed East Gateway Specific Plan Area, a property management association shall be created to provide for maintenance and trimming of the landscape edge along SR 126. Such maintenance efforts shall ensure that the landscape screening does not exceed 35 feet (proposed building height limit) so as to not obstruct views of the South Mountains for eastbound or westbound highway travelers along SR 126.	Establish Property Management Association	City Planning Director	Prior to building occupancy.
<b>Agricultural &amp; Forestry Resources</b>				
Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<b>5.2-1</b> Before approval of grading permits that will convert Prime and Unique farmland within the East Gateway Specific Plan area as designated on the Department of Conservation’s most recent State Important Farmland Map or meeting the criteria under Government Code § 56054, the applicant must record an agricultural conservation covenant, in a form approved by the City of Santa Paula, on other Prime and/or Unique farmland currently under agricultural production within the City of Santa Paula’s Area of Interest.  The area of the conservation covenant shall be based on the production value of the Prime or Unique farmland not developed for a use other than agricultural use being taken out of production. The production value shall be determined as the annual average of the total crop value for the four (4) year period prior to the issuance of a grading permit. The	Record agricultural conservation covenant	City Planning Director	Before approval of a grading permits

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>conservation covenant shall provide for an equivalent amount of acreage to provide for the same production value on the Prime or Unique farmland being lost (e.g., if one acre of Prime or Unique farmland being converted produces \$500,000 of crops per year, then an agricultural covenant shall be placed on one-half [½] acre of land producing \$1,000,000 per year.)</p>			
Cumulative impacts	<p><b>5.2-2</b> Development in Adams and Fagan Canyons must incorporate design standards to provide for clustering of development to protect agriculture land.</p>	Design review	City Planning Director	Prior to tract map approval
<b>Air Quality</b>				
Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<p><b>5.3-1</b> All developers of new buildings within the East Gateway Project area must implement fugitive dust control measures consistent with VCAPCD Rule 50, Rule 51, and Rule 55 throughout all phases of construction. The project developers must include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> <li>• Apply water every 4 hours to the area within 100 feet of a structure being demolished to reduce vehicle trackout</li> <li>• Apply water to disturbed soils after demolition is completed or at the end of each day of cleanup.</li> <li>• Prohibit demolition activities when wind speeds exceed 25 mph.</li> <li>• Minimize the area disturbed on a daily basis by clearing, grading, earthmoving, and/or excavation operations. Pre-grading/excavation activities include watering the area to be graded or excavated before the</li> </ul>	Fugitive dust control measures consistent with VCAPCD Rule 50, Rule 51, and Rule 55	Ventura County APCD	During construction

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during these activities.</p> <ul style="list-style-type: none"> <li>• All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, must be treated to prevent fugitive dust. Treatments must include, without limitation, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering must be done as often as necessary.</li> <li>• Material stockpiles must be enclosed, covered, stabilized, or otherwise treated, to prevent blowing fugitive dust offsite.</li> <li>• Graded and/or excavated inactive areas of the construction site must be monitored by a city-designated monitor at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe control materials, must be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.</li> <li>• Signs must be posted on-site limiting on-site traffic to 15 miles per hour or less.</li> <li>• During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading,</li> </ul>			

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>earth moving, and excavation operations must be stopped to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off-site or on-site. The site superintendent/supervisor must use his/her discretion in conjunction with the VCAPCD is determining when winds are excessive.</p> <ul style="list-style-type: none"> <li>• Adjacent streets and roads must be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.</li> <li>• Personnel involved in grading operations, including contractors and subcontractors should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.</li> </ul>			
	<p><b>5.3-2</b> Before issuance of a grading permit for projects within the reorganization (annexation) areas and the East Gateway Specific Plan area, the contractor must implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project site throughout the project construction phases. All construction contracts must include control measures required and recommended by the VCAPCD at the time of development. Copies of the construction contracts must be submitted to the City prior to issuance of a grading permit to verify these conditions. Examples of the types of measures include the following:</p> <ul style="list-style-type: none"> <li>• Maintain all construction equipment in good condition and in proper tune in accordance with the manufacturer’s specifications.</li> <li>• Limit truck and equipment idling time to five</li> </ul>	<p>Weekly construction monitoring report</p>	<p>Ventura County APCD</p>	<p>During construction</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>minutes or less.</p> <ul style="list-style-type: none"> <li>• Minimize the number of vehicles and equipment operating at the same time during the smog season (May through October).</li> <li>• Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, to the extent feasible.</li> </ul>			
	<p><b>5.3-3</b> Before occupancy of new structures within the reorganization (annexation) areas, and the East Gateway Specific Plan area, the project applicant must provide to the City evidence of the following:</p> <ul style="list-style-type: none"> <li>• Use of low-emission technology water heaters including solar, air-source heat pump, natural gas or gas-boosted solar; and</li> <li>• For commercial and light industrial buildings, provide for the owner or a building maintenance association to include provisions for landscaping contractors/personnel to use electric or battery-powered equipment, or other internal combustion equipment that is certified by the California Air Resources Board, or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).</li> </ul>	<p>Building summary report</p>	<p>City Planning Director</p>	<p>Before occupancy</p>
	<p><b>5.3-4</b> Prior to building occupancy, the applicant for projects within the reorganization (annexation) areas and East Gateway Specific Plan, must pay TDM fees as required and calculated by the City pursuant to page 7-15 of the Ventura County Air Quality Assessment Guidelines or the</p>	<p>Fee payment</p>	<p>Ventura County APCD</p>	<p>Before occupancy</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>methodology that is in effect at the time of development.</p> <p>Based on the current Ventura County Air Quality Assessment Guidelines methodology, the total TDM fund contribution that would be required to mitigate the emissions of the completed project in 2015 would be \$619,785 under the Regional Retail Center scenario and \$100,485 under the Mixed-Use Employment Center scenario (see Appendix 5.3 to this EIR). Development in years later than 2015 may result in lower emissions and lower TDM fees.</p> <p>The applicant within the East Gateway Specific Plan area must pay the \$619,785 under the Regional Retail Center scenario or \$100,485 under the Mixed-Use Employment Center scenario to the City TDM fund or the fees calculated under the methodology that is in effect at the time of development. The applicants of tentative maps submitted for approval after 2015 may request that the City of Santa Paula recalculate the applicable emissions projections and associated mitigation fee.</p>			
<p>Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p>	<p><b>Mitigation Measures 5.3-3 and 5.3-4</b> have been identified to mitigate the identified impacts.</p>	<p>See above</p>	<p>See above</p>	<p>See above</p>
<p>Cumulative impacts.</p>	<p><b>Mitigation Measures 5.3-3 and 5.3-4</b> have been identified to mitigate the identified impacts.</p>	<p>See above</p>	<p>See above</p>	<p>See above</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
<b>Biological Resources</b>				
<p>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<p><b>5.4-1</b> Before issuance of a grading permit within either the reorganization (annexation) areas or East Gateway Specific Plan area, focused surveys for southern tarplant, umbrella larkspur, Coulter’s goldfields, white rabbit-tobacco, chaparral ragwort, and vernal barley must be conducted for any proposed development within both the reorganization (annexation) and East Gateway Specific Plan areas.</p> <p>In the event that southern tarplant, Coulter’s goldfields, white rabbit-tobacco, chaparral ragwort, or vernal barley are detected during the course of focused surveys, populations must be avoided or equivalent off-site populations must be identified and protected by a conservation easement or protective covenant prior to development approvals.</p> <p>In the event that umbrella larkspur is detected within proposed impact areas, umbrella larkspur plants must be salvaged at the appropriate time of the year (late summer into fall) prior to any ground disturbance. Plants must be immediately transplanted to appropriate on-site areas, matching the habitat characteristics from which they were collected in terms of slope, aspect, hydrology, soil, and vegetative composition. Salvaged seeds of these plants shall also be scattered in the planting sites prior to winter rains. Monitoring of the mitigation areas must be conducted quarterly through the first year and annually thereafter for a total period of five years. Monitoring must address issues of plant establishment and vigor, herbivory, and competition by non-native weedy plants.</p> <p>If sufficient adequate habitat is not available for on-site mitigation, off-site mitigation must be</p>	<p>Biological survey report</p>	<p>City Planning Director</p>	<p>Before issuance of grading permit</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>accomplished through the preservation of equivalent habitat by a conservation easement or protective covenant supporting roughly equal numbers (1:1 ration) and densities of the affected plants in the project region (western Santa Clara River Valley).</p>			
	<p><b>5.4-2</b> Before issuance of a grading permit within the East Gateway Specific Plan area for any construction within Haun Creek or Drainage A, all creek bed areas within 300 feet of the construction site and access road must be inspected by a qualified biologist for the presence of arroyo chub (<i>G. orcuttii</i>).</p> <p>Construction work areas must be determined to be absent of arroyo chub immediately before the prescribed work is to be carried out, immediately before any equipment is moved into or through the drainage or habitat areas, and immediately before diverting any stream water. The removal of arroyo chub must be conducted by a qualified biologist using procedures approved by the USACE, USFWS, and/or CDFG, as appropriate, and with the proper collection and handling permits. Species must be relocated to nearby suitable habitat areas, and a plan to relocate these species must be submitted to the CDFG for review and approval no later than 30 days prior to construction.</p> <p>A qualified biologist must be present when any stream/river diversion takes place, or when block nets and seines are used and must patrol the areas both within, upstream and downstream of the work area to rescue any species stranded by the diversion of the stream water or trapped by the nets/seines. Species that are collected must be relocated to suitable locations downstream of the work area.</p>	<p>Biological survey report</p>	<p>City Planning Director</p>	<p>Before issuance of grading permit</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	Block nets, or fences with 0.125-in-square mesh, 18 inches high and buried 6 inches, must be placed downstream of the work area to assure that arroyo chub does not move into the construction area.			
	<p><b>5.4-3</b> Before issuance of a grading permit within either the reorganization (annexation) areas or East Gateway Specific Plan area, focused surveys must be conducted by a qualified biologist to determine the presence or absence within suitable habitat on the site for silvery legless lizard, coastal whiptail, coast horned lizard, two-striped garter snake, or south coast garter snake. If any of these species are detected during the survey, they must be relocated to appropriate habitat areas away from the development area.</p>	Biological survey report	City Planning Director	Before issuance of grading permit
	<p><b>5.4-4</b> Before issuance of a grading permit for construction activities within either the reorganization (annexation) areas or East Gateway Specific Plan area, that will occur during the bird nesting/breeding season, from January through March for early nesting birds (e.g., Coopers hawks or hummingbirds) and from mid-March through September for most bird species, a qualified biologist must conduct surveys for active nests. To determine the presence/absence of active nests, pre-construction nesting bird surveys must be conducted weekly beginning 30 days prior to initiation of ground-disturbing activities, with the last survey conducted no more than three days prior to the start of clearance/construction work. If ground-disturbing activities are delayed, additional pre-construction surveys must be conducted so that no more than three days have elapsed between the survey and ground-disturbing activities.</p> <p>Surveys must include examination of trees, shrubs, and the ground for nesting birds. Several</p>	Biological survey report	City Planning Director	Before issuance of grading permit

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>bird species such as killdeer and night hawks are known to nest on bare ground. Protected bird nests that are found within or adjacent to the construction zone must be protected by a buffer deemed suitable by a qualified biologist, and verified by the CDFG.</p> <p>A 300-ft buffer must be provided for all nesting bird species, and a 500-foot must be provided buffer for raptor species. Buffer areas must be delineated with orange construction fencing or other exclusionary material that would inhibit access within the buffer zone. Installation of the exclusionary material delineating the buffer zone must be verified by a qualified biologist prior to initiation of construction activities. The buffer zone must remain intact and maintained while the nest is active (<i>i.e.</i>: occupied or being constructed by the adult bird(s)) and until young birds have fledged and no continued use of the nest is observed, as determined by a qualified biologist.</p>			
	<p><b>5.4-5</b> Thirty days prior to any ground disturbing and/or construction activities within the reorganization (annexation) areas and East Gateway Specific Plan area, a qualified biologist must conduct CDFG protocol surveys to determine whether burrowing owl is present on the site at the time of construction. The surveys must consist of three site visits and be conducted in areas dominated by field crops or fallow agricultural fields, or if such habitats occur within 500-feet of a construction zone.</p> <p>If located, occupied burrows must not be disturbed during the nesting (breeding) season (February 1 through August 31) unless a qualified biologist approved by CDFG verifies through non-invasive methods either that the birds have not begun egg-laying and incubation or that juveniles from the occupied burrows are foraging</p>	<p>Biological survey report</p>	<p>City Planning Director</p>	<p>30 days before any ground disturbing and/or construction activities</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>independently and are capable of independent survival.</p> <p>If burrowing owl is detected but nesting is not occurring, construction work can proceed after any owls have been evacuated from the site using CDFG-approved burrow closure procedures and after alternative nest sites have been provided in accordance with the CDFG Staff Report on Burrowing Owl Mitigation dated March 7, 2012 or any subsequent CDFG protocol.</p> <p>Unless otherwise authorized by CDFG, a 500-foot buffer, within which no activity will be permissible, will be maintained between construction activities and nesting burrowing owls during the nesting season. This protected area will remain in effect from February 1 until August 31 or at CDFG's discretion and based upon monitoring evidence.</p>			
	<p><b>5.4-6</b> Thirty days prior to any ground disturbing and/or construction activities within the reorganization (annexation) areas and East Gateway Specific Plan area, a qualified biologist must conduct focused surveys for least Bell's vireo within areas that are within 500 feet of riparian vegetation.</p> <p>If least Bell's vireo is detected during these surveys, consultation with CDFG and the US Fish and Wildlife Service (under Section 7 or Section 10 of the Clean Water Act, as applicable, and depending on a nexus with other federal permitting requirements), and project design features shall be incorporated to eliminate adverse impacts to the species.</p>	Biological survey report	City Planning Director	30 days before any ground disturbing and/or construction activities
	<p><b>5.4-7</b> Within 30 days prior to the commencement of construction activities in the reorganization (annexation) areas or East Gateway Specific Plan area, a pre-construction survey must be conducted by a qualified biologist to determine if active roosts of special-status bats are present on</p>	Biological survey report	City Planning Director	30 days before construction activities

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>or within 300-feet of the proposed disturbance area boundaries. Surveys must include structures and large trees (particularly trees 12-in in diameter or greater at 4-and-½ feet above grade with loose bark or other cavities) and must be conducted by a qualified bat biologist (<i>i.e.</i>, a biologist holding a CDFG collection permit and a Memorandum of Understanding with CDFG allowing the biologist to handle bats).</p> <p>Should an active maternity roost be identified during the breeding season of native bat species from April 1 through August 31), the roost must not be disturbed and no construction activities occur within 300-feet of the roost until the roost is vacated and juveniles have fledged. If active maternity roosts or hibernacula are found, the roost site must be avoided (<i>i.e.</i>, not removed). If disturbance of the maternity roost must occur, the bat biologist must survey (through the use of radio telemetry or other CDFG approved methods) for nearby alternative maternity colony sites. If the bat biologist determines, in consultation and approval of CDFG, that there are alternative roost sites used by the maternity colony and young are not present, then no further action is required.</p> <p>If a maternity roost will be impacted and no alternative maternity roosts are in use near the site, substitute roosting habitat for the maternity colony of equivalent size must be provided on, or in close proximity to the East Gateway Project areas no less than three months prior to the eviction of the colony. Alternative roost sites must be of comparable size and proximal in location to the impacted colony. CDFG must be notified of any hibernacula or active nurseries within the construction zone.</p>			

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>If non-breeding bat hibernacula are found in trees scheduled to be removed, the individuals must be safely evicted, under the direction of a qualified bat biologist, by opening the roosting area to allow airflow through the cavity or other means determined appropriate by the bat biologist (<i>e.g.</i>, installation of one-way doors). In situations requiring one-way doors, a minimum of one week must pass after doors are installed and temperatures must be sufficiently warm for bats to exit the roost.</p> <p>Roosts that need to be removed in situations where the use of one-way doors is not necessary, in the judgment of the qualified bat biologist in consultation with CDFG, must first be disturbed by various means at the direction of the bat biologist at dusk to allow bats to escape during the darker hours, and the roost tree must not be removed or the grading should occur the next day (<i>i.e.</i>, there should be no less or more than one night between initial disturbance and the grading or tree removal).</p> <p>If an active maternity roost is located and alternative roosting habitat is available, the demolition of the roost site must commence before maternity colonies form (<i>i.e.</i>, prior to March 1) or after young are flying (<i>i.e.</i>, after July 31) using the exclusion techniques described above.</p> <p>Any special-status species bat day roost sites found by a qualified biologist during pre-construction surveys to be directly within project the disturbance footprint or indirectly (within 300-feet of project-related disturbance footprint) must be mitigated with creation of artificial roost sites. The applicant at time of the proposed development must establish an alternative roost</p>			

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>site(s) within suitable preserved open space as determined by the project biologist in consultation with CDFG located at an adequate distance from sources of human disturbance.</p>			
	<p><b>5.4-8</b> In areas where arroyo willow–mulefat thickets will be impacted as part of project implementation, mitigation for acreage impacted must be implemented at a minimum of a one to one (1:1) ratio or as determined appropriate by the CDFG.</p> <p>Acceptable mitigation may replace or enhance the existing arroyo willow – mulefat thicket vegetation, and may include the removal and elimination of fig-marigold (<i>Carpobrotus edulis</i>), Peruvian-pepper (<i>S. molle</i>), poison hemlock (<i>C. maculatum</i>), fennel (<i>Foeniculum vulgare</i>), kapok vine (<i>Araujia sericifera</i>), greater periwinkle (<i>Vinca major</i>), black mustard (<i>Brassica nigra</i>), Indian-fig (<i>Opuntia ficus-indica</i>), castor-bean (<i>Ricinus communis</i>), horehound (<i>Marrubium vulgare</i>), river red gum (<i>E. camaldulensis</i>), blue gum (<i>E. globulus</i>), tree tobacco (<i>Nicotiana glauca</i>), salt-cedar (<i>Tamarix ramosissima</i>), date palm (<i>P. dactylifera</i>), Mexican fan palm (<i>W. robusta</i>), giant reed (<i>A. donax</i>), and smilo grass (<i>Piptatherum miliaceum</i>) from on-site drainages and riparian areas. Woody invasive species must be eradicated and controlled prior to the enhancement or replacement of the current vegetation.</p>	<p>Biological survey report</p>	<p>City Planning Director</p>	<p>Before issuance of grading permit</p>
	<p><b>5.4-9</b> Before issuance of a grading permit for development within the reorganization (annexation) areas or East Gateway Specific Plan area, the applicant at the time of development and/or its contractor must coordinate with the USACE to verify the impact to federally-regulated waters that may exist within the project site. A Nationwide Permit (NWP) must be obtained and mitigation measures recommended by the USACE and National Oceanographic and Aeronautics</p>	<p>Jurisdictional survey report</p>	<p>City Planning Director</p>	<p>Before issuance of grading permit</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>Administration's (NOAA) as part of the NWP shall be implemented.</p> <p>Areas determined to be federally regulated by the USACE may also fall under the jurisdiction of the RWQCB, as such a Clean Water Act Section 401 Water Quality Certification (401 Certification) may be required from the RWQCB for impacts to those areas.</p> <p>The project biologist shall consult with the USACE to determine if a Section 7 Biological Consultation is required, as Santa Paula Creek is designated critical steelhead habitat.</p>			
	<p><b>5.4-10</b> Before issuance of a grading permit for development within the reorganization (annexation) area or East Gateway Specific Plan area, a landscaping and irrigation plan must be prepared and must incorporate the planting of native vegetation and use of water conserving irrigation. The landscaping and irrigation plan must be prepared by a licensed landscape architect, and use native plant and tree species. The landscape and irrigation plan must be submitted to the City of Santa Paula Planning Department for review and approval.</p> <p>Non-native plants or vegetation must be avoided in future development areas. The landscaping plans within common areas of development areas must include appropriate provisions to prevent other invasive plant species from colonizing remaining natural areas. These provisions must include the following: (a) review and screening of proposed plant palette and planting plans to identify and avoid the use of invasive species; (b) weed removal during the initial planting of landscaped areas; and (c) the monitoring for and removal of weeds and other invasive plant species as part of ongoing landscape maintenance</p>	Landscaping plan	City Planning Director	Before issuance of grading permit

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>activities. The frequency and method of monitoring for invasive species must be determined by a qualified botanist.</p> <p>For areas adjacent to the Haun Creek and Santa Clara River riparian corridors, the plan must provide for adequate landscaping to reduce indirect impact including attenuation of noise and reduction of nighttime lighting and glare.</p> <p>To protect native vegetation types established within the East Gateway Specific Plan area, the plants listed in <b>Table 5.4-4, Plant Species to be Avoided During Landscaping on the East Gateway Project Site</b>, shall not be planted within the common landscaped areas of the proposed site plan.</p>			
	<p><b>5.4-11</b> Before issuance of a grading permit approval for development within either the reorganization (annexation) area or East Gateway Specific Plan area, the applicant at the time of development must obtain a Tree Removal Permit for any jurisdictional trees to be removed consistent with SPMC §§ 17.56.010 through 17.56.120.</p>	Tree removal permit	City Planning Director	Before issuance of grading permit
	<p><b>5.4-12</b> During construction, the construction contractor must install waste and recycling receptacles that discourage foraging by wildlife species that are adapted to more urban environments, such as crows, raccoons, and skunks. Waste and recycling receptacles must have lids and be emptied on a regular basis to prevent over flow.</p>	Construction weekly report	City Planning Director	During construction
<p>Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife</p>	<p>Mitigation measure <b>MM-5.4-8</b> has been identified to mitigate potential impacts.</p>	See above	See above	See above

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
<p>Service?</p> <p>Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p>	<p><b>5.4-13</b> Before issuance of a grading permit for development within the reorganization (annexation) areas or East Gateway Specific Plan area, the project biologist must coordinate with the CDFG to verify the impact to state-protected waters and associated vegetation in the proposed disturbance area(s). If state-protected waters and associated vegetation will be impacted, a Streambed Alteration Agreement (SAA) in accordance with Fish and Game Code §§ 1600 must be obtained, and mitigation measures approved by the CDFG as part of the SAA must be implemented.</p> <p>Before issuance of a grading permit, the project applicant at the time of development must mitigate for temporary and permanent impacts to jurisdictional waters as administered by the CDFG jurisdiction by restoring habitats within those jurisdictions acceptable to CDFG for permanent impacts and temporary impacts. The applicant must prepare a Conceptual Streambed Restoration Plan (CSRP) to document the mitigation program. Habitat must be mitigated on-site or within the same watershed at a ratio as determined by CDFG. These mitigation requirements must be outlined in the CSRP with monitoring requirements and specific criteria to measure the success of the restoration. Guidelines for the CSRP must include:</p> <ul style="list-style-type: none"> <li>• an evaluation of the mitigation site(s), including substantiation of their selection on the basis of their suitability for use as riparian mitigation areas;</li> <li>• procedures for the preparation of soils in the mitigation area, detailed seeding or planting mixtures and methods, and other procedures</li> </ul>	<p>Biological report</p>	<p>City Planning Director</p>	<p>Before issuance of grading permit</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>that will be used for successful re-vegetation;</p> <ul style="list-style-type: none"> <li>• design recommendations for the avoidance of impacts to jurisdictional waters must be avoided to the extent feasible in the design phase of the project;</li> <li>• maintenance and monitoring requirements, including quarterly and annual monitoring reports to CDFG.</li> </ul>			
	<p><b>5.4-14</b> Before issuance of a grading permit for development within the reorganization (annexation) areas or East Gateway Specific Plan area, the project biologist must coordinate with the USACE to verify the impact to federally protected waters and associated vegetation in the proposed disturbance area(s). If federally protected waters and associated vegetation will be impacted, a Nationwide Permit (NWP) pursuant to the Clean Water Act Section 404 must be obtained.</p>	Jurisdictional survey report	City Planning Director	Before issuance of a grading permit
	<p><b>5.4-15</b> Before issuance of a grading permit for development within either the reorganization (annexation) areas or East Gateway Specific Plan area, the project biologist must coordinate with the USACE to verify areas determined to be federally protected by the USACE that fall under the jurisdiction of the RWQCB, and a Clean Water Act § 401 Water Quality Certification (401 Certification). Should any areas be subject to such requirements, the applicant shall obtain a Clean Water Act § 401 Water Quality Certification (401 Certification) from the RWQCB.</p>	Jurisdictional survey report	City Planning Director	Before issuance of a grading permit
Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or	Mitigation measures <b>MM 5.4-4</b> and <b>MM 5.4-10</b> have been identified to mitigate the identified impacts.	See above.	See above.	See above.

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
impede the use of native wildlife nursery sites?				
<b>Cultural Resources</b>				
Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<p><b>5.5-1</b> Before approval of development in the annexation areas for the identified structures that would result in the demolition, destruction, relocation, or alteration to buildings or structures on those parcels identified in the Historic Resources Report for the East Gateway Project (San Buenaventura Ventura Research Associates, 2011) that are rated with a CHR Status Code prefix of five (5) or lower, the following must be implemented:</p> <ul style="list-style-type: none"> <li>• Each property must be evaluated as part of a site-specific analysis to determine if the property is eligible for listing in the NRHP, CRHR or for City of Santa Paula Landmark designation.</li> <li>• If resources eligible for listing on the NRHP, CRHR or for City of Santa Paula Landmark designation are present, the applicant must modify the Plan of Development to avoid significant cultural resources.</li> <li>• If avoidance is not possible for any proposed building project that involves remodeling, alteration, or a potential physical effect on a structure that is eligible for listing on the NRHP, CRHR or for City of Santa Paula Landmark designation, conduct appropriate and feasible cultural resource recovery operations or alternative before issuance of a grading permit, the applicant must identify mitigations as determined in consultation with the State Historic Preservation Office (SHPO) as required under the National Historic Preservation Act, including the Secretary of the Interior's Standards for the Treatment of</li> </ul>	Historic survey report	City Planning Director	Before issuance of grading or demolition permit

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings, or the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995) that will reduce or avoid adverse impacts.</p>			
<p>Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?</p>	<p><b>5.5-2</b> Before any future development in previously undisturbed areas not previously surveyed as part of a Phase I cultural resources survey that involves ground disturbance in native soils, the project applicant must submit to the City a Phase I Cultural Resources Assessment by a qualified Cultural Resources Professional meeting Secretary of Interior (SOI) standards. The Phase I Cultural Resources Assessment must include the following information:</p> <ul style="list-style-type: none"> <li>• An archaeological/historical/cultural resources records search must be conducted at the South Central Coastal Information Center (SCCIC), located at the California State University, Fullerton to identify known resources that may be impacted by the project.</li> <li>• A sacred lands search must be requested from the Native American Heritage Commission (NAHC) in Sacramento regarding the possibility of special Native American sites that may be located in the vicinity of any project components. Follow up consultation with all Native American tribes and individuals recommended by the NAHC will be conducted.</li> <li>• A field survey must be conducted by qualified archaeologists and will include intensive pedestrian inspection of the ground surface for evidence of prehistoric (Native American) or historic archaeological materials, and historic</li> </ul>	<p>Phase I cultural resource survey report</p>	<p>City Planning Director</p>	<p>Before issuance of grading or demolition permit</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>resources (e.g., structures, bridges, mines, or wells), in areas where ground disturbance is proposed in previously undisturbed native soils.</p> <ul style="list-style-type: none"> <li>• Any identified buildings or structures that may be over 45 years of age at the time the study is prepared that may be impacted by the project must be examined by a qualified Architectural Historian meeting SOI standards. The Historian's recommendations must be implemented before construction.</li> <li>• A technical report prepared according to Archaeological Resource Management Report (ARMR) guidelines and OHP standards. Reports must be filed with the South Central Coastal Information Center within 30 days of District acceptance.</li> </ul> <p>Should the Phase I cultural resource survey identifies any significant archaeological resource(s) to be present, the proposed development plan must be modified to avoid the resource(s). If avoidance is not possible, before issuance of a grading permit, the applicant must conduct appropriate cultural resource recovery operations or alternative mitigations as determined in consultation with the State Historic Preservation Offices (SHPO) and Native American tribes, as required under the National Historic Preservation Act.</p>			
	<p><b>5.5-3</b> In the event that previously unidentified archaeological resources are discovered during building construction, the contractor must cease work in the immediate area and the City Planning Director shall be contacted. An independent qualified archaeologist, retained by the City at the expense of the applicant, must assess the significance of the find and make mitigation</p>	<p>Cultural resource report</p>	<p>City Planning Director</p>	<p>During construction</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	recommendations.			
	<p><b>5.5-4</b> Construction monitoring for archaeological resources must be conducted at any time ground-disturbing activities (greater than 12 inches in depth) are taking place in the immediate vicinity of cultural resources. If monitoring does not produce evidence of significant cultural resources within the project area, further mitigation must be limited to construction monitoring, unless additional testing or other specific mitigation measures are determined by a qualified archaeologist to be necessary to ensure avoidance of damage to significant archaeological resources. A technical report documenting monitoring activities must be prepared by a qualified archaeologist in accordance with professional standards and submitted to the City at the completion of construction monitoring. The archaeological monitoring program shall be implemented by an individual meeting the Secretary of Interior Professional Qualifications Standards in Archaeology (36 CFR 61); individual field monitors must be qualified in the recognition of cultural resources and possess sufficient academic and field training as required to conduct the work effectively and without undue delay.</p>	Archaeologist daily report.	City Planning Director	During construction any time ground-disturbing activities (greater than 12 inches in depth)
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<p><b>5.5-5</b> Before the initiation of earthmoving activities associated with the development of the project site, the services of a qualified paleontologist approved by the City and Los Angeles County Museum (LACM) must be retained.</p>	Contract for paleontological services.	City Planning Director	Before the initiation of earthmoving activities.
	<p><b>5.5-6</b> Before the initiation of earthmoving activities associated with the development of the project site, the paleontologist or another mitigation program staff member must conduct a field survey of that portion of the project site underlain by older alluvium to locate and recover any larger fossil remains that might occur at currently</p>	Paleontological field survey	City Planning Director	Before the initiation of earthmoving activities.

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	unrecorded fossil sites, and to document the presence of strata suitable for containing larger fossil remains or for the collection and processing of sediment or rock samples to allow for the recovery of smaller fossil remains.			
	<b>5.5-7</b> The paleontologist must develop a formal agreement with a recognized museum repository, such as the LACM, regarding final disposition and permanent storage and maintenance of any fossil remains that might be recovered as a result of the mitigation program, the archiving of associated specimen data and corresponding geologic and geographic site data, and the level of treatment (preparation, identification, curation, cataloguing) of the remains that would be required before the entire mitigation program fossil collection would be accepted by the repository for storage.	Agreement with a recognized museum repository	City Planning Director	Before the initiation of earthmoving activities.
	<b>5.5-8</b> The project paleontologist, or authorized mitigation monitor (construction program staff member), must coordinate with appropriate construction contractor personnel to provide information regarding City and County requirements concerning the protection of paleontological resources. Before the initiation of on-site construction activities, construction contractor personnel, particularly heavy-equipment operators, must be briefed on procedures to be followed in the event that fossil remains and a currently unrecorded fossil site are encountered by earthmoving activities, particularly when the monitor is not on site. The briefing will be presented to new contractor personnel as necessary. Names and telephone numbers of the paleontologist, or authorized mitigation monitor (construction program staff member, and other appropriate mitigation program personnel must be provided to appropriate contractor personnel.	Paleontologist daily report.	City Planning Director	During construction.

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p><b>5.5-9</b> Earthmoving activities must be monitored by the paleontologist only in those areas of the project site where these activities would disturb previously undisturbed strata. Monitoring must be conducted on a full-time basis in areas underlain by the Saugus Formation, on a half-time basis in areas underlain by older alluvium and, at depths greater than 5 feet below current grade, the younger alluvium. If fossil remains are encountered by earthmoving activities in an area underlain by older or younger alluvium and following approval from the City, monitoring will be increased to full time, at least in the vicinity of the fossil site. On the other hand, if no fossil remains are found once 50 percent of earthmoving activities have been completed in an area underlain by a particular rock unit, monitoring can be reduced to half time in the remainder of the area underlain by the Saugus Formation, and to quarter time in an area underlain by older or younger alluvium following approval from the City.</p>	<p>Paleontologist daily report.</p>	<p>City Planning Director</p>	<p>During construction.</p>
	<p><b>5.5-10</b> If any paleontological resources are encountered during construction in this area, activities in the immediate area of the find must be halted and the discovery assessed. The paleontologist will recommend appropriate mitigation measures pursuant to guidelines developed by the Society of Vertebrate Paleontologists (SVP).</p>	<p>Paleontologist daily report.</p>	<p>City Planning Director</p>	<p>During construction.</p>
	<p><b>5.5-11</b> All fossil specimens recovered from the project site as a result of the mitigation program, including those recovered as the result of processing fossiliferous rock samples, must be treated (prepared, identified, curated, catalogued) in accordance with designated museum repository requirements. Rock or sediment samples from the older and younger alluvium will be submitted to commercial laboratories for microfossil, pollen,</p>	<p>Paleontologist daily report.</p>	<p>City Planning Director</p>	<p>During construction.</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	radiometric dating, or other analysis, as appropriate.			
	<b>5.5-12</b> The paleontologist must maintain daily monitoring logs that include the particular tasks accomplished, the earthmoving activity monitored, the location where monitoring was conducted, the rock unit encountered, the fossil specimens recovered, and associated specimen data and corresponding geologic and geographic site data. A final technical report of results and findings will be prepared by the paleontologist, in accordance with any City requirement.	Paleontologist daily report.	City Planning Director	During construction.
Disturb any human remains, including those interred outside of formal cemeteries?	<b>5.5-13</b> In the event of a discovery of human bones, suspected human bones, or a burial, during ground-disturbing activities, all excavation in the vicinity must halt immediately and the area of the find protected until a qualified archaeologist determines whether the bone is human. If the qualified archaeologist determines the bones are human, the Ventura County Coroner must be notified before additional disturbance occurs. The construction contractor must ensure that the remains and vicinity of the find are protected against further disturbance until the Coroner has made a finding with regard to PRC 5097 procedures, in compliance with Health and Safety Code Section 7050.5(b). If it is determined that the find is of Native American origin, the City will comply with the provisions of PRC Section 5097.98 regarding identification and involvement of the Native American Most Likely Descendant (MLD).	Paleontologist daily report.	City Planning Director	During construction.
Cumulative impacts	<b>Mitigation Measures 5.5-2 through 5.5-13</b> must be implemented for all future projects within the City. In addition, the following measures have been identified to mitigate impacts for historic resources:	See above.	See above	See above.
	<b>5.5-14</b> All projects must complete a Phase 1 Cultural Resource Study, except where a prior cultural	Phase I cultural resource survey report	City Planning Director	Before issuance of grading or

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>resource study has been performed, or where adequate information has been obtained from the Archaeological Information Center to confirm that no additional work is warranted within the project area.</p>			demolition permit
	<p>Before approval of development that would result in the demolition, destruction, relocation, or alteration to buildings or structures that are 45 years old or older, the following must be implemented:</p>			
	<ul style="list-style-type: none"> <li>• Each property must be evaluated as part of a site-specific analysis to determine if the property is eligible for listing in the NRHP, CRHR or for City of Santa Paula Landmark designation.</li> <li>• If resources eligible for listing on the NRHP, CRHR or for City of Santa Paula Landmark designation are present, the applicant must modify the Plan of Development to avoid significant cultural resources.</li> </ul>			
	<p>If avoidance is not possible for any proposed building project that involves remodeling, alteration, or a potential physical effect on a structure that is eligible for listing on the NRHP, CRHR or for City of Santa Paula Landmark designation, the applicant must conduct appropriate and feasible cultural resource recovery operations or alternative mitigations as determined in consultation with the State Historic Preservation Office (SHPO) as required under the National Historic Preservation Act, including the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings, or the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings</p>			

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	(1995), that would reduce or avoid adverse impacts.			
<b>Geology/Soils</b>				
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<b>5.6-1:</b> Before approval of a tentative map and grading permit for the East Gateway Specific Plan or development within the reorganization (annexation) areas,, the location of any zones of deformation, setback zones, and fault locations for the Oak Ridge fault must be identified by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. If the project engineer or geologist determines that a setback from the mapped zones of deformation is required, it must be plotted on the development plans, and maintained for the project development. Such maps and/or exhibits must be submitted to the City Public Works Director for review and approval.	Geotechnical report	City Planning Director	Before approval of a tentative map and grading permit
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Publication 42.				
b. Strong seismic groundshaking.	<b>5.6-2:</b> Before approval of a tentative map and grading permit for the East Gateway Specific Plan or development within the reorganization (annexation) areas, a site specific geotechnical report, consistent with the requirements of CGS Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California, shall be prepared by a registered civil engineer or certified engineering geologist, having competence in the field of seismic hazard evaluation and mitigation. The geotechnical report shall contain site-specific evaluations of the seismic hazard affecting the project, and shall identify portions of the project site containing seismic hazards. The report shall also identify any known off-site seismic hazards that could adversely affect the site in the event of an	Geotechnical report	City Planning Director	Before approval of a tentative map and grading permit

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>earthquake. An earthquake engineering evaluation must be performed to determine if ground motions within the project site would be amplified to an extent where greater than CBC and SPMC design values are required. The report must be submitted to the City Public Works Director for review and approval.</p>			
	<p><b>5.6-3</b> Structures within the East Gateway Specific Plan and development within the reorganization (annexation) areas must be designed in accordance with the 2010 California Building Code (CBC), as adopted by the SPMC, to ensure safety in the event of an earthquake.</p>	Geotechnical report	City Planning Director	Before approval of a tentative map and grading permit
<p>c. Seismic-related ground failure, including liquefaction.</p>	<p><b>5.6-4:</b> Before the approval of tentative maps within the East Gateway Specific Plan and development within the reorganization (annexation) areas, a site specific evaluation must be performed to determine if shallow groundwater is present and if soil/alluvial conditions are conducive to liquefaction, lateral spreading and seismic settlement. Should the site be susceptible to liquefaction and lateral spreading, a registered civil engineer or certified engineering geologist must provide recommendations for reducing the potential for liquefaction, lateral spreading and seismic settlement. Suitable mitigation alternatives may include one or more of the following:</p> <ol style="list-style-type: none"> <li>1. Excavation and removal or recompaction of potentially liquefiable soils;</li> <li>2. In-situ ground densification (e.g., compaction with vibratory probes, dynamic consolidation, compaction piles, blasting densification, compaction grouting);</li> <li>3. Other types of ground improvement (e.g., permeation grouting, columnar jet grouting, deep mixing, gravel drains or other drains,</li> </ol>	Geotechnical report	City Planning Director	Before approval of a tentative map and grading permit

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>surcharge pre-loading, structural fills, dewatering);</p> <p>4. Deep foundations (e.g., piles, piers), that have been designed to accommodate liquefaction effects;</p> <p>5. Reinforced shallow foundations (e.g., grade beams, combined footings, reinforced or post-tensioned slabs, rigid raft foundations); and</p> <p>6. Design of the proposed structures or facilities to withstand predicted ground softening and/or predicted vertical and lateral ground displacements to an acceptable level of risk.</p> <p>A report documenting the evaluation and design recommendations must be prepared and submitted to the City Public Works Director for review and approval.</p>			
<p>Result in substantial soil erosion, or the loss of topsoil.</p>	<p><b>5.6-5</b> Temporary erosion control measures must be provided during construction. An erosion control plan must be prepared and submitted to the City Public Works Director for review and approval prior to the issuance of grading permits. Erosion control measures may include temporary catchment basins and/or sandbagging to control runoff and contain sediment transport on the Site.</p>	<p>Erosion control plan</p>	<p>City Public Works Director</p>	<p>Prior to construction</p>
	<p><b>5.6.6</b> After construction, disturbed areas must be protected until healthy plant growth is established. Typically, protection may be able to be provided by the use of sprayed polymers, straw wattles, jute mesh or by other measures in accordance with the CBC and SPMC.</p>	<p>Erosion control plan and weekly construction activities report</p>	<p>City Public Works Director</p>	<p>Prior to construction</p>
	<p><b>5.6-7</b> The applicant at the time of development must comply with conditions under the National Pollutant Discharge Elimination System (NPDES) Permit imposed by the Regional Water Quality Control Board (RWQCB), and to prepare and</p>	<p>Storm Water Pollution Prevention Plan (SWPPP)</p>	<p>City Public Works Director</p>	<p>Prior to construction</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	submit a Storm Water Pollution Prevention Plan (SWPPP) to be implemented during project construction (see <b>Section 5.9, Hydrology and Water Quality</b> ). The SWPPP Best Management Practices (BMPs) ensure that erosion and sediment transport are minimized to assure that potential off-site runoff and erosion is minimized.			
	<b>5.6-8</b> Topsoil in the East Gateway Specific Plan area must be removed and stockpiled for future use as appropriate based on consultation with the City and/or County; specifications for stocking must be developed and noted on the project grading plans, and must be submitted to the City Public Works Director for review and approval prior to the issuance of a grading permit.	Weekly construction activities report	City Public Works Director	Prior to construction
	<b>5.6-9</b> Before issuance of a grading permit, site plans must be submitted to the City Public Works Director for review and approval to address long-term erosion control. Project designs must address the potential for erosion and include appropriate protection or paving of exposed ground surfaces, landscaping, providing terraces on slopes, placing berms or V-ditches at the tops of slopes, and installing adequate drainage improvements.	Site plan.	City Public Works Director	Before issuance of a grading permit
<b>Greenhouse Gas</b>				
Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	No mitigation is required. However, <b>Mitigation Measures 5.3-3 and 5.3-4</b> from <b>Section 5.3, Air Quality</b> , have been identified that would reduce the operational air pollutant emissions associated with the proposed project.	See above.	See above.	See above.
<b>Hazards &amp; Hazardous Materials</b>				
Create a significant hazard to the public or the environment through reasonably foreseeable	<b>5.8-1</b> Before issuance of a grading permit for projects within the reorganization (annexation areas), all buildings to be demolished or refurbished as part	Phase I hazardous material survey	City Planning Director	Before issuance of a

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
upset and accident conditions involving the release of hazardous materials into the environment?	of individual project must be surveyed and sampled for asbestos-containing building materials by a licensed asbestos abatement contractor. If asbestos-containing building materials are determined to be present in the structures to be demolished, all asbestos-containing materials must be removed under acceptable engineering methods and work practices by the licensed asbestos abatement contractor prior to demolition. These practices include, but are not limited to, containment of the area by plastic, negative air filtration, wet removal techniques and personal respiratory protection and decontamination. The process must be designed and monitored by a California Certified Asbestos Consultant. The abatement and monitoring plan must be developed and submitted for review and approval by the appropriate regulatory agencies (currently the City of Santa Paula Building Official and Ventura County Air Pollution Control District) and must include all on-site structures with ACBMs.			grading permit
	<b>5.8-2</b> Before issuance of a grading permit for projects within the reorganization (annexation areas), and demolition and/or refurbishment of buildings as part of individual projects, all loose and peeling paint must be removed and disposed of by a licensed and certified lead paint removal contractor, in accordance with local, state, and federal regulations.	Report of removal compliance	City Planning Director	Before issuance of a grading permit
	<b>5.8-3</b> Before issuance of a grading permit for projects within the reorganization (annexation areas) and the East Gateway Specific Plan area on any individual project site that contains or are known to have historically contained commercial/industrial related uses, the site developer(s) must:  – Investigate the project site to determine	Phase I hazardous materials report	City Planning Director	Before issuance of a grading permit

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>whether it or immediately adjacent areas have a record of hazardous material contamination via the preparation of a preliminary environmental site assessment (ESA), which must be submitted to the City of Santa Paula for review. If contamination is found the report must characterize the site according to the nature and extent of contamination that is present before development activities precede at that site.</p> <ul style="list-style-type: none"> <li>- If contamination is determined to be on site, the City of Santa Paula, in accordance with appropriate agency requirements, must require remediation of the soil and/groundwater conditions on the contaminated site. If further remediation is required, it must be the responsibility of the site developer(s) to complete such remediation prior to construction of the project.</li> <li>- If remediation is required as identified by the local oversight agency, it must be accomplished in a manner that reduces risk to below applicable standards and must be completed prior to issuance of any occupancy permits. Soil remediation methods that could be employed include, but are not limited to, one or more of the following: excavation and on-site treatment, such as above ground bioremediation, soil washing, soil stabilization, soil vapor extraction, or high-temperature soil thermal desorption. Groundwater remediation methods that could be employed include, but are not limited to, pumping water to surface, treating, and returning to aquifer; treating groundwater in place by injecting oxidizing agents; and placing membrane in aquifer and using natural flows to trap contaminants.</li> </ul>			

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>– Closure reports or other reports acceptable to the City of Santa Paula Fire Department that document the successful completion of required remediation activities, if any, for contaminated soils, must be submitted and approved by the City of Santa Paula Fire Department prior to the issuance of grading permits for site development. No construction must occur in the affected area until reports have been accepted by the City of Santa Paula.</p>			
	<p><b>5.8-4.</b> In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction within the reorganization (annexation areas) and the East Gateway Specific Plan area, construction activities in the immediate vicinity of the contamination must cease immediately. If contamination is encountered, a Risk Management Plan must be prepared and implemented that (1) identifies the contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers, and the public from exposure to potential site hazards. Such measures must include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Example soil remediation methods that may be employed include, but are not limited to, one or more of the following: excavation and on-site treatment, such as above ground bioremediation, soil washing, soil stabilization, soil vapor extraction, or high-temperature soil thermal desorption. Example groundwater remediation methods that may be</p>	<p>Phase I hazardous materials report</p>	<p>City Planning Director</p>	<p>Before issuance of a grading permit</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>employed include, but are not limited to, pumping water to surface, treating, and returning to aquifer; treating groundwater in place by injecting oxidizing agents; and placing membrane in aquifer and using natural flows to trap contaminants. Depending on the nature of contamination, if any, appropriate agencies must be notified (e.g., City of Santa Paula Fire Department and Ventura County Environmental Health Division). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements must be prepared and in place prior to commencement of work in any contaminated area.</p>			
<p>Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p>	<p><b>5.8-5</b> Before issuance of a grading permit for projects within the reorganization (annexation areas) and the East Gateway Specific Plan area the construction contractor must prepare a construction traffic management plan (CTMP). The CTMP must focus on methods to optimize public safety and minimize traffic disruption along SR 126, 12<sup>th</sup> Street, South Mountain Road and SR 150 during project construction. The CTMP must include providing written notification to the City of Santa Paula Police and Fire Department of construction activities that would impede movement (such as a lane closures) along SR 126, 12<sup>th</sup> Street, South Mountain Road and SR 150 to allow emergency response teams to reroute traffic to an alternative route, if needed. The CTMP must be submitted to the City of Santa Public Works Department, the City of Santa Paula Fire Department, and City of Santa Paula Police Department for review and comment prior to initiation of construction activities.</p>	<p>Construction Traffic Management Plan (CTMP)</p>	<p>City Public Works Director</p>	<p>Before issuance of a grading permit</p>
<p>Cumulative impacts</p>	<p>Implementation of <b>Mitigation Measures 5.8-1 to 5.8-5</b> have been identified to mitigate the identified impacts on a project-by-project basis.</p>	<p>See above.</p>	<p>See above.</p>	<p>See above.</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
<b>Hydrology/Water Quality</b>				
Violate any water quality standards or waste discharge requirements?	<p><b>5.9-1</b> Before the City issues an initial grading permit, the Applicant and/or its contractor must have prepared a Stormwater Quality Urban Impact Mitigation Plan (SQUIMP), including Non-Structural, Source Control, and Structural BMPs. A Certified Erosion and Sediment Control Professional or qualified Civil Engineer must prepare the SQUIMP. The SQUIMP must be reviewed and approved as per the requirements of Ventura County and/or the City Engineer. The development of the SQUIMP must conform to the Ventura County NPDES permit, the SQUIMP standards, and the Technical Guidance Manual for Storm Water Quality Control Measures.</p> <p>The SQUIMP must include structural and/or treatment BMPs. The structural BMPs must focus on meeting potential TMDL and pollutant standards for residential developments. The treatment BMPs must conform to the <i>Technical Guidance Manual for Storm Water Control Measures</i>. The SQUIMP guidelines are contained in the <i>National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements</i> for Ventura County.</p>	Stormwater Quality Urban Impact Mitigation Plan	City Public Works Director	Before grading permit
Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<p><b>5.9-2</b> Grading may occur during the rainy season from October 15th to April 15th, subject to approval by the City Engineer and installation of erosion control facilities. Erosion control measures must be in place and functional between October 15th and April 15th. In order to comply with the October 15 date, revised erosion control plans must be submitted to the City Engineer not later than September 15th of each year from the start of grading or clearing operations to the time of grading bond release.</p>	Revised erosion control plans	City Engineer	During construction

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p><b>5.9-3</b> Temporary irrigation, hydroseeding, and erosion control/sedimentation control measures must be implemented on all temporary grading. Temporary grading is defined to be any grading partially completed and any disturbance of existing natural conditions due to construction activity. These measures will apply to temporary grading activity that remains or is anticipated to remain unfinished or undisturbed in its altered condition for a period of time greater than 30 days or until the beginning of the rainy season, whichever comes first.</p>	Weekly construction activities report	City Public Works Director	During construction
	<p><b>5.9-4</b> During site preparation and construction, the Applicant and/or its contractor must minimize disturbance of natural groundcover on the project site until such activity is required for grading and construction purposes. During grading operations, the Applicant and/or its contractor must employ a full-time superintendent for NPDES compliance. If determined necessary by the City Engineer, the NPDES superintendent must be present on the project site not only during normal working hours, (e.g., Monday through Friday), but also on all other days when the probability of rain is 40 percent or higher, as well as before the start of and during all grading or clearing operations until the release of grading bonds.</p> <p>The NPDES superintendent must perform site inspections before a forecast storm, during an extended storm, and after storms. The NPDES superintendent must have full authority to hire personnel, bind the Applicant and/or its contractor in contracts, rent equipment, and purchase materials to the extent needed to effectuate BMPs. The NPDES superintendent must have certifications and training as per the Storm Water Practitioner requirements of the 2007 General Construction Permit, and must provide</p>	Weekly construction activities report	City Engineer	During construction

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>proof to the City Engineer of satisfactory completion of courses and certifications to meet permit requirements, and any requirements imposed by the City. Proof of such attendance and completion must be provided to the City Engineer before employment of the NPDES superintendent. The project must follow requirements specified in the City of Santa Paula Municipal Code related to Stormwater Quality Management.</p>			
<p>Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</p>	<p><b>5.9-5</b> For areas within the reorganization (annexation areas) that are within the 100-year flood zone, before the construction of structures in areas designated as Flood Zone A (100-year flood plain), future improvements will be considered by the City and County, as appropriate, to be removed from the 100-year flood plain elevation. Project applicants at the time of development must design drainage and flood protection improvements to remove the portion of the annexation area from the FEMA-defined 100-year flood plain hazard area.</p> <p>Before the beginning of construction activities, the project applicant at the time of development must submit to FEMA an application for and obtain a Conditional Letter of Map Revision (CLOMR) and implement all conditions imposed by FEMA. Before occupancy of any structures, the project applicant must obtain a Letter of Map Revision (LOMR), and potentially a No Rise Certificate, indicating that construction and implementation of the designed improvements was completed in accordance with the CLOMR and FEMA requirements and that the proposed project has been effectively removed from the 100-year flood hazard area.</p>	<p>FEMA application for and Conditional Letter of Map Revision (CLOMR)</p>	<p>City Public Works Director</p>	<p>Before the beginning of construction activities</p>
<b>Noise</b>				
<p>Exposure of persons to or generation of noise levels in excess of standards established in</p>	<p><b>5.11-1</b> Consistent with the City of Santa Paula Noise Element, any paving or repaving of the five off-site roadways segment (Hallock Drive south of SR 126,</p>	<p>Construction materials report</p>	<p>City Public Works Director</p>	<p>During construction</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
the local general plan or noise ordinance, or applicable standards of other agencies?	Hallock Drive between SR 126 and Telegraph Road, Telegraph Road north of SR- Main Street between 12 <sup>th</sup> Street and Telegraph Road, Harvard Boulevard between 12 <sup>th</sup> Street and Telegraph Road) that must be conducted in conjunction with implementation of the specific plan must utilize asphalt-rubber paving material consisting of 20 percent recycled rubber or more and 80 percent paving-grade asphalt. Studies have demonstrated that such paving material will reduce traffic noise by 3 to 5 dB(A).			
	<b>5.11-2</b> In combination with rubberized asphalt paving, the speed limits on the five roadway segment experiencing significant noise impacts off-site (Hallock Drive south of SR 126, Hallock Drive between SR 126 and Telegraph Road, Telegraph Road north of SR- Main Street between 12 <sup>th</sup> Street and Telegraph Road, Harvard Boulevard between 12 <sup>th</sup> Street and Telegraph Road) could be reduced from existing speed limits, when determined feasible. The feasibility would be determined by the City of Santa Paula Public Works Department, who is responsible for determining citywide, vehicle speeds based on engineering standards. In some cases, the reduction of speed limits may not be warranted. Each 5 mile per hour reduction in the speed limit can decrease the CNEL level by about 1 dB(A).	Construction materials report	City Public Works Director	During construction
	<b>5.11-3</b> Sound attenuation measures shall be incorporated into the design of individual projects to minimize noise from parking lots. These measures could include, but are not limited to, a noise barrier of sufficient size to break the line of sight, an open-space buffer, a setback, or a combination of methods shall be developed along locations between parking lot noise and exterior usable areas within on-site and adjacent residential uses where these uses interface. Acoustical analysis	Site plan	City Planning Director	Prior to approval of tentative tract maps

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>shall be performed to demonstrate that the parking lot does not result in noise levels that exceed City of Santa Paula 3 dB(A) standard. These components shall be incorporated into the plans to be submitted by the applicant to the City of Santa Paula for review and approval prior to the issuance of building permits.</p>			
	<p><b>5.11-4</b> Sound attenuation measures must be incorporated into the design of individual projects to minimize noise from loading docks. These measures may include, but are not limited to, designing loading docks to have either a depressed (i.e., below grade) loading area, an internal bay, or a wall to break the line of sight between on-site and adjacent residential land uses and loading operations. Acoustical analysis must be performed to demonstrate that the parking lot does not result in noise levels that exceed the City of Santa Paula 3 dB(A) standard. These components must be incorporated into the plans to be submitted by the applicant to the City for review and approval before the City issues building permits.</p>	<p>Site plan</p>	<p>City Planning Director</p>	<p>Prior to approval of tentative tract maps</p>
	<p><b>5.11-5</b> In order to reduce mechanical, electrical, or other commercial type noise, the individual projects must locate equipment away from receptor areas, install equipment with proper acoustical shielding, and incorporate the use of parapets into building design. Acoustical analysis must be performed to demonstrate that the mechanical, electrical, and other commercial type noise does not result in noise levels that exceed the City of Santa Paula 3 dB(A) standard. These components must be incorporated into the plans to be submitted by the applicant to the City for review and approval before the City issues building permits.</p>	<p>Site plan</p>	<p>City Planning Director</p>	<p>Prior to approval of tentative tract maps</p>
<p>Exposure of persons to or generation of excessive</p>	<p><b>5.11-6</b> The construction contractors must use best management practices (BMPs) to reduce vibration</p>	<p>Weekly construction</p>	<p>City Public Works</p>	<p>During</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
<p>groundborne vibration or groundborne noise levels?</p>	<p>due to East Area Gateway construction activities by implementing the following:</p> <ul style="list-style-type: none"> <li>• identifying all uses in the vicinity of individual development projects that may be adversely affected by the vibrations, including residences and non-residential land uses that may contain vibration-sensitive equipment;</li> <li>• installing seismographs at the aforementioned sensitive locations where construction activities would be occurring adjacent to these use, to ensure that vibration thresholds of 80 VdB are not exceeded, and/or that construction activities would not cause structural damage or adversely affect vibration-sensitive equipment;</li> <li>• adjusting vibration amplitudes of the construction equipment used on site to below 80 VdB at adjacent sensitive locations, such as limiting the number of pieces operating in one location at the same time in areas where conditions would impact sensitive structures, the sensitivity of vibration sensitive equipment, and/or human tolerance;</li> <li>• utilizing cast-in-drilled-hole (CIDH) piles in lieu of pile driving;</li> <li>• providing notification to the residential land uses directly adjacent to the project site, at least 10 days in advance, of construction activities that are anticipated to result in vibration levels above the thresholds;</li> <li>• conducting demolition, earthmoving, and ground-impacting operations sequentially, so as not to have two such operations occurring on the project site at the same time;</li> <li>• selecting a demolition method to minimize</li> </ul>	<p>activities report</p>	<p>Director</p>	<p>construction</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>vibration, where possible (e.g., sawing masonry into sections rather than demolishing it by pavement breakers); and/or</p> <ul style="list-style-type: none"> <li>operating earth-moving equipment on the construction site as far away as possible or practical from vibration-sensitive sites, using wheeled or rubber-tracked equipment, and using small pieces of equipment such as smaller bulldozers when possible.</li> </ul>			
<p>A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</p>	<p><b>5.11-7</b> The project applicant must require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:</p> <ul style="list-style-type: none"> <li>Two weeks before beginning construction, the applicant must notify all surrounding land uses within 200 feet of a project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period.</li> <li>Before any site activity, the contractor will be required to submit a material haul route plan to the City of Santa Paula and Ventura County for review and approval. The contractor must ensure that the approved haul routes are used for all materials hauling, to minimize exposure of sensitive receivers to potential adverse noise levels from hauling operations.</li> <li>Ensure that construction equipment is properly muffled according to industry standards and in good working condition.</li> <li>Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible.</li> </ul>	<p>Construction contract</p>	<p>City Public Works Director</p>	<p>Prior to start of construction and grading/demolition activities</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<ul style="list-style-type: none"> <li>• Stationary construction equipment, such as pumps, generators, or compressors, must be placed as far from noise sensitive uses as feasible during all phases of project construction.</li> <li>• Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources.</li> <li>• Use electric air compressors and similar power tools rather than diesel equipment, where feasible.</li> <li>• Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, must be turned off when not in use for more than 30 minutes.</li> <li>• Construction hours, allowable workdays, and the phone number of the job superintendent must be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent must investigate, take appropriate corrective action, and report the action taken to the reporting party. Contract specifications must be included in the proposed project construction documents, which must be reviewed by the City before the City issues grading permits.</li> </ul>			
Cumulative impacts.	Implementation of <b>Mitigation Measures 5.11-1 to 5.11-5</b> have been identified to mitigate the identified impacts.	See above.	See above.	See above.

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
<b>Transportation/Traffic</b>				
<p>Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</p>	<p><b>5.13-1</b> <u>SR 126 &amp; Hallock Drive (Intersection 1)</u> – Improvements to this intersection are already required as mitigation for the approved East Area 1 Specific Plan Project. To mitigate the impacts of the East Gateway Project, the northbound approach shall be widened and reconfigured to consist of one right-turn lane, two through lanes, and two left-turn lanes. In addition to the required East Area 1 improvements. The northbound approach on Hallock Drive may require additional right-of-way to accommodate the proposed lane configuration. These improvements will require coordination with and approval by California Department of Transportation (Caltrans). Design of this intersection should be coordinated with the improvements proposed for the Telegraph Road and Hallock Drive intersection.</p>	<p>Site plan.</p>	<p>City Planning Director</p>	<p>Prior to tract map approval.</p>
	<p><b>5.13-2</b> <u>Telegraph Road &amp; Hallock Drive (Intersection 2)</u> – Improvements to this intersection are already required as mitigation for the approved East Area 1 Specific Plan Project. To mitigate the impacts of the East Gateway Project, the northbound approach shall be modified to include one shared right/through lane, one through lane and two left-turn lanes on the northbound approach in addition to the required East Area 1 improvements. Improvements may require coordination with the improvements proposed for the SR 126 and Hallock Drive intersection.</p>	<p>Site plan.</p>	<p>City Planning Director</p>	<p>Prior to tract map approval.</p>
	<p><b>5.13-3</b> <u>10th Street &amp; Harvard Boulevard (Intersection 15)</u> – A peak period parking restriction shall be implemented on the southbound approach and the northbound and westbound approaches reconfigured to provide one additional</p>	<p>Site plan.</p>	<p>City Planning Director</p>	<p>Prior to tract map approval.</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	southbound lane in the AM and PM peak periods. The southbound lane configuration must be striped to include one shared through/right-turn lane, one through lane (during peak hours), and one left-turn lane. The northbound approach shall be restriped to provide one right-turn lane, one through lane, and one left-turn lane. The westbound approach shall be restriped to provide one shared through/right-turn lane, one through lane, and one left-turn lane.			
	<b>5.13-4</b> <u>10th Street &amp; SR 126 Eastbound Ramps (Intersection 17); Palm Avenue &amp; SR 126 Eastbound Ramps (Intersection 27); Peck Road &amp; SR 126 Eastbound Ramps (Intersection 34)</u> – A fair share contribution shall be made to the cost of installing traffic signals at these ramp intersections.	Fee contribution	City Planning Director	Prior to issuance of grading permits
Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	If not implemented as part of the East Area 1 Project improvements prior to development of land within the East Gateway area, the following the following additional mitigation measure should be implemented as part of the improvements to Hallock Drive north of SR 126:  <b>5.13-5</b> New rail crossing arms and warning lights must be installed on northbound Hallock Drive north of Telegraph Road at the SPBL rail crossing. The signal at Hallock Drive and Telegraph Road must be synchronized with the rail crossing arms and warning lights to avoid conflicts during times when the rail crossing arms are in the gate-down position.	Site plan.	City Planning Director	Prior to tract map approval.
Cumulative impacts	<b>Mitigation Measures 5.13.1</b> and <b>5.13.2</b> , identified for project traffic impacts, would also mitigate cumulative impacts at these intersections.	See above.	See above.	See above.
	<b>5.13-6</b> <u>Ojai Road (SR 150) &amp; Richmond Road (Intersection 9)</u> – The intersection must be mitigated to LOS C or better through the implementation of a prohibition of westbound left-turns at the	Site plan.	City Planning Director	Prior to tract map approval.

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>intersection. The peak hour left-turn restriction must apply to the westbound approach of the intersection only, where left-turning vehicles would be expected to use nearby signalized intersections to make this movement. This improvement would require coordination with and approval by Caltrans.</p>			
	<p><b>5.13-7</b> <u>10th Street &amp; Harvard Boulevard (Intersection 15)</u>                      – The project impact at the intersection of 10th Street and Harvard Boulevard must be mitigated with the addition of a peak period parking restriction on the southbound approach and reconfiguration of the northbound and westbound approaches; however, these mitigation measures do not achieve LOS C or better to fully mitigate the intersection. The parking restriction must result in one additional southbound lane in the AM and PM peak periods. The southbound lane configuration must be striped to include one shared through/right-turn lane, one through lane (during peak hours), and one left-turn lane. The northbound approach shall be restriped to provide one right-turn lane, one through lane, and one left-turn lane. The westbound approach shall be restriped to provide one shared through/right-turn lane, one through lane, and one left-turn lane.</p>	<p>Site plan.</p>	<p>City Planning Director</p>	<p>Prior to tract map approval.</p>
	<p><b>5.13-8</b> <u>10th Street &amp; SR 126 Eastbound Ramps (Intersection 17)</u>                      – The project impact at the intersection of 10th Street and SR 126 eastbound ramps must be mitigated with modifications to the southbound approach. The southbound lane configuration would be striped to include one left-turn lane and one through lane. This mitigation measure results in a reduction in delay relative to existing, existing plus project, cumulative base and cumulative plus project conditions, thus mitigating the incremental delay attributable to project</p>	<p>Site plan.</p>	<p>City Planning Director</p>	<p>Prior to tract map approval.</p>

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	<p>traffic.</p> <p>Alternatively, the intersection can be fully mitigated to achieve LOS C or better through signalization. Since the intersection is operating at unacceptable LOS in the without project scenario, the project would be responsible for its fair share contribution to the project impact. This improvement would require coordination with and approval by Caltrans.</p>			
	<p><b>5.13-9</b> <u>Palm Avenue &amp; SR 126 Eastbound Ramps (Intersection 27)</u> – This intersection must be mitigated to LOS C or better by installing a traffic signal. Since the intersection is operating at an unacceptable LOS in the without project scenario, the project would be responsible for its fair share contribution to the project impact. This improvement would require coordination with and approval by Caltrans.</p>	Site plan.	City Planning Director	Prior to tract map approval.
	<p><b>5.13-10</b> <u>Peck Road &amp; Main Street and Harvard Boulevard (Intersection 32)</u> – This intersection must be mitigated to LOS C or better with the addition of one travel lane to both the northbound and southbound approaches on Peck Road. The northbound leg must be configured with one right-turn lane, two through lanes, and one left-turn lane and one shared through/right-turn lane, one through lane, and one left-turn lane on the southbound leg.</p>	Site plan.	City Planning Director	Prior to tract map approval.
	<p><b>5.13-11</b> <u>Peck Road &amp; SR 126 Eastbound Ramps (Intersection 34)</u> – This intersection must be mitigated to LOS C or better by installing a traffic signal; the installation of a traffic signal is warranted under cumulative plus project conditions. Since the intersection is operating at unacceptable LOS in the without project scenario, the project would be responsible for its fair share contribution to the project impact. This</p>	Site plan.	City Planning Director	Prior to tract map approval.

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
	improvement would require coordination with and approval by Caltrans.			
	<p><b>5.13-12</b> <u>Telegraph Road &amp; Hallock Drive (Intersection 2) (Scenario without Lemonwood drive only)</u> – The intersection of Telegraph Road and Hallock Drive must be mitigated to LOS C or better by implementing the changes discussed in <b>Mitigation Measure 5.13-2</b> and a right-turn overlap on the eastbound right turn with the northbound protected left turn. Improvements may require coordination with the improvements proposed for the SR 126 and Hallock Drive intersection.</p>	Site plan.	City Planning Director	Prior to tract map approval.
	<p><b>5.13-13</b> <u>Telegraph Road/Main Street &amp; Harvard Boulevard (Intersection 3) (Scenario without Lemonwood drive only)</u> – This intersection has three approaches. The eastbound approach on Main Street is controlled by stop signs and the eastbound left-turn movement from Harvard Boulevard on to Main Street must yield to westbound through traffic from Telegraph Road. The level of service at stop-controlled intersections is based on the delay at the most constrained approach, which in this case is the eastbound approach on Main Street. This movement is projected to increase from 13 to 54 seconds of average delay per vehicle in the PM peak hour with the development of the East Gateway project without the Lemonwood Drive extension. The threshold for LOS D is 25 seconds. To fully mitigate the impact (to LOS C or better) would require the installation of a traffic signal. A peak hour signal warrant analysis is provided in Appendix D and indicates that the installation of a traffic signal would be warranted under cumulative plus project conditions. This improvement would require coordination with and approval by Caltrans.</p>	Site plan.	City Planning Director	Prior to tract map approval.

Impact/Threshold	Mitigation Measure	Monitoring / Reporting Action	Responsible Agency	Timing
<b>Utilities/Service Systems</b>				
Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<b>5.14-1</b> Before construction, the applicant must be responsible for the preparation of an assessment of landfill capacities at Toland Road Sanitary Landfill and Chiquita Canyon Sanitary Landfill. The applicant must coordinate with the both landfill operators to determine whether these landfills have adequate capacity to serve the proposed project. If adequate landfill space is not available, then the applicant must identify alternative landfill sites to accept both construction and operation solid waste and debris.	Assessment of landfill capacities at Toland Road Sanitary Landfill and Chiquita Canyon Sanitary Landfill	City Planning Director	Before construction
	<b>5.14-2</b> The applicant must implement waste reduction and recycling programs to divert construction solid waste from the area landfill. A construction recycling plan must be submitted and approved by the Director of Public Works. A final report as to the amount recycled must be provided to the Director of Public Works at the completion of construction activities documenting the waste reduction efforts conducted, including a listing of solid waste diversion amounts, and the amount of waste sent to landfills. The report must also document how the construction contractor complied with applicable state and local statutes and regulations to reduce and recycle solid waste generated during construction.	Waste reduction and recycling programs	City Planning Director	Before construction