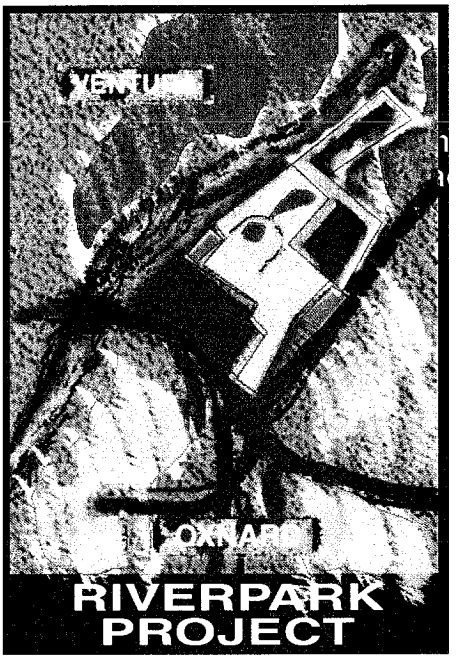
CITY OF OXNARD
Environmental Impact Report



SCH #2000051046

Table of Contents

SECTION 1.0
Introduction

1.0 INTRODUCTION

PURPOSE

This introduction provides information on the contents of this Final Environmental Impact Report (FEIR) for the proposed RiverPark project. This information is provided to assist the reader in understanding the relationship of this document to the environmental review process being conducted by the City of Oxnard for this proposed project.

ENVIRONMENTAL REVIEW PROCESS

As defined by Section 15050 of the California Environmental Quality Act (CEQA) *Guidelines*, the City of Oxnard is serving as "Lead Agency," responsible for preparing the EIR for the proposed RiverPark project.

Environmental Processing

In accordance with the requirements of the California Environmental Quality Act (CEQA), the City of Oxnard conducted a preliminary review of the application for the proposed RiverPark Specific Plan Project and determined that an Environmental Impact Report (EIR) should be prepared to analyze the potential impacts associated with the approval and implementation of the proposed project.

A Notice of Preparation (NOP) was prepared by the City of Oxnard in May 2000 and sent to public agencies and other parties stating that an EIR was going to be prepared by the City. In accordance with the requirements of CEQA, a 30-day period was provided for responses to the NOP. This review period ended in June 2000. In June 2001 the City sent out a revised NOP to reflect changes in the project description and provide additional opportunity for comment.

Based on the City's review of the project and consideration of the responses to the NOPs, the Draft EIR addressed all environmental topics identified in CEQA *Guidelines* Appendix G (Environmental Checklist Form) including:

- Land Use Planning, Programs & Policies
- Aesthetics
- Earth Resources

- Biological Resources
- Water Resources
- Agricultural Resources
- Transportation & Circulation
- Air Quality
- Noise
- Public Services
- Public Utilities
- Cultural Resources
- Hazards

This Draft EIR was circulated for a 45-day public review period as required by state law on December 7, 2001. During this 45-day period, the City of Oxnard Planning Commission held a public hearing on the Draft EIR on December 20, 2001 and accepted oral testimony on the Draft EIR from the public. The public review period ended on January 21, 2002.

Section 15088 of the CEQA *Guidelines* requires that the Lead Agency evaluate comments on environmental issues received from parties who reviewed the Draft EIR and prepare a written response to each comment. The responses to comments may take the form of a separate section in the FEIR. In conformance with the requirements of Section 15088 of the State CEQA *Guidelines*, the City of Oxnard, as the Lead Agency for the project, prepared written responses to all written and oral comments on the Draft EIR.

Section 15088.5 of the CEQA *Guidelines* requires the recirculation of a Draft EIR prior to certification under certain circumstances when significant new information is added to the EIR after if is circulated for public review. Recirculation is not required when the new information added to the EIR merely clarifies or amplifies an adequate EIR. Recirculation of an EIR for additional public review is required when a feasible alternative considerably different than those previously analyzed is identified and the project's proponent's decline to adopt it. Recirculation is also required if the Final EIR includes information showing that a new significant impact not identified in the Draft EIR will result from the project or there is a substantial increase in the severity of an environmental impact identified in the Draft EIR, or there is a new feasible mitigation measure considerably different from others previously analyzed exists, but the project's proponents decline to adopt it.

The information included in the responses to comments on the Draft EIR does not identify any new significant impacts or a substantial increase in the severity of any of the significant impacts identified

in the Draft EIR. In addition, no new mitigation measures have been identified that the project proponent will not adopt as part of the project. Minor revisions and correction to the text of the Draft EIR are included in the response to comments. None of these minor revisions change the conclusions of the analysis of significant impacts in the Draft EIR.

The proposed Draft Specific Plan has been revised to reflect review by the City of Oxnard. The current Draft Specific Plan, dated February 26, 2002, allows the same amounts of residential units and commercial space assessed in the Draft EIR. The majority of the revisions are minor changes to land use and development standards. The size of the neighborhood parks were increased and other minor adjustments were made to the proposed land plan. None of the refinements and revisions made are substantial enough to change the conclusions of the analysis of significant impacts in the Draft EIR.

For these reasons, recirculation of the EIR for additional public review is not required by CEQA as a result of the information included in this Final EIR.

ORGANIZATION OF THE FINAL EIR

This FEIR contains all the elements required by Section 15132 of the CEQA *Guidelines*. This section states that an FEIR shall consist of the Draft EIR; comments received on the Draft EIR, either verbatim or in summary; a list of persons, organizations and public agencies commenting on the Draft EIR; and the written responses of the Lead Agency to the comments received on the Draft EIR.

This FEIR incorporates the Draft EIR, dated December 2001, including all appendices, by reference. The complete Draft EIR is available for review at the City of Oxnard Community Development Department, 305 West Third Street, Oxnard, California. A complete listing of the parties commenting on the Draft EIR is provided in the Table of Contents of this FEIR and at the beginning of **Sections 2.0** and **3.0**.

The organization of this FEIR and the general contents of the sections following this introduction are:

Section 2.0 contains the written comments received on the Draft EIR and responses to these comments.

Section 3.0 contains minutes of the public hearing on the Draft EIR held by the City of Oxnard Planning Commission on December 20, 2001 and written responses to the oral comments on the Draft EIR made at this hearing.

Appendix A contains the water supply assessment.

SECTION 2.0
Responses to Comments

2.0 RESPONSES TO COMMENTS

Comments Received on the RiverPark Draft EIR and Responses to Comments

State Agencies

Governor's Office of Planning and Research State Clearinghouse (OPR)
California Department of Transportation (Caltrans)

Regional Agencies

California Regional Water Quality Control Board – Los Angeles Region (1) (LARWQCB)
California Regional Water Quality Control Board – Los Angeles Region (2) (LARWQCB)
California Regional Water Quality Control Board – Los Angeles Region (3) (LARWQCB)
Southern California Association of Governments (SCAG)

Local Agencies

City of San Buenaventura (VEN)
County of Ventura Public Works Agency – Flood Control Department (VCFCD)
County of Ventura Public Works Agency – Transportation Department (VCTD)
County of Ventura Public Works Agency – Water Resources Division (VCWR)
County of Ventura Resource Management Agency – Environmental Health Division (VCEH)
County of Ventura Resource Management Agency – Planning Division (VCPD)
United Water Conservation District (1) (UWCD)
United Water Conservation District (2) (UWCD)
Ventura County Air Pollution Control District (VCAPCD)
Ventura County Cultural Heritage Commission (VCCHC)
Ventura County Office of Agricultural Commissioner (VCAC)
Ventura Local Agency Formation Commission (LAFCO)

Local Organizations

El Rio/Del Norte Municipal Advisory Council (MAC)
El Rio West Neighborhood (1) (ERW)
El Rio West Neighborhood (2) (ERW)

Private Organizations

Best Best & Krieger (BBK)
Friends of the Santa Clara River (FSCR)
The Gas Company (TGC)
Hanson Aggregates (HA)
Schroeder Comis Nelson & Kahn

Individuals

Dorothy Gibson (DG)
Shirley Godwin (SG)
Patricia Munro (PM)

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

State Clearinghouse

Gray Davis
GOVERNOR

Steven A. Nisse
DIRECTOR

January 22, 2002

RECEIVED
JAN 24 2002
PLANNING DIVISION
CITY OF OXNARD

Gary Sugano
City of Oxnard
305 West 3rd Street, 2nd Floor
Oxnard, CA 93030

Subject: River Park
SCH#: 2000051046

Dear Gary Sugano:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on January 21, 2002, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. OPR-1

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

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
916-445-0613 FAX 916-323-3018 WWW.OPR.CA.GOV/CLEARINGHOUSE.HTML

Document Details Report
State Clearinghouse Data Base

SCH# 2000051046
Project Title River Park
Lead Agency Oxnard, City of

Type EIR Draft EIR

Description The River Park Specific Plan would permit the development of an integrated mixed-use community consisting of open space, residential, commercial, and public facilities uses. The community design of River Park follows the design principles of the "New Urbanism" and "Smart Growth" movements which emphasize the importance of mixed land use, communities scaled for pedestrian movement, limiting automobile usage and the importance of physical design in creating communities that people want to live, work and shop in. The River Park would be made up of four basic land uses: 1) the commercial area proposed within the southern portion of River Park Area 'A'; 2) the residential neighborhoods proposed to the north and east of the commercial areas; 3) the open space area proposed in the northern portion of the Specific Plan Area; and 4) public facilities. These land use areas would be linked and unified by a landscaped pedestrian, bicycle, and vehicular circulation system. The existing mine pits on the site will be reclaimed as water storage and recharge basins to provide for additional recharge of the Oxnard Aquifer System.

Lead Agency Contact

Name Gary Suganc
Agency City of Oxnard
Phone 805-358-7858 **Fax**
email
Address 305 West 3rd Street, 2nd Floor
City Oxnard **State** CA **Zip** 93030

Project Location

County Ventura
City Oxnard
Region
Cross Streets US 101/Vineyard Avenue
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways US 101/SR 232
Airports
Railways
Waterways Santa Clara River
Schools
Land Use (C-2-PD) General Commercial - Planned Development; (R-1) Single Faily Residential; (C-R) Community Reserve; (M-1-PD) Light Manufacturing - Planned Development; (O-S) Open Space; Mineral Resource Protection Overlay

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Conservation; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Caltrans, Division of Transportation Planning; Department of Housing and Community Development; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; State Lands Commission

Note: Blanks in data fields result from insufficient information provided by lead agency.

Document Details Report
State Clearinghouse Data Base

Date Received 12/10/2001 *Start of Review* 12/10/2001 *End of Review* 01/21/2002

Note: Blanks in data fields result from insufficient information provided by lead agency.

Document Details Report
State Clearinghouse Data Base

Date Received 12/10/2001 ***Start of Review*** 12/10/2001 ***End of Review*** 01/21/2002

Note: Blanks in data fields result from insufficient information provided by lead agency.

Governor's Office of Planning and Research State Clearinghouse (OPR)

OPR-1

It is noted that no state agencies submitted comments on the Draft EIR to the State Clearinghouse. In addition to submitting copies of the Draft EIR to the State Clearinghouse the City of Oxnard provided copies directly to a number of state agencies.

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
120 SO. SPRING ST.
LOS ANGELES, CA 90012
PHONE (213) 897-6536
FAX (213) 897-1337

Flex your power!
Be energy efficient!

Mr. Gary Sugano, Principal Planner
City of Oxnard
305 West 3-rd Street, 2-nd Floor
Oxnard, CA. 93030

Re: IGR/CEQA # 011237NY
River park Specific Plan
VEN/101/21.01
SCH# 2000051046

January 3, 2002

Dear Mr. Sugano:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the River park Specific Plan.

Based on our review of the information received, we have no comment at this time. We will contact you further should we identify any issues that should be brought to your attention. CALTRANS-1

If you have any questions, please call Mr. Yerjanian at (213)897-6536 and refer to IGR/CEQA # 011237NY.

Sincerely,

STEPHEN J. BUSWELL
IGR/CEQA Branch Chief
Transportation Planning Office
District 7

"Caltrans improves mobility across California"

California Department of Transportation (CALTRANS)

CALTRANS-1

It is noted that Caltrans has no comments on the Draft EIR.

California Regional Water Quality Control Board
Los Angeles Region

Winston H. Hickox
Secretary for
Environmental
Protection

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640
Internet Address: http://www.swrcb.ca.gov/~rwqcb4

Gray Davis
Governor

January 15, 2002

RECEIVED
JAN 17 2002
PLANNING DIVISION
CITY OF OXNARD

Gary Sugano
City of Oxnard
305 W. 3rd Street, 2nd Floor
Oxnard, CA 93030

RE: CEQA DOCUMENTATION FOR PROJECT IN THE SANTA CLARA WATERSHED
Project: Riverpark

We appreciate the opportunity to comment on the CEQA documentation for the above-mentioned project. For your information a list of permitting requirements and Regional Board Contacts is provided in Attachment A hereto.

The project site lies in the Santa Clara watershed that was listed as being impaired pursuant to Section 303 (d) of the Clean Water Act. Impairments listed in reaches downstream from the proposed project include nutrients and their effects, salts, coliform bacteria, and historic pesticides. The Los Angeles Regional Water Quality Control Board will be developing Total Maximum Daily Loads (TMDLs) for the watershed, but the proposed project is expected to proceed before applicable TMDLs are adopted. In the interim, the Regional Board must carefully evaluate the potential impacts of new projects that may discharge to impaired waterbodies.

Our review of your documentation shows that it does not include information on how this project will change the loading of these pollutants into the watershed. Please provide the following additional information for both the construction and operational phases of the project. LARWQCB-1

- For each constituent listed above, please provide an estimate of the concentration (ppb) and load (lbs/day) from non-point and point source discharges.
- Estimates of the amount of additional runoff generated by the project during wet and dry seasons.
- Estimate of the amount of increased or decreased percolation due to the project.

- Estimates of the net change in cubic feet per second of groundwater and surface water contributions under historic drought conditions (as compiled by local water purveyors, the Department of Water Resources, and others), and 10-year 50-year and 100-year flood conditions. LARWQCB-1

If you have any questions please call me at (213) 576-6683.

Sincerely,

Theresa Rodgers

for Elizabeth Erickson
Associated Geologist, TMDL Unit
Los Angeles Regional Water Quality Control Board

EE
Attachments

Cc: file
State Clearinghouse (2000051046)

ATTACHMENT A

✓ If the proposed project will result in a **discharge of dredge or fill into a surface water** (including a dry streambed), and is subject to a **federal license or permit**, the project may require a *Section 401 Water Quality Certification*, or waiver of Waste Discharge Requirements. For further information, please contact:

Anthony Klecha, Nonpoint Source Unit at (213) 576-6785.

✓ If the project involves **inland disposal of nonhazardous contaminated soils and materials**, the proposed project may be subject to *Waste Discharge Requirements*. For further information, please contact:

Rodney Nelson, Landfills Unit, at (213) 236-2469.

****

✓ If the overall project area is **larger than five acres**, the proposed project may be subject to the State *Board's General Construction Activity Storm Water Permit*. For further information, please contact:

Tracy Woods, Statewide General Construction Activity Storm Water Permits at (213) 576-6684.

✓ If the project involves a **facility that is proposing to discharge storm water associated with industrial activity** (e.g., manufacturing, recycling and transportation facilities, etc.), the facility may be subject to the State Board's *General Industrial Activities Storm Water Permit*. For further information, please contact:

Kristie Chung, Statewide General Industrial Storm Water Permits at (213) 576-6807.

✓ If the proposed project involves requirements for new development and construction pertaining to **municipal storm water programs**, please contact:

Dan Radulescu, Municipal Storm Water Permits, Los Angeles County at (213) 576-6668;
Matt Yeager, Municipal Storm Water Permits, Ventura County at (213) 576-6749.

✓ The proposed project also shall comply with the local regulations associated with the applicable **Regional Board stormwater permit**:

Los Angeles County and Co-permittees:
NPDES No. CAS614001
Waste Discharge Requirements Order No. 96-054.

Long Beach County and Co-permittees:
NPDES CAS004003
Waste Discharge Requirements Order No. 99-060.

Ventura County and Co-permittees:
NPDES No. CAS004002
Waste Discharge Requirements Order No. 00-108.

****

✓ If the proposed project involves any construction and/or groundwater **dewatering to be discharged to surface waters**, the project may be subject to *NPDES/Waste Discharge Requirements*. For further information, please contact:

Augustine Anijielo, General Permitting and Special Projects Unit at (213) 576-6657 (All Region 4 Watersheds).

✓ If the proposed project involves any construction and/or groundwater **dewatering to be discharged to land or groundwater**, the project may be subject to *Waste Discharge Requirements*. For further information, please contact:

Kwang-il Lee, Non-Chapter 15 Unit, at (213) 236-2458 (All Region 4 Watersheds).

Winston H. Hickox
Secretary for Environmental Protection

California Regional Water Quality Control Board

Los Angeles Region

Over 50 Years Serving Coastal Los Angeles and Ventura Counties
Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: http://www.swrcb.ca.gov/rwqcb4

Gray Davis
Governor

January 17, 2002

City of Oxnard
Oxnard Planning & Env. Services Program
305 West Third Street
Oxnard, CA 93030

Dear Sir or Madam,

Re: CEQA Documentation for Project in the Santa Clara Watershed

Subject: City of Oxnard Draft Environmental Impact Report: RiverPark Project SCH #2000051046

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) appreciates the opportunity to comment on the CEQA documentation for the above-mentioned project.

The RiverPark project would develop 1400 acres adjacent to the Santa Clara River to include a mixed-use community of open space, residential, commercial and public facilities including two office buildings. Up to 2805 residential units and 2.5 million square feet of commercial space are planned. Field crops, abandoned gravel pits with active concrete processing and other industrial users currently occupy the land. Groundwater, which is pumped for drinking water and irrigation, is usually exposed in the gravel pits. The area has been the subject of several ongoing investigations by the Regional Board (see for example the staff report for the El Rio Septic Prohibition of 2000).

The comments below are from Regional Board staff in the Ventura Stormwater and the TMDL and Standards Units.

Stormwater

The CEQA document was reviewed for mitigation of stormwater impacts. Five main concerns arose which may be addressed at a meeting proposed for next week, but were not sufficiently described within the CEQA document.

1. Mitigation or treatment should be described for iron, manganese, nickel, and fecal coliform whose level will exceed ambient conditions. The mitigation should include the cost estimate. LARWQCB-2

2. Pollutant load calculations should be more fully described. Desirable analyses include calculations of the effect of proposed BMPs (swales, basins, inserts, and centrifugal separators) on annual mass loading; more specific description of the mass loading from different land uses, such as residential, commercial, open space and public utilities; and the estimation of pollutant load from rainfall data and event mean concentrations. LARWQCB-3

3. The choice of Chem A and Lannate as representatives of pesticides of the concern for the pollutant-loading model may not be appropriate. Based on Ventura Countywide 2001 monitoring report, 4,4'-DDE, a chlorinated pesticide, appears to be a pollutant of concern both at Calleguas Creek and Ventura River mass emission stations. Therefore, for pollutant models, you shall include 4,4'-DDE as a pesticide of concern. LARWQCB-4

4. a. Accessway to the detention basins does not seem to be part of the design. This will pose a maintenance challenge during your proposed implementation of the proposed once in five years sediment removal to cleanup the bottom of the basins. LARWQCB-5

b. There seems to be discrepancy in information provided in the reports on basin capacity to prevent storm water from infiltrating into the aquifer below: Volume II of the reports, appendix 4-5-4, states "..these basins are lined with impermeable material and provide sufficient capacity..the lined basin bottoms will prevent storm water from infiltrating through the basins' floors to the aquifer below." (p.11). However, Volume I, section 4-5 states "flows are retained in these basins and percolate into the aquifer and/or evaporate into the atmosphere" (p.4-5-14). Please clarify these statements. LARWQCB-6

5. Pervious parking is listed as one of the structural BMPs to be used in selected parking lots for storm water management. However, no details on design of these pervious surfaces, nor proposed locations have been provided. LARWQCB-7

Basin Plan Requirements

The use of the gravel pits as reservoirs in this plan clarifies their correct definition as a surface water body used for drinking water supplies relative to basin planning standards. Under such conditions, if the collection of data to determine compliance of the project with discharge permits determines basin planning objectives have been exceeded, the area of the pits could be listed as impaired independent of the Santa Clara River. LARWQCB-8

In addition to the iron, manganese and nickel discussed above, the CEQA document review leads staff to predict that the project may have cumulative impacts for cadmium, chromium, copper, lead, and mercury, which would be collected in settling basins at levels above basin planning standards, but below NPDES discharge limits, and remobilized during flooding events. Further, significant critical condition may occur in the gravel pits for pH, turbidity, TDS, sulfate, and complex organic molecules such as xylene, ethylene dibromide, carbon tetrachloride, chloroethylene compounds, and vinyl chloride when surface diluting flows are absent. While LARWQCB-9

your analysis demonstrates attainment of NPDES discharge limits relative to average conditions, a finding of no significant impact or successful mitigation for the constituents, relative to basin planning standards, under cumulative and critical conditions would need additional discussion. LARWQCB-9

TMDL issues

The project site lies in the Santa Clara watershed that was listed in 1998 as being impaired pursuant to Section 303 (d) of the Clean Water Act. Impairments listed in the vicinity and downstream of the proposed project include coliform bacteria and historic pesticides. The Regional Board will be developing Total Maximum Daily Loads (TMDLs) for the watershed, but the proposed project is expected to proceed before applicable TMDLs are adopted. In the interim, the Regional Board must carefully evaluate the potential impacts of additional loading of those pollutants that impair the water body.

The project you describe was determined by your analysis and our own to have significant and cumulative impacts for the TMDL pollutant coliform. The Clean Water Act precludes the Regional Board from approving the discharge of increased levels of a contaminant to a watershed when that watershed has already been found to be impaired for the contaminant for projects where additional loading is likely to be produced, except where the project proponent identifies mitigation measures or offsets which are technically sound and feasible. Where economics appear to specifically preclude the use of a given remedy, another should be described. LARWQCB-10

We appreciate your participation and support of the TMDL process, while they are being developed. The project plan defines work you have already completed toward the goal of describing feasable mitigation alternatives should load limits be identified in future TMDLs and this work is listed below. The Regional Board recommends additional work, also listed below.

Work already completed by you in support of the ongoing and proposed TMDLs

1) Average load estimation for coliform and Chem A.
2) Water balance and estimation of project impact on concentration for most regulated compounds under average conditions and relative to NPDES permit effluent limitations
3) Summary of land use types and pollutant loading estimates
4) Assessment of existing conditions
5) Description of some mitigation options for pollutants
6) Quantification of some mitigation options if applied to pollutants

LARWQCB-11

Work recommended in support of the ongoing, planned and future TMDLs

1)Analysis of critical and cumulative condition for some regulated compounds as discussed above. LARWQCB-12

2) Definition of mitigation measures or offset projects of sufficient size to equal the additional load for coliform and Chem A already identified by you and under critical condition LARWQCB-13

3) Solute, transient, dynamic modeling showing the impact of pollutants concentrated in gravel pits on groundwater pumping for potable water. LARWQCB-14

4) Continuing participation in public forums on developing TMDLs in the Santa Clara River watershed. LARWQCB-15

For your information a list of permitting requirements and Regional Board Contacts is provided in Attachment A hereto.

If you have any questions please call me at (213) 576-6683.

Sincerely,

Elizabeth Erickson
Associate Geologist, TMDL Unit
Los Angeles Regional Water Quality Control Board

Ejigu Solomon
Unit Chief, Ventura Storm Water Unit
Los Angeles Regional Water Quality Control Board

EE, ES
Attachments (1)
cc: File
State Clearinghouse (2000051046)

ATTACHMENT A

✓ If the proposed project will result in a **discharge of dredge or fill into a surface water** (including a dry streambed), and is subject to a **federal license or permit**, the project may require a *Section 401 Water Quality Certification*, or waiver of Waste Discharge Requirements. For further information, please contact:

Anthony Klecha, Nonpoint Source Unit at (213) 576-6785.

✓ If the project involves **inland disposal of nonhazardous contaminated soils and materials**, the proposed project may be subject to *Waste Discharge Requirements*. For further information, please contact:

Rodney Nelson, Landfills Unit, at (213) 576-6719.

****

✓ If the overall project area is **larger than five acres**, the proposed project may be subject to the State *Board's General Construction Activity Storm Water Permit*. For further information, please contact:

Tracy Woods, Statewide General Construction Activity Storm Water Permits at (213) 576-6684.

✓ If the project involves a facility that is proposing to discharge storm water associated with **industrial activity** (e.g., manufacturing, recycling and transportation facilities, etc.), the facility may be subject to the State Board's *General Industrial Activities Storm Water Permit*. For further information, please contact:

Kristie Chung, Statewide General Industrial Storm Water Permits at (213) 576-6807.

✓ If the proposed project involves requirements for new development and construction pertaining to **municipal storm water programs**, please contact:

Dan Radulescu, Municipal Storm Water Permits, Los Angeles County at (213) 576-6668;
Matt Yeager, Municipal Storm Water Permits, Ventura County at (213) 576-6749.

✓ The proposed project also shall comply with the local regulations associated with the applicable **Regional Board stormwater permit**:

Los Angeles County and Co-permittees:
NPDES No. CAS614001
Waste Discharge Requirements Order No. 96-054.

Long Beach County and Co-permittees:
NPDES CAS004003
Waste Discharge Requirements Order No. 99-060.

Ventura County and Co-permittees:
NPDES No. CAS004002
Waste Discharge Requirements Order No. 00-108.

****

✓ If the proposed project involves any construction and/or groundwater **dewatering to be discharged to surface waters**, the project may be subject to *NPDES/Waste Discharge Requirements*. For further information, please contact:

Augustine Anijielo, General Permitting and Special Projects Unit at (213) 576-6657 (All Region 4 Watersheds).

✓ If the proposed project involves any construction and/or groundwater **dewatering to be discharged to land or groundwater**, the project may be subject to *Waste Discharge Requirements*. For further information, please contact:

Kwang-il Lee, Non-Chapter 15 Unit, at (213) 576-6666 (All Region 4 Watersheds).

For stormwater discharges to groundwater via the existing gravel pits, the NAS drinking water criteria of 100 ng/L is most applicable. This criteria is risk based, conservative, and does not account for bioaccumulation effects (which are not a threat for groundwater resources). Given that stormwater discharges to the pits will only occur during the latter portions of the storm events greater than the 10-year return frequency event, a period which is characterized by significant dilution with better quality rain water, project stormwater discharges to the groundwater (via the existing gravel pits) will not exceed this threshold of 100 ng/L. In addition to the attenuation mechanism of dilution, DDE will adsorb very strongly to sediment (log K_{oc} around 6), and therefore very little should remain in the clarified water that is discharged from the detention basins to the pits. Finally, any DDE molecules entering the pits will be largely filtered by the fine-grained muds and silts of the pit bottoms and sides before passing to the actual aquifer. Therefore, DDE concentrations that actually reach the groundwater beneath the pits will be orders of magnitude less than those detected in agricultural drains. No significant impacts to surface or groundwater quality from DDE will result. The addition of this information to the EIR does not constitute significant new information.

LARWQCB-5

The design of the detention basins will meet the criteria set forth in the Ventura County Land Development Guidelines. These guidelines make specific recommendations regarding maintenance access ways. The three new detention basins will have a 20' wide ramp down to the bottom. This detail is shown on the project grading, but is too minute a detail to be shown on the concept grading plan included in the Draft EIR.

LARWQCB-6

The Vol. I text reference refers to a description of the existing county drainage basins, which are unlined basins that currently serve to infiltrate stormwater. The Vol. II text reference refers to a description of the proposed project stormwater detention basins, which will be lined to prevent infiltration to the underlying aquifer since insufficient minimum vadose zone thickness is available to meet county requirements for infiltration basins.

LARWQCB-7

Drainage area #1 (commercial) uses structural BMP's – including pervious pavement (for selected parking areas), catch basin inserts and manhole accessible centrifugal separator units – to manage stormwater quality prior to River discharge via a levee outlet located near the 101 Freeway. The design

and layout of this system is currently at the conceptual stage, and therefore more detailed information is not yet available.

LARWQCB-8

The Board notes that the conversion of the gravel pits to "reservoirs" will result in their classification as a "surface water body", therefore rendering them eligible for impairment identification in future revisions to the 303(d) list. This implies that TMDL's could be developed for all discharges to the gravel pits, which will include both project and off-site stormwater as well as diverted river water. The Board's comment is noted, but no actions can be taken until such a time as the gravel pits are used to store diverted river water, and TMDLs are formally promulgated.

LARWQCB-9

NPDES discharge limits were adopted as significance thresholds for the *dewatering* impacts analysis only as presented in Table 4.5-20 in the Draft EIR. In the case of *stormwater* impacts, ambient concentrations, drinking water standards, Basin Plan objectives or California Toxics Rule criteria (generally, the most stringent of the applicable standards were chosen) were used as presented in Table 4.5-19 in the Draft EIR.

The detention basins will be designed to provide sufficient residence time even during the maximum design storm (10-year event) to minimize the resuspension of settled sediments. Outlet structures will be designed per County Land Development Guidelines criteria for stormwater detention facilities. Energy dissipation devices will be utilized to minimize erosion at the basin inlet discharge locations, and if necessary flow control structures such as baffles will be included to ensure proper hydraulic retention time in the basins. The basins will be maintained by a City Maintenance District and accumulated sediments removed on a regular basis. Therefore, sediment (and hence contaminant) remobilization will not likely occur in the detention basins given the proposed design. The final design and construction of these basins will conform to the applicable County Land Development Guidelines.

The critical conditions for this portion of the Santa Clara River are dry weather conditions. When surface diluting flows, consisting of the surface water diversions by UWCD allowed by the Specific Plan are absent, project and off-site stormwater runoff discharges to the gravel pits are also likely to be absent. The proposed stormwater treatment system was designed to eliminate the discharge of dry weather flows to the gravel pits. Therefore, the water quality in the gravel pits would reflect the ambient groundwater quality, which has not evidenced excessive levels of the complex organic molecules referenced. A review

of the DHS database for wells in the project area (including the UWCD wells and the wells of the numerous mutual water companies in the area) indicates non-detect levels (for a varying range of detection limits, depending on the year the sample was collected) for carbon tetrachloride, ethylene dibromide, chloroethylene compounds (as characterized by trichloroethylene (TCE) and tetrachloroethylene (PCE)), and vinyl chloride. Xylene was detected once (1.4 µg/l) at the Rio Plaza Water Company well, but at a level below the MCL. pH levels fall within the drinking water standards. TDS and sulfate are known to exceed the Basin Plan standards and drinking water MCLs on occasion, but this is symptomatic of a basin-wide issue rather than directly attributable to the gravel pits. Turbidity has also on occasion exceeded the drinking water MCL, but this is most likely due to the operation and/or construction of the well facilities rather than the existence of the mine pits. Therefore, the concentrations of the compounds discussed above will not exceed ambient groundwater concentrations during dry weather conditions.

LARWQCB-10

The analysis of the effects of the project on water quality was concentration based and identified significant impacts to surface water for fecal coliform; and to groundwater for iron, manganese and nickel, using thresholds unrelated to pollutant loading. Impacts to groundwater are expected to occur very infrequently and would exceed ambient conditions rather than State or federal drinking water standards.

The constituent load analysis, as described above, shows that chloride and ammonia loading to the Santa Clara River will increase somewhat as a result of the project. These increases are the result of increases in the volume of runoff as the existing chloride concentration of 38 mg/l will be reduced to 29 mg/l and the existing ammonia concentration of 2.5 mg/l will be reduced to 0.9 mg/l. Further, the reaches of the Santa Clara River downstream of the project are not listed as impaired for salts (which include chloride) and nutrients (which include ammonia). In addition, there are reductions in groundwater loads for all of the constituents analyzed. Since the groundwater in the vicinity of the project is integral to supplying the potable water needs of residents of the Oxnard Plain, there is a considerable benefit to implementing the project.

LARWQCB-11

This comment recognizing information provided in the Draft EIR is noted.

LARWQCB-12

To a minor extent decreased stormwater discharges into the pits could result in increased pit concentrations during critical conditions, such as during drought conditions when the pits are nearly empty, for those constituents more associated with existing groundwater quality than stormwater. However, the majority of the time very large quantities of water would be present in the pits, greatly exceeding those volumes contributed during storm events. A significant source of flow into the pits is from upgradient groundwater flows through the pit walls. This source will partly compensate for any decrease in discharges from stormwater runoff.

More importantly however, the constituents of greater concern to the governing groundwater districts of the area (United Water Conservation District and Fox Canyon Groundwater Management Agency) were pathogens, nitrate, hydrocarbons and metals. By diverting stormwater flows away from these pits, direct loading of these constituents to the groundwater is alleviated.

Critical conditions for salts and nutrients in the Santa Clara River would be during summer low flow conditions. As stated in the Draft EIR on page 4.5.97, there will be minimal discharge of these "nuisance" (dry weather runoff) flows from the project residential/commercial area, and none from off-site industrial/agricultural areas. Therefore, these dry weather flows will not represent a significant load of salts and nutrients (which are also rarely identified as pollutants of concern for residential and commercial land uses) to the river during these summer critical conditions.

Critical conditions for metals, organics, oil/grease, coliform and sediment would be during first flush storm events, which will obviously occur during periods of high dilution in the river. This is essentially the condition evaluated in the EIR, although in an effort to be conservative, river dilution was not considered in the analysis. Therefore, critical conditions were evaluated in the EIR impact analysis.

LARWQCB-13

As discussed in the responses above, there will be no increase in fecal coliform or Chem A loads as a result of the project. Based on the concentration-based impact analyses included in the Draft EIR, a significant impact was identified for fecal coliform. Mitigation measures were proposed and evaluated for this impact. This issue has been discussed in the response to comment LARWQCB-2.

LARWQCB-14

Solute, transient, dynamic modeling is not warranted as majority of the pollutants will be retained in the proposed detention basins rather than be allowed to enter the gravel pits. The detention basins are designed to accommodate the maximum design storm (10-year event, 5.53 inches in 24-hour period) prior to allowing discharge to the gravel pits. The detention basins will be maintained by a City Maintenance District to minimize the potential for accumulation and resuspension of the pollutants under a significant storm event. Therefore, pollutant concentration in the gravel pits is not anticipated and additional modeling is not required.

LARWQCB-15

The City of Oxnard will continue its participation as a watershed stakeholder at future TMDL meetings.

LARWQCB-16

The City of Oxnard worked closely with the Fox Canyon Groundwater Management Agency (FCGMA) and the United Water Conservation District (UWCD) in developing the stormwater treatment system. The proposed treatment system is reflective of resolutions passed by both organizations that were intended to safeguard the area's groundwater resources. The final design of the proposed stormwater treatment will conform to all applicable Ventura County Land Development Guidelines, as well as the SQUIMP design guidelines. In fact, the BMP facilities included in the design were originally selected and designed based upon the recommendations and guidelines provided in the SQUIMP document, as stated in Appendix 4.5-5, p. 43. As part of this process, the City and project developer will develop maintenance and monitoring programs. Anticipated maintenance requirements are identified in Appendix 4.5 of the Draft EIR in the section titled "Facilities Maintenance".

LARWQCB-17

The BMPs included in the proposed stormwater treatment system have been upgraded to the fullest extent possible as requested in these comments. The analysis of potential mitigation measures for the identified significant impacts is presented on pages 4.5-99 through 4.5-104 of the Draft EIR. UV disinfection was identified as a potential mitigation measure for fecal coliform discharges to the Santa Clara River. Manganese Green Sand Filtration was identified as a potential mitigation measure for iron, nickel, and manganese discharges to groundwater. The analysis of these mitigation measures demonstrates these measures are infeasible from an economic standpoint. Additionally, the intermittent

nature of stormwater discharges raises reliability issues for a treatment system that is essentially decommissioned during the non-rainy season. This analysis demonstrates that the stormwater treatment system cannot be further upgraded and protects surface and groundwater quality to the greatest extent practicable. The analysis in the Draft EIR also demonstrates that the project will result in improvements in water quality in comparison to existing conditions as the concentrations of all the constituents analyzed will be reduced as a result of the project.

LARWQCB-18

The City of Oxnard will require the development and implementation of a monitoring and reporting program by the developer.

LARWQCB-19

The City of Oxnard agrees that maintenance of the stormwater treatment system is essential and a specific maintenance plan will be developed as details of the treatment system are refined. It is the City's intention to form a maintenance assessment district to ensure that the proper and sustained implementation of the maintenance plan. A series of preliminary maintenance requirements are provided in Appendix 4.5-5, p. 12-13.

LARWQCB-20

The technical approach to determining the presence of significant impacts was based upon a comparison of the post-project *concentration* for each selected constituent against a threshold of significance. For discharges to the Santa Clara River of the runoff from storms smaller than the 10-year event, thresholds were established based upon the more restrictive of Basin Plan Objectives, Aquatic Life Criteria or available ambient river concentrations. For discharges to the gravel pits that occur from the portions of storms that exceed the 10-year event, thresholds were established based upon the more restrictive of DHS Drinking Water standards or available ambient groundwater concentrations. The concentration-based impacts analysis approach was selected based upon the current and historical precedent of using concentrations as the primary evaluation standard for water quality compliance.

In an effort to be responsive in a comprehensive manner to the Regional Board's request for loading information, a complete evaluation of the project's loading has been prepared. Discussion of these calculations and conclusions is provided in the responses above and in **Tables 1-10**. As demonstrated in **Table 10** the combined discharges to surface water and to groundwater represent substantially *reduced*

loading for *all* constituents. When reviewed independently, the discharges to groundwater (i.e., the mine pits and other surficial infiltration) also substantially *reduce* loading for *all* constituents, whereas the discharges to surface water in the Santa Clara River *reduce* loading for all constituents except for chloride and ammonia. With respect to the ammonia loading, the increase is negligible (1,333 lbs./year existing versus 1,382 lbs/year for project) and is within the analytical accuracy of the raw data and the technical approach. With respect to chloride, the increase is larger (20,235 lbs./year existing versus 44,598 lbs./year for project), but would only occur during non-critical conditions in the river, and in addition this reach of the Santa Clara River is not impaired for chloride. Because of these considerations related to the increase in loading of ammonia and chloride, these conditions are not considered significant. Further, the request by the Regional Board for data on these additional constituents that are not identified as current impairments for the reach of river adjacent and downstream of the proposed project is understood to be for the purposes of future TMDL-related considerations and is therefore not a matter of current compliance or regulatory significance. Finally, these two constituents were rigorously evaluated as part of the fundamental, concentration-based impact analysis evaluation as part of the EIR determination of impacts. Neither of these constituents were determined to represent an impact based upon that evaluation, and, in fact, were determined to have significantly lower concentrations than the thresholds used in the analysis.

Table 6. Quality to Groundwater (3)					
		Existing Conditions		Project Conditions	
Constituent	Units	Raw Stormwater	Treated Stormwater (2)	Raw Stormwater	Treated Stormwater
MINERALS					
Sulfate	mg/L	204.9	204.9	48.8	41.3
Chloride	mg/L	30.5	30.5	30.8	30.8
TDS	mg/L	511.7	511.7	172.6	172.6
Boron	mg/L	0.4	0.3	0.2	0.1
NUTRIENTS					
Nitrate	mg/L	30.8	15.4	9.8	4.9
Ammonia	mg/L	1.9	1.5	0.9	0.7
PESTICIDES (1)					
ChemA					
Aldrin	ug/L	0.02	0.000	0.003	0.000
Dieldrin	ug/L	0.005	0.000	0.001	0.000
Chlordane	ug/L	0.02	0.000	0.004	0.000
Endrin	ug/L	0.02	0.000	0.004	0.000
Heptachlor	ug/L	0.002	0.000	0.0004	0.000
Heptachlor epoxide	ug/L	0.002	0.000	0.0004	0.000
HCH	ug/L	0.05	0.000	0.01	0.000
Endosulfan	ug/L	0.002	0.000	0.000	0.000
Toxaphene	ug/L	0.23	0.000	0.04	0.000
4,4-DDE	ug/L	0.03	0.000	0.01	0.000
Lannate	ug/L	1.17	0.01	0.2	0.002
MICROORGANISMS					
Total Coliform	MPN/100 ml	145,913	1,459	91,812	918
Fecal Coliform	MPN/100 ml	22,176	222	13,880	139
Fecal Streptococci	MPN/100 ml	49,958	500	42,876	429

Notes:
1. With the exception of 4,4-DDE, none of the pesticides are present in the existing or project runoff. Concentrations for these pesticides were assumed to be 1/2 the detection limits.
2. Treatment for existing conditions discharge to groundwater assumes filtration through the vadose zone only.
3. Values presented in this table differ from those presented in Table 4.5-26 because this data is representative of all discharges to groundwater, and not just large discharges (>10-year event) to the gravel pits (as is the case for Table 4.5-26).

Table 7. Quality to Surface Water					
		Existing Conditions		Project Conditions	
Constituent	Units	Raw Stormwater	Treated Stormwater (1)	Raw Stormwater	Treated Stormwater (2)
MINERALS					
Sulfate	mg/L	351	351	62	51
Chloride	mg/L	38	38	29	29
TDS	mg/L	811	811	208	208
Boron	mg/L	0.5	0.5	0.2	0.1
NUTRIENTS					
Nitrate	mg/L	52.2	52	12	4
Ammonia	mg/L	2.5	2.5	1.1	0.9
PESTICIDES					
ChemA					
Aldrin	ug/L	0.03	0.03	0.004	0.0001
Dieldrin	ug/L	0.01	0.009	0.001	0.00004
Chlordane	ug/L	0.04	0.04	0.01	0.0002
Endrin	ug/L	0.04	0.04	0.01	0.0002
Heptachlor	ug/L	0.004	0.004	0.001	0.00002
Heptachlor epoxide	ug/L	0.004	0.004	0.001	0.00002
HCH	ug/L	0.09	0.09	0.01	0.0004
Endosulfan	ug/L	0.004	0.004	0.001	0.00002
Toxaphene	ug/L	0.43	0.4	0.06	0.002
4,4-DDE	ug/L	0.06	0.06	0.01	0.0003
Lannate	ug/L	2.15	2.2	0.28	0.281
MICROORGANISMS					
Total Coliform	MPN/100 ml	240,299	240,299	91,174	29,347
Fecal Coliform	MPN/100 ml	28,787	28,787	15,485	3,468
Fecal Streptococci	MPN/100 ml	75,818	75,818	43,081	12,873

1. There is no existing stormwater treatment system for water discharged to the Santa Clara River.
2. Slight differences in concentrations for treated project runoff reported in this table and Table 4.5-25 of the EIR are the result of the exclusion of the detention basins in the Table 4.5-25 calculations.

Table 8. Loading to Groundwater				
Constituent	Units	Existing Conditions	Project Conditions	Change in Loading
MINERALS				
Sulfate	ppy	357,260	28,138	-329,122
Chloride	ppy	53,132	21,027	-32,105
TDS	ppy	892,278	117,735	-774,543
Boron	ppy	438	58	-380
NUTRIENTS				
Nitrate	ppy	26,847	3,353	-23,495
Ammonia	ppy	2,654	509	-2,145
PESTICIDES				
ChemA				
Aldrin	ppy	0	0	0
Dieldrin	ppy	0	0	0
Chlordane	ppy	0	0	0
Endrin	ppy	0	0	0
Heptachlor	ppy	0	0	0
Heptachlor epoxide	ppy	0	0	0
HCH	ppy	0	0	0
Endosulfan	ppy	0	0	0
Toxaphene	ppy	0	0	0
2,4-DDE	ppy	0	0	0
Lannate	ppy	0.02	0.001	-0.02
MICROORGANISMS				
Total Coliform	MPN/year	1.15E+13	2.84E+12	-8.70E+12
Fecal Coliform	MPN/year	1.75E+12	4.29E+11	-1.32E+12
Fecal Streptococci	MPN/year	3.95E+12	1.33E+12	-2.62E+12

Table 9. Loading to Surface Water				
Constituent	**Units**	**Existing Conditions**	**Project Conditions**	**Change in Loading**
MINERALS				
Sulfate	ppy	188,502	78,961	-109,541
Chloride	ppy	20,235	44,598	24,363
TDS	ppy	435,814	324,575	-111,239
Boron	ppy	259	110	-148
NUTRIENTS				
Nitrate	ppy	28,037	6,204	-21,832
Ammonia	ppy	1,333	1,382	49
PESTICIDES				
ChemA				
Aldrin	ppy	0.02	0.0002	-0.0171
Dieldrin	ppy	0.005	0.0001	-0.0046
Chlordane	ppy	0.02	0.0003	-0.0228
Endrin	ppy	0.02	0.0003	-0.0228
Heptachlor	ppy	0.002	0.00003	-0.00228
Heptachlor epoxide	ppy	0.002	0.00003	-0.00228
HCH	ppy	0.05	0.001	-0.046
Endosulfan	ppy	0.002	0.00003	-0.00228
Toxaphene	ppy	0.2	0.003	-0.228
4,4-DDE	ppy	0.03	0.0004	-0.0320
Lannate	ppy	1.2	0.438	-0.719
MICROORGANISMS				
Total Coliform	MPN/year	5.85E+14	2.08E+14	-3.78E+14
Fecal Coliform	MPN/year	7.01E+13	2.45E+13	-4.56E+13
Fecal Streptococci	MPN/year	1.85E+14	9.11E+13	-9.36E+13

Table 10. Total Loading to Groundwater and Surface Water				
Constituent	Units	Existing Conditions	Project Conditions	Change in Loading
MINERALS				
Sulfate	ppy	545,762	107,099	-438,663
Chloride	ppy	73,368	65,626	-7,742
TDS	ppy	1,328,092	442,310	-885,782
Boron	ppy	697	168	-529
NUTRIENTS				
Nitrate	ppy	54,884	9,557	-45,327
Ammonia	ppy	3,987	1,891	-2,096
PESTICIDES				
ChemA				
Aldrin	ppy	0.017	0.0002	-0.0171
Dieldrin	ppy	0.005	0.0001	-0.0046
Chlordane	ppy	0.023	0.0003	-0.0228
Endrin	ppy	0.023	0.0003	-0.0228
Heptachlor	ppy	0.002	0.00003	-0.00228
Heptachlor epoxide	ppy	0.002	0.00003	-0.00228
HCH	ppy	0.046	0.001	-0.046
Endosulfan	ppy	0.002	0.00003	-0.00228
Toxaphene	ppy	0.231	0.003	-0.228
4,4-DDE	ppy	0.032	0.0004	-0.0320
Lannate	ppy	1.18	0.4	-0.7
MICROORGANISMS				
Total Coliform	MPN/100 ml	5.97E+14	2.11E+14	-3.86E+14
Fecal Coliform	MPN/100 ml	7.19E+13	2.50E+13	-4.69E+13
Fecal Streptococci	MPN/100 ml	1.89E+14	9.24E+13	-9.62E+13

REVISED Table 4.5-31. Project Stormwater Concentrations and Loads for TMDL-Related Constituents

	Discharged Concentration			Discharged Load		
Constituent	Units	Existing	Project	Units	Existing	Project
Project Conditions						
MINERALS						
Sulfate	mg/L	351	51	ppy	188,502	78,961
Chloride	mg/L	38	29	ppy	20,235	44,598
TDS	mg/L	811	208	ppy	435,814	324,575
Boron	mg/L	0	0	ppy	259	110
NUTRIENTS						
Nitrate	mg/L	52	4	ppy	28,037	6,204
Ammonia	mg/L	2	1	ppy	1,333	1,382
PESTICIDES						
ChemA						
Aldrin	ug/L	0.03	0.0001	ppy	0.02	0.0002
Dieldrin	ug/L	0.009	0.00004	ppy	0.005	0.0001
Chlordane	ug/L	0.04	0.0002	ppy	0.02	0.0003
Endrin	ug/L	0.04	0.0002	ppy	0.02	0.0003
Heptachlor	ug/L	0.004	0.00002	ppy	0.002	0.00003
Heptachlor epoxide	ug/L	0.004	0.00002	ppy	0.002	0.00003
HCH	ug/L	0.09	0.0004	ppy	0.05	0.0006
Endosulfan	ug/L	0.004	0.00002	ppy	0.002	0.00003
Toxaphene	ug/L	0.4	0.002	ppy	0.2	0.0031
4,4-DDE	ug/L	0.06	0.0003	ppy	0.03	0.0004
Lannate	ug/L	2.2	0.3	ppy	1.2	0.4
MICROORGANISMS						
Total Coliform	MPN/100 ml	240,299	29,347	MPN/year	5.85E+14	2.08E+14
Fecal Coliform	MPN/100 ml	28,787	3,468	MPN/year	7.01E+13	2.45E+13
Fecal Streptococci	MPN/100 ml	75,818	12,873	MPN/year	1.85E+14	9.11E+13
Cumulative						
MINERALS						
Sulfate	mg/L	351	35	ppy	188,502	78,961
Chloride	mg/L	28	26	ppy	20,235	44,598
TDS	mg/L	416	179	ppy	435,814	324,575
Boron	mg/L	0.3	0.1	ppy	259	110
NUTRIENTS						
Nitrate	mg/L	27	4	ppy	28,037	6,204
Ammonia	mg/L	2	1	ppy	1,333	1,382
PESTICIDES						
ChemA						
Aldrin	ug/L	0.01	0.0001	ppy	0.02	0.0002
Dieldrin	ug/L	0.004	0.00003	ppy	0.005	0.0001
Chlordane	ug/L	0.02	0.0001	ppy	0.02	0.0003
Endrin	ug/L	0.02	0.0001	ppy	0.02	0.0003
Heptachlor	ug/L	0.002	0.00001	ppy	0.002	0.00003
Heptachlor epoxide	ug/L	0.00	0.00001	ppy	0.002	0.00003
HCH	ug/L	0.04	0.0003	ppy	0.05	0.001
Endosulfan	ug/L	0.002	0.00001	ppy	0.002	0.00003
Toxaphene	ug/L	0.18	0.0013	ppy	0.2	0.003
4,4-DDE	ug/L	0.03	0.0002	ppy	0.03	0.0004
Lannate	ug/L	0.92	0.1873	ppy	1.2	0.4
MICROORGANISMS						
Total Coliform	MPN/100 ml	140,289	25,904	MPN/year	5.85E+14	2.08E+14
Fecal Coliform	MPN/100 ml	22,146	3,966	MPN/year	7.01E+13	2.45E+13
Fecal Streptococci	MPN/100 ml	60,047	13,229	MPN/year	1.85E+14	9.11E+13

Notes:
Cumulative impacts for project conditions include the El Rio Areas east and west of Vineyard Avenue (runoff to Stroube Drain).

REVISED Table 4.5-32. Existing Conditions and Project Runoff Comparsion

Scenario	Runoff Amounts, AFY		
	Wet Year (1)	Average Year (3)	Dry Year (2)
RiverPark Specific Plan			
Existing	370	162	53
Project	1,684	736	242
Change in Runoff	1,314	574	189
Cumulative Impacts			
Existing	1,209	529	174
Project	2,523	1,103	363
Change in Runoff	1,314	574	189

Notes:
(1) Wet weather is the data from water year 1997/98.
(2) Dry weather is the data from water year 1989/90.
(3) Average year is based on the historical average from 1979/80 to 1998/99

REVISED Table 4.5-33. Existing Conditions and Project Percolation Comparsion

Scenario	Percolation Amounts, AFY		
	Wet Year (1)	Average Year (3)	Dry Year (2)
RiverPark Specific Plan			
Existing	1,959	857	282
Project	763	333	110
Change in Percolation	-1,196	-524	-172
Cumulative Impacts			
Existing	2,354	1,029	339
Project	1,157	506	166
Change in Percolation	-1,197	-523	-173

Notes:
(1) Wet weather is the data from water year 1997/98.
(2) Dry weather is the data from water year 1989/90.
(3) Average year is based on the historical average from 1979/80 to 1998/99

REVISED Table 4.5-34. Existing and Project Groundwater and Surface Water Net Contributions Comparison

Scenario	Estimate of contribution					
	Existing Conditions		Project Conditions		Net Change	
	Groundwater	Surface Water	Groundwater	Surface Water	Groundwater	Surface Water
RiverPark Specific Plan						
Historic drought condition	282	53	110	242	-172	189
10-year event, AF/event	214	40	83	184	-131	144
50-year event, AF/event	293	55	114	252	-179	197
100-year event, AF/event	326	61	127	280	-199	219
Cumulative Impacts						
Historic drought condition	339	174	166	363	-173	189
10-year event, AF/event	257	132	126	275	-131	143
50-year event, AF/event	352	181	173	377	-179	196
100-year event, AF/event	391	201	192	419	-199	218

Notes:
(1) Historic drought conditions are based on rainfall data from 1989/90.
(2) 10-year, 50-year, and 100-year event rainfall totals are based on historical records from El Rio Monitoring Station 239.

A brief summary of the information provided in the EIR in response to each of the points raised in this letter is provided below:

1) Estimates of concentrations and loads of constituents from point and non-point discharges:

This information was presented in Tables 4.5-31, 32, 33, and 34 in the Draft EIR. These tables have been reviewed and updated. It was identified in this review that a conversion factor had been omitted in the calculations, resulting in the reported runoff quantities being overstated by a factor of twelve. Additional research also determined that less of the agricultural area to the east of Vineyard Avenue drains to the Specific Plan Area than was initially estimated. Similarly, it was determined that more of the agricultural area in the Specific Plan Area immediately north of Highway 101 drains to the Santa Clara River than was initially estimated. The updated tables are provided on the preceding pages. As reflected in revised Table 4.5-31, only the loading of chloride and ammonia to the Santa Clara River will increase as a result of the project, and this is primarily due to the increase in cumulative runoff volume rather than any increase in stormwater concentrations. No new significant impacts, therefore, have been identified.

2) Estimates of the amount of additional runoff generated by the project during wet and dry years.

Please see revised Table 4.5-32. The RiverPark Project will increase the amount of runoff under average, dry, and wet year conditions in comparison to the existing conditions. This is a result of increased impervious acreage and the development of the proposed stormwater treatment system, which changes the routing of the runoff from the off-site industrial and agricultural areas from the existing mine pits and county drainage basins to the Santa Clara River.

3) Estimate of the amount of increased or decreased percolation due to the project.

See revised Table 4.5-33. As a result of the increased impervious areas and the development of the proposed stormwater treatment system, which changes the routing of the runoff, less water is allowed to percolate under the project conditions in comparison to the existing conditions. The analysis in the Draft EIR does show, however, that the project will result in a net gain based upon the water balance calculations. This is largely a result of converting agricultural land to residential and commercial uses, which use less water, and the addition of UWCD's uses of the gravel pits for water storage and infiltration.

4) Change in groundwater and surface water contributions under historic drought conditions and 10-yr, 50-yr and 100-yr floods.

Please see revised Table 4.5-34 and page 4.5-98 of the Water Resources Section of the RiverPark EIR. The project will result in a net decrease in contributions to the groundwater (Montalvo Forebay) and a net increase in contributions to surface water (Santa Clara River). This result applies to all drought and flood conditions. The combined groundwater and surface water contributions are approximately equal for existing and project conditions. As indicated in the water balance section of the RiverPark EIR, the project results in a net gain to the water balance. This is largely a result of converting agricultural land to residential and commercial uses, which use less water, and the addition of UWCD's uses of the gravel pits for water storage and infiltration. However, even if UWCD's project does not come to fruition, the existing project still represents a net gain to the water balance in comparison to the existing conditions.

California Regional Water Quality Control Board – Los Angeles Region (2) (LARWQCB)

LARWQCB-2

Mitigation measures were proposed, described and analyzed for all identified significant impacts on pages 4.5-99 through 4.5-104 of the Draft EIR. Preliminary cost estimates were also provided. For fecal coliform impacts to the Santa Clara River, chlorination, hydrogen peroxide, constructed wet lands, and ultraviolet (UV) light disinfection were identified as potential mitigation measures. Of these measures, UV disinfection was deemed to be the only viable alternative. A cost estimate of $21,300,000 was developed for UV disinfection, which is not economically feasible for the project.

For iron, manganese and nickel inputs to groundwater, chlorine oxidation filtration and manganese green sand filtration were identified as potential mitigation measures. Only the manganese green sand filtrating was deemed viable. Moreover, the projected cost estimate of $10,800,000 is not economically feasible for the project.

LARWQCB-3

The analysis of water quality focused on constituent concentration, rather than loading, because all applicable standards are concentration based, including drinking water standards, Basin Plan objectives, California Toxics Rule criteria and ambient conditions.

To summarize, the analysis in the Draft EIR looked at existing and project land uses, developed runoff concentrations for each of the constituents for each of the various land uses, estimated the volume of the run-off, applied treatment reduction factors, then compared the discharged concentrations (to both

groundwater and stormwater) to the thresholds of significance. Where the discharged concentration exceeded a threshold, a significant impact was identified.

Load calculations were made for those stormwater constituents that were identified as impairments to nearby reaches of the Santa Clara River in response to a request from the Regional Board for this information. This information is described above.

LARWQCB-4

Pesticides included in the EPA 8080 suite of analytes, including DDT and 4,4'-DDE, are no longer applied today, nor are they included in the Title 22 list of regulated drinking water constituents, and, other than Chem A, are not identified as impairments to the Santa Clara River. These three conditions were used to select the pesticides included for impacts analysis in the RiverPark EIR. The decision to utilize Lannate was based on discussions with the Agricultural Commissioner's office. A list of pesticides used for strawberries in Ventura County was provided. This list included Lannate (active ingredient methomyl), Rovral (ipordione), Roundup (glyphosate, N-(phosphoromethyl) glycine), Sevin (Carbaryl, 1-Naphthyl-N-methyl carbamate), Thiolux (sulfur), Rally (Myclobutanil), and Benlate (beonomyl). Based on a review of their physical characteristics, Lannate was judged as the most problematic of the group as it is the most mobile and soluble. Chem A pesticides, while no longer applied today, are listed as impairments to the River. Therefore, Lannate and ChemA were the only pesticides included in the EIR impacts analyses.

In response to the request of the Regional Board, 4,4-DDE has been added to the analysis constituents of concern evaluated in the stormwater impacts analyses. 4,4-DDE (p,p-DDE) was not detected (Analytical Detection Limit = 50 nanograms per liter [ng/L; same as parts per trillion]) in either of the samples taken by Hanson Aggregates on 1/17/00 and 4/17/00 of runoff from the agricultural land to east of the Large Woolsey Pit, nor was it detected in any of the 4 industrial areas sampled on those two dates. 4,4-DDE was the only pesticide analyte detected in the three runoff samples taken in 1999 by UWCD from the El Rio agricultural area. 4,4-DDE was measured at 70 ng/L in one sample, and was not detected in the other two. Based on the February 1999 VCFCD Stormwater Management Plan, the mean 4,4'-DDE runoff concentration at their A-1 Woods Rd. (agricultural) land use site was 251 ng/L; it was detected in 7 of 10 total samples taken between 1994 and 1998 (a statistical method was used to estimate undetected concentrations). Based on the Ventura Countywide Annual Reports, 4,4'-DDE concentrations in runoff sampled at the A-1 Woods Road (agricultural) land use site were as follows:

- 120 ng/L (median) for 3 samples taken in 1994/1995,
- 170 and 840 ng/L for samples taken on 10/29/96 and 11/20/96,

- 444, 219 and 114 ng/L for samples taken on 1/9/98, 1/29/98 and 3/24/98,
- 60.6, 461 and 228 ng/L for samples taken on 1/25/99, 1/31/99 and 3/15/99,
- 155, 2940 and 184 ng/L for samples taken on 1/25/00, 2/12/00 and 2/20/00,
- 451 ng/L for a sample taken on 1/10/01.

Applied Environmental Technologies (AET) has also recently conducted local agricultural drain sampling, and these results were compiled in a report prepared for Southland Sod Farms in Oxnard dated February 19, 2002. Sediment and water samples were taken along a portion of the Oxnard Drainage District Ditch extending from east of Edison Drive to Arnold Road, Oxnard, California. The primary source of water in the ditch is irrigation and storm water runoff from agricultural fields and roads in the south Oxnard area. The data serves as the only local agricultural ditch sediment sampling available to our knowledge. There was soil sampling conducted at the RiverPark site, and the summary of this data (another AET report) can be found in an Appendix 4.13 of the EIR. The conclusion was that site soil concentrations did not exceed EPA Region 9 Preliminary Remediation Goal (PRG) values.

Based on the recent AET report prepared for Southland Sod, only DDD and DDE were detected in the ditch sediments; all other pesticides (including DDT and ChemA pesticides) were not detected. The detected concentrations were compared with the hazardous waste standards for soil (total and soluble threshold limit concentrations), and no exceedances were found. There was also one ditch water sample taken during this study, and all pesticide analytes were reported below detection limit (for DDE, the detection limit used was 90 ng/L).

To summarize, local agricultural area stormwater sampling has resulted in 4,4-DDE concentrations ranging from non-detect (less than 50 ng/L) to 461 ng/L (discounting the one anomalous County result from 2/12/00 of 2940 ng/L). According to the proposed RiverPark stormwater management system design, all off-site agricultural drainage flows will blend with flows from the industrial, residential and commercial drainage areas (which are essentially free of pesticide loads), and will receive treatment via the dry swales and detention basins prior to discharge to either the Santa Clara River or the gravel pits. Therefore, anticipated stormwater discharge concentrations will be significantly lower than those results presented above, which were sampled directly from the agricultural drains.

The EPA ambient water quality criteria for the protection of aquatic organisms lists the freshwater acute standard at 1.05 mg/L. This criteria is applicable for the Santa Clara River. As anticipated agricultural runoff concentrations for 4,4-DDE are orders of magnitude less than this threshold of 1.05 mg/L, DDE concentrations in runoff to the Santa Clara River will not result in a significant impact.

Winston H. Hickox
Secretary for Environmental Protection

California Regional Water Quality Control Board

Los Angeles Region

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Gray Davis
Governor

March 8, 2002

Mr. Gary Sugano, Principal Planner
City of Oxnard
305 West Third Street, 2nd Floor
Oxnard, CA 93030

DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) DATED DECEMBER 2001 FOR PROPOSED RIVERPARK PROJECT, VINEYARD AVENUE/US 101, OXNARD, CALIFORNIA (SCH#2000051046)

Dear Mr. Sugano:

We thank you and the project consultants for meeting with us on February 6, 2002 to discuss our concerns and comments on the DEIR relayed to you in our letter dated January 17, 2002. As discussed at the meeting, we understand that the proposed project would develop 701 acres of land of which 244 acres would be for 2,805 units of residential homes, 147 acres for commercial uses, 266 acres of open space and 44 acres containing public facilities. The purpose of this letter is to supplement our January 17, 2002 letter, and reiterate some points discussed during our meeting.

Storm Water Issues

The RiverPark Project plan includes provisions for the control and management of storm water runoff generated within the project area (701 acres) and run on (whose sources and acreage need to be defined). The storm water runoff management involves passing it through proposed best management practices (BMPs) before discharging it to the Santa Clara River through existing drain outlets, or to the mine pits, depending upon the magnitude of the rainfall event and the location of the drainage area.

Stormflows that exceed the 10-year event peak flow from Drainage Areas 2B (residential drainage), 3 (industrial drainage), and 4 (agricultural drainage) will bypass directly to the mine pits named Brigham-Vickers Water Storage, or/and the Large Woolsey Water Storage.

We believe that storm water management for the area merits special attention, due to the following factors:

- Ground water is very shallow in the area.
- Soils are very coarse, and the attenuation of pollutants that we would expect in finer soils is unlikely.
- Gravel pits have been excavated in the area, and in some cases are so deep to have exposed ground water.
- The beneficial uses of ground water in the area have already been impaired by nutrients, coliform, and salts. The proposed development will increase the volume of runoff entering the pits, and may increase pollutant loads.
- The development is located in a recharge area for aquifers that are an important source of local water for Ventura County. As such, precautions are needed to ensure no degradation of water quality.

For these reasons, we believe that you must work very closely with local agencies responsible for this project to ensure that a Storm Water Quality Urban Impact Mitigation Plan (SQUIMP) is well designed and implemented, and meets water quality objectives to the maximum extent practicable. Furthermore, to demonstrate the effectiveness of the SQUIMP, you need to work with the local agencies and Regional Board to design an appropriate monitoring program. LARWQCB-16

Your DEIR states that the concentrations of fecal coliform in surface water discharge and the concentrations of iron, manganese and nickel in runoff that will be discharged to the mine pits will be higher than the significance thresholds (ambient, drinking water standards, or California Toxic Rule) for these constituents and are identified as significant impacts. (DEIR, vol.1, p.4.5-85-86). You need to, therefore, upgrade your BMPs to the maximum extent practicable or design a treatment system to meet water quality objectives. LARWQCB-17

Based on these significant concerns, the following requirements apply to this project:

1. Waste discharge requirements with discharge limitations may be prescribed for the project in the event of any exceedances of applicable thresholds by pollutants of concern. In order to determine compliance, we expect that you will provide the local agency overseeing this project with a monitoring and reporting program that, at a minimum, incorporates the following: LARWQCB-18

    - Pollutants of concern that need to be analyzed
    - Monitoring and reporting frequency
    - Monitoring stations
    - BMP effectiveness

2. A number of BMPs, such as detention basins, catch basin inserts and swales are proposed for the treatment of runoff at the site. One of the most important components of a train of BMPs is the maintenance plan. To that effect, we expect that you will prepare and submit a BMP LARWQCB-19

maintenance manual itemizing such issues as installation schedule and cleanup frequency for all BMPs proposed at the site, and setting forth the way in which maintenance will be funded. LARWQCB-19

TMDL Issues

As described in our first CEQA response letter dated January 17, 2002, the project site lies in the Santa Clara watershed. In 1998, the Regional Board designated the Santa Clara River as impaired, pursuant to Section 303(d) of the Clean Water Act (CWA), for coliform, ChemA, nutrients, and salts. Impairments listed in the vicinity and downstream of the proposed project include coliform bacteria and historic pesticides, and the Regional Board will be developing Total Maximum Daily Loads (TMDLs) for these pollutants. The CWA precludes the Regional Board from providing CEQA approval for projects which will increase the discharge of contaminants to a watershed for which it has already been found to be impaired. Your response to our letter describes how best available data indicate that the project may result in a reduction in coliform and ChemA loading. Should you provide additional information from ongoing monitoring to support this conclusion, we would appreciate the opportunity to revisit our CEQA review. LARWQCB-20

We appreciate the work already completed by you, and look forward to working with you.

Sincerely,

Eilgu Solomon, Unit Chief
Ventura MS4 Unit

cc: Sally Coleman, Ventura County Flood Control District
Ken Ortega, City of Oxnard
Mark Wareham, Keller CMS
Lowell Preston, Fox Canyon Groundwater Management Agency
Dana Wisehart, United Water Conservation District
Timothy J. Thompson, Integrated Water Resources, Inc.

California Regional Water Quality Control Board – Los Angeles Region (1) (LARWQCB)

LARWQCB-1

This letter from the Regional Board, dated January 15, 2002, identifies four impairments (nutrients and their effects, salts, coliform bacteria and historic pesticides) listed for lower reaches of the Santa Clara River. The 1998 303(d) listed impairments can be found in the December 2000 Watershed Management Initiative. This list identifies two impairments (coliform bacteria and historic pesticides) for the reaches of the Santa Clara River downstream of the RiverPark project area. Nutrients and their effects and salts are listed as impairments for reaches of the Santa Clara River upstream of the project. The revised 2002 303(d) list does not add any other impairments to reaches downstream of RiverPark.

The information items requested in this letter are identical to those requested in the Notice of Preparation response letter from the Regional Board dated May 22, 2000. These items were all addressed in detail in the EIR and carefully considered in the design of the storm drain and stormwater quality treatment system included in the proposed RiverPark Specific Plan.

The stormwater management system for RiverPark consists of several Best Management Practices (BMPs) incorporated into the stormwater drainage system. Catch basin inserts, centrifugal separators, and pervious pavement BMPs will be used in the commercial and a portion of the residential areas in the southern portion of the Specific Plan Area. Dry swales and lined detention basins sized to accommodate the full volume of flows generated by storms up to and including the 10-year event (5.53-inch, one day storm event) are used to treat runoff from the remainder of the residential areas in the northern portion of the Specific Plan Area as well as the runoff from the off-site industrial and agricultural areas that drain into the Specific Plan Area. During storms greater than the 10-year event, the basins and swales will divert excess flows to the adjacent mining pits. Selection of the 10-year storm event as a design criteria (flow and storage capacity) for the swales and basins was based on resolutions of the United Water Conservation District and the Fox Canyon Groundwater Management Agency and greatly exceed the design criteria established by the Ventura County SQUIMP and Land Development Guidelines.

These BMPs will be designed in conformance with the County's SQUIMP and Land Development Guidelines. Design features will include the use of baffles to ensure proper retention time, energy dissipators to protect inlets and outlets from erosion and from the resuspension of settled solids, and appropriately designed slopes to allow for maintenance of the detention basins.

The City of Oxnard will maintain the stormwater quality treatment system. A stormwater quality monitoring program will be established to properly evaluate the performance of the BMPs. An operations and maintenance manual will be prepared for the stormwater facilities, and a contingency plan will be established to provide emergency protocol if discharge concentrations exceed permitted levels. Further, the BMPs will be designed to contain all dry weather nuisance flows, so that there will be minimal discharge from the project to the River during dry weather conditions. This is significant since dry weather represents the critical condition for salts and nutrients, two of the 303(d)-listed impairments for the lower reaches of the Santa Clara River.

Stormwater Quality Analysis Summary

The overall stormwater management system as proposed has been designed to protect groundwater and surface water from both on- and off-site project stormwater discharges. Extensive analysis of the effectiveness of this proposed system on runoff quality and potential impacts to ground and surface water quality is provided in Section 4.5, Water Resources, of the Draft EIR. The design improves stormwater quality to the maximum extent practical through a series of natural filtration and detention BMPs. Finally, since the shallow water table and coarse soils beneath the project site preclude the use of infiltration facilities, the design is intended to convey runoff from the vast majority of storms from both on and off-site drainage areas to the Santa Clara River, while simultaneously preserving the existing quality of this surface water body.

Given this overall picture of groundwater protection, stormwater quality improvement, and safe conveyance of stormflows to the River, the RiverPark EIR conservatively evaluates all potentially significant impacts associated with this system. Potentially significant impacts to surface water in the Santa Clara River were identified as stormwater discharge concentrations of constituents that exceed the lesser of ambient River water quality and Basin Plan Objectives for most constituents, and California Toxics Rule criteria for metals as this was the most stringent applicable criteria for this category of pollutants. Potentially significant impacts to the groundwater were defined as stormwater discharge concentrations of constituents that exceed the lesser of ambient groundwater quality and state drinking water standards.

The conclusions of this conservative, concentration-based analysis are summarized on page 4.5-104 of the Draft EIR. A significant impact to the quality of surface water in the Santa Clara River was identified from calculated fecal coliform concentrations, which may exceed the REC-1 Basin Plan Objective, which was selected as the threshold of significance for this constituent. Concentrations of fecal coliform in

runoff from the Specific Plan Area will, however, be reduced from existing conditions. In addition, discharge concentrations are expected to be similar to ambient wet-weather River water quality.

Impacts to groundwater are a result of anticipated iron, manganese and nickel concentrations in stormwater exceeding existing ambient groundwater concentrations for these constituents. Anticipated discharge concentrations are, however, less than drinking water standards for each constituent. Furthermore, stormwater discharges to the pits will only occur from stormflows generated by the portion of a given storm that exceeds the 10-year event, because the on-site stormwater system has the capacity to hold and convey all flows from the on-site *and* tributary off-site areas, up to and including the 10-year storm event, to the Santa Clara River.

Conceptually, most stormwater quality models are based on the assumption that a given land use with a given annual rainfall is expected to generate a given constituent load per acre via stormwater discharge each year. This approach is consistent with the Regional Board's Total Maximum Daily Load (TMDL) calculation methodology. To properly evaluate the effects the proposed RiverPark development will have on constituent loads to the River and groundwater, the project must be viewed in this context. A systematic, objective approach to estimating constituent loads was used in the analysis in the Draft EIR, whereby proposed changes to drainage patterns, land uses and stormwater best management practices were considered.

The total drainage area acreage that is currently tributary to both the pits and the Santa Clara River will change as a result of the development of the County's Juvenile Justice Center ("JJC") Project, which is currently under construction. This site will convert agricultural lands that previously discharged to one of the mine pits to a municipal facility that will contain and percolate all of its runoff onsite. Therefore, the post-RiverPark project drainage area will not include the JJC lands.

The proposed RiverPark Specific Plan would change open areas on the existing mine site and agricultural land to commercial and residential uses. This land use change will cause an increase in total impervious acreage, and associated changes to the stormwater constituent concentrations including decreased sediment, nutrient, salt and pesticide concentrations and increased metal and hydrocarbon concentrations.

Under existing drainage conditions, the off-site industrial areas to the north drain directly to the gravel pits and the off-site agricultural areas to the east of Vineyard Avenue drain to an unlined county drainage basin. Runoff from within the Specific Plan Area is either contained onsite or discharged to the Santa Clara River through an existing storm drain in the southwestern corner of the Specific Plan Area.

Following implementation of the proposed drainage system, all runoff, including off-site industrial and agricultural runoff and on-site residential and commercial runoff, will be conveyed through pretreatment dry swales to lined detention basins, and then discharged to the Santa Clara River. Only during the portion of a given storm that exceeds the 10-year event will untreated stormwater enter the pits. Therefore, stormwater flows, which are currently untreated, will receive significant treatment under the proposed project conditions before discharging to the Santa Clara River resulting in a substantial improvement of discharged water quality.

The attached tables have been prepared to elaborate and clarify the quantitative analysis conducted on the stormwater constituent loads from the site in the Draft EIR. **Table 1** describes the existing and proposed mix of land uses within the Specific Plan Area and off-site areas draining to the Specific Plan Area. The total acreages differ as a result of the County's Juvenile Justice Center Project, which will retain all runoff onsite, thereby reducing the size of the off-site areas draining to the RiverPark Specific Plan Area.

Table 2 shows the routing of the runoff from the various land uses. Under the existing conditions, only commercial and agricultural land uses discharge to the Santa Clara River. All other runoff infiltrates to groundwater. Following implementation of the proposed project, all four land use types will contribute runoff to the Santa Clara River during storm events up to and including the 10-year event. For the portion of a given storm event that exceeds the 10-year event, the stormwater system is design to allow the controlled and regulated diversion of stormwater to the mine pits.

Table 3 shows the relative amounts of flows (to groundwater and surface water) for both the existing conditions and the project. Since evapotranspiration effects are not included in the calculation (which is acceptable given the limited precision of the analysis), the combined runoff totals to both groundwater and surface water are approximately equal (the difference being the loss of the Juvenile Justice Center runoff contribution). The project will increase the amount of runoff discharged to the Santa Clara River and decrease the amount percolated to groundwater relative to existing conditions.

Tables 4 and **5** present the constituent removal rates for the existing conditions and the project. Constituent removal for the existing conditions is limited to infiltration. Constituent removal mechanisms for the project conditions represent the use of the proposed dry swales, detention basins, and centrifugal separation units for the different planned land uses. A comparison of the two tables indicates that the project stormwater treatment system provides equivalent or superior removal rates for all constituents for all land uses.

Table 6 presents the quality of the raw and treated flows to groundwater for both the existing conditions and the proposed project. The table shows that the project runoff will be at a lower concentration than the existing runoff for all constituents with the exception of chloride. Chloride is expected to be just slightly higher (30.8 mg/L versus 30.5 mg/L) as a result of the additional commercial development.

Table 7 presents the quality of the raw and treated flows to surface water for both the existing and project conditions. This table shows that the project runoff will be lower in concentrations for all constituents in comparison to existing conditions.

Table 8 shows the annual mass loading to groundwater for the existing conditions and the project. This table illustrates that for all constituents, the project represents an improvement over existing conditions.

Table 9 shows the annual mass loading to surface water in the Santa Clara River for the existing conditions and the project. The data indicates that constituent loading will decrease as a result of the project for all constituents, with the exceptions of chloride and ammonia. This is primarily attributed to an increase in runoff volumes as shown in **Table 3**, and not an increase in the runoff concentrations.

With regard to stormwater discharges to the Santa Clara River, constituent loading during critical conditions is of greatest concern. These critical conditions are either flows occurring during dry weather conditions which may have high concentrations of salts and nutrients, or flows occurring during wet-weather conditions which may have high concentrations of pathogens and pesticides. Therefore, these critical conditions represent the potentially problematic dry weather chloride and ammonia contributions to the River. The RiverPark stormwater treatment system is designed to eliminate dry weather flows from most of the project and off-site areas. Therefore, although the attached calculations show an increased mass loading of chloride and ammonia to the Santa Clara River, this loading would only occur during wet-weather stormwater discharges, which is not a critical condition applicable to this existing impairment in the Santa Clara River. For this reason, this increase in the loading of chloride and ammonia is not a significant impact.

Table 10 shows the combined total loading to groundwater and surface water. It is important to note that the combined loading to surface and groundwater for all of the analyzed constituents will decrease as a result of the project.

Table 1. Land Use Breakdown

Scenario	Area, acres					
	Industrial	Agricultural (1)	Residential	Commercial	Basins (2)	Total (3)
Existing Conditions	267.3	422.4	0.0	46.5	173.0	909.2
Project Conditions	134.0	78.6	368.4	192.2	173.0	946.2

Notes:

1. Agricultural land uses for existing conditions include the following: 223.8 acres of existing agriculture in RiverPark A, 78.6 acres in Drainage Area #4 (east of Vineyard Avenue), 75 acres of existing County of Ventura drainage basins, and 45 acres of agriculture on the JJC site.
2. The listed 173 acres includes the Brigham, Vickers, Small Woolsey, and Large Woolsey basins only. Existing County of Ventura drainage basins (El Rio Detention Basins 1 and 2) are considered agricultural land uses for existing conditions. The proposed stormwater detention basins are considered residential land uses for project conditions.
3. Difference in Existing and Project Conditions acreages is the County's Juvenile Justice Center (runoff contained on-site under project conditions).

Table 2. Runoff Routing

Scenario	Industrial (1)	Agricultural (2)	Residential	Commercial	Basins
Existing Conditions	GW	SW	SW	SW	GW
Runoff Coefficients (1)	0.00	0.40	0.68	0.59	0.00
Project Conditions	SW	SW	SW	SW	GW
Runoff Coefficients (1)	0.81	0.76	0.68	0.59	0.00

Notes:

1. The difference in runoff coefficients is based on the way that drainage patterns will be affected. Currently, industrial portion of the existing site is assumed to only percolate to groundwater.
2. The listed runoff coefficient for existing agricultural land use is a composite based on the way that the drainage is routed. Of the 422.4 acres listed in Table 1, only the 223.8 acres of agriculture is expected to discharge to surface water (using a runoff coefficient of 0.76). All other agricultural uses (remaining 198.6 acres) are expected to discharge to groundwater (runoff coefficient of 0).

Table 3. Runoff Amounts

Scenario	Rainfall, inches	Existing Conditions, AF			Project Conditions, AF		
		Surf. Water	Groundwater	Total	Surf. Water	Groundwater	Total
Average Year (from 79/80 to 98/99)	16.6	162	857	1,018	736	333	1,070
Wet Year (1997/98)	37.97	370	1,959	2,329	1,684	763	2,447
Dry Year (1989/90) = Historic drought	5.46	53	282	335	242	110	352
10-year event (1)	4.14	40	214	254	184	83	267
50-year event (1)	5.68	55	293	348	252	114	366
100-year event (1)	6.31	61	326	387	280	127	407

Notes:

1. Rainfall amounts based on Ventura County Flood Control District Probable Maximum Precipitation based on 1-day event at El Rio Station 239.
2. Runoff volumes to groundwater ignore the effects of evapotranspiration.

Table 4. Treatment Effectiveness - Existing Discharges

	Removal Rates							
	Industrial Discharges		Agricultural Discharges		Residential Discharges		Commercial Discharges	
Constituent	Surf. Water	Groundwater	Surf. Water	Groundwater	Surf. Water	Groundwater	Surf. Water	Groundwater
TSS	NA	100%	0%	100%	NA	NA	0%	100%
MINERALS								
Sulfate	NA	0%	0%	0%	NA	NA	0%	0%
Chloride	NA	0%	0%	0%	NA	NA	0%	0%
TDS	NA	0%	0%	0%	NA	NA	0%	0%
Boron	NA	30%	0%	30%	NA	NA	0%	30%
NUTRIENTS								
Nitrate	NA	50%	0%	50%	NA	NA	0%	50%
Ammonia	NA	20%	0%	20%	NA	NA	0%	20%
PESTICIDES (1)								
ChemA								
Aldrin	NA	100%	0%	100%	NA	NA	0%	100%
Dieldrin	NA	100%	0%	100%	NA	NA	0%	100%
Chlordane	NA	100%	0%	100%	NA	NA	0%	100%
Endrin	NA	100%	0%	100%	NA	NA	0%	100%
Heptachlor	NA	100%	0%	100%	NA	NA	0%	100%
Heptachlor epoxide	NA	100%	0%	100%	NA	NA	0%	100%
HCH	NA	100%	0%	100%	NA	NA	0%	100%
Endosulfan	NA	100%	0%	100%	NA	NA	0%	100%
Toxaphene	NA	100%	0%	100%	NA	NA	0%	100%
DDE	NA	100%	0%	100%	NA	NA	0%	100%
Lannate	NA	99%	0%	99%	NA	NA	0%	99%
MICROORGANISMS								
Total Coliform	NA	99%	0%	99%	NA	NA	0%	99%
Fecal Coliform	NA	99%	0%	99%	NA	NA	0%	99%
Fecal Streptococci	NA	99%	0%	99%	NA	NA	0%	99%

Notes:

NA - Removal efficiency not applicable as there are no discharges to surface water from this land use.

1. Pesticide removal for pesticides is based on a review of the soil sorption coefficient, Koc. High values are indicative of a strong affinity for binding with soil particles Based on a review of the USDA Agricultural Research Service website (http://wizard.arsusda.gov/acsl/ppdb.html), the following are the recommended Koc values for the listed pesticides: aldrin - 17,500, dieldrin - 12,000, chlordane - 60,000, endrin - 10,000, HCH (hexachlorocyclohexane) - 1,355, heptachlor - 24,000, endosulfan - 12,400, toxaphene - 100,000, DDE - 381,000, and lannate (methomyl) - 86. Heptachlor epoxide is a by-product of heptachlor degradation. Heptachlor epoxide did not have a separate listing on that website, but based on the EPA fact sheet for heptachlor and heptachlor epoxide (http://www.epa.gov/OGWDW/dwh/t-soc/heptachl.html), both are expected to adsorb strongly to soil and, therefore, be resistant to leaching to groundwater. On this basis, it is assumed that since most of the pesticides are strongly bound to the soil, that there would 100 percent removal in the discharges to groundwater for all of the pesticides except lannate. The lannate removal is based on the soil sorption coefficient (86/87 = 99%).

Table 5. Treatment Effectiveness - Project Discharges

	Removal Rates							
	Industrial Discharges		Agricultural Discharges		Residential Discharges		Commercial Discharges	
Constituent	Surf. Water	Groundwater	Surf. Water	Groundwater	Surf. Water (1)	Groundwater	Surf. Water	Groundwater
TSS	97%	100%	97%	100%	80%	100%	40%	100%
MINERALS								
Sulfate	23%	20%	20%	20%	15%	20%	0%	0%
Chloride	0%	0%	0%	0%	0%	0%	0%	0%
TDS	0%	0%	0%	0%	0%	0%	0%	0%
Boron	90%	75%	89%	75%	67%	75%	20%	23%
NUTRIENTS								
Nitrate	79%	50%	75%	50%	56%	50%	0%	50%
Ammonia	23%	20%	20%	20%	15%	20%	0%	20%
PESTICIDES								
ChemA								
Aldrin	97%	100%	97%	100%	80%	100%	40%	100%
Dieldrin	97%	100%	97%	100%	80%	100%	40%	100%
Chlordane	97%	100%	97%	100%	80%	100%	40%	100%
Endrin	97%	100%	97%	100%	80%	100%	40%	100%
Heptachlor	97%	100%	97%	100%	80%	100%	40%	100%
Heptachlor epoxide	97%	100%	97%	100%	80%	100%	40%	100%
HCH	97%	100%	97%	100%	80%	100%	40%	100%
Endosulfan	97%	100%	97%	100%	80%	100%	40%	100%
Toxaphene	97%	100%	97%	100%	80%	100%	40%	100%
4,4-DDE	97%	100%	97%	100%	80%	100%	40%	100%
Lannate	0%	99%	0%	99%	0%	99%	0%	99%
MICROORGANISMS								
Total Coliform	95%	99%	94%	99%	71%	99%	20%	99%
Fecal Coliform	95%	99%	94%	99%	71%	99%	20%	99%
Fecal Streptococci	95%	99%	94%	99%	71%	99%	20%	99%

Notes:

1. Removal rates for residential runoff to surface water is calculated as the flow weighted removal rates for Drainage Area 1 (50% of the flow receives centrifugal separator unit treatment), Drainage Area 2A (100% of the flow receives dry swale treatment), and Drainage Area 2B (100% of the flow receives dry swale and detention basin treatment).
2. Pesticide removal is based on the soil sorption coefficient as in Table 4.

SOUTHERN CALIFORNIA
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January 14, 2002

Mr. Gary Sugano
Principal Planner
City of Oxnard
Planning and Environmental Services Division
305 West Third Street
Oxnard, CA 93030

RE: **Comments on the Draft Environmental Impact Report for the Riverpark Project – SCAG No. I 20010666**

Dear Mr. Saguno:

Thank you for submitting the **Draft Environmental Impact Report for the Riverpark Project** to SCAG for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

It is recognized that the proposed Project considers the development of a mixed-use community consisting of open space, residential, commercial and public facilities uses. The Project would include 2,805 residential units and approximately 2.485 million square feet of commercial space. The 701-acre project is located immediately north of the Ventura Freeway (U.S. 101), between Vineyard Avenue and the Santa Clara River in the City of Oxnard.

SCAG staff has evaluated the Draft EIR for the Riverpark Project for consistency with the Regional Comprehensive Plan and Guide and Regional Transportation Plan. The Draft EIR includes a discussion on the proposed Projects' consistency with SCAG policies and applicable regional plans, which were outlined in our May 19, 2000 letter on the Notice of Preparation (NOP) for this Draft EIR.

The Draft EIR cited SCAG policies and addressed the manner in which the proposed Project is consistent with applicable core policies and supportive of applicable ancillary policies. This approach to discussing consistency or support of SCAG policies is commendable and we appreciate your efforts. SCAG-1

During the time the Draft EIR for the proposed Project was being prepared, SCAG adopted the 2001 Regional Transportation Plan (April 2001). References made to the 1998 RTP should be updated and/or changed to reflect the 2001 RTP in the Final EIR for the proposed Project. SCAG-2

Based on the information provided in the Draft EIR, we have no further comments. A description of the proposed Project was published in the December 1 – December 15, 2001 Intergovernmental Review Clearinghouse Report for public review and comment. If you have any questions, please contact me at (213) 236-1867. Thank you.

Sincerely,

JEFFREY M. SMITH, AICP
Senior Planner
Intergovernmental Review

Southern California Assoc. of Gov. (SCAG)

SCAG-1

The endorsement by SCAG of the manner in which the Draft EIR analyzed the consistency of the project with the policies in the SCAG Regional Plan and Guide is appreciated.

SCAG-2

References to the Regional Transportation Plan (RTP) will be updated in the Final EIR to refer to the adopted 2001 RTP rather than the 1998 RTP. The City of Oxnard has reviewed the 2001 RTP. No changes to the conclusions on the consistency of the project with the policies in the RTP result from the revisions to the 1998 RTP as reflected in the 2001 RTP or from these revisions to the EIR.

county of ventura

JAN 2 2 2002

PUBLIC WORKS AGENCY
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Transportation
John C. Crowley
Water Resources & Engineering
Lane B. Holt
Central Services
Kay Martin
Solid Waste Management
Jeff Pratt
Flood Control

January 18, 2002

City of Oxnard
Gary Y. Sugano, Senior Associate Planner
Planning and Environmental Services Division
305 West Third Street, 2nd Floor
Oxnard, California 93030

SUBJECT: RMA 01-105, Draft Environmental Report of the Riverpark Project
Tentative Tract 5352, PZ 01-5-134

Dear Mr. Sugano :

This letter is in response to the request for review of the above-mentioned project. The Flood Control District (District) has reviewed the tentative map and the draft EIR and have determined that they adequately address the issues of surface water quality and quantity.

The project area contains several District jurisdictional channels, rights-of-way and some parcels of land to which the District is the fee-title holder. Encroachments and/or connections to these areas will require review and permitting by the District. VCFCD-1

The detailed design of the surface water quality BMPs will be reviewed in the future, as they are prepared and submitted. VCFCD-2

If you have questions concerning this review, please call the undersigned at 654-2011, or for water quality questions, please call Jayme Laber at 662-6737

Very truly yours,

Fred Boroumand, P.E.
Manager, Permit Section, Planning and Regulatory Division
Flood Control Department

RECD JAN 2 2 2002

FB/tt
c: Sally Coleman, City of Oxnard
Joseph Eisenhut, RMA Planning, County of Ventura

LOG NO. 20011231-004 & 20011219-001

County of Ventura Public Works Agency – Flood Control Department (VCFCD)

VCFCD-1

The City of Oxnard and the project applicant are aware of the location of property and facilities owned by the VCFCD and have addressed these facilities in the planning of the RiverPark Project. A Memorandum of Understanding ("MOU") was executed on June 5, 2001, by the County of Ventura, City of Oxnard, VCFCD, and the project applicant which addresses the disposition of property and facilities owned by the VCFCD. The applicant will provide storm drain improvements in exchange for certain property owned by the Flood Control District within the Specific Plan Area.

VCFCD-2

The final design of the surface water BMPs will be submitted to the VCFCD for review and comment.

PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic and Planning & Administration

MEMORANDUM
January 17, 2002

TO: Resource Management Agency, Planning Division
Attention: Joseph Eisenhut

FROM: Nazir Lalani, Principal Engineer NL

SUBJECT: Review of Document 01-105
Draft Environmental Impact Report
River Park Specific Plan Located within the City of Oxnard and the adjacent unincorporated area presently under the jurisdiction of the County of Ventura
Lead Agency: The **City of Oxnard**

The Transportation Department has reviewed the subject Draft Environmental Impact Report (DEIR) for the River Park Specific Plan as proposed by the City of Oxnard. The proposed Plan allows for the development of a new mixed-use community containing 2,730 residential units and 3.0 million SF for commercial use. The project is located north of Ventura Freeway, between Vineyard Avenue and the Santa Clara River within the City of Oxnard and the adjacent unincorporated area presently under the jurisdiction of the County of Ventura. We offer the following comments:

1. The DEIR indicates that this project will not have a significant site-specific impact on the County's Regional Road Network. However, the 94,714 trips generated by the project will have an impact on the El Rio Community exit at Vineyard Avenue. Mitigation measures to discourage River Park traffic from using the El Rio neighborhood street system need to be identified. VCTD-1

2. Section 4.7-1 of the DEIR indicates 10% of the vehicle trip ends on the County's Regional Road Network.. The cumulative impact of this project when considered with the cumulative impact of all other approved (or anticipated) development projects in the County is potentially significant. To mitigate this cumulative impact, the project should be conditioned to pay a traffic impact mitigation fee to the County, which was specifically developed to provide a methodology for mitigation of cumulative traffic impacts. If the fee is paid, the cumulative impact of the project on County roads would be mitigated. The Reciprocal Traffic Mitigation Agreement requires payment of the project's pro rata share of the cost of mitigation to County roads within the City's area of interest. Based on the information provided in the DEIR and the current County traffic impact mitigation fee (TIMF) Ordinance (# 4246), the TIMF owed to the County would equate to $43.43 per ADT x 10% of 94,174 Average Daily Traffic (ADT) = $408,997.68 VCTD-2

3. Existing drainage problems in the area need to be adequately addressed. VCTD-3

JAN 22 2002

4. The following items in our memo dated July 24, 2001, have not been addressed:

   a. Impacts to the intersection of Victoria/ Olivas Park Drive and Victoria/ Gonzales Road need to be identified and mitigated, if necessary. VCTD-4

   b. Project specific and cumulative impacts to segments of the Regional Road Network, including US 101 and Hwy 118, need to be addressed where more than 20 peak hour trips are to be added to existing traffic. VCTD-5

   c. The phasing of the project must be coordinated with the completion of the widening and other improvements planned for the US 101 freeway bridge across the Santa Clara River. VCTD-6

   d. The project proposed to incorporate the existing County maintenance facilities located on El Rio Drive. The County will require that the project provide new maintenance facilities that meet the existing and future needs of the County maintenance operation currently housed at the El Rio facility to a location that is acceptable to the County. VCTD-7

   e. Impacts to the US 101 freeway exit at Vineyard Avenue, which is already operating at a poor level of service, have not been addressed. VCTD-8

   f. The County General Plan shows Kimball Road and State Route 118 running through the proposed project site. The DEIR should address the conflict between the County General Plan and the Oxnard River Park specific plan. VCTD-9

5. The Maintenance Division comments will be provided separately.

6. Our review of this DEIR 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.

c: Jim Myers
Ken Gordon

NL-RH-BE-AB:jw
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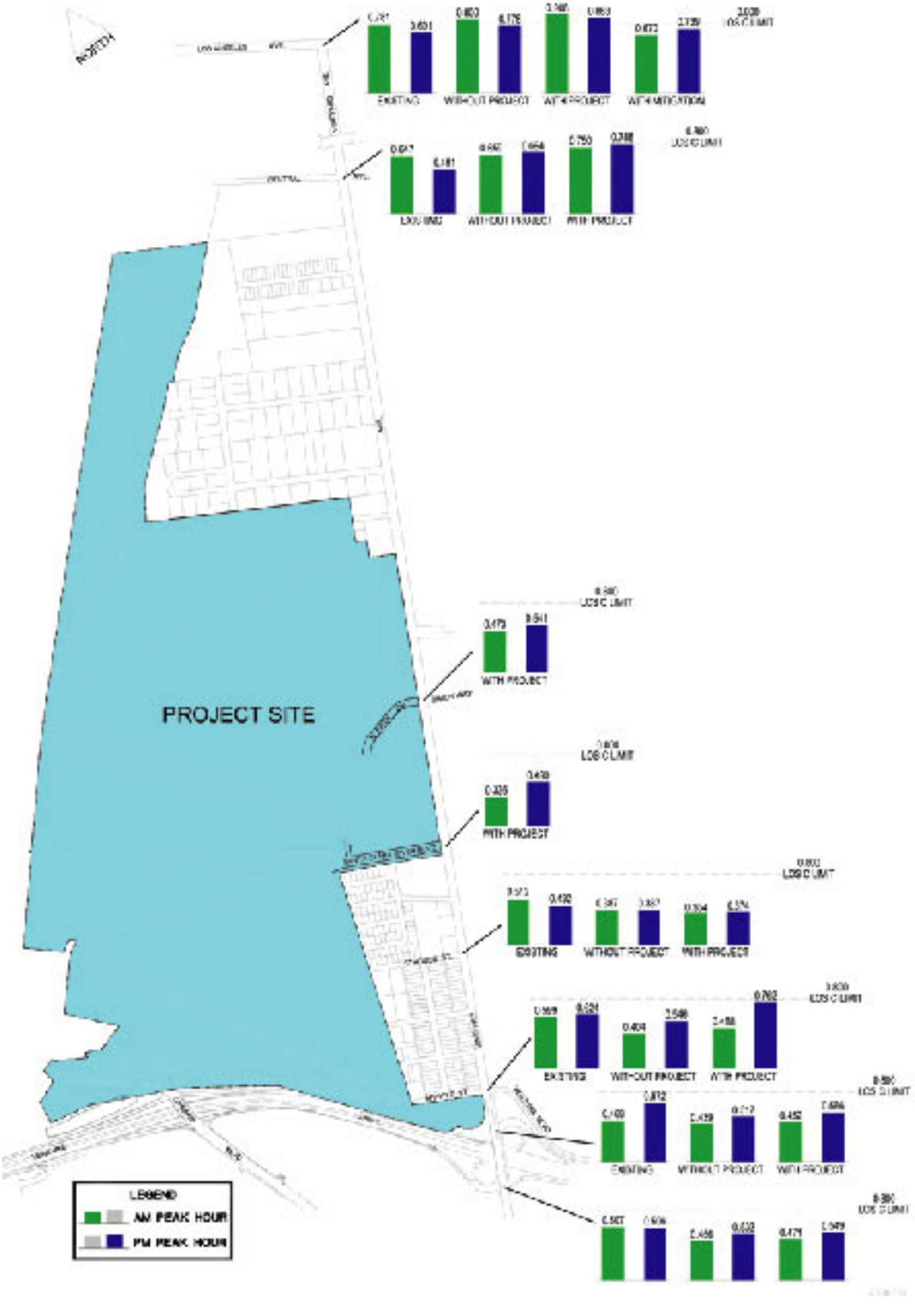
County of Ventura Public Works Agency – Transportation Department (VCTD)

VCTD-1

As described on pages 30 and 31 of the project traffic study, careful layout of the Specific Plan was performed to avoid direct connection to the street system in the El Rio Community to minimize the potential for traffic impacts in this existing residential community. Several improvements and measures are proposed to discourage traffic associated with the RiverPark Project from using the El Rio Community street system. The project will pay traffic impacts fees to both the City of Oxnard and the County of Ventura and participate in the improvement of Vineyard Avenue. As **Figure 2-3** on the next page shows, Level of Service C conditions will be maintained on Vineyard Avenue from the Ventura Freeway to Central Avenue with the addition of traffic from the RiverPark project. Intersections along Vineyard Avenue will operate at acceptable conditions with the project and the planned mitigation measures. No significant traffic will occur at intersections along Vineyard Avenue.

Presently there is no barrier between off-street parking and on-street traffic at all locations along Vineyard Avenue. In order to minimize the potential for conflicts from drivers failing to yield the right-of-way to oncoming traffic when entering or exiting parking spaces and areas, the existing Vineyard Avenue median island will be extended further to the north by the project. This median would be extended to the northerly project roadway opposite Simon Way for aesthetic as well as safety reasons. The location of this proposed extension of existing median island is shown in **Figure 2-4** following this page.

The project applicant has voluntarily offered to establish a fund for the installation of neighborhood traffic control measures. This fund will contain $150,000 available for a 5-year period to implement measures jointly agreed upon by the El Rio Community, the County Public Works Agency Transportation Department, and the District 5 Supervisor's office. Measures to be funded and built may include speed humps, added STOP signs, changes to signal timing or phasing, turn restrictions (e.g., peak hour or right-turn-on-red restrictions), chokers, traffic circles, islands or diverters. The specific measures chosen, and their location, will be agreed upon by area residents and the County. It should be noted that the RiverPark Specific Plan will have limited access routes to El Rio. Therefore, no neighborhood traffic intrusion is anticipated from the project with or without this program. However, this neighborhood traffic control program will further assure that significant neighborhood traffic intrusion impacts do not occur.



SOURCE: Crain & Associates.

FIGURE **2-3**

Future Traffic Conditions on Vineyard Avenue

SOURCE: Crain & Associates.

FIGURE **2-4**

Vineyard Avenue Proposed Widenings and Median Islands

VCTD-2

The City of Oxnard will condition the project to pay the county traffic impact fee consistent with the Reciprocal Traffic Mitigation Agreement between the City and the County. Please see page 46 of the project traffic study in Appendix 4.7 of the Draft EIR for a discussion and calculation of this fee.

VCTD-3

The Draft EIR includes a complete evaluation of existing and proposed drainage conditions in Section 4.11.1, Stormwater Drainage, of the Draft EIR. The RiverPark Specific Plan includes a storm drain master plan that will provide adequate drainage within the Specific Plan Area and capacity to accept runoff from El Rio. In addition, the project applicant has voluntarily agreed to fund storm drain improvements within El Rio to correct existing drainage problems in this area.

VCTD-4

All intersections which have potential significant impacts have been addressed. The intersections referenced in this comment do not meet the City of Oxnard study intersection criteria as the Oxnard Traffic Model shows that less than 50 peak hour trips from the RiverPark project would travel through these intersections. In accordance with the City of Oxnard study intersection criteria, the project traffic study analyzed all intersections with 50 or more peak hour trips from the project. The City of Oxnard Traffic Model includes traffic analysis zones throughout this portion of the City of Ventura and, for this reason, the trip distribution from the model is reasonable and reliable. Given the low volume of project traffic that would travel through these intersections no significant traffic impacts will occur at these intersections.

VCTD-5

Please see the responses to Comments VCTD-2 and VCTD-4 above. The County Traffic Impact Fee will be paid to assists in funding improvements to county roads.

VCTD-6

The proposed phasing of the project has been carefully coordinated with the schedule for completion of the Caltrans 101 Freeway Improvement Project as discussed on page 3.0-33 of the Draft EIR. The freeway

improvements are scheduled for completion in 2003, which is the earliest date that occupancy of any of the proposed residential or commercial use could occur.

VCTD-7

A Memorandum of Understanding ("MOU") addressing the County El Rio Maintenance Yard was executed between the County of Ventura and the project applicant on April 4, 2002. This MOU indicates the County's conditional approval of a site for the relocation of the County's El Rio Maintenance Yard.

VCTD-8

The reconstruction of the U.S. 101 freeway at Oxnard Boulevard will provide an alternative route for northbound U.S. 101 exiting traffic. The conditions on this ramp are addressed by the capacity constraint of conditions at the intersection at its terminus (No. 15) in Tables 4.7-2, and 4.7-8 (a) in the Draft EIR. As shown in Table 4.7-8 (a), the intersection of Vineyard Avenue and the US 101 Northbound Ramps currently operates at an acceptable level of service and will continue to operate at an acceptable level of service with the addition of traffic from the project.

VCTD-9

The Ventura County General Plan 2010 Regional Roadway Map does not show State Route 118 running though the project site. The RiverPark Specific Plan Area is located to the south of Los Angeles Avenue, which is designated as State Route 118.

The County 2010 Regional Roadway Map does show an alignment for the extension of Kimball Road in Ventura across the Santa Clara River through the RiverPark Specific Plan Area to the Del Norte Boulevard interchange with the Ventura Freeway. It should be noted that this extension of Kimball Road is not consistent with the Oxnard *2020 General Plan*. The Circulation Element of the Oxnard General Plan does not show this new roadway.

The City notes that following text is on page 4 of the Ventura County General Plan Public Facilities and Services Appendix under the heading of Transportation:

"The 2010 Map also depicts the areas that each city might annex in the future by indicating a city's Sphere of Influence. Within each city sphere, the city's proposed major streets (as depicted on their respective street plans) are also shown."

The City of Oxnard's Sphere of Influence is correctly shown on the County 2010 Regional Roadway Network Map. The Kimball Road extension as shown, however, is not consistent with the City's Circulation Element and, for this reason, does not appear to be consistent with the intent of the 2010 Regional Roadway Network Map as described above.

Appendix A of the project traffic study, contained in Appendix 4.7 of the Draft EIR, contains a full analysis of traffic conditions in the area with the Kimball Road extension. A run of the Oxnard Traffic Model was completed to examine traffic conditions in the area with an extension of Kimball Road across the Santa Clara River connecting to Santa Clara River Boulevard as planned in the Specific Plan Area. First, it should be noted that the traffic analysis of the project demonstrates that acceptable levels of service can be maintained on roadways and at intersection in Ventura and Oxnard and surrounding county areas without the Kimball Road extension. This model run shows that extending Kimball Road across the Santa Clara River would not result in any substantial improvement in the operating conditions of any of the roadways or intersections in the area or avoidance of any of the impacts of the RiverPark Project. This analysis of the need for, and benefit of, the extension of Kimball Road as shown on the County 2010 Regional Roadway Network Map is addressed on page 4.7-33 of the Draft EIR. As demonstrated by this analysis, no significant traffic impacts will result if Kimball Road is not extended as shown on the County 2010 Regional Roadway Network Map.

county of ventura

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Water Resources
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Engineering Services

January 22, 2001

Gary Segano
305 west Third Street
City of Oxnard
Oxnard, CA 93030

Subject: **DRAFT EIR RIVERPARK PROJECT, CITY OF OXNARD (WATER RESOURCES DIVISION COMMENTS- RMA REF 01-105)**

Dear Mr. Segano:

We have reviewed the subject DEIR and it our understanding that the project consists in part of the development of a new mixed-use community containing open space (38%), residential units (35%), commercial facilities (21%), and public facilities (6%). Total residential units planned is 2,805, with the first occupancy in 2003. It is intended that the project be fully developed by year 2020.

The project site is located immediately north of the Ventura Freeway (US 101) between the Santa Clara River and Vineyard Avenue in Oxnard. Total area is 701 acres. The project is divided into two areas: RiverPark Area A, consisting of 269 acres within the City of Oxnard, and RiverPark B, consisting of 432 acres in the unincorporated area within City of Oxnard Sphere of Influence. A sand and gravel mine exists in Area B with four sizeable mining pits: Large Woolsey, Small Woolsey, Vickers, and Brigham. Additionally, two Ventura County Flood Control District retention basins located in Area B intercept runoff from agricultural areas east of Vineyard Avenue for percolation into the Forebay. RiverPark Area A includes existing developed areas and active agricultural land. The project overlies the Oxnard Forebay, the groundwater recharge area for the 87-square-mile Oxnard Plain.

The proposed Reclamation Plan addresses all topics required by the State Surface Mining And Reclamation Act (SMARA). The proposed Reclamation Plan states that the site will be reclaimed in conformance with existing Hansen Aggregates reclamation plan previously approved by the County of Ventura if RiverPark Area B is not approved for the uses included in the proposed RiverPark Specific Plan.

The project storm water conveyance and treatment systems have been designed to handle up to the ten-year peak runoff flow rates before allowing runoff to overflow into the Water Storage/Recharge basins. The mass rainfall total used by Impact Sciences as a basis for the design of a 24-hour event was 5.53 inches (page 4.5-87).

Drainage from Ferro Industrial Area (Drainage Area 3), Beedy Street, Lambert Street, Montgomery Street and Carnegie Street industrial properties currently discharge storm water directly into the Large Woolsey and Small Woolsey Pits (page 4.5-14). Project flow from these streets will be directed to a dry swale and treatment along with the flow from the RiverPark B residential area. Storm flows exceeding the 10-year event peak flow will flow directly into the Large Woolsey Water Storage/Recharge Basin.

The El Rio County Flood Control Retention Basins collect flood flows from the agricultural area easterly of Vineyard Avenue between Central Avenue and the northern edge of the developed El Rio community. Basin No. 1 has an area of ten acres. Basin No. 2 covers 65 acres. Flows collected in these basins percolate into the aquifer. The system is designed to contain a 100-year storm. Excess flows are conducted from Basin No. 2 to the Santa Clara River via an earthen ditch between project areas 1 and 2 into the Santa Clara River. Basin No. 2 is proposed to be filled in and reclaimed to develop the property for other uses. Runoff from ten-year plus storms will overtop Basin No. 1 and flow into the gravel pits.

The June 2001 Memorandum of Understanding between the City of Oxnard, Ventura County Flood Control District, and the applicant for this project addresses the sale of the El Rio County Maintenance Yard and relocation of these facilities, as well as the exchange of El Rio Retention Basin No. 2 and a portion of El Rio Retention Basin No. 1 for replacement drainage facilities serving the same functions (page 2.0-22).

Most of the large agricultural area to the north and west of the UWCD El Rio Spreading grounds drains west across Vineyard Avenue into the El Rio Retention Basin No. 1. High flows are conveyed into Basin No. 2 through an 84-inch conduit from Basin No. 1. If Retention Basin No. 2 is converted to other project uses the discharge from Basin No. 1 will be discharged into the gravel pits.

If our project understanding is correct, the following comments are offered:

COMMENTS ON WATER QUALITY

1. The existing large detention basin is about fifteen feet deep and generally provides a substantial vadose zone through which a 100 year storm will percolate before reaching groundwater. Removal of this debris basin is not by itself a problem provided that alternate facilities are constructed to serve the <u>same</u> purpose. The proposed project allows the drainage from the East Side of Vineyard Avenue to enter the remaining pit and places the runoff directly into groundwater. This water will potentially contain hazardous contaminants from fertilizer, herbicides and pesticides. Protection from storms having a statistical frequency greater than 10 years is difficult. <u>However, that protection already exists and should not be lost.</u> This situation differs from the runoff from the Ferro industrial area because the industrial area is a distinct area that does not now have protection from a 100 year storm. VCWR-1

a. Typically, the justification for retaining only a ten year storm is that a high percentage of the contaminants is contained within the first flush. In this case, the 100 year storm will transfer contaminants from a much greater agricultural and industrial area into the pits with a resulting dilution factor that is unknown. VCWR-2

b. An additional response is that the pits will, over time, seal themselves and become retention basins. However, during this time, the pits will contribute runoff to groundwater through the side walls and the pit bottom each having at best a questionable value as a vadose zone. Over time, the pits will gradually lose their value as percolating basins, but will never seal themselves completely from groundwater. VCWR-3

c. A third argument is that the groundwater gradient is southwest, approximately parallel to the Santa Clara River, and that this gradient will not soon, if ever, intersect a municipal or domestic well. In response to such an argument, that gradient is normal, but has been observed to reverse with pumping patterns and weather cycles. This change could place the groundwater gradient directly towards the City of Oxnard's, or the UWCD groundwater supply wells. The groundwater gradient is not reliable protection from contaminants originating in the pits. VCWR-4

2. The treatment process for storm water from within the project that is treated and discharged either to the River or to the pits is unclear. This process needs additional explanation. VCWR-5

COMMENTS ON WATER QUANTITY

While the requirement to meet CEQA is not directly related to the Fox Canyon Groundwater Management Agency (GMA) the GMA Ordinances may provide mitigation for some water quantity problems.

1. Table 4.11.2-1, Projected Water Demand, does not include the water demand due to evaporation of the ponds and water features of the project. A water loss factor of 5% is discussed, but these losses are usually attributable to system losses and do not include evaporation losses. Page 4.5-74 indicates a project evaporation demand of 416 acre-feet per year. VCWR-6

2. The DEIR references an agricultural well located at the El Rio Retention Basin No. 2 site with a historical allocation of 280 acre-feet on the 67.4 acre parcel (Page 4.11.2-12). Based on an allowable agricultural to M&I allocation transfer of 2 acre-feet per acre, the DEIR calculates an allocation of 135 acre-feet. The State Well Number for this well was not provided. The Fox Canyon Groundwater Management Agency (GMA) has no record of this well, or any well in the area with such allocation. Moreover the parcel's owner is the County of Ventura. This allocation, if it exists, could be transferred to the City of Oxnard provided there is a written approval from the County. VCWR-7

3. The DEIR analysis of water allocations (Page 4.11.2-12) shows a net deficit of **256 acre-feet; 493 acre-feet** if the El Rio Retention Basin No. 2 site well is not counted. We do not agree with the DEIR's findings that "No mitigation measures are required as no VCWR-8

significant impacts have been identified." Any deficit is a significant impact. The DEIR suggests that this deficit will be made up with the GREAT (Groundwater Recovery Enhancement and Treatment Program) program; yet this is a program still under development that will require upgrade of the city's wastewater treatment plant and agreement with UWCD as well as agricultural users. The viability of the GREAT program as a solid mitigation measure is questionable at this stage of its development. VCWR-8

The DEIR does not address payment of overpumping fees to the GMA as a mitigation measure. The GMA ordinance provides for payment of penalties when allocations are exceeded. The DEIR needs to address specific mitigation measures for making up the deficit. VCWR-9

In summary, if the City of Oxnard supplies water (not including that lost from evaporation from the basin), the water quantity balance is not an issue because the City of Oxnard will either pay a penalty to the GMA or import new water from CMWD to meet this demand. The evaporation issue must be mitigated either by United Water Conservation District (UWCD) use as a retention/percolating basin or mitigated through an allocation or penalty. VCWR-10

4. The City of Oxnard's UWMP (Urban Water Management Plan) projects a water demand of 44,565 acre-feet in 2020 (Page 4.11.2-5). GMA 2010 allocations for UW CD and the City of Oxnard equal slightly over 10,000 acre-feet. Page 4.11.2-5 states "The City does not have an existing agreement with CMWD or MWD that guarantees the quantity of water the City may purchase. CMWD has also suggested that future imported water deliveries may be limited through rate restructuring." CMWD's 2000 delivery was 14,750 acre feet. Should guarantees for delivery of additional State Water not be obtained from CMWD, there will be a projected deficit of nearly 20,000 acre feet in 2020. This makes it necessary for the DEIR to address cumulative impacts of this development and others to follow. VCWR-11

Disposition of existing gravel pits: The proposed RiverPark Specific Plan would allow UWCD to reclaim the existing pits for storage and/or aquifer recharge of water diverted from Santa Clara River at the Freeman Diversion structure as one of the primary objectives of the plan. It is intended that this be accomplished in a manner that protects the quality of the exposed groundwater in the pits (page 4.1-42). It is noted that the existence of large pits in groundwater is potentially a hazardous situation. Consequently, it is necessary to create an irrevocable arrangement for the management of the pits by UWCD prior to project inauguration. VCWR-12

If there are questions, do not hesitate to call me at (805) 648-9204.

Very truly yours,

Lowell Preston, Ph.D.

County of Ventura Public Works Agency – Water Resources Division (VCWR)

VCWR-1

This comment refers to El Rio Retention Basin No. 2, also commonly known as the Campbell Basin. Currently, all stormwater discharges from a portion of the agricultural area located east of Vineyard Avenue and north of the existing El Rio Community drain to El Rio Retention Basin No. 1, with any overflow discharging to El Rio Retention Basin No. 2. This runoff is retained in these two basins and infiltrates. As proposed, the project would involve the reconfiguration of El Rio Retention Basin No. 1 to hold and treat runoff from up to a 10 yr. storm and El Rio Retention Basin No. 2 would be filled and reclaimed for urban uses.

The reconfigured El Rio Retention Basin No. 1, referred to as the "East Water Quality Basin" in the draft specific plan, would be lined to prevent infiltration of runoff. Runoff from storms larger than the 10 yr. storm would be allowed to overflow into the adjacent mine pits. The water quality analysis in the Section 4.5, Water Resources, of the Draft EIR demonstrates that fertilizer and pesticide concentrations in runoff discharged to the pits from the proposed water quality treatment system will not result in a significant impact on groundwater quality. Any potential effect on groundwater quality will be further minimized by the infrequency of these discharges resulting from larger storm events.

The capacity of the East Water Quality Basin was designed based on the City of Oxnard Master Plan of Drainage, which is based on the planning assumption that all 330 acres of land located between Vineyard Avenue, El Rio, Rose Avenue and Central Avenue would drain to the west across Vineyard Avenue. Please note that additional research on the existing drainage characteristics of this area has been completed since the Draft EIR was prepared. It has been determined that approximately 79 acres located between Vineyard Avenue and the UWCD El Rio Spreading Grounds currently drain west across Vineyard Avenue to the existing El Rio Retention Basins. As only 79 acres drains across Vineyard Avenue, as opposed to the 330 acres the basin was designed for, the basin will have the capacity to hold runoff from over a 10-year storm from this 79-acre area. A refined design for this basin has been proposed that would incorporate a pre-treatment swale with capacity for runoff from a 25-year storm from the agricultural area to the east of Vineyard Avenue. Any discharges to the pits from the reconfigured El Rio Retention Basin No. 1 will, therefore, be very infrequent. Based in the analysis in the Draft EIR, no significant impacts to groundwater quality will result from the proposed changes to El Rio Retention Basin No. 1.

VCWR-2

Presently, no industrial uses drain to the existing El Rio Retention Basins. There will no transfer or increase, therefore, of runoff from industrial areas to the mine pits as a result of the proposed changes the El Rio Retention Basins. As indicated in the response to comment VCWR-1 above, no significant impacts to groundwater quality from agricultural runoff will result from the proposed changes to El Rio Retention Basins Nos. 1 and 2.

VCWR-3

It is acknowledged that the pits will never completely seal themselves. UWCD's implementation of their project would likely hasten the sealing process due to the expected sediment loading. As indicated in the response to comment VCWR-1 above, no significant impacts to groundwater quality from agricultural runoff will result from the proposed changes to El Rio Retention Basins Nos. 1 and 2.

VCWR-4

It is acknowledged that the groundwater gradient does vary depending on rainfall and weather conditions. As indicated in the response to comment VCWR-1 above, no significant impacts to groundwater quality from agricultural runoff will result from the proposed changes to El Rio Retention Basins Nos. 1 and 2.

VCWR-5

A full description of the treatment system was provided in Appendix 4.5-5, "Design and Technical Analysis of the Stormwater Quality Treatment System for RiverPark." An overview of the system can be found on page 4.5.65 in the EIR. To briefly summarize, storm flows from drainage area #2a (residential) are conveyed via a pre-treatment dry swale to the existing levee outlet. Storm flows from drainage area #2b (also residential) are conveyed via a pre-treatment dry swale to a lined detention basin, which then discharges to a pipeline which daylights at a levee outlet near the Ventura Freeway. Drainage area #1 (commercial) uses structural BMP's, including pervious pavement (for selected parking areas), catch basin inserts and manhole accessible centrifugal separator units to manage stormwater quality prior to discharge to the Santa Clara River via the existing levee outlet. Drainage Areas 3 (a and b) and 4 are off-site drainage areas. Runoff from these offsite industrial and agricultural drainage areas will be treated in lined detention basins and pre-treatment swales prior to discharge to the Santa Clara River through the existing levee outlets.

VWCR-6

The five percent water loss factor used in the water demand estimate results from distribution system losses as identified in the Draft EIR and this comment. The project includes only a small amount of ponds and landscape water features. Detailed information on the water features has not been developed, so evaporative losses have not been calculated, but given the small extent of these features, we would likely consider them to be negligible. The 416 AFY evaporative loss referred to in this comment is the calculated evaporative loss for the reconfigured mine pits.

If the UWCD project were implemented, there would be more than enough water recharged to overcome evaporative losses at the ponds. If UWCD's project were not implemented, then the evaporative losses from the existing mine pits would not change substantially. As discussed on page 4.5-74 of the Draft EIR, the minor reconfiguration of the mine pits proposed would increase the amount of groundwater exposed as a result of the proposed removal of the existing land bridge between the Brigham and Vickers mine pits and existing peninsula of discharged fill materials located between the Small Woolsey and Vickers mine pits. These evaporative losses are already factored into the project gravel pit water balance. Elimination of the UWCD project would reduce the project water balance, but no significant impacts would be result as the overall project water balance would still be better than the existing water balance.

VCWR-7

The well referred to in this comment is State Well No. 2N/22W-22J02. This well is located on the El Rio Retention Basin property. Specifically, this well is located on the portion of this property located between Vineyard Avenue and the existing retention basin itself as shown on **Figure 2-5** on the following page.

VCWR-8

Pages 4.11.2-5 to 4.11.2-7 of the Draft EIR contains a summary of the future water demand estimates and supply information included in the City of Oxnard Urban Water Management Plan (UWMP). The UWMP was adopted by the City of Oxnard in January 2002. As discussed in the UWMP and summarized in the Draft EIR, the City has multiple local and regional supply options available to meet projected cumulative water demands. These options include development of new local groundwater wells, increased deliveries from the United Water Conservation District O-H Pipeline, and increased deliveries from the Calleguas Municipal Water District.

SOURCE: Lowell.

FIGURE **2-5**

State Well No. 2N/22W-22J02

The GREAT (Groundwater Treatment and Recovery Program) is an additional program for increasing the local availability of recycled water. Although the City believes that the GREAT Program will ultimately satisfy future water demands, it acknowledges that this program is still being developed. Future water demands can be met, however, with the other sources identified in the City's UWMP. The conclusion in the Draft EIR that adequate supplies exist to meet the demand associated with this project is based on all supply sources identified in the UWMP and not just on the GREAT Program.

Should the GREAT Program not be developed as currently planned, the City would likely purchase additional water above its current Fox Canyon Groundwater Management Agency allocation (for groundwater) and/or Calleguas Municipal Water District allocation (for surface water). Both of these options will incur cost penalties, but are viable options for the City.

VCWR-9

As indicated in the response above, increases in FCGMA or Calleguas MWD allocations are both options for meeting increased demands for water in the City of Oxnard. The City's UWMP discusses the fact that overpumping fees can be paid to the GMA as discussed in this comment. Payment of overpumping fees are, therefore, part of the City's overall supply options and not a mitigation measure for this project. As discussed in the previous comment, based on the supply options available to the City, no significant water supply impacts have been identified for the RiverPark Project.

VCWR-10

The City of Oxnard will supply water to the project as identified in the Draft EIR. In addition, use of the pits by UWCD is proposed, consistent with the recommendation in this comment. Please note that there are evaporative losses associated with the existing mine pits. There will be no substantial change in the evaporative losses from the mine pits as a result of the project. As the change in evaporative losses from the pits resulting from the project will not be substantial and the overall water balance will improve as a result of the project, mitigation is not warranted. Further, as the existing owner of the mine site is not assessed for evaporative losses, a potential allocation requirement or penalty for mitigating evaporative losses from the ponds in the event that the UWCD project is not implemented is not appropriate. In accordance with current FCGMA regulations, the City of Oxnard will pay overpumping fees if groundwater is pumped by the City in an amount that exceeds the City's groundwater allocations.

VCWR-11

Cumulative water demand impacts are addressed on pages 4.11.2-14 and 15 in the Draft EIR based on the information in the City's Urban Water Management Plan. Under its existing arrangement with CMWD, the City can purchase as much water as it is willing to pay for and that CMWD has available, however, there are no guarantees that the water will be available. Under the rate restructuring that CMWD is undergoing, the City would initially be given an allocation equivalent to 85 percent of its maximum purchase from 1991 – 2001. Water purchased up to the allocation amount would be at a "Tier 1" price and water purchased in excess of the allocation amount would be at a higher "Tier 2" price. Based on historical deliveries and the availability of CMWD water from other local sources (Los Posas ASR wellfield), water up to the Tier 1 allocation is likely to be available for the foreseeable future. As described in the City's UWMP, the City is developing the GREAT Program in order to create an additional reliable local source of water. No significant cumulative impacts, therefore, have been identified.

VCWR-12

The proposed Specific Plan would allow UWCD to use the pits for the storage and recharge of water diverted from the Santa Clara River after the pits have been reclaimed in conformance with the proposed reclamation plan. The proposed reclamation plan and Specific Plan include measures to ensure public safety. These measures would be implemented prior to acquisition of the pits by UWCD. For this reason, obtaining a commitment from UWCD to manage the pits prior to the beginning of construction of the project is not necessary.

RESOURCE MANAGEMENT AGENCY

county of ventura

Environmental Health Division
Robert Gallagher
Director

January 18, 2002

Gary Sugano
Planning and Environmental Services Program
City of Oxnard
305 W. 3rd St., 2nd Floor
Oxnard, CA 93030

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE RIVERPARK PROJECT

Environmental Health Division (EHD) staff reviewed the document submitted for the subject project and provides the following comments:

1. EHD records indicate that the subject project is located near or adjacent to several leaking underground fuel tank (LUFT) sites. Four of the sites are listed as active sites for which closure of the site has not yet occurred. The sites are identified as Ultramar Station at 3402 Vineyard Ave., Oxnard; Ventura Oil at 3815 Vineyard Ave., Oxnard; and two sites at Poole Oil Company at 3885 Vineyard Ave., Oxnard. Since monitoring wells from the LUFT sites may be influenced from the proposed project, the applicant must contact EHD prior to any construction activity at the site. A list of LUFT sites from the surrounding area is attached for your information. The heading listed as Date9 indicates when the site was closed. A blank date indicates that closure has not occurred. Please contact Doug Beach at 805/654-3519 for more information on the LUFT sites. VCEH-1

2. EHD records indicate that the Hanson Aggregates El Rio Plant property at 3555 E. Vineyard Ave., Oxnard, has entered into EHD's Voluntary Cleanup Program (VCP) on August 21, 2001. The site was contaminated with motor oil and the proposed remediation method was excavation. The excavation work was performed in December 2001. The contaminated soils are currently being land farmed on an adjacent site under a Waste Discharge Permit with the Los Angeles Regional Water Quality Control Board. The subject document should include a discussion on the VCP at the Hanson property that is included in the subject project. For more information regarding this site please contact Erin O'Connell at 805/662-6511. VCEH-2

If you have any questions please contact me at 805/654-2811.

Melinda Talent

MELINDA TALENT
LAND USE SECTION
ENVIRONMENTAL HEALTH DIVISION

McKinns/Landuse/RiverPark Oxnard

c: Doug Beach, EHD
Erin O'Connell, EHD

OPEN + CLOSED LUFT SITES River Park EIR

01/17/2002

locale	DTLSTCOR	SITENAME	streetn	STREET	CITY	RANK	DATE9	MTBE_T	MTBE	MAXMTBE	MAXMT	MAXMTB	LStaff
01032	12/28/2001	ULTRAMAR STATION	3402	VINEYARD A	OXNA			NT					Craig Klein #18
86056	05/30/1996	SHELL SERVICE/FINA	2460	VINEYARD A	OXNA		05/30/1996						David Salter #2
88038	08/29/1990	GASCO	3402	VINEYARD A	OXNA		08/28/1990						2
88068	02/19/1991	MARTIN V. SMITH	185	BEEDY ST	OXNA		02/19/1991						10
88185	10/01/1990	TRI-COUNTY TRUCK	262	MONTGOME	OXNA		09/27/1990						7
89117		VENTURA OIL	3815	VINEYARD A	OXNA			ND					Keith Allen #36
90062	12/19/2001	POOLE OIL/BARON IN	3885	VINEYARD A	OXNA								Craig Klein #18
92003	02/04/1998	SOUTHERN PACIFIC	3555	VINEYARD A	OXNA		02/05/1998						Craig Klein #18
92028	12/12/1995	BOB JONES RANCH	4324	VINEYARD A	OXNA		12/12/1995						Craig Klein #18
92055	11/29/1993	GOODYEAR TIRE & R	2341	VINEYARD A	OXNA		11/22/1993						2
93016	09/02/1997	MARTIN V SMITH	203	BEEDY ST	OXNA		09/11/1996						10
96033	08/14/1997	ATLAS BULK CARRIE	3877	VINEYARD A	OXNA		08/14/1997						Craig Klein #18
97029	10/21/1998	VENTURA GASOLINE	2785	VINEYARD A	OXNA		10/21/1998						Craig Klein #18
98022	04/13/1999	TRI-COUNTY TRUCK	555	SANDY CIRC	OXNA		06/07/2000						Craig Klein #18
98038	06/13/2000	POOLE OIL COMPAN	3885	VINEYARD A	OXNA			YES		07/07/1998	3.0	1,800	Craig Klein #18
99022	04/06/1999	MCKESSON WATER	210	BEEDY ST	OXNA		11/02/1999	ND		04/12/1999	ND	NA	David Salter #2
99042	01/16/2001	RIO SCHOOL DIST-M	2715	VINEYARD A	OXNA		01/16/2001	NT	N				David Ennis #33

2.0-108

County of Ventura Resource Management Agency – Environmental Health Division (VCEH)

VCEH-1

The City of Oxnard will require the project applicant to contact the Environmental Health Division prior to any construction activity at the site.

VCEH-2

As indicted in this comment, the remediation of a small amount of soil contaminated with motor oil is ongoing on the Hanson Aggregate property, located in RiverPark Area 'B' as defined in the Draft EIR. Excavation of soil containing motor oil was completed in the maintenance area in the vicinity of the fuel dispenser islands at the Hanson Aggregate El Rio Plant during on October 29 through 31, 2001. Approximately 500 cubic yards of motor oil-containing soil was transported and placed in a Land Treatment Unit (LTU) constructed under a Regional Water Quality Control Board (RWQCB) Waste Discharge Requirement (WDR) permit to the south of the El Rio Plant area on the Hanson Aggregate property. Treatment of the soil contained within the LTU consists of tilling the material on a monthly basis. Laboratory analytical results of progress soil samples collected from the LTU indicated that elevated concentrations of Total Petroleum Hydrocarbons (TPH) in the carbon range (C4-C23+) initially decreased. The most recent analytical results of soil samples collected indicated that TPH concentrations have increased. Based on the most recent results, more intensive treatment of the soil contained within the LTU is proposed and completion of the soil remediation activities by July/August 2002 is currently expected. This remediation program is anticipated to be completed prior to the initiation of construction activities within the RiverPark Specific Plan Area. No significant impacts will, therefore, result from this ongoing treatment program.

COUNTY OF VENTURA

RESOURCE MANAGEMENT AGENCY
PLANNING DIVISION

M E M O R A N D U M

DATE: January 18, 2002

TO: Joseph Eisenhut

FROM: Bruce Smith, Manager, General Plan Section

SUBJECT: DEIR for Oxnard Riverpark Project (Reference No. 01-105)

The Planning Division has reviewed the above environmental document and offers the following comments:

Land Use Planning Programs and Policies

The unincorporated portion of the site is currently zoned as "A-E/MRP" (Agricultural Exclusive/Mineral Resources Protection Overlay), "OS-40 Ac./MRP" (Open Space, 40 acre minimum/Mineral Resources Protection Overlay), and "CPD" (Commercial Planned Development). The purpose of the Mineral Resources Protection Overlay zone is to safeguard future access to important resources, in this case aggregate resources. The Agricultural designation is intended to preserve and protect agricultural resources as a limited and irreplaceable resource. The purpose of the Open Space designation is to provide for the conservation of natural resources, preserve and enhance environmental quality and to provide for the retention of the maximum number of future land use options. The DEIR should evaluate the project's consistency with existing zoning designations. VCPD-1

The General Plan designation for the unincorporated portion of the site is "Agricultural", "Open Space" and "Urban Reserve Overlay". The DEIR should evaluate consistency with the County General Plan Goals, Policies and Programs associated with these designations and other relevant policies. (See discussion of impacts to the Regional Road Network below.) VCPD-2

The El Rio/Del Norte Area Plan designates the site as "Agricultural, 40 Acre Minimum", "Open Space, 40 Acre Minimum" and "Commercial". The draft DEIR fails to analyze the project's consistency with the existing El Rio/Del Norte Area Plan land use designations and relevant goals, policies and programs. VCPD-3

The DEIR should analyze the impacts of the project on the jobs/housing balance of the City of Oxnard and the El Rio/Del Norte area. Analysis should include the kinds of jobs that will become available and the ability of the project to provide commensurately affordable housing, particularly for low-income workers. VCPD-4

The La Colonia Avenue neighborhood is surrounded by the project on three sides. The project should be revised to include the integration and eventual annexation of the La Colonia Avenue neighborhood into the project. VCPD-5

Transportation/Circulation

The DEIR identifies a number of roadway and intersection improvements needed for the project. The DEIR also indicates that the project will pay $17.7 million in traffic mitigation fees to the County of Ventura and the City of Oxnard. The DEIR concludes that the project would, therefore, cause no significant adverse traffic or circulation impacts. However, the DEIR is missing is any kind of actual analysis to support this conclusion. The DEIR should be revised to determine the cost and feasibility of proposed mitigation measures. The DEIR should condition the timing of the Riverpark project development to coordinate with construction of needed improvements so that the improvements will be in place when they are needed. Otherwise, the DEIR should disclose that significant adverse traffic impacts would occur to the regional road system during the lag period after project development but before the recommended circulation improvements can be constructed. VCPD-6

The DEIR indicates that US 101 will operate at LOS F and the Riverpark project will generate 94,174 ADT, adding 78,840 ADT to the Regional Road Network, but the DEIR concludes that the project will cause no significant adverse traffic or circulation impacts because improvements necessary to achieve an acceptable level of service on the Ventura Freeway will be identified and addressed through the Ventura County CMP program. The DEIR should be revised to disclose what improvements would be required to achieve an acceptable level of service on the Freeway. Unless there is a funded program in place to improve the freeway prior to development of the Riverpark project, the DEIR should disclose that the project would have a significant adverse impact on the US 101 Freeway, at least until such time as the Freeway improvements are completed. VCPD-7

The DEIR needs to address how the project will accommodate the future extension of Kimball Road (shown as Reserved Right of Way on the County's Regional Road Network map). It is not clear whether proposed Santa Clara River Boulevard could accommodate a future extension of Kimball Road or whether the planned school VCPD-8

(located west of the terminus of this road) would preclude a connection to the proposed Kimball Extension. In the Event Santa Clara River Boulevard is intended to provide for the future extension of Kimball Road, the School site (Parcel N) should be subject to an easement or deed restriction that would permit the future construction of the Kimball Road extension, at least until such time as the County determines that such Reserved Right of Way will not be required for the County's Regional Road Network. In the event the project would prevent the future extension of Kimball Road, the DEIR should be revised to disclose the project would have a significant impact on the Regional Road Network, as currently planned by Ventura County and the City of Ventura. VCPD-8

Wastewater Service

The Regional Water Quality Control Board requires that the use of septic systems be terminated in the near future for the El Rio Community. Thus, the DEIR cumulative analysis should be revised to consider whether planned sewer trunk lines and waste capacity can accommodate the connection of the El Rio Community to the City's system. VCPD-9

County of Ventura Resource Management Agency – Planning Division (VCPD)

VCPD-1

As discussed in the Draft EIR, all recoverable mineral resources, in this case sand and aggregate, have been mined from RiverPark Area 'B' under Conditional Use Permits issued by the County of Ventura. Reclamation of the site is currently ongoing under the reclamation plan approved by the County of Ventura. The purposes for the existing county zoning referred to in this comment have, therefore, been met. The mineral resources in RiverPark Area 'B' have been recovered and future land use options were preserved during the years of mining activities.

Adoption of a new reclamation plan for the site at this time to support the development or residential, school and public facilities uses in RiverPark Area 'B' would not be inconsistent with the purposes of the existing county zoning designations.

VCPD-2

Annexation of RiverPark Area 'B' to the City of Oxnard is proposed. Development of this portion of the Specific Plan Area under the existing County of Ventura General Plan designations is not proposed. As described in the Project Description section of the Draft EIR, upon annexation RiverPark Area 'B' would be subject to the Oxnard *2020 General Plan* Land Use Map Designations proposed and the proposed RiverPark Specific Plan. As discussed in the response to the previous comment, the purpose of the County's Open Space designation to allow mineral resource recovery in RiverPark Area 'B' has been met. The County's current agricultural land use designation for a portion of RiverPark Area 'B' does not reflect current land uses. The majority of the area designated for agricultural use by the County General Plan was developed by the County as the El Rio Retention Basin No. 2 (commonly referred to as the Campbell Basin). Development of this drainage basin by the County left only a small strip of agricultural land, approximately 17 acres, located between the basin and Vineyard Avenue. This small parcel of remaining agricultural land would be developed with school and park facilities under the proposed RiverPark Specific Plan. Development at this time with the proposed uses is consistent with the Urban Reserve Overlays applied to this area by both the County and City General Plans.

VCPD-3

Development of RiverPark Area 'B' would occur after annexation subject to the City of Oxnard General Plan and RiverPark Specific Plan. As discussed in the responses to the previous two comments, the

existing County open space and agricultural land use designations no longer serve any purpose as the mineral resources present on the site have been mined out and the agricultural land has been developed by the County. The existing commercial land use designation in the El Rio Area Plan applies to a small parcel of less than one acre located between Vineyard Avenue and El Rio Retention Basin No. 1. Development of the RiverPark 'B' Area subject to the proposed Specific Plan would not affect this small commercial parcel. Adoption and implementation of the proposed RiverPark Specific Plan would not be inconsistent, therefore, with any of the policies in the El Rio Area Plan related to mineral resources, agricultural resources or commercial uses.

VCPD-4

The Draft EIR includes analysis of the consistency of the project with applicable demographic projections, including population, housing and employment forecasts for the region adopted by the Ventura Council of Governments (VCOG) and the Southern California Association of Governments (SCAG). SCAG submitted a comment letter on the Draft EIR that is contained in this Final EIR. SCAG indicates in this letter that the analysis in the EIR of the consistency of the project with regional plans and policies, including applicable demographic projections, is complete and adequate. The SCAG letter reads:

"The Draft EIR includes a discussion on the proposed Projects' consistency with SCAG policies and applicable regional plans, which were outlined in our May 19, 2000 letter on the Notice of Preparation (NOP) for this Draft EIR. The Draft EIR cited SCAG policies and addressed the manner in which the proposed Project is consistent with applicable core policies and supportive of applicable ancillary policies. This approach to discussing consistency with or support of SCAG policies is commendable and we appreciate your efforts."

With regard to the topic of jobs/housing balance the Growth Management Element of the SCAG RCPG states:

"Jobs/housing balance, as a growth management and mobility strategy, and as a Transportation Control Measure, has been difficult to implement regionally, and has been the subject of numerous regional debates. The extent of its efficacy in reducing congestion and emissions of air pollutants has been questioned. "

The SCAG RCPG Growth Management Element does not contain any numerical standards or targets for the balance of jobs and housing in an area. The following policy is included in the Growth Management Element:

"SCAG shall support provisions and incentives created by local jurisdictions to attract housing growth in job rich subregions and job growth in housing rich subregions."

While no adopted numeric standard for jobs/housing balance exists at this time, discussion of appropriated balances has been considered previously. One study that addressed the appropriateness of numerical targets for measuring the balance of jobs and housing was the Vehicle Miles Traveled Reduction Final Report produced in 1995 by the County of Ventura Planning Department for the Ventura Council of Governments. This study was funded by SCAG.

Page 3-5 of this report discusses jobs/housing balance measures. This discussion reads as follows:

"The jobs/housing ratio for the 6-county SCAG region is 1.21 (i.e., 1.21 jobs per dwelling unit). This number represents a jobs/housing "equilibrium" or balance within the SCAG region." "Although a quantitative measure has limitations, this study has used the SCAG region's job/housing ratio of 1.21 as a suggested *guideline* for comparing jobs and housing in the VCOG Subregion. Because the literature suggests there is disagreement as to what constitutes an appropriate "balance" ratio, staff employed a numerical range that features a 10% latitude above and below the SCAG "benchmark" ratio (i.e., the suggested balance range for the VCOG Subregion could be 1.10:1 to 1.34:1). A ratio lower than 1.10:1 represents excess housing ("housing rich"), and a ratio higher than 1.34:1 would mean excess jobs ("jobs-rich"). The 10% latitude factor is consistent with other literature and studies such as previous SCAG studies and the Ahmanson Ranch Specific Plan/EIR documents."

As presented in Table 4.1-5 in the Draft EIR Land Use section, the adopted SCAG demographic projections for the City of Oxnard for the year 2020 are for the City to have 55,000 residences and 75,800 jobs. The resulting jobs/housing ratio projected for the City of Oxnard in the year 2020 is 1.38, which would be slightly higher than the 1.10:1 to 1.34:1 balance range identified previously by the County.

The proposed RiverPark Specific Plan will improve the jobs/housing ratio for the City of Oxnard by adding 2,805 new housing units in the northern part of the City while reducing the amount of jobs generated in this same area. The existing Oxnard Town Center Specific Plan, which applies to most of RiverPark Area 'A', allows development of up to 4.4 million square feet of commercial development which would generate 11,460 employment opportunities. The Oxnard Town Center Specific Plan provides no housing. By replacing the Oxnard Town Center Specific Plan with the RiverPark Specific Plan, which will generate 5,370 employment opportunities, the City will increase housing opportunities by 2,805 units while reducing jobs by 6,090. When these adjustments are made to the 2020 housing and employment forecasts for Oxnard, the resulting jobs/housing balance is 1.19, which is balanced based on the numerical thresholds discussed above. The RiverPark Specific Plan allows a variety of commercial uses, including office, hotel, and retail commercial uses, as well as a variety of housing types, including multi-family and single-family units, including 15 percent affordable housing to match the types of jobs to be generated by the commercial uses.

VCPD-5

The RiverPark Specific Plan, as proposed by the applicants, does not include the La Colonia Avenue neighborhood (referred to as the El Rio West Neighborhood in the EIR). The question of whether annexation of this neighborhood to the City of Oxnard would promote more orderly jurisdictional boundaries in this area is at the discretion of the Ventura County Local Agency Formation Commission (LAFCO).

VCPD-6

The traffic analysis in the Draft EIR identifies significant impacts and physically feasible measures to mitigate these impacts. The methodology for the traffic study is described on pages 4.7-17 through 4.17-19 of the Draft EIR. As described in Section 3.0, Project Description, of the Draft EIR, the applicant's current objective is to complete the construction of the Phase One site improvements by the third quarter of 2002 with the first occupancy of residences or commercial buildings in 2003. The Phase Two site improvements would be built when there is market demand for the property served by these improvements. Based on market studies, it is anticipated that the community would take between 12 and 15 years to be fully built, depending on economic conditions. For purposes of analysis in the Draft EIR, it is assumed that the Specific Plan Area would be fully developed by the year 2020, which is the horizon year for the Oxnard *2020 General Plan.* Accordingly, the traffic analysis examines future year 2020 traffic conditions, assuming full development of the uses that would be allowed by the proposed Specific Plan.

Future year 2020 traffic conditions in the City of Oxnard and surrounding areas were analyzed using the City's Oxnard Transportation Model (OTM), which is based on the Ventura County Transportation Commission (VCTC) model. The VCTC model was prepared using Southern California Association of Governments (SCAG) land use data and is updated regularly as new land use projections are made available. Existing and future freeway traffic volumes projected by the VCTC model for freeway segments were used, as the VCTC is the most accepted model for transportation planning in Ventura County. Future freeway traffic volumes were determined by adding the growth between the VCTC's future model volumes and the existing model volumes to the existing traffic volumes. As the VCTC model does not provide information on intersection turning movements, the OTM was modified to provide this information. In addition to fully reflecting projected regional growth, the OTM reflects full development of all the uses allowed by the City's *2020 General Plan.* This methodology results in a conservative traffic impact analysis. The impacts identified at 8 of the 33 intersections studied reflect full build-out of the City's *2020 General Plan* and the RiverPark Specific Plan along with projected regional growth. The intersection improvements identified as mitigation measures are required by the year 2020

to accommodate the projected levels of traffic. These intersection improvements are consistent with those identified in the City and County General Plan Circulation Elements that form the basis for the amount of the City and County traffic impact fees. If the uses allowed by the City and County General Plans are not built out to the maximum intensity allowed, traffic impacts may be less than those projected and identified in the Draft EIR. For these reasons, the amount of the City and County impact fees to be paid by uses allowed by the County and City General Plans, inclusive of the RiverPark Specific Plan will be sufficient to fund the improvements needed.

As discussed on page 4.7-35 of the Draft EIR, traffic impact fees will be required to be paid at the time of issuance of building permits for individual development projects within the Specific Plan Area. These fees will be paid to the City of Oxnard and County of Ventura as the allowed uses within the Specific Plan Area are built out over time along with other uses allowed by the Oxnard General Plan. The City and County will use these fees to construct needed improvements through their respective capital improvement programs. For this reason, there will be sufficient time for the City and County to program needed improvements as the project builds out incrementally over this long time period along with other uses allowed by the Oxnard *2020 General Plan* and projected regional growth. No long term "lag" period between the construction of individual development projects within the Specific Plan Area and the completion of the required intersection improvements is, therefore, anticipated. It should be noted that the estimate if fees presented in the Draft EIR is based on the amount of fees currently in place. The actual fees in effect at the time permits are issued for each individual development project will be paid. The actual total amount of fees paid will be greater than this estimate as the fees are adjusted for inflation over time. Given the conservative nature of the traffic analysis methodology, the long time period over which the project will build out and the fact that the improvements will be implemented through established capital improvement programs, the payment of traffic impact fees will result in mitigation of the identified traffic impacts.

VCPD-7

The Draft EIR correctly identifies that a significant cumulative freeway impact may occur along a portion of U.S. 101 freeway in the future. This projected impact is on the Ventura Freeway south of Central Avenue in the year 2020, as identified in Table 4.7-9 in the Draft EIR. This impact is identified in the northbound lanes during the AM Peak Hour and in the southbound lanes during the PM Peak Hour. The Oxnard Traffic Model projects that this section of the Ventura Freeway will operate at Level of Service E, carrying 182,400 daily trips, 7,940 AM Peak Hour northbound trips and 8,000 PM Peak Hour southbound trips in the year 2020 without the RiverPark Project. The RiverPark Project will add 5,300 daily trips, 318 AM Peak Hour trips to the southbound lanes and 287 PM Peak Hour trips to the northbound lanes to the

section of the Ventura Freeway south of Central Avenue. Due to the fact that this section of the Ventura Freeway is projected to operate at the upper end of Level of Service E the addition of the relatively small amount of traffic from the project (less than 3% of the projected daily volume, and less than 4% of the projected AM Peak Hour southbound and PM Peak Hour northbound trips) contributes to a significant cumulative impact as the Level of Service is projected to decrease to Level of Service F.

The Congestion Management Program (CMP) was enacted by Proposition 111 in 1990. The intent of the CMP is to provide the analytical basis for transportation decisions through the State Transportation Improvement Program (STIP) process to fund needed transportation improvements. A Countywide approach has been established by the Ventura County Transportation Commission, the Local CMP agency, to implement the statutory requirements of the CMP. The Countywide approach includes designating a highway network that includes all state highways and principal arterial roadways within the County and monitoring the network's Level of Service standards. This monitoring of the CMP network is one of the responsibilities of local jurisdictions. If level of service standards deteriorate, then local jurisdictions must prepare a deficiency plan to be in conformance with the Countywide plan.

This projected cumulative impact can be feasibly mitigated by one or more of several methods identified in the Congestion Management Plan (CMP) including an increase in the capacity of the Ventura Freeway, a diversion of traffic by improvements to parallel routes, or a decrease in corridor vehicle traffic by transit improvements or other Transportation Demand Management techniques. As this projected cumulative traffic impact is projected in the year 2020, there is sufficient time for the CMP monitoring and planning process to identify the improvements needed to this section of the Ventura Freeway of maintain an acceptable level of service and secure funding through the STIP.

VCPD-8

The RiverPark Specific Plan will not provide a reservation of right of way for an extension of Kimball Road. The County 2010 Regional Roadway Map presently shows an alignment for the extension of Kimball Road in Ventura across the Santa Clara River through the RiverPark Specific Plan Area to the Del Norte Boulevard interchange with the Ventura Freeway. It should be noted that this extension of Kimball Road is not consistent with the Oxnard *2020 General Plan*. The Circulation Element of the Oxnard General Plan does not show this new roadway.

The City notes that following text is on page 4 of the Ventura County General Plan Public Facilities and Services Appendix under the heading of Transportation:

"The 2010 Map also depicts the areas that each city might annex in the future by indicating a city's Sphere of Influence. Within each city sphere, the city's proposed major streets (as depicted on their respective street plans) are also shown."

The City of Oxnard's Sphere of Influence is correctly shown on the County 2010 Regional Roadway Network Map. The Kimball Road extension as shown, however, is not consistent with the City's Circulation Element and, for this reason, does not appear to be consistent with the intent of the 2010 Regional Roadway Network Map as described above.

Appendix A of the project traffic study, contained in Appendix 4.7 of the Draft EIR, contains a full analysis of traffic conditions in the area with the Kimball Road extension. A run of the Oxnard Traffic Model was completed to examine traffic conditions in the area with an extension of Kimball Road across the Santa Clara River connecting to Santa Clara River Boulevard as planned in the Specific Plan Area. First, it should be noted that the traffic analysis of the project demonstrates that acceptable levels of service can be maintained on roadways and at intersections in Ventura and Oxnard and surrounding county areas without the Kimball Road extension. This model run shows that extending Kimball Road across the Santa Clara River would not result in any substantial improvement in the operating conditions of any of the roadways or intersections in the area or avoidance of any of the impacts of the RiverPark Project. This analysis of the need for, and benefit of, the extension of Kimball Road as shown on the County 2010 Regional Roadway Network Map is addressed on page 4.7-33 of the Draft EIR. As demonstrated by this analysis, no significant traffic impacts will result if Kimball Road is not extended as shown on the County 2010 Regional Roadway Network Map.

The City of Ventura Comprehensive Plan and the Comprehensive Plan EIR do not include any information that justifies the need for this roadway extension. Kimball Road is identified on the Ventura Comprehensive Plan Circulation Map as a "Future Extension" of an arterial roadway as opposed to a "Future Widening" to be accomplished by the horizon year of the Ventura Comprehensive Plan. The extension of North Bank Drive north to the Kimball Road extension is also shown as this type of Future Extension on the Ventura Circulation Element Map. The Circulation Element text does not define the term "Future Extension." The only specific reference to roadway extensions is the text in Policy 1.2 under the heading Objective 1 - Long-Range Circulation Plan – in the Circulation Element, which reads:

"The long-range circulation system depicts proposed roadway extensions across agricultural lands. These proposed roadways are not intended to be extended until development which is consistent with the Comprehensive Plan occurs, or until they become necessary to accommodate traffic. Such roads should be designed as urban parkways."

The Introduction to the Circulation Element states:

"The changes or increases in demands on the City's roadways and circulation system that may result from land use changes in implementing this Plan are described in the Traffic and Circulation Section (6.18) of the Master Environmental Impact Report for the Comprehensive Plan Update to the Year 2010 (April 1989). This section of the EIR is incorporated in this Plan by reference. The Circulation Plan Map reflects the analysis of impacts resulting from potential changes in land use"

The EIR for the City of Ventura Comprehensive Plan examined several land use alternatives for the Comprehensive Plan and concluded that the higher density alternatives would require more traffic capacity at the south edge of the City to reduce impacts on Johnson Drive. The lowest density land use alternative was adopted in the Comprehensive Plan, and this land use alternative would not require added capacity at the south edge of the City. Further, no actual traffic study was made of the benefits of the Kimball Road extension. Any benefit from the bridge was an assumed model input, rather than a demonstrated benefit shown by comprehensive traffic modeling. The traffic modeling included in the Comprehensive Plan EIR assumed volumes on the Kimball Road extension rather than modeling potential river crossing volumes southward until they come to a common cordon point. The assumptions made in the traffic analysis in the Comprehensive Plan EIR, do not, therefore, justify the need for the Kimball Road extension.

The City of Ventura placed the Kimball Road crossing as a future roadway extension on its Circulation Element Map. It should be noted that the alignment shown on the Circulation Element Map is not the same alignment considered in the traffic analysis in the Comprehensive Plan EIR. The alignment for the Kimball Road extension as shown on the Ventura Circulation Element Map and the County 2020 Roadway Network Map is shown on the exhibit (**Figure 2-6**) in the following page. The alignment on the Ventura Circulation Element Map would extend across the open mine pits on the Hanson Aggregates Mine site and connect to Vineyard Avenue at the northern edge of the El Rio Residential Community. The traffic analysis in the Comprehensive Plan EIR considered an alignment further south. The information in the Comprehensive Plan EIR does not justify the current alignment for the Kimball Road extension as required by Policy 1.2 of the Ventura Circulation Element.

In order to fully assess the need for the Kimball Road extension, the City of Oxnard prepared a traffic model run with this roadway link which was provided in Appendix A of the River Park Specific Plan traffic study. This analysis concluded the original alignment of the Kimball Road extension identified in the Ventura Comprehensive Plan EIR would not result in any substantial improvement in traffic conditions on roadways in the area, including Johnson Drive in Ventura. The traffic modeling completed with an extension of Kimball Road to Santa Clara River Boulevard in the project shows that there would be a minimal change of less than seven percent in the ICU value for peak hour traffic conditions at the Johnson Drive/North US-101 Ramps (North Bank) intersection, resulting in no change

FIGURE **2-6**

Kimball Road Extension

to the Level of Service. Adding the Kimball Road extension to the area roadway network resulted in the actual traffic volumes at this Johnson Drive intersection dropping less than three percent (approximately 160 trips). The results of the traffic modeling are shown in **Table 13** below.

Table 13
Johnson Drive/North US-101 Ramps (North Bank)
Intersection Analysis

	AM Peak Hour			PM Peak Hour		
	ICU	LOS	Volume	ICU	LOS	Volume
Without Bridge	1.357	F	6,051	1.669	F	8,052
With Bridge	1.310	F	5,895	1.560	F	7,897
Bridge Benefit	(0.047)	--	(156)	(0.109)	--	(155)
% Benefit	3.5%	--	2.6%	6.5%	--	1.9%

Further, given the ongoing improvements to US 101 over-crossing of the Santa Clara River, no justification can be made for an additional river crossing in the area. The Kimball Road extension alternative studied in the River Park traffic study was selected not only because it was analyzed in the City of Ventura Comprehensive Plan EIR, but because it was the most probable alignment in the opinion of those preparing the River Park Specific Plan traffic study as well. Also, this alignment was that crossing most likely to benefit the Johnson Drive interchange, the stated goal of extending Kimball Road identified in the City of Ventura Comprehensive Plan EIR.

As a supplement to the traffic modeling contained in Appendix A to the Draft EIR, additional runs of the City of Oxnard traffic model were completed to determine the potential benefits of the Kimball Road extension in the alignment shown on the Ventura Circulation Element Map. As stated above, Appendix A addressed the most beneficial crossing, which was the alignment included in the traffic study for the City of Ventura Comprehensive Plan. Based on the Comprehensive Plan adopted by the City of Ventura, the County of Ventura placed a Kimball Road extension on the County 2020 Roadway Network Map in the more northerly alignment shown on the exhibit on the previous page. As stated above this alignment would cross the open mine pits on the Hanson Aggregates Mine Site, cross Vineyard Avenue through the prime agricultural lands immediately north of the El Rio and Nyeland Acres residential neighborhoods and connect to the Ventura Freeway in Oxnard at the Del Norte Boulevard interchange. It should be noted that this roadway extension was added to the County of Ventura Roadway Network Map at the request of the City of Ventura General Plan, but no additional traffic analysis was conducted by the County to demonstrate the need for this roadway extension.

To analyze the alignment currently shown on the County's Roadway Network Map, additional traffic model runs were also prepared to supplement the traffic model runs in Appendix A to the Draft EIR. This analysis showed that this alignment for extension of Kimball Road would result in even less change in traffic conditions at the Johnson Drive/North US 101 Ramps (North Bank) intersection than the alignment further south. Peak hour traffic volumes at this intersection would drop a maximum of 120 trips in the P.M. peak hour, resulting in a change in the ICU value of 1.5 percent or less as shown in **Table 14** below. No change to the level of service of the Johnson Drive/North US-101 Ramps (North Bank) Intersection would result.

Thus, the Kimball Road extension as currently shown on the City of Ventura Circulation Element and County of Ventura Roadway Network Map would be less effective traffic measure than that alignment considered in the City of Ventura's Comprehensive Plan EIR and analyzed in Appendix A of the traffic study for River Park. However, neither alignment would improve the operating condition of Johnson Drive at the northbound US 101 ramps to a substantial degree as demonstrated by the information presented in **Tables 1** and **2**.

Table 14
Johnson Drive/North US-101 Ramps (North Bank)
Intersection Analysis

	AM Peak Hour			PM Peak Hour		
	ICU	LOS	Volume	ICU	LOS	Volume
Without Bridge	1.357	F	6,051	1.669	F	8,052
With Bridge	1.344	F	5,986	1.619	F	7,931
Bridge Benefit	(0.013)	--	(65)	(0.050)	--	(121)
% Benefit	1.0%	--	1.1%	3.0%	--	1.5%

The minor benefit provided by extending Kimball Road across the Santa Clara River must also be viewed in terms of environmental and monetary costs. The EIR for the City of Ventura Comprehensive Plan estimated a cost of over $12 million to extend Kimball Road across the river more than 10 years ago. This cost has risen with the passage of time. The estimated cost for the US 101 bridge would indicate that, ignoring the surface streets leading to the bridge, the actual cost already will be well in excess of that estimate. When the roadways within the City of Ventura and Oxnard are combined with the roadway through the prime agricultural land in the County, the monetary cost for this roadway extension would be prohibitive. It should also be noted that the Kimball Road extension is currently an unfunded improvement which is not part of the traffic fee program for the City of Ventura.

The discussion above of the cost of extending Kimball Road does not account for the environmental consequences of a Kimball Road bridge. The current alignment would require the extension of Kimball Road across agricultural land in Ventura, including land recently purchased by the Nature Conservancy with a grant from the California Coastal Conservancy. This 220-acre site represents the first purchase of property for the Santa Clara River Parkway planned by the California Coastal Conservancy along the southern reaches of the Santa Clara River. This new parkway is described on pages 2.0-13 and 2.0-14 of the Draft EIR. The acquisition of land along a 12 mile stretch of the river is proposed to facilitate restoration and enhancement of natural river habitat along this portion of the river. The extension of Kimball Road through the land recently purchased by the Nature Conservancy would be inconsistent with this important regional conservation effort, as would the construction of another bridge across this portion of the river, which contains sensitive natural habitat. In addition, the planned alignment would require extensive filling of the existing mine pits to allow the road to cross. Further, this road extension would impact prime agricultural land located in the Oxnard-Camarillo-Ventura Greenbelt to the north of El Rio and Nyeland Acres. Thus, the marginal traffic benefits of this road extension bridge hardly justify its high monetary and significant environmental impacts. In addition, the feasibility of obtaining the required permits and approvals to build the road and bridge are questionable.

Extension of Kimball Road would not be consistent with the applicable policy of the Ventura Circulation Element which states that the future roadways shown on the Ventura Circulation Element Map are not intended to be extended until development which is consistent with the Comprehensive Plan occurs, or until they become necessary to accommodate traffic. The Ventura Comprehensive Plan does not allow development around the Kimball Road extension and the information presented above demonstrates that the extension of Kimball Road is neither justified or necessary to maintain acceptable traffic conditions in Ventura, Oxnard or the surrounding areas. This roadway extension has never been a component of the Oxnard General Plan Circulation Element. No significant impacts will result, therefore, from adoption of a specific plan for the RiverPark Specific Plan Area that precludes the extension of Kimball Road.

VCPD-9

The analysis of sewer service in Section 4.11.3 of the Draft EIR was based on information in the recently updated City of Oxnard Wastewater Collection System Master Plan. As discussed on page 4.11.3-7 of the Draft EIR, the Wastewater Collection System Master Plan considers flows from El Rio and provides capacity for the El Rio Community to hook up to the City's sewer system. No revision to the analysis of sewer capacity in the EIR, therefore, is required.

UNITED WATER CONSERVATION DISTRICT

"Conserving Water Since 1927"

January 18, 2002

Gary Sugano, Principal Planner
City of Oxnard
305 W 3rd St., 2nd Floor
Oxnard, CA 93030

Re: Riverpark Draft EIR, SCH #2000051046

Dear Mr. Sugano:

Thank you for the opportunity to comment on the Draft EIR for the Riverpark project. We have several specific comments, but would also like to make a general comment relating to the presence of MTBE in groundwater at the edge of the project. This MTBE, which was a surprise to all of us involved in groundwater management in the county, has brought up some issues specific to the location and possible movement of this contaminant.

The biggest issue is that the well field that supplies half of the potable water to the cities and naval bases on the Oxnard Plain (the biggest user being the City of Oxnard) lies just 1300 feet from high concentrations of MTBE in groundwater. It would be a catastrophic impact if this water supply was compromised. Presently there is only sketchy information on the extent of the MTBE problem – there is evidence that the MTBE has been moving away from the contamination site, but its fate is unknown. There has just been a low-level MTBE detection at the SP Milling batch plant, across the pits from the contamination site. We do not know if there is MTBE in the pit water itself. Given these uncertainties, it is imperative that the exact location and movement of the MTBE be determined and that activities of the Riverpark project be carefully analyzed so that the MTBE problem is not exacerbated. It is to this backdrop that we make some of the following comments. We believe that with careful evaluation and planning, MTBE concerns can be mitigated. UWCD-1

4.5 Water Resources

Comment: Words are reversed in discussion, p. 4.5-40. The Saticoy spreading grounds reflect recharged water quality and the El Rio spreading grounds reflect background water quality. The actual analysis of background (ambient) water quality was done correctly in the EIR. UWCD-2

Comment: Discharge of dewatering water, p. 4.5-70. The dewatered water should be returned to the Forebay as recharge. If the water is removed from the Forebay by UWCD-3

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discharge into the Santa Clara River, the loss of water would cause significant impacts to both water quantity and quality across the Forebay and Oxnard Plain – the Forebay is the primary source of the groundwater that has reversed seawater intrusion beneath the Oxnard Plain. UWCD-3

Comment: MTBE in groundwater, p. 4.5-84. The EIR needs to be updated and state that MTBE has been found in local groundwater (up to 1800 µg/L). UWCD-4

Comment: MTBE standard, p. 4.5-85. The California primary MCL for MTBE is 13 µg/L and the secondary MCL is 5 µg/L (DHS website). UWCD-5

Comment: MTBE characterization, p. 4.5-85. The discussion should to be updated and corrected. The MTBE is mobile and has moved off the contamination site in groundwater. Based on discussions with County Environmental Health and the consultants for the contamination site, it is very unlikely that 50% containment will occur in the next 12 months. It should be assumed that this cleanup will take several years. UWCD-6

Comment: Effect of construction dewatering on MTBE, p. 4.5-85. The discussion should be updated and corrected. The discussion should correct the statement that groundwater modeling has shown that the pits will significantly dampen the effects from dewatering during construction – there has been no modeling of the dampening effects of the pits. It is very likely that such modeling would indicate that the dewatering, as proposed, would lower water levels in the pits sufficiently to accelerate the movement of MTBE from the contamination site. UWCD-7

The effect of the dewatering could potentially be mitigated by a combination of decreased dewatering rates, physical barriers separating the dewatering area from the pits, and discharging dewatering water back into the pits. If the level of water in the pits remains relatively stable during construction dewatering, then there will be little effect of the dewatering at the contamination site.

Comment on construction mitigation measure, p. 4.5-99. The discharge of groundwater extracted during dewatering into United Water's recharge basins would be predicated on the water meeting quality standards. These standards would include no detectable MTBE in the discharge. UWCD-8

4.3 Earth Resources

Comment on pit slope materials, p. 4.3-7 and maps. The proposed project shall relieve the Aggregate mining company of its obligation to reclaim the site in accordance with the CUP conditions. These conditions, if followed, would be expected to leave the site with stable, safe, pit slopes that would protect neighboring properties. Any proposed relaxation of these conditions ought to afford equivalent levels of protection. UWCD-9

The boring data presented in Fugro's May 2000 and July 2001 reports do not appear to justify the EIR statements regarding liquefiable strata, lateral spreading and the associated stability of the pit slopes. However, data from earlier studies reportedly confirms the statement. A table of referenced locations, depths and values of SPT corrected blow counts should be presented for the northeastern side of the Small Woolsey and the southeastern side of the Large Woolsey Pits. The boring data that are presented are confined in plan to an area that is not representative of the pit slope perimeters, and are limited in depth to only the top half of the slope heights. Several of the borings appear to indicate possible liquefiable layers, which then could be expected to result in local seismic failures of the pit slopes. The boring data presented does not indicate uniformly dense native alluvium materials. UWCD-9

General Safety Issue

Open water pits: The proximity of open water to the proposed business and residential development could create an " attractive nuisance" hazard that ought to be mitigated by appropriate setbacks, fencing and signing of the open water pit areas. UWCD-10

Sincerely,

Dana L Wisehart

Dana Wisehart
General Manager

CC: BDRF
Paul Keller, Riverpark

UNITED WATER CONSERVATION DISTRICT

"Conserving Water Since 1927"

April 8, 2002

RECEIVED
APR 9 2002
PLANNING DIVISION
CITY OF OXNARD

Gary Sugano, Principal Planner
City of Oxnard
305 W 3rd St., 2nd Floor
Oxnard, CA 93030

Re: Riverpark

Dear Mr. Sugano:

We would like to make some additional comments about the Riverpark project now that we have additional information on the MTBE contamination at the Poole Oil site. The presence of MTBE at a property adjacent to the Riverpark site raised concerns for United Water Conservation District. In particular, as a regional water supply and management agency, one of United's primary goals is to ensure that local groundwater quality is maintained and protected. While the MTBE contamination is being remediated, groundwater management (pumping and replenishment) activities in the Forebay may influence the location and migration of the MTBE contamination.

This issue is relevant to the Riverpark Project and United's proposed use of the pits in two ways. First, the localized dewatering efforts related to certain Riverpark construction activities may have an impact on the migration of the Poole Oil site MTBE plume. Second, United's potential future use of the mine pits within the Riverpark Project to enhance groundwater recharge may also impact the location and extent of the MTBE contamination. UWCD-11

In our prior comments on the Draft EIR, we requested that the City conduct further analysis of the potential influence of the dewatering activities on plume migration. From our involvement in the technical work being performed to address this issue, we believe the City has analyzed this issue appropriately to address the concerns raised by United.

With regard to future use of the pits by United for the storage of water diverted from the Santa Clara River, United plans to use the pits in a manner that minimizes any effect on the existing MTBE contamination. Specifically, United proposes that river water diverted to the pits not exceed an amount that would change groundwater gradients at the Poole Oil MTBE site. This diverted water would be preferentially placed in the pits along the river, which are the farthest distance from the MTBE site. Smaller amounts of additional water may be able to be placed in the pits closest to the MTBE site.

UNITED WATER CONSERVATION DISTRICT

As much as 375 cfs of river water would be available to be diverted to the pits in the wettest years. This rate of water delivery would only be available for a few days at a time during peak storms. In the wettest years, about 15,000 acre-feet would be available in the period from December to April. In dry years, no water would be delivered to the pits. A long-term average of about 7,400 acre-feet per year could be delivered to the pits. United assumes that use of the pits would not commence until three years from now and that there would be a phased approach in early stages of water delivery to the pits. Delivery of water to the pits would increase as the MTBE contamination was mitigated. Given this mode of operation, United wants to be assured that there would be no significant impact on water resource issues related to the MTBE contamination. UWCD-11

The United Board adopted Resolution 2000-19 in December 2000 in an effort to establish standards on the use of the existing gravel pits to ensure the protection of groundwater quality. United is also familiar with the recommendation included in Ventura County Fox Canyon Groundwater Management Agency ("GMA") Resolution No. 01-01 that runoff resulting from a storm event of up to the 10-year storm event not be allowed to enter any deep pits in the Forebay area, such as the existing mine pits, unless such runoff meets the most stringent of three specified water quality standards. This recommendation seems reasonable to United based upon the latest available information on storm water quality. The Riverpark project proposes extensive water quality measures in order to meet the standard propose by GMA Resolution No. 01-01. The DEIR provides substantial evidence that these Riverpark water quality features will meet and possibly exceed this condition of Resolution No. 01-01, as well as the requirements of United Resolution 2000-19. United appreciates the City's careful consideration of this issue. UWCD-12

Please contact me if you have any questions related to the information in this letter.

Sincerely,

Dana Wisehart

Dana Wisehart
General Manager

C:\windows\TEMP\Riverpark additional comments on MTBE-final.doc

United Water Conservation District (UWCD)

UWCD-1

A brief summary of information on the existing MTBE contamination at the Poole Oil site at the time the Draft EIR was prepared is provided below along with updated information that has become available since the Draft EIR was prepared.

Summary Of Dewatering Activities Known At The Time The Draft EIR Was Prepared

As stated in the Draft EIR, specific details regarding dewatering operations will not be known until the stockpile excavation begins. Groundwater levels at the time of construction will have the greatest influence on the specifics of the dewatering operation. Additionally, the methodology of the grading contractor, i.e., the size of the excavation, were also identified as factors that would influence the scope of the dewatering operation (Draft EIR, page 4.5-69).

A dewatering evaluation estimated that a wellpoint dewatering system could generate as much as 110 to 130 acre-feet per day (approximately 24,890 to 29,415 gallons per minute (gpm)) of discharge, if the groundwater level was at or below about 55 feet mean sea level (MSL) and excavation down to about 35 feet MSL was required. Dewatering is anticipated to last for three to four months, based on anticipated groundwater levels, to accommodate the grading activities for the reclamation of the stockpile area (Draft EIR, pages 4.5-69 and 4.5-70).

Potential discharge points for this water include the Large Woolsey Mine Pit, the Vulcan (previously CalMat) Ferro Pit (located immediately north of the Large Woolsey Pit), the UWCD El Rio Spreading Basins, or the Santa Clara River (Draft EIR, page 4.5-70).

Construction Dewatering Impacts Identified In the Draft EIR

The Draft EIR recognizes that the proposed construction dewatering could cause a significant impact on groundwater quantities depending on the actual amount of dewatering required and the method of discharge. The Draft EIR states that if a substantial amount of groundwater is discharged to the Santa Clara River, this would result in a significant impact on groundwater quantities and that allowing the dewatered groundwater to percolate back to groundwater could mitigate this impact to less than significant. This could be achieved, by discharging the groundwater to the mine pits if a small amount of dewatering is necessary or to the El Rio Spreading Grounds or the Ferro Pit if larger withdrawals are

required (Draft EIR, page 4.5-70). Mitigation Measure 4.5-1 for the construction dewatering states that groundwater extracted as a result of dewatering during construction shall be discharged to the UWCD El Rio Spreading Ground recharge basins, to mitigate significant impacts on groundwater quantity and quality to less than significant (Draft EIR, page 4.5-99).

The Draft EIR identifies several leaking underground storage tank (LUST) sites under investigation in close proximity of the Specific Plan Area. As indicated, as of October 25, 2001, the following three known active LUST sites in the industrial areas to the north of the Specific Plan Area were identified (Draft EIR, page 4.5-50):

- Poole Oil Company, 3885 E. Vineyard Avenue;
- Ventura Oil, 3815 E. Vineyard Avenue; and
- Sparkletts/McKesson, 210 Beedy Street.

No significant impact was identified with the latter two LUST sites since contamination at these sites was limited to the soil and these sites were actively being remediated.

For the Poole Oil Company Site, it was identified in the Draft EIR that elevated levels (i.e., concentrations) of benzene and MTBE had been found in groundwater samples on the Site (Draft EIR, page 4.5-50). In addition, based on personal communication on November 19, 2001 with Craig Klein of the VCEHD, Leaky Underground Fuel Tank (LUFT) Program, the VCEHD was requiring the installation of off-Site monitoring wells to determine the extent of groundwater contamination and active remediation with a pump and treat system had been approved and was scheduled to begin in the next 60 days (by January 18, 2002).

Based on information known at that time and on the results of an analysis presented by Fugro West, Inc. (Fugro) in a November 27, 2001 Technical Memorandum (Fugro, 2001; Draft EIR page 4.5-85), the potential for the dewatering operation to effect the movement of the existing groundwater contamination was not significant for the following reasons:

The contamination at the Poole Oil Company Site consists largely of Total Petrochemical Hydrocarbon (TPH) (gas) compounds, which are relatively immobile and contained onsite. Investigations of this site to date have determined that the mass of MTBE, benzene and TPH in the groundwater on the Site has been largely immobile since the early 1990s.

Active remediation with a pump and treat system will begin in the next 60 days (by January 18, 2002). Based on the volume of contamination at this site, 50 percent containment will likely be achieved in the next 12 months (by November 2002). The proposed dewatering of the Stockpile Area could begin in the fall of 2002 for a duration of up to 6 months. The pump and treat system on the Poole Oil Company Site will create a local groundwater capture zone that will restrict the migration of contaminants offsite.

Groundwater modeling completed indicates that the open Small Woolsey/ Brigham/ Vickers mine pits will significantly dampen the lateral extent, configuration, and the magnitude of water declines from the dewatering.

For these reasons, the Draft EIR concluded that the dewatering operation would not significantly impact the existing contamination from the Poole Oil Company Site or result in a significant impact on groundwater quality related to the contamination.

Information on the Poole Oil Company Site

Results of groundwater sampling performed by PW Environmental (PWE) on July 18, 2001 at the Poole Oil Company Site were received by the VCEHD on October 18, 2001 (PWE, 2001a). Analyses have been performed to further evaluate any effects of the refined dewatering operation on contamination from the Poole Oil Company Site. This information has clarified the understanding of contamination in the vicinity of the Poole Oil Company Site and does not represent or lead to the identification of a significant impact. The results of recent analyses are discussed in a subsequent section below.

Prior to groundwater sampling on July 18, 2001, the lateral extent of existing MTBE contamination in groundwater at the Poole Oil Company Site appeared to be delineated as discussed below. MTBE had not been detected in groundwater samples collected from any off-Site monitoring wells with the exception of one detection in January 2001 of 2 micrograms per liter (ug/L) from Well MW-9. MTBE had only been detected a total of three times above the laboratory detection limit of 0.5 ug/L in samples collected from two on-Site wells (Well MW-1 at 21 ug/L on April 20, 2001 and Well MW-6 at 230 and 16 ug/L on November 11, 1999 and April 20, 2000, respectively). Based upon data prior to July 18, 2001, very low concentrations of MTBE had been sporadically detected in groundwater at the Poole Oil Company Site and the extent of contamination appeared to be very localized.

Analytical results for groundwater samples collected by PW Environmental on July 18, 2001 were submitted to the VCEHD on October 18, 2001. MTBE was detected in samples from Wells MW-10 and MW-11 at concentrations of 840 and 0.9 ug/L, respectively. MTBE was not detected above the laboratory detection limit of 0.5 ug/L in samples from these wells in April 2001. The detection of MTBE in these

wells, which are located down gradient and off-Site of the Poole Oil Company property, indicates that MTBE contamination from the Site is mobile and migrating off-Site. In addition, MTBE was detected in a sample collected on July 18, 2001 from on-site Well EW-2 at 1,800 ug/L. A sample from this well collected in April 2001 did not detect MTBE above the laboratory detection limit of 0.5 ug/L. Based on the data collected on July 18, 2001, the lateral and vertical extent of existing MTBE contamination in groundwater was somewhat defined in the near-site vicinity. However, the full extent of contamination in the downgradient direction was not fully defined.

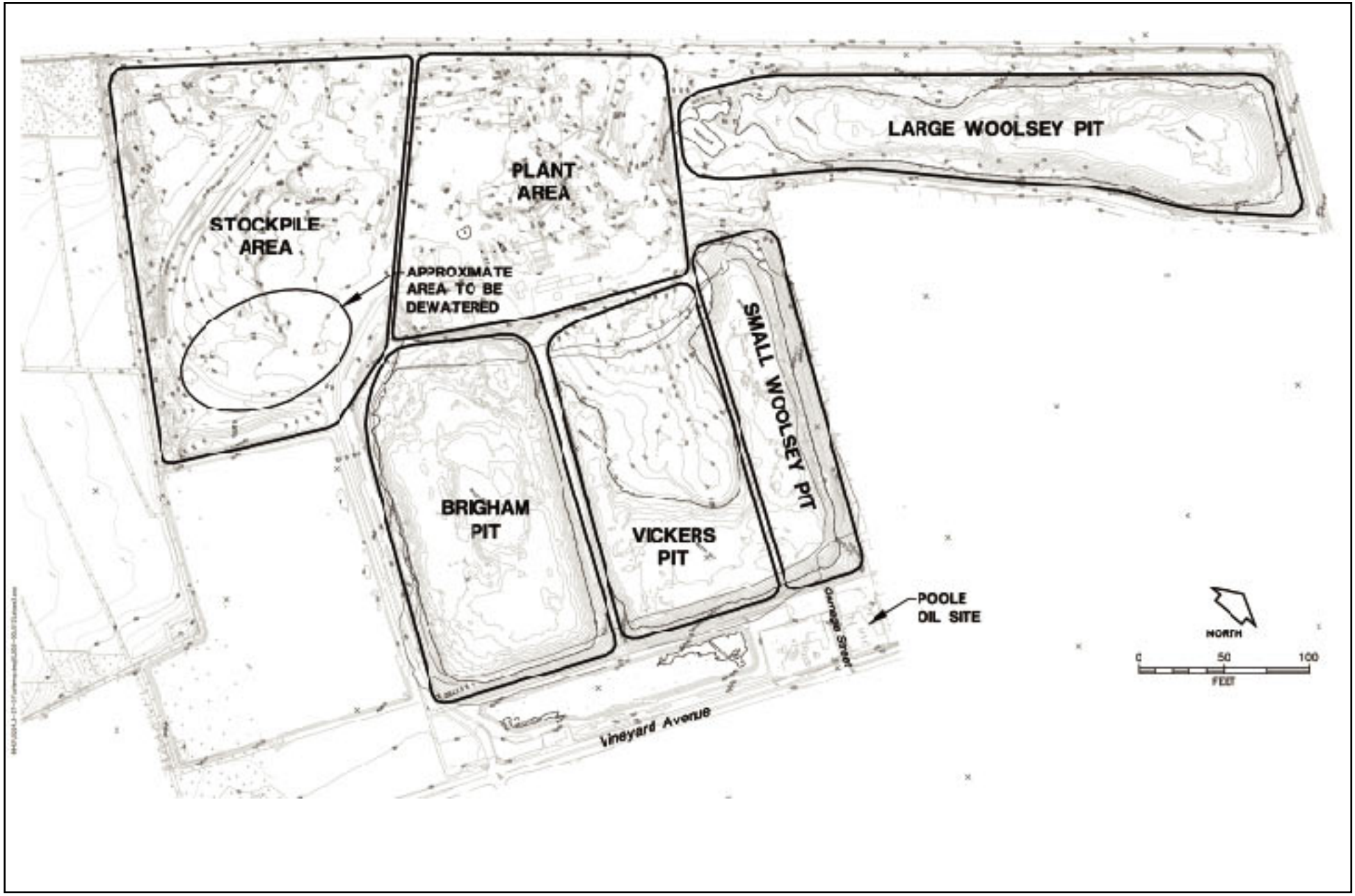
Currently no active remediation is being performed at the Site. A Corrective Action Plan/Remedial Action Plan (CAP/RAP) dated February 18, 2002 was developed by PW Environmental (PWE, 2002) and portions of the CAP/RAP have been granted approval, with modifications (VCEHD, 2002a).

Refined Dewatering Plan and Subsequent Evaluations Using the Revised RiverPark Groundwater Model

Since the preparation of the DEIR, the area requiring dewatering has been refined and the proposed dewatering operation has been further clarified by Fugro (see attached **Figures 2-7** and **2-8** for area and previous extent of proposed excavation). The area requiring deep excavation (and extensive dewatering to approximately 20 feet above MSL) has been clarified and greatly reduced from approximately 37 acres to approximately 5.5 acres (approximately a 400 feet by 600 feet area) as represented by Area D on attached **Figure 2-9** (Fugro, 2002). The reduction in area has reduced the required dewatering period presented in the DEIR (page 4.5-70) from three to four months to approximately 55 days.

A Construction Dewatering Plan will be prepared prior to the start of dewatering to finalize the details of the proposed excavation and dewatering operation. This Construction Dewatering Plan, at a minimum, shall include details on the timing and extent of excavation and dewatering, the disposition of water generated by dewatering and water level and water quality monitoring points and monitoring criteria.

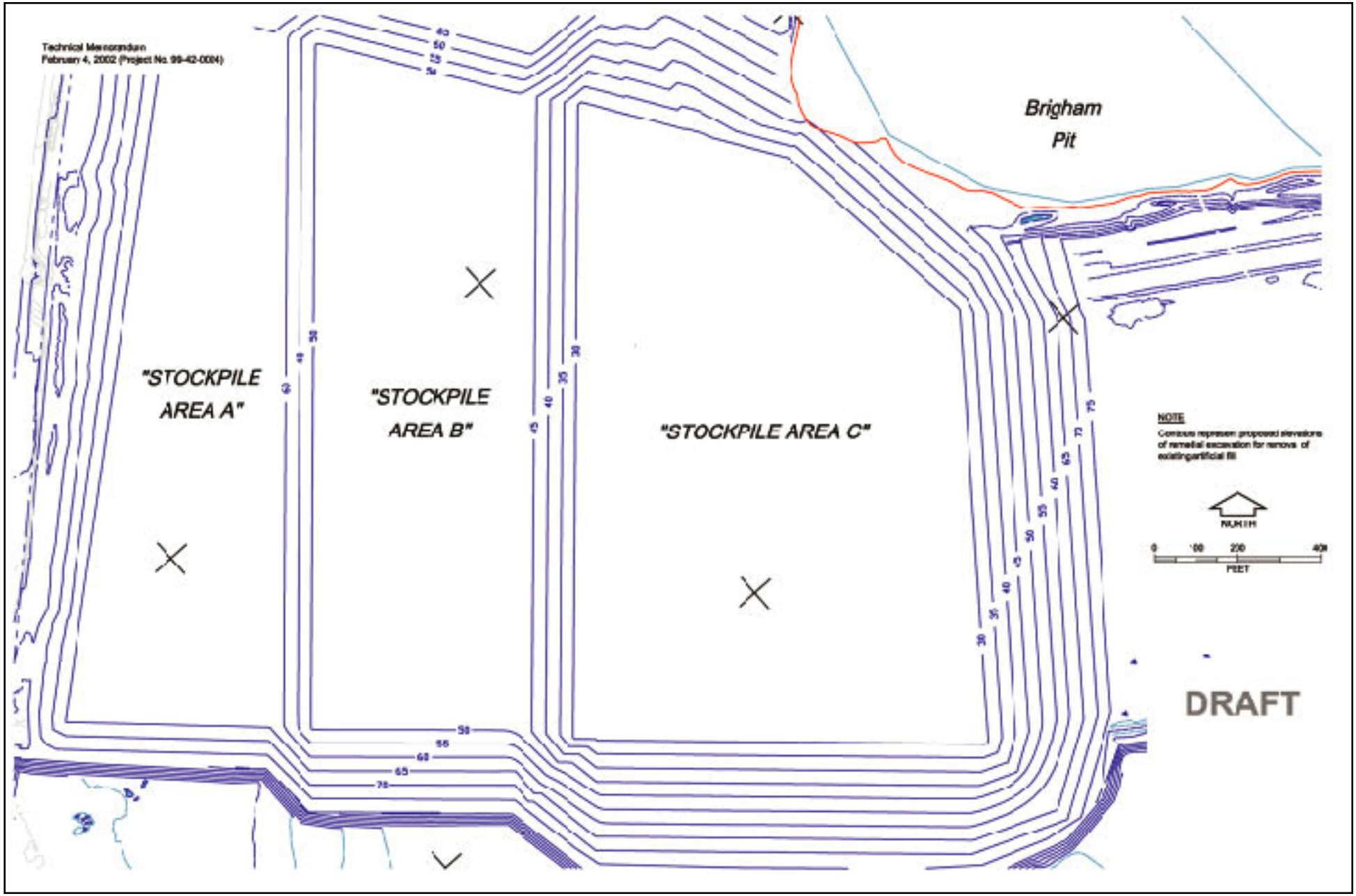
Based on the clarification of dewatering and excavation operations by the applicant, additional analyses consisting of numerical groundwater modeling was completed by the applicant to further evaluate whether the proposed dewatering operations can be performed without substantially impacting the existing Poole Oil Company plume. The existing RiverPark Groundwater Model was updated to better represent the pits and focus on the existing MTBE plume and proposed dewatering locations. The existing RiverPark Groundwater Model was developed as part of the Draft EIR to evaluate long-term loading of storm water on groundwater quality (Draft EIR page 4.5-12) and was based largely on a numerical model by the U.S. Geological Survey (USGS) to study the hydrogeology of the Santa Clara-Calleguas groundwater basin as part of the Southern California Regional Aquifer System Analysis (USGS, 1998).



SOURCE: Fugro, Nov 27, 2001.

FIGURE **2-7**

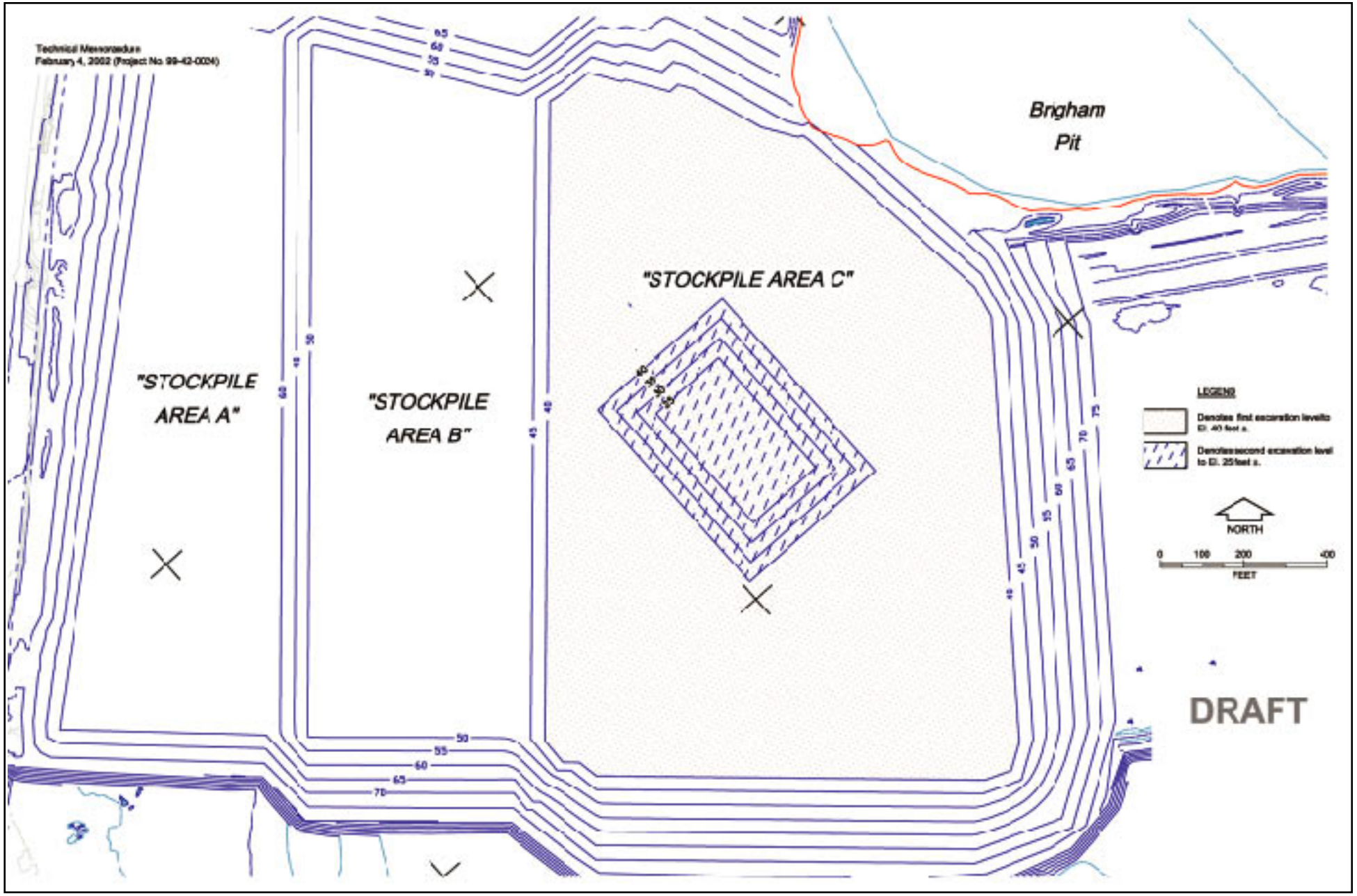
Proposed Dewatering Location



SOURCE: Fugro, Feb 4, 2002.

FIGURE **2-8**

"Stockpile Area C" Excavation from Exhibit 3 in RFP



SOURCE: Fugro, Feb 4, 2002.

FIGURE **2-9**

Staged Excavation Sequence

Groundwater flow simulations were prepared by ETIC Engineering, Inc. (ETIC) using the revised RiverPark Groundwater Model to further evaluate the proposed construction dewatering (ETIC, 2002). Water level elevations for 1997 were chosen for baseline condition, as explained in Draft EIR Appendix 4.5-2, because fall 1997 groundwater elevations were considered representative of average fall conditions. Based on the dewatering simulations performed by ETIC, groundwater levels returned to pre-dewatering levels within approximately 305 days of simulated recovery following the 60-day construction dewatering period. Because of this, a total time period of one year (365 days) was used to simulate baseline conditions and the effects of dewatering.

This modeling conservatively does not account for any dilution effects of the pits and also does not consider that local groundwater gradients vary dramatically from season to season and from year to year in the Forebay Basin over a standard water year (see Fugro (2001) Figure 3: Water level hydrograph for State Well No. 2N/22W-22H1).

The baseline one-year flow simulation indicates that the contamination from the Poole Oil Company Site would migrate approximately 3,400 feet downgradient (attached **Figure 2-10**) in one year, under ambient conditions. A modeling run simulating 60 days of dewatering operations followed by 305 days of non-pumping conditions indicates that the travel distance over one year would be similar, extending approximately 3,900 feet from the Poole Oil Company Site (attached **Figure 2-11**).

Based on clarification of the proposed construction dewatering by the applicant, subsequent results of the modeling analyses performed since preparation of the Draft EIR and the future preparation and implementation of a Construction Dewatering Plan, the proposed construction dewatering will not move the contamination substantially further than it would under ambient gradient conditions. Therefore, there is no significant impact of the proposed construction dewatering on contaminated groundwater form the Poole Oil Company Site.

UWCD-2

Comment noted. The referenced text on page 4.1-40 is revised as follows:

The Saticoy spreading basin portion is located upstream of the project site and is more reflective of the ~~background water quality~~ recharged water quality. The El Rio spreading basins, located closer to the project but downstream of the Saticoy Spreading Grounds, have substantial groundwater extraction wells and the water quality from these wells is generally more reflective of ~~the recharged water quality~~ background water quality.

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SOURCE: ETIC Engineering, Inc.

FIGURE **2-10**

Simulated Transport of Existing MTBE Plume after One Year

SOURCE: ETIC Engineering, Inc.

FIGURE **2-11**

Simulated Transport of Existing MTBE Plume after 365 Days in Response to Stockpile Dewatering/Pit Recharge

UWCD-3

The precise discharge locations and volumes for the proposed construction dewatering will be specified in a Construction Dewatering Plan to be prepared by the applicant and reviewed and approved by the City of Oxnard prior to initiation of dewatering. As the additional analysis described in the response to Comment UWCD-1 demonstrates, discharging a portion of the water generated by dewatering operations to the Small Woolsey and Vickers Pits (approximately 45 percent) will minimize drawdown near the Poole Oil Company Site. The portion of water not returned to the Small Woolsey and Vickers Pits could be discharged to any of the original locations identified in the DEIR, except for the Santa Clara River and still be returned to the Forebay. Selection of a specific discharge point, aside from the Small Woolsey and Vickers Pits, will be dependent on the amount of groundwater to be dewatered and the relative location of the area to be dewatered to the discharge point considering mounding effects, and will be defined in the Construction Dewatering Plan. As such, all water generated during dewatering operations will be returned to the Forebay as recharge.

UWCD-4

Several LUST sites under investigation in the area of the RiverPark Project were identified as part of the assessment performed for the DEIR. The Poole Oil Company Site located at 3885 East Vineyard Avenue was identified as one of three active LUST sites. The DEIR (page 4.5-50) correctly indicates that the Poole Oil Company Site had detected elevated concentrations of benzene and MTBE in groundwater samples on the Site. In the round of sampling performed on June 18, 2001, MTBE was detected in groundwater samples ranging up 1,800 ug/L (Well EW2). These results were reported to the VCEHD on October 18, 2001.

UWCD-5

The DEIR on page 4.5-85 indicates that the California Department of Health Services (DHS) primary Maximum Contaminant Level (MCL) for MTBE is 10 ug/L. Effective May 2000, the primary MCL adopted by the DHS for MTBE was 13 ug/L. The secondary MCL for MTBE is 5 ug/L.

UWCD-6

Sampling results for July 18, 2001 submitted to the VCEHD on October 18, 2001 (PWE, 2001a), indicated that MTBE was detected in groundwater samples collected from groundwater monitoring Wells MW-9, MW-10, and MW-11, located down gradient and off-Site of the Poole Oil property. Based on sampling

results for July 18, 2001, MTBE contamination in groundwater appears to extend off-Site to the west and the lateral and vertical extent of MTBE contamination in groundwater has not been fully delineated.

The duration of soil and groundwater cleanup efforts associated with the Poole Oil Company Site is likely to take several years. Currently no active remediation is being performed at the Site. The CAP/RAP, dated February 18, 2002 was developed by PWE (2002) and has been submitted to the VCEHD. Portions of the CAP/RAP have recently been approved, with modifications (VCEHD, 2002a). Given this, it is unknown what portion of the plume maybe reasonably contained within the next four to six months.

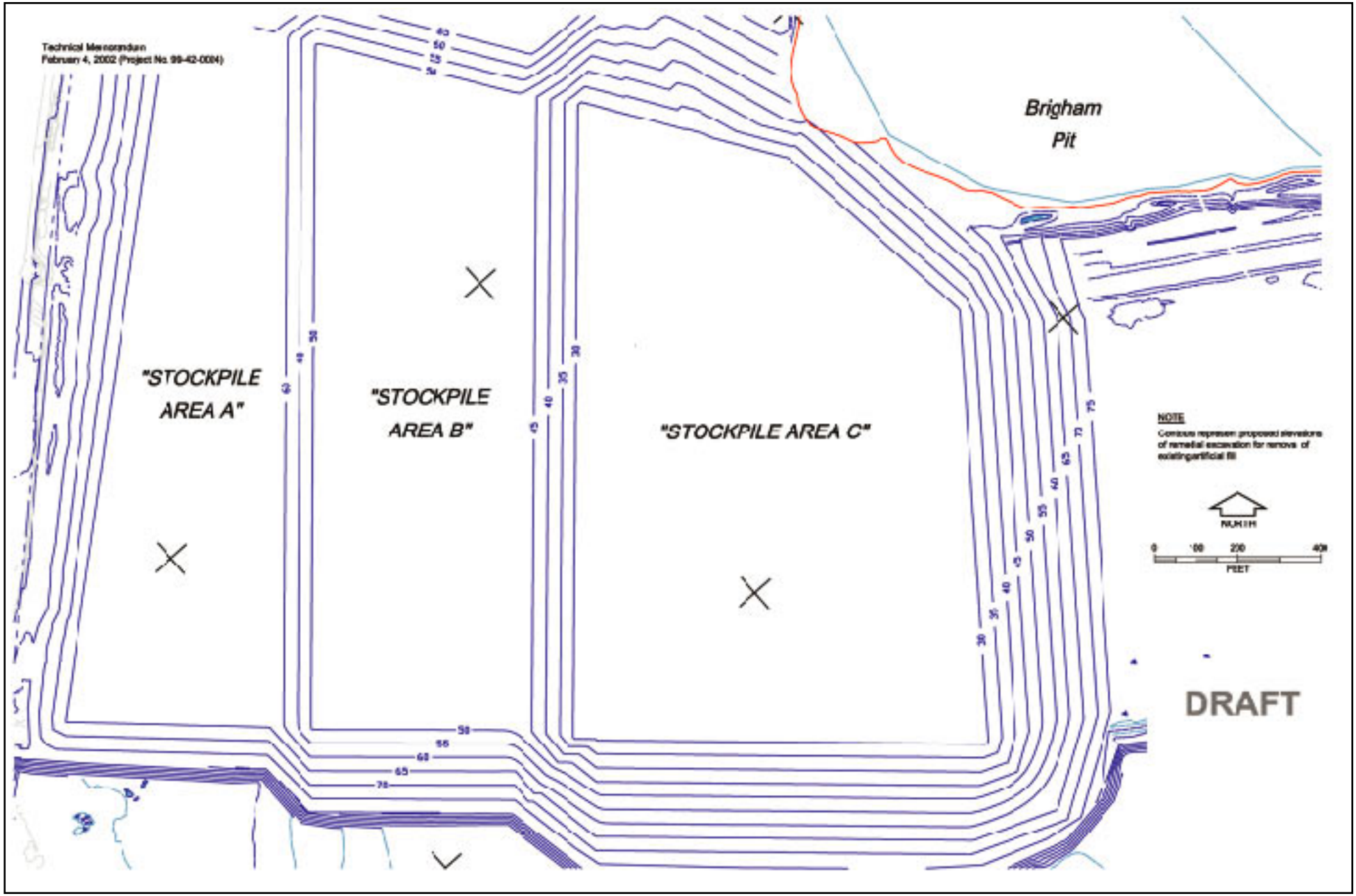
As discussed above, the proposed construction dewatering operation can be performed without accelerating the migration of groundwater contamination from the Poole Oil Company Site, thereby not creating a significant impact.

UWCD-7

At the time of the DEIR preparation, groundwater flow calculations consisting of theoretical distance-drawdown estimates using an analytical mathematical model were performed by Fugro using a range of aquifer numerical values for the area to show the effect of the pits on the proposed dewatering operation as presented in the DEIR (Fugro, 2001; DEIR page 4.5-85). The source of these aquifer values was the calibrated numerical groundwater flow model developed for the Montalvo Forebay Basin prepared by Fugro (1994). This analysis concluded that the dewatering operation as presented in the DEIR would not significantly impact contamination from the Poole Oil Company Site.

The RiverPark groundwater flow model that was used to simulate the long-term effects of storm water discharge on groundwater quality (see Appendix 4.5-2 of the DEIR) has been updated by ETIC to further evaluate the potential effect of the pits on the proposed Stockpile Area dewatering and the groundwater contamination associated with the Poole Oil Company Site (ETIC, 2002).

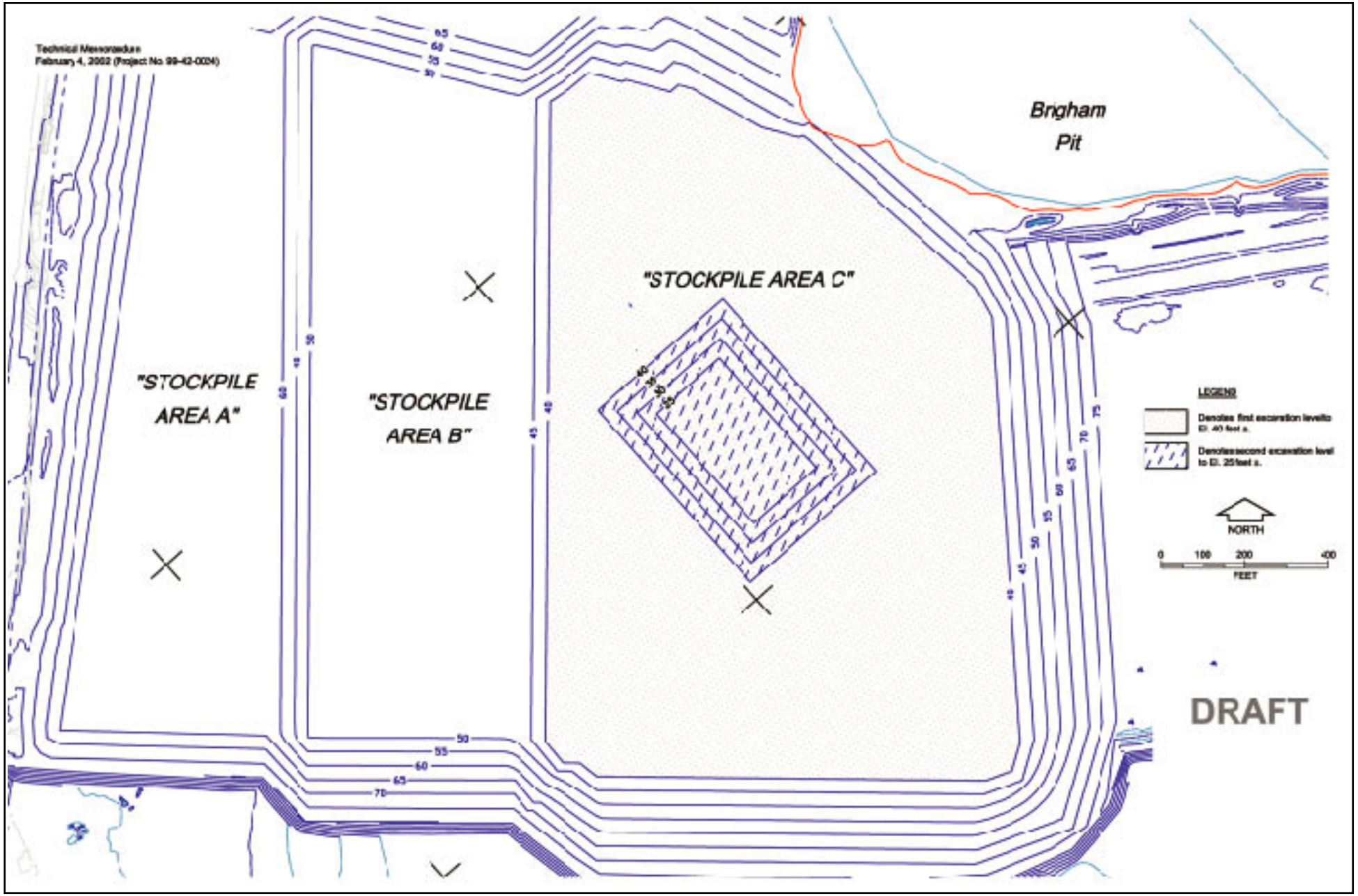
The first task associated with further evaluating the effect that the proposed dewatering operation may have on groundwater contamination associated with the Poole Oil Company Site was to clarify the proposed dewatering operation as outlined previously. In summary, the excavation estimates prepared prior to DEIR preparation (attached **Figure 2-12**) called for all of Stockpile Area C to be excavated to an elevation of 30 feet above MSL. The current conceptual excavation plan (attached **Figure 2-13**) has identified a smaller area within Stockpile Area C that requires excavation to the deepest depth, Stockpile Area D. Stockpile Area C will still need to be dewatered to reach an excavation level of 40 feet above MSL, while only Stockpile Area D requires dewatering to allow excavation to an elevation of 25 feet above MSL. The current expected excavation period has been shortened from a duration of



SOURCE: Fugro, Feb 4, 2002.

FIGURE **2-12**

"Stockpile Area C" Excavation from Exhibit 3 in RFP



SOURCE: Fugro, Feb 4, 2002.

FIGURE **2-13**

Staged Excavation Sequence

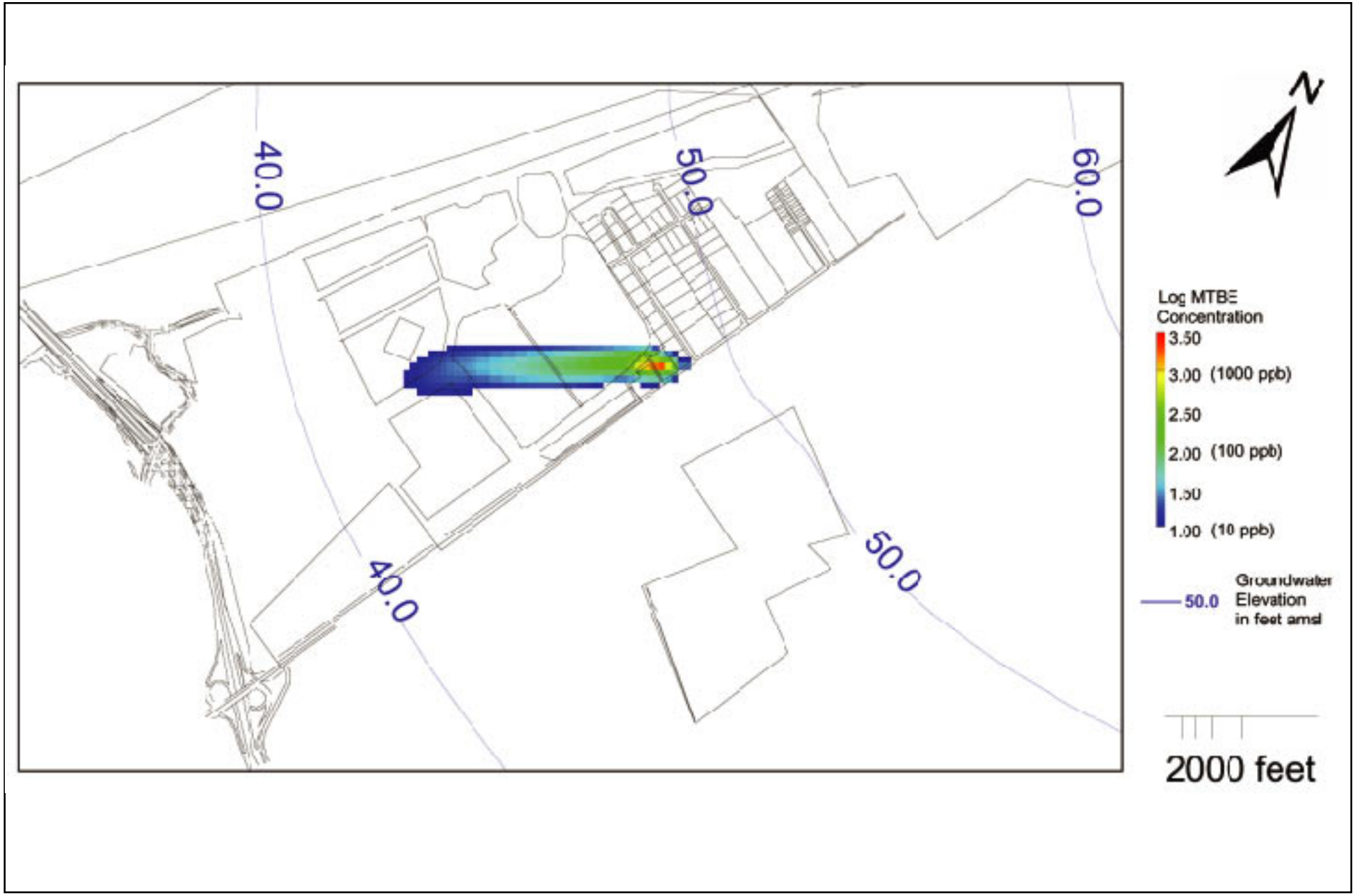
approximately 12 to 16 weeks mentioned in the DEIR, down to approximately eight or nine weeks. In addition, only a small portion of the Stockpile Area needs to be dewatered to the deepest depth.

Groundwater flow simulations were performed by ETIC Engineering, Inc. (ETIC) using the revised RiverPark Groundwater Model to further evaluate the proposed construction dewatering. Water level elevations for 1997 were chosen for baseline conditions, as explained in DEIR Appendix 4.5-2, because fall 1997 groundwater elevations were considered representative of average fall conditions. Based on the dewatering simulations performed by ETIC, groundwater levels returned to pre-dewatering levels within approximately 305 days of simulated recovery following the 60-day construction dewatering period. Because of this, a total time period of one year (365 days) was used to simulate baseline conditions and the effects of dewatering.

This modeling conservatively does not account for any dilution effects of the pits and also does not consider that local groundwater gradients vary dramatically from season to season and from year to year in the Forebay Basin over a standard water year (see Fugro (2001) Figure 3: Water level hydrograph for State Well No. 2N/22W-22H1). The baseline scenario indicates that the contamination from the Poole Oil Company Site would migrate approximately 3,400 feet downgradient (attached **Figure 2-14**) in one year, under ambient conditions.

Additional simulations were performed to further evaluate the effect of discharging water generated by the proposed dewatering operation into the Vickers, Small Woolsey, and Large Woolsey Pits. The goal of discharging into the pits would be to maintain the pre-dewatering water levels (minimal drawdown of water level) in order not to accelerate the migration of MTBE in groundwater from the Poole Oil Company Site. These simulations indicate that the proposed dewatering operation can be performed without accelerating the migration of existing contamination. As indicated by ETIC (2002), discharging water generated by dewatering activities into the Small Woolsey, Vickers and Large Woolsey Pits can offset the potential acceleration effect of dewatering on MTBE migration, although true recharge levels should be lower than those modeled so as not to create a significant eastwards gradient.

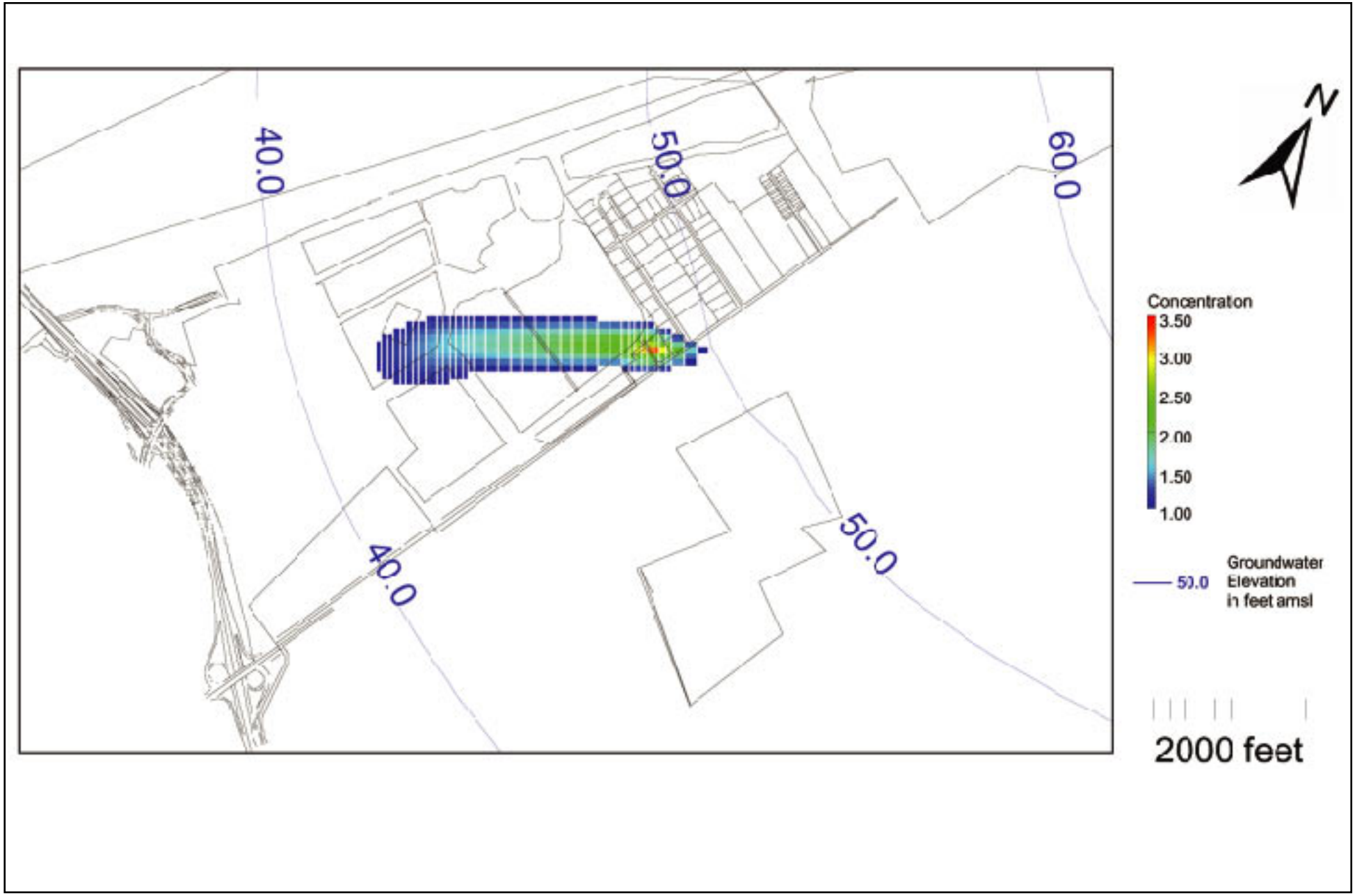
Following the proposed 60-day construction dewatering period, the groundwater contamination will be subjected to varying ambient recharging groundwater flow conditions. A simulation was performed to represent this condition of 60 days of dewatering and recharge, followed by 305 days of groundwater flow under ambient conditions. This simulation indicates that the travel distance of contamination from the Poole Oil Company Site over one year would be similar to that without the proposed construction dewatering, extending approximately 3,900 feet from the Poole Oil Company Site (attached **Figure 2-15**). The difference in contaminant extent of approximately 500 feet represents a modeled travel time of approximately two months under ambient conditions.



SOURCE: ETIC Engineering, Inc.

FIGURE **2-14**

Simulated Transport of Existing MTBE Plume after One Year



SOURCE: ETIC Engineering, Inc.

FIGURE **2-15**

Simulated Transport of Existing MTBE Plume after 365 Days in Response to Stockpile Dewatering/Pit Recharge

Based on clarification of the proposed construction dewatering by the applicant, subsequent results of the modeling analyses performed since preparation of the DEIR and the future preparation and implementation of a Construction Dewatering Plan, the proposed construction dewatering will not move the contamination substantially further than it would under ambient gradient conditions. Therefore, there is no significant impact of the proposed construction dewatering on contaminated groundwater form the Poole Oil Company Site.

During field reconnaissance associated with this evaluation, an existing gasoline station located at 3402 Vineyard Avenue (High Desert Oil #093) was noted to be undergoing construction activities related to the underground storage tanks and/or lines. Based upon this, the VCEHD was contacted and the VCEHD files for that Site were reviewed. In 1988, prior to an underground storage tank (UST) upgrade, soil sampling at the Site detected petroleum hydrocarbon compounds at relatively low concentrations. VCEHD granted the Site closure in August 1990. Between 1990 and 2001, no release of gasoline was reported.

In June 2001, an application was submitted to the VCEHD to replace existing dispensing equipment with new multi-grade dispensers and add one new dispenser with additional product piping. Based upon the permitted construction activities and discussion with the VCEHD UST Case Officer, these modifications were not related to any known or suspected release of contamination (verbal communication, VCEHD, 2002a). The LUFT Case Officer for this Site also indicated that no contamination was reported for soil samples collected during the modification work (verbal communication, VCEHD, 2002b). Based on this information, the existing gasoline station located at 3402 Vineyard Avenue (High Desert Oil #093) does not appear to have groundwater contamination and will not significantly impact the construction dewatering operation.

UWCD-8

The current conceptual dewatering operation includes the discharge of water generated during the proposed Stockpile Area dewatering into the Large Woolsey, Small Woolsey or Vickers Pits. The discharge water will be tested in compliance with any required permits. This testing shall include sampling for MTBE and will be defined in the Construction Dewatering Plan.

UWCD-9

UWCD does not reference what boring data to which they are referring; however, UWCD is probably referring to subsurface data presented in Fugro (1999). That data is mainly for fill materials located in the

stockpile area of the S.P. Milling site. In general, blowcount data obtained from borings located in the stockpile area are in fill materials and do suggest susceptibility to liquefaction. However, as part of the RiverPark development plan, those materials will be excavated and replaced with densified materials.

Other subsurface data for pit slope perimeters and other areas of the proposed development will be presented when it has been obtained and synthesized. However, we note the existing subsurface data for nearby projects and referenced in the appendicized reports (Fugro, 2000, 2001), such as the El Rio Juvenile Justice Center Complex, currently under construction (circa, January 2002), indicates that liquefaction potential is very low for the native alluvial sandy and gravelly soils present in the area.

UWCD-10

The proposed Specific Plan incorporates appropriate set backs, fencing and signing of the open water pit areas, as suggested in this comment.

UWCD-11

Considering UWCD's statements and clarification of the proposed future use of the Pits, additional groundwater modeling was performed by ETIC Engineering Inc. (ETIC) to evaluate whether a significant groundwater quality impact may arise if UWCD uses the Pits to store and recharge water. Based on the simulations performed by ETIC, UWCD can use the Pits to store and recharge water without creating a significant groundwater quality impact associated with groundwater contamination from the Poole Oil Company Site.

Presented below is a summary of the general analysis process used to evaluate the future use of the Pits.

<u>General Evaluation Process</u>

The ability of UWCD to use the Pits without creating a significant groundwater quality impact is related to three primary variables:

1) The extent and remaining mass of contamination associated with the Poole Oil Company Site at the time of the intended use;

2) The details of the proposed future use of the Pits by UWCD, specifically, constraints on the timing, volume and location of water to be delivered to the Pits; and,

3) The ambient conditions of the aquifer at the time of the future use.

Based upon reasonable assumptions associated with the variables mentioned above, analyses using numerical groundwater modeling were performed to evaluate whether a theoretical future use by UWCD can be implemented without creating a significant impact on groundwater quality (ETIC, 2002b). The evaluations were conducted using the Revised RiverPark Model, which was developed to evaluate the potential for dewatering activities to create a significant groundwater quality impact related to contamination from the Poole Oil Company Site (ETIC, 2002a). The threshold for a significant groundwater quality impact associated with UWCD's future use of the Pits is defined as displacement of the MTBE contamination substantially further than expected under ambient groundwater conditions.

Assumed Conditions Associated with the Future Use

The assumed conditions and rationale for those future conditions at the time of the potential use of the Pits by UWCD are summarized below.

Extent and Remaining Mass of Contamination Associated with the Poole Oil Company Site

Since the time of DEIR preparation, more data regarding the extent of contamination and plans for remediating the Poole Oil Company Site have become available. This information primarily confirmed the presence of MTBE associated with the Poole Oil Company Site and the Corrective Action Plan/Remedial Action Plan (CAP/RAP) that has been conditionally approved, indicates the near-term plans for remediation of contamination. The CAP/RAP dated February 18, 2002 was developed by PW Environmental (PWE, 2002) and portions of the CAP/RAP have been granted approval, with modifications (VCEHD, 2002).

Remediation has not started to date. The stated goals of the CAP/RAP (PWE, 2002) are as follows,
"The goals for the required workscope are: 1) to further assess the down-gradient extent of groundwater contamination; 2) implement a remedial action (dual-phase extraction system) to remediate soil and groundwater contamination; and 3) mitigate the continued offsite migration of groundwater contamination in the southwest corner of the property."

The CAP/RAP indicated that, "a total of 13 groundwater extraction wells are required at the site." These wells according to the CAP/RAP are expected to pump at up to 15 gallons per minute (gpm). Although the full CAP/RAP was not approved, it is reasonable to assume that over a three-year period, significant

remediation of the source area and some remediation and control of the downgradient plume extent is expected to occur.

Proposed Future use of the Pits by UWCD

The UWCD has stated that there is flexibility in the proposed future use, in regard to the timing, volume and location of water to be delivered to the Pits. The proposed long-term average amount of water to be recharged is approximately 6,000 acre-feet and the period of recharge over a year is anticipated to occur over a five-month period between December and April.

Model Simulations of Future UWCD Pit Use

To evaluate the effects of using the Pits, baseline groundwater conditions similar to those observed in 1997 were assumed. Water level elevations for 1997 were used for modeling scenarios, as explained in DEIR Appendix 4.5-2, because fall 1997 groundwater elevations were considered representative of average fall conditions, which is the expected aquifer condition prior to initiation of any winter use of the Pits for water storage or recharge.

The baseline simulation started with the current extent of contamination as defined by PW Environmental in July 2001 (PWE, 2001) and simulated the effects of four years of active groundwater remediation. This modeling conservatively does not include any source reduction, any dilution effects of the Pits and also does not consider that local groundwater gradients vary dramatically from season to season and from year to year in the Forebay Basin over a standard water year (see Fugro (2001) Figure 3: Water level hydrograph for State Well No. 2N/22W-22H1).

To simulate the potential effect of the proposed future use of the Pits, it was assumed that 6,000 acre-feet would be recharged across the Large Woolsey, Small Woolsey/Vickers and Brigham Pits beginning in four years. It was also assumed that pump and treat remediation as in the baseline scenario had been occurring for three years prior to, and during the year of delivery to the Pits. The amount of water delivered to the Large Woolsey Pit was 1,500 acre-feet, while 4,500 acre-feet was delivered to the Small Woolsey/Vickers and Brigham Pits. This scenario also conservatively does not include any source reduction, possible dilution effects by the Pits and also does not consider that local groundwater gradients vary dramatically from season to season and from year to year in the Forebay Basin over a standard water year (see Fugro (2001) Figure 3: Water level hydrograph for State Well No. 2N/22W-22H1).

Simulation Results

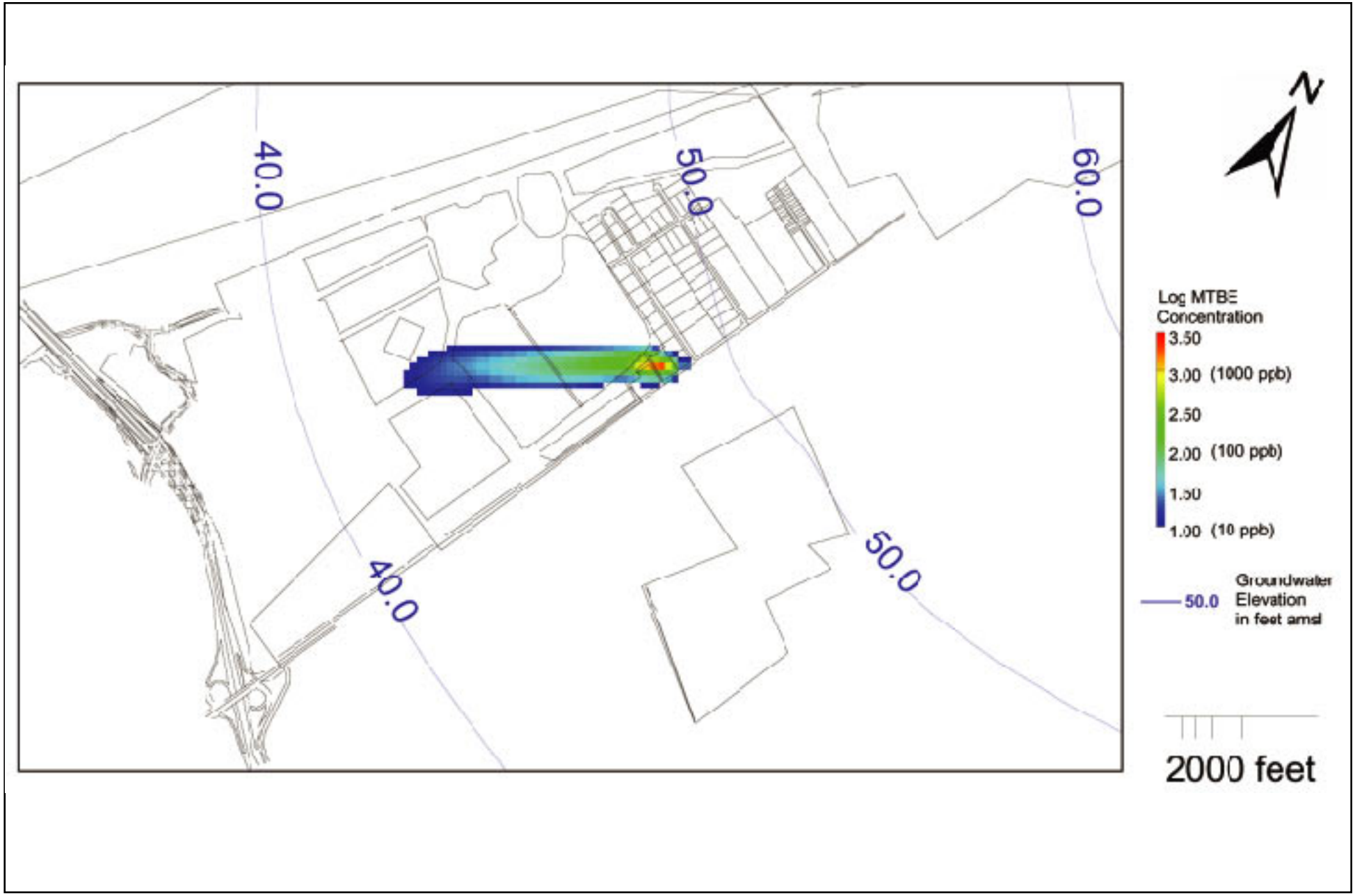
The result of the baseline scenario indicates that relative capture of the groundwater contamination is possible (see attached **Figure 2-16**). The scenario that includes one-year of recharge to the Pits indicates that even though approximately 6,000 acre-feet are recharged to the northwest of the Poole Oil Site, the extent of contamination is almost identical to the baseline condition (see attached **Figure 2-17**).

Conclusion

The threshold for a significant groundwater quality impact related to the future use of the Pits for water storage and recharge is defined as displacement of the MTBE contamination from the Poole Oil Company Site substantially further than expected under ambient basin conditions. As indicated in attached **Figures 2-18** and **2-19**, a future potential use can be implemented that would not create a significant groundwater quality impact. It should be noted that the modeling scenarios conservatively assume that: there is a continuous source of contamination; the anticipated average volume of water is delivered to the Pits in the first year, instead of increasing volume in a phased manner; and, that water is delivered to all of the Pits in the first year of delivery, whereas, UWCD has expressed flexibility in the location for delivery during initiation of the use of the Pits.

UWCD-12

The City notes this comment supporting the design of the water quality treatment system and agreeing with the analysis in the Draft EIR.



SOURCE: ETIC Engineering, Inc.

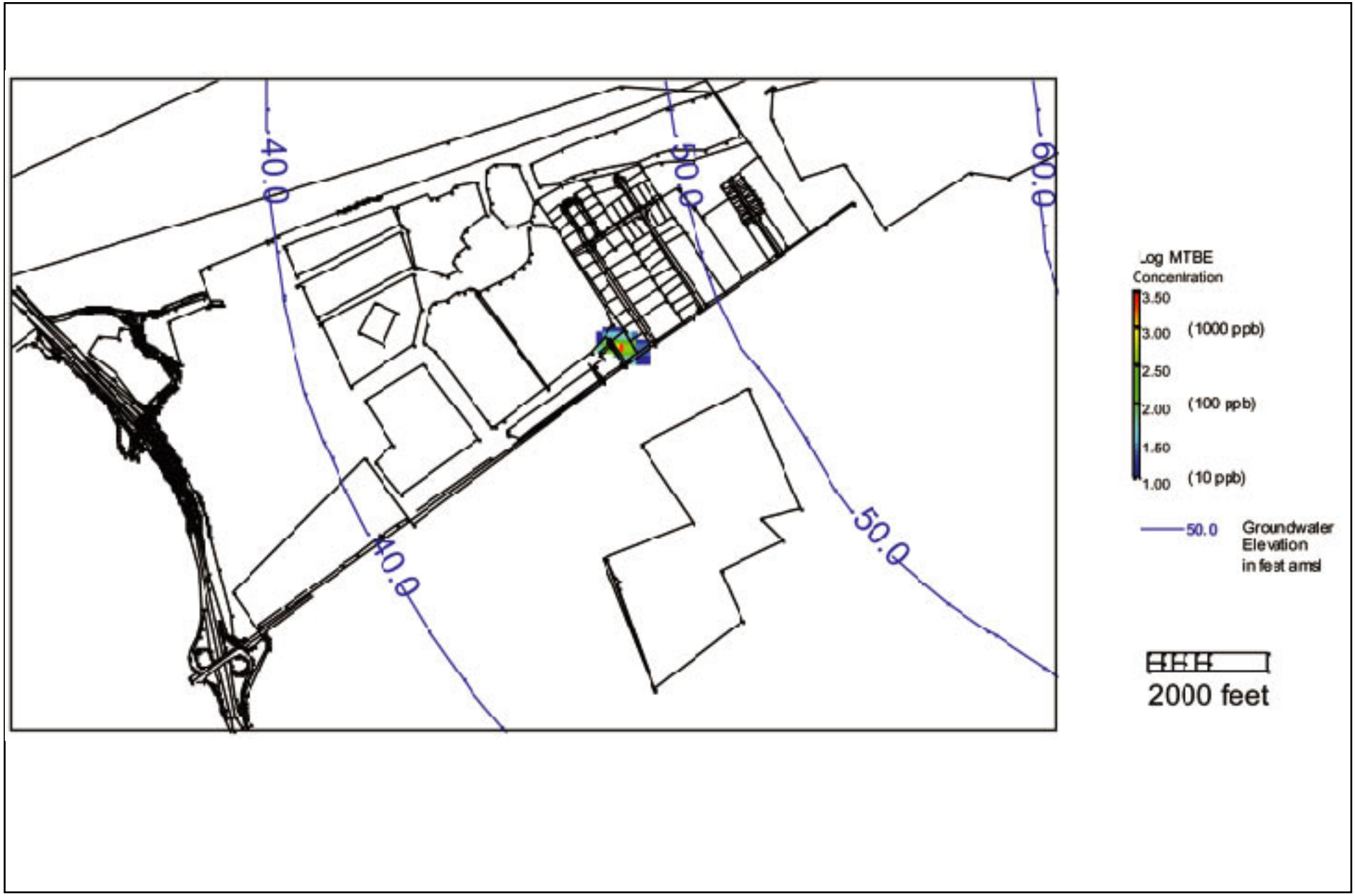
FIGURE **2-16**

Simulated Transport of Existing MTBE Plume after One Year

SOURCE: ETIC Engineering, Inc.

FIGURE **2-17**

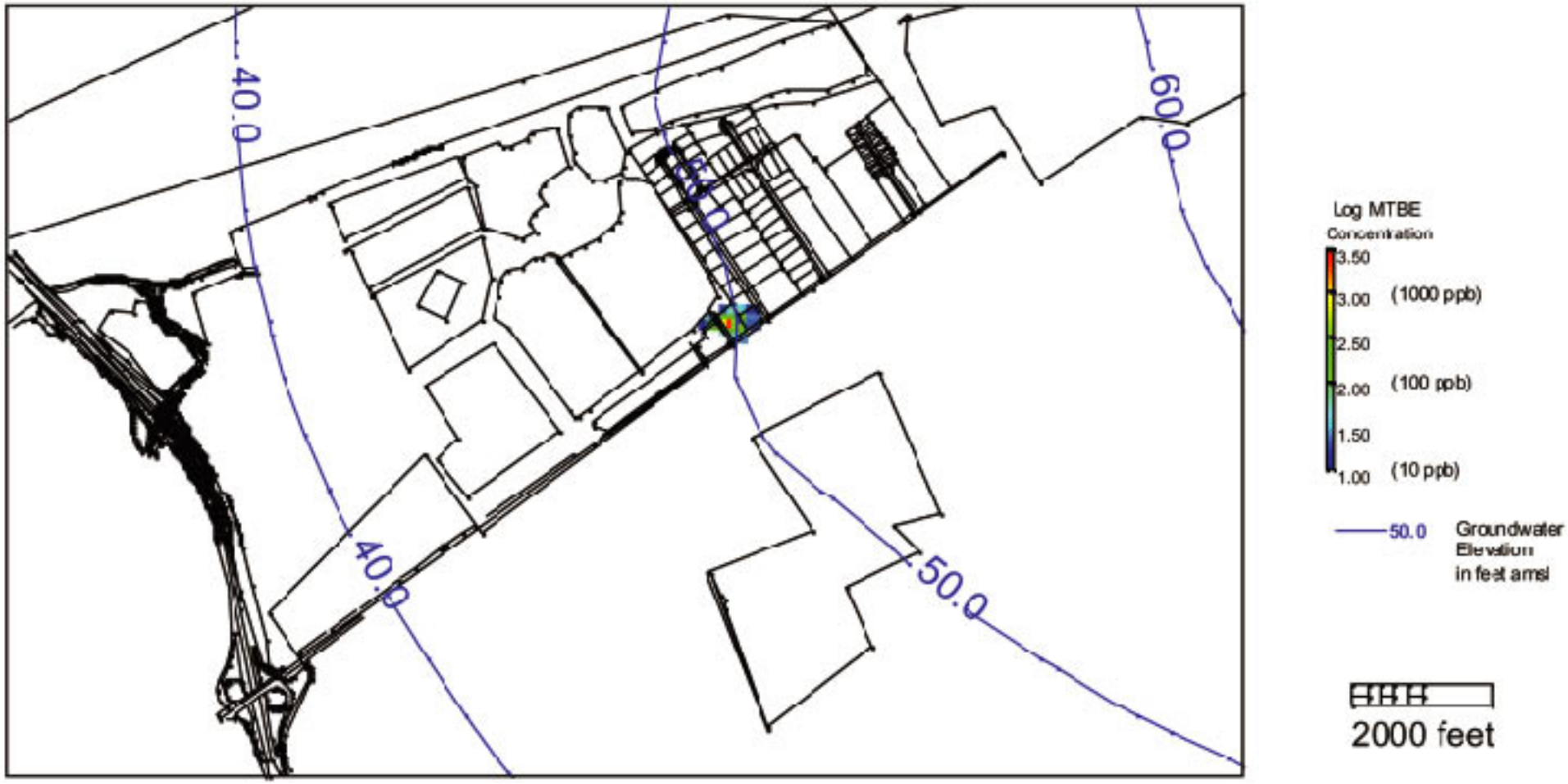
Simulated Transport of Existing MTBE Plume after 365 Days in Response to Stockpile Dewatering/Pit Recharge



SOURCE: ETIC Engineering, Inc.

FIGURE **2-18**

MTBE Plume after Four Years with No Recharge in the Pits, and Using Modified Remediation System Design



*Scenario uses no recharge for three years, and 6,000 acre ft/yr recharge after three years.

SOURCE: ETIC Engineering, Inc.

FIGURE **2-19**

MTBE Plume after Four Years with Recharge in the Pits, and Using Modified Remediation System Design*

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Joseph Eisenhut, Planning DATE: January 17, 2002

FROM: Alicia Stratton AS

SUBJECT: Request for Review of Draft Environmental Impact Report for RiverPark Project, City of Oxnard (Reference No. 01-105)

Air Pollution Control District staff has reviewed the subject project Draft Environmental Impact Report (Draft EIR). The proposed project is for the RiverPark Specific Plan. The Plan would allow the development of a new mixed-use community containing open space, residential, commercial, and public facilities uses within the 701-acre Specific Plan. The RiverPark Specific Plan would permit the development of an integrated mixed-use community consisting of open space, residential, commercial, and public facilities uses. The RiverPark community would be made up of four basic land uses: the commercial area proposed within the southern portion of RiverPark Area "A," the residential neighborhoods proposed to the north and east of the commercial areas, the open space area proposed in the northern portion of the Specific Plan Area, and public facilities. The RiverPark Specific Plan would allow the construction of up to 2,805 residential units and 2.485 million square feet of commercial development. The Specific Plan also identifies sites for two new elementary and one new intermediate schools, new City of Oxnard and County of Ventura fire stations, neighborhood parks and community open space.

In addition to the Specific Plan, several related actions are proposed. These include approval of a new reclamation plan for the existing sand and gravel mine, a general plan amendment, zone change and pre-zone actions, a change to the text of the city's zoning code, a tentative tract map, a development agreement, an amendment to an existing owner participation agreement, and annexation of RiverPark Area "B" to the City of Oxnard. The project site is located immediately north of the Ventura Freeway between the Santa Clara River and Vineyard Avenue in Oxnard.

The District offers the following comments on the Draft EIR.

Volume II of the Appendix contains comments received from agencies on the Notice of Preparation (May 9, 2000) and the revised Notice of Preparation (June 12, 2001). Due to the project's similarities with the Ahmanson Ranch Specific Plan, in the May 9, 2000 memorandum from the District, we recommended that the Draft EIR contain an Air Quality Mitigation Program similar to the Air Quality Mitigation Program for the

VCAPCD-1

Ahmanson Ranch Specific Plan. We requested that before approval of the RiverPark Specific Plan, each air quality mitigation measure in the Ahmanson Ranch Air Quality Mitigation Program be evaluated for applicability to the RiverPark project, and all measures found feasible be applied to the project. In addition, the District provided the applicant with recommended mitigation measures from the Newhall Ranch Specific Plan for possible inclusion in the RiverPark Specific Plan. We requested that the EIR explicitly state that these air quality mitigation measures will be implemented unless a feasibility analysis shows them to be infeasible or other more effective air quality mitigation measures become available and are applied to the project.

VCAPCD-1

Some of these mitigation measures appear to have been applied to the air quality analysis for the RiverPark project, however, these appear to be the design features that the URBEMIS7G air quality model incorporates as mitigation measures, with no analysis of feasibility of any other mitigation measures as recommended. The list from our June 7, 2000 memorandum contains numerous other specific mitigation measures that are not found in the Draft EIR. We again recommend that a comprehensive Air Quality Mitigation Program be developed that includes a full range of operational and area air quality mitigation measures and programs. This Air Quality Mitigation Program should also include an analysis of the mitigation measures listed in our June 7, 2000 memorandum.

In our July 9, 2001 response to the revised Notice of Preparation, the District recommended that a toxic air pollution evaluation be conducted for the project due to adjacent industrial uses. We recommended that the evaluation consider the subject project in relation to existing and planned development, local wind patterns, and the types and amounts of toxic and hazardous materials that are stored, handled or used on adjacent properties. Please provide an explanation why the Human Health Risk – Off-Site Emissions (Toxics) discussion on page 4.8-16 addresses release of harmful air emissions from nearby stationary sources but not hazardous materials stored, handled or used on adjacent properties.

VCAPCD-2

Also, please note that the responses to the Notice of Preparation and the Revised Notice of Preparation provided by the District are in reverse order in Volume II of the Appendix.

VCAPCD-3

Finally, in the discussion of Regional Air Quality on page 4.8-6 of Volume I, the District is described as having eight air quality monitoring stations throughout Ventura County. There are currently six air quality monitoring stations in Ventura County; the station on Anacapa Island is no longer in operation, and there is only one station, not two, in operation in Ventura.

VCAPCD-4

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

m:\planning\ceqa tracking\ceqa projects\2001 projects\01-105

Ventura County Air Pollution Control District (VCAPCD)

VCAPCD-1

The City of Oxnard reviewed and considered each comment in the letter sent by the Ventura County Air Pollution Control District (VCAPCD) during preparation of the air quality analysis in the Draft EIR. The VCAPCD recommended that the City review and consider the applicability and feasibility of the air quality mitigation measures included in the Ahmanson Ranch Air Quality Mitigation Program. In addition, the VCAPCD recommended that the City consider the measures recommended for by the District for the Newhall Ranch project which the District believes are currently feasible. The VCAPCD notes that some of the measures recommended have been incorporated into the RiverPark project.

The City of Oxnard reviewed the measures recommended by the VCAPCD and, as noted in this comment, incorporated those measures considered applicable to the RiverPark project and feasible. The measures included in the Ahmanson Ranch Air Quality Mitigation Program have not yet been implemented and, as a result, there is no demonstration of the feasibility of these measures. It is also noted that the County of Los Angeles did not adopt all the measures recommended by the VCAPCD for the Newhall Ranch project and many of these measures were rejected as infeasible. As the measures suggested by the VCAPCD for consideration by the City have not been successfully implemented, the presumption by the District that these measures are feasible is not supported.

As noted on page 4.8-22 of the Draft EIR, certain design features, consistent with the *ACPD Guidelines*, have been incorporated into the RiverPark Specific Plan. The *APCD Guidelines* state that addressing site design and land use issues at the conceptual stage of development maximizes opportunities to incorporate measures to reduce potential air quality impacts. Land use design features suggested in the *APCD Guidelines* which been incorporated into the RiverPark project include:[1]

- Encourage the development of higher density housing and employment centers near public transit corridors.
- Encourage compact development featuring a mix of uses that locates residences near jobs and services.
- Provide services, such as food services, banks, post offices, and other personal services within office parks and other large developments.
- Encourage infill development.
- Ensure that the design of streets, sidewalks, and bike paths within a development encourage walking and biking.
- Provide landscaping to reduce energy demand for cooling.

---

1 Ventura County Air Pollution Control District, Ventura County Air Quality Assessment Guidelines, November 2000, p. 1-5.

The City reviewed the Ahmanson Ranch Air Quality Mitigation Agreement. This agreement defines the amount of the fee to be paid for different types of land uses allowed by the specific plan and requires that "All fees be used for the implementation of air quality management and mitigation measures that reduce the Project's sir quality impacts to the greatest extent feasible." A list of specific measures that "may" be funded is provided in this agreement. Again, it is noted that no information demonstrating the feasibility of the specific measures that may be implemented for the Ahmanson Ranch project is provided. The RiverPark Draft EIR includes a mitigation measure requiring the development and approval of a TDM Fee Program similar in scope and content to the Ahmanson Ranch Air Quality Mitigation Agreement prior to the issuance of the first building permit within the Specific Plan Area.

As discussed in the Draft EIR Project Description section it is estimated that the RiverPark project will be built out over a 12 to 15 year, and possibly greater, period. The air quality mitigation fees would be collected over this build-out period as individual projects are developed within the Specific Plan Area. The City would use these fees for air quality management and mitigation programs consistent with the list of appropriate TDM Fund Expenditures on page 7-19 of the 2000 APCD *Guidelines*. These expenditures may include the specific programs suggested by the APCD to the extent these programs are determined to be practical and feasible. As implemented, this will be the same as what is specified in the Ahmanson Ranch Mitigation Agreement, which lists programs that "may" be implemented and then states that expenditures of the air quality impact fees are not limited to these programs.

VCAPCD-2

Applied Environmental Technologies, Inc. (AET) has recently completed several Phase I (Preliminary) Environmental Site Assessments in the vicinity of the proposed Riverpark project. After review of various environmental documents related to the industrial and commercial properties in the vicinity, the following characteristics are noted.

The materials used at the adjacent properties to the north consist of approximately 95% petroleum products with approximately 60% in the form of waste oils and other heavy hydrocarbons. The remaining materials consist of metal sludge, inorganic solid waste, asbestos, soil, unspecified aqueous solutions, etc.

In addition, the materials that are listed on the adjacent properties are predominantly classified on the small quantity generators list. The wastes are disposed and recycled without violations registered with the County or State.

The items identified at the nearby properties are not classified as acutely toxic. The materials identified at properties in the vicinity are not expected to contribute a significant environmental liability to the RiverPark project.

VCAPCD-3

As indicated in this comment, both the response to the Notice of Preparation and Revised Notice of Preparation from the VCAPCD are included in the appendix to the Draft EIR.

VCAPCD-4

The referenced text on Page 4.8-6 of the Draft EIR is revised as follows:

To identify ambient concentrations of the six criteria pollutants, the APCD operates ~~eight~~ six air quality monitoring stations throughout Ventura County. These stations are located in Thousand Oaks, El Rio, Ventura ~~(2 stations)~~, Piru, Ojai and Simi Valley.~~, and on Anacapa Island.~~

M E M O R A N D U M

To: Joseph Eisenhut

From: Kim Hocking, Cultural Heritage Program Staff

Date: November 1, 2001

Subject: Riverpark EIR Comments Ref. 01-105

The Cultural Heritage Board reviewed this EIR at its meeting of Jan. 14, 2002 adopting the following comments:

1. The Mitigation recommended in the EIR is supported with additions noted below:

a. The sites of New Jerusalem and the El Rio Rock Company/SP Milling should be marked as Points of Interest if adopted by the Oxnard City Council and with accompanying Historical signs, to be funded by the developer. Said signs' design, wording and location shall be subject to approval by the Board. The Board will consider recommending POI for both sites soon. VCCHC-1

b. Historical Resource excavation: on p. 4.12-14 there is reference to "any unpredicted cultural resources, including Chumash artifacts", but there is no specific reference to the specific possibility for further historic artifacts as there were found at the Myrtle St. site. There should be specific reference and mitigation. VCCHC-2

Thank you for the opportunity to comment.

mkh/ami/rvrpk2

Ventura County Cultural Heritage Commission (VCCHC)

VCCHC-1

The City of Oxnard will consider this recommendation.

VCCHC-2

The term "cultural resources" as used in the sentence referenced in this sentence was intended to include historical artifacts. In order to clarify the intent of Mitigation Measure 4.12-1, this measure is revised as follows:

4.12-1 A qualified Archaeological Monitor shall be present at the site during grading and earthwork activities. If any unpredicted cultural resources, including archeological or historic artifacts, are uncovered during earthmoving activities, construction work shall stop immediately and the appropriate local and regional authorities shall be consulted.

Office Of
AGRICULTURAL COMMISSIONER

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Agricultural Commissioner
W. Earl McPhail

Chief Deputy
David B. Buettner

January 25, 2002

Gary Sugano
Principal Planner
City of Oxnard
Planning and Environmental Services Division
300 West Third Street
Oxnard, CA 93030

SUBJECT: Draft Environmental Impact Report for the RiverPark Project

Dear Mr. Sugano:

Thank you for the opportunity to review the Draft EIR for the RiverPark project, and the additional time to submit our comments. We reviewed the Summary and Sections 1.0 (Introduction), 2.0 (Environmental Setting), 4.1 (Land Use Planning, Programs and Policies), 4.2 (Aesthetics—portion), 4.4 (Biological Resources—portion), 4.6 (Agricultural Resources), 5.0 (Alternatives), 6.0 (Growth Inducing Impacts), and 7.0 (Significant Irreversible Environmental Changes) of the document. The following are our comments.

Summary

Page S-8, first paragraph. The text indicates that runoff from large storm events (that is, those that would occur less frequent than a 10-year event) would not enter the existing mining pits. However, the last sentence of the second to the last paragraph on page S-7 states that runoff from storms larger than a 10-year event will overflow into the mining pits. Based on review of other sections of the Draft EIR, the statement on page S-7 appears to be correct. Please revise the text on page S-8. VCAC-1

Page S-9, Agricultural Resources. The summary of impacts to agricultural resources should be revised to include a short discussion of the compatibility of the proposed residential and school/park uses with existing agricultural land located east of Vineyard Avenue, as provided on pages 4.6-15 and -16. VCAC-2

Section 4.1—Land Use Planning, Programs and Policies

Page 4.1-27, last paragraph. The second to the last sentence should be revised to indicate that the proposed school/park site adjacent to Vineyard Avenue also would be located 1,500 feet from the agricultural operations to the east of Vineyard Avenue, as discussed on pages 4.6-15 and -16. VCAC-3

Page 4.1-31, last paragraph. The first sentence should be revised to state "The County of Ventura is within the six-county jurisdiction of the Southern California Association of Governments . . ., which also includes Los Angeles, Orange, San Bernardino, Riverside, . . ." VCAC-4

Page 4.1-42, first paragraph. The last sentence should be revised to state "The following policy of the Water Quality Chapter has some relevance to the proposed RiverPark Specific Plan:" Only one policy is identified. VCAC-5

Page 4.1-42, following second paragraph. The first paragraph on page 4.1-32 states that the SCAG *Regional Comprehensive Plan and Guide* includes a hazardous waste management chapter. Discussion of this chapter is not included in the Draft EIR, as were the other four core chapters. VCAC-6

Page 4.1-46, top of page. The discussion of land use compatibility impacts should include or reference the discussion of the compatibility of the proposed residential and school/park uses with the agricultural operations to the east of Vineyard Avenue on pages 4.6-15 and-16. VCAC-7

Section 4.2—Aesthetics

Figure 4.2-7. The use of the term "Greenbelt" in the legend may be confused with the Oxnard-Camarillo Greenbelt. The figure illustrates the Oxnard General Plan Community Design Structure Map, and indicates that the northern portion of RiverPark Area B is located within a "greenbelt". However, as noted on page 4.2-27, the Specific Plan area does not include any portion of the Oxnard-Camarillo Greenbelt. The boundary of the "greenbelt" shown on Figure 4.2-7 also is not consistent with the Oxnard –Camarillo Greenbelt boundary. If the "greenbelt" indicated on the General Plan Community Design Structure Map is intended to be different than the Oxnard-Camarillo Greenbelt, the legend on Figure 4.2-7 should be revised to indicate that they are not the same, to avoid confusion to decisionmakers and the public. VCAC-8

Page 4.2-27, second paragraph. The text states that the Specific Plan Area is not adjacent to any greenbelt areas. However, the Oxnard-Camarillo Greenbelt boundary is located to the north of the abandoned extension of Central Avenue west of Vineyard Avenue, and appears to be separated from the northern boundary of the Specific Plan area by a single parcel. It would be helpful to revise Figure 2.0-2 or 2.0-3 to illustrate the location of the Oxnard-Camarillo Greenbelt, and reference the figure in the text. VCAC-9

Section 4.4—Biological Resources

Page 4.4-4, last paragraph. The text states that at the time of field surveys for the Draft EIR, a portion of El Rio Retention Basin No. 2 was in agricultural production. Figure 4.4-1 indicates that El Rio Retention Basin No. 1 also was in production. The text should be revised accordingly. VCAC-10

Section 4.6—Agricultural Resources

Page 4.6-2, first paragraph. The first sentence states that the California Association of Resource Conservation Districts, in conjunction with the California Department of Conservation, issue the *Important Farmlands* Maps. The maps themselves indicate that they are published by the Department of Conservation only. Please revise the text accordingly. VCAC-11

Page 4.6-5, first paragraph. The Ventura County Agricultural Commissioner does not report information on the amount of agricultural land converted to other uses to the Department of VCAC-12

Conservation. The Ventura County Planning Division provides this information. Please revise the text accordingly.

Page 4.6-8, first paragraph. The text should be revised to indicate that Land Conservation Act contracts may be entered into for a period of 10 or 20 years, and that each contract (at any given date) is always operable at least 9 or 19 years into the future. VCAC-13

Page 4.6-8, bottom paragraph. The last sentence should be revised to indicate "With certain exceptions, the County SOAR Ordinance requires countywide voter approval of any change . . ." VCAC-14

Page 4.6-10, first paragraph. The last sentence should be revised to state " . . . due to discretionary development on lands containing Prime farmland or Farmland of Statewide Importance agricultural soils." VCAC-15

Page 4.6-10, bottom of page and -11, top of page. The text indicates that a strip of agricultural land located between Vineyard Avenue and El Rio Retention Basin No. 2 includes 16 acres located on the Retention Basin site and a small 3-acre parcel immediately north of this parcel. This statement is inconsistent with Figure 4.4-1, which illustrates that Retention Basin No. 2 is in agricultural production. Further, Figure 4.6-3 is inconsistent with Figure 4.4-1. Figure 4.6-3 shows that only the 19 acre strip adjacent to Vineyard Avenue is in agricultural production, and not Retention Basin Nos. 1 or 2. The figures and text should be revised to be consistent. VCAC-16

Page 4.6-14, last paragraph. The last sentence should be revised to refer to the Agricultural Commissioner's Office. VCAC-17

Page 4.6-15, third paragraph. The text states that in 1996, when *The Value of Agriculture to Ventura County: An Economic Analysis* was prepared, agricultural land within the County totaled 101,483 acres. However, based on the Department of Conservation 1998 data, currently there are 112,159 acres of farmland on the State Important Farmlands Maps. Due to the difference in these numbers (and because the text indicates that there was less farmland in 1996 than in 1998), the source of the data in *The Value of Agriculture to Ventura County* should be identified. VCAC-18

Page 4.6-15, bottom paragraph. The second sentence should be revised to state that the residential and school/park areas proposed in the RiverPark Specific Plan would be located approximately 1,500 feet from the nearest agricultural land located east of Vineyard Avenue. The second sentence should be revised to state school/park uses. VCAC-19

Section 5.0—Alternatives

Page 5.0-2, bottom of page. See comment on page S-8 above. The text should be revised to be consistent with page S-8, and should indicate "Runoff from storms that are less frequent than a 10-year event will be conveyed to the reclaimed mine pits." The second to the last sentence should be revised to state "Given the low frequency of these large storm events, this impact would not occur often." The last sentence is inconsistent with the information provided on page S-7. Runoff from storms with a frequency less than a 10-year event would enter the pits. Please revise the text accordingly. VCAC-20

Page 5.0-28, Noise. The alternative being assessed is the Reduce Density Alternative. Under this alternative, development would occur in RiverPark Area B. VCAC-21

Page 5.0-33, first paragraph. This alternative would require expansion of the sizes of the detention basins, as indicated at the top of the page. If the sizes of the detention basins increase, how would the amount of development within the Specific Plan Area remain the same since less development area would be available? VCAC-22

Page 5.0-33, last paragraph. The text describes the water quality treatment system proposed by the project (not the alternative). The statement in the middle of the paragraph indicates that runoff from storms with a frequency less than a 10-year event would not enter the mine pits. However, the second sentence (and the information provided on page S-7 and the corrected discussion on page 5.0-2) states that the runoff from these storms would enter the pits. The text should be revised to be consistent. VCAC-23

Page 5.0-35, first paragraph. This alternative would require expansion of the sizes of the detention basins, and the provision of additional structures to allow sediment loads to settle out prior to entering the basins, as indicated at the top of the page. If the sizes of the detention basins increase and sedimentation structures are required, how would the amount of development within the Specific Plan Area remain the same since less development area would be available? VCAC-24

* * * * * *

I would like to commend the preparers of the Draft EIR and City Planning staff for an excellent environmental document. Based on the sections we reviewed, the Draft EIR is very thorough, comprehensive and well illustrated. In particular, I found the analyses of the project's consistency with LAFCO and SCAG policies in Section 4.1 to be especially well done.

If you or the EIR consultant have any questions regarding the above comments, please contact me at 933-2095.

Sincerely,

Julie Bulla

Julie Bulla
Senior Planner

JB/jb

Ventura County Office of Agricultural Commissioner (VCAC)

VCAC-1

Comment noted. The referenced sentence on page S-8 is revised to read as follows:

Because runoff from storms with a frequency ~~less~~ greater than a 10-year frequency would not enter the pits, overall mass loading of these and other pollutant constituents would be reduced.

VCAC-2

Comment noted. The summary of impacts to agriculture is revised as follows:

Agricultural Resources

Approximately 155 acres of agricultural land is located in RiverPark Area 'A'. In addition to this agricultural land in RiverPark Area 'A', there is a small amount of agricultural land in RiverPark Area 'B'. There is a small strip of agricultural land located between Vineyard Avenue and El Rio Retention Basin No. 2. In addition, the County of Ventura currently leases the bottom of El Rio Retention Basin No. 2 for agricultural use. When this land currently used for agricultural purposes in RiverPark Area 'B' is considered, a total of 209 acres of agricultural land is located within the Specific Plan Area. All of the agricultural land within the Specific Plan Area is currently under cultivation with strawberries. The 155 acres of agricultural land in RiverPark Area 'A' is mapped as Prime Farmland on the Important Farmlands Map for Ventura County prepared by the State Department of Conservation. The property currently located in RiverPark Area 'B' is not currently identified as farmland on the Important Farmlands Map. The portion of the Specific Plan Area containing the 155 acres of Prime Farmland has been designated for urban uses since 1986 and the Project is consistent with the policies of the Oxnard 2020 *General Plan* addressing the preservation of agricultural land. The loss of agricultural land within the RiverPark Specific Plan Area would be an unavoidable significant impact resulting from the project.

The nearest agricultural land to the Specific Plan Area is located east of Vineyard Avenue and north of the El Rio Community. The closest residential areas proposed in the RiverPark Specific Plan would be located approximately 1,500 feet from this agricultural land. Because the nearest agricultural land will be buffered from the proposed residential and school uses by more than 1,500 feet, development of the uses allowed by the proposed Specific Plan would not have significant impacts on the this agricultural land, including such impacts as blocking solar access to agricultural sites and land use incompatibility.

Furthermore, the proposed Specific Plan consists of commercial and residential uses that would not generate a significant amount of dust or introduce agricultural pests and diseases. The RiverPark Project will also result in a net gain in local groundwater. No impact on agricultural water supplies, therefore, will result.

VCAC-3

Comment noted. The referenced text on page 4.1-27 is revised as follows:

Discussion

The proposed annexation will have no effect on the physical or economic integrity of agricultural lands contained within the Oxnard-Camarillo Greenbelt. While a small portion of the proposed annexation area is presently utilized for crop production, it is a secondary use on land that is improved for flood control purposes. More importantly, this land is located in the CURB and is a small parcel that is separated from farmland located in the Oxnard-Camarillo Greenbelt by Vineyard Avenue, residential development located due east of the Specific Plan Area, and an industrial park. As planned, the nearest residential neighborhood to the existing agricultural land across Vineyard Avenue would be 1,500 feet. The proposed school/park site on the eastern edge of Specific Plan Area would also be 1,500 feet from this existing agricultural land. Consequently, annexation to allow future development of said land promotes infill development that would not alter the physical boundary of the Greenbelt nor influence the economic integrity of agricultural lands.

VCAC-4

Comment noted. The referenced text on page 4.1-31 is revised as follows:

The County of ~~Los Angeles~~ Ventura is within the six-county jurisdiction of the Southern California Association of Governments ("SCAG"), which also includes ~~Ventura~~ Los Angeles, Orange, San Bernardino, Riverside, and Imperial Counties. SCAG has divided its jurisdiction into 13 subregions to facilitate regional planning efforts. As previously mentioned the RiverPark Specific Plan Area is located in the Ventura Council of Governments Subregion as defined by SCAG.

VCAC-5

Comment noted. The referenced text on page 4.1-42 is revised as follows:

The following policy ~~Policies~~ of the Water Quality Chapter, ~~which have~~ has some relevance to the proposed RiverPark Specific Plan, is ~~are~~ discussed below:

VCAC-6

SCAG submitted a response to the Notice of Preparation of the RiverPark EIR issued by the City. In this response, SCAG identified those policies in the Regional Comprehensive Plan and Guide (RCPG) that it felt were particularly applicable to the RiverPark Project and requested analysis of these policies in the Draft EIR. SCAG did not request analysis of consistency of the project with the policies in the Hazardous Waste Management Chapter. This is consistent with the purpose of this chapter of the RCPG. This chapter of the RCPG is a summary of the region's Hazardous Waste Plan. The stated purpose of this chapter is to "assist the region's counties and cities, the regional council of governments, and the state in their individual efforts to plan for current and future hazardous waste management requirements." This chapter does not contain any policies that are applicable to individual projects. For this reason, SCAG did not request discussion of this chapter in the Draft EIR.

VCAC-7

Comment noted. The following text is added to the top of page 4.1-46:

The Specific Plan also buffers existing natural resources in the Santa Clara River. As part of the proposed Landscape Master Plan, a multi-layered habitat will be created along the edge of the Specific Plan adjacent to the Santa Clara River. This setback will utilize native vegetation communities to attract and support a wide range of wildlife species, especially birds. Selected tree species will provide nesting and foraging habitat for the many species. This newly created forest will also contain an understory of numerous species of compatible native shrubs. In addition to the habitat benefits provided by this buffer, it will also serve as a transition between developed uses within the Specific Plan and the natural resources found within the Santa Clara River.

The proposed annexation will have no effect on the physical or economic integrity of agricultural lands contained within the Oxnard-Camarillo Greenbelt. While a small portion of the proposed annexation area is presently utilized for crop production, it is a secondary use on land that is improved for flood

control purposes. More importantly, this land is located in the CURB and is a small parcel that is separated from farmland located in the Oxnard-Camarillo Greenbelt by Vineyard Avenue, residential development located due east of the Specific Plan Area, and an industrial park. As planned, the nearest residential neighborhood to the existing agricultural land across Vineyard Avenue would be 1,500 feet. The proposed school/park site on the eastern edge of Specific Plan Area would also be 1,500 feet from this existing agricultural land. Consequently, annexation to allow future development of said land promotes infill development that would not alter the physical boundary of the Greenbelt nor influence the economic integrity of agricultural lands.

As proposed, the RiverPark Project will not create any land use incompatibilities.

VCAC-8

Figure 2-20 is a recreation of a portion of the 2020 Community Design figure contained in the Community Design Element of the Oxnard *2020 General Plan*. This figure is citywide in scale and general. The text of the Community Design Element identifies the agricultural land in the Oxnard-Camarillo-Del Norte Greenbelt as a visual resource. The referenced figure has been revised to reflect the boundaries of this greenbelt. Please see the exhibit following this page. As mentioned in this comment, no portion of the proposed Specific Plan Area is located within the Oxnard-Camarillo-Del Norte Greenbelt.

VCAC-9

The referenced exhibit has been revised as discussed above in the response to Comment VCAC-8. The text in page 4.2-27 is revised to read as follows:

The Specific Plan Area contains a eucalyptus windrow that is proposed to be incorporated into a linear park space connecting the Central Park in Oxnard Boulevard west to a park at the western edge of the Specific Plan Area immediately north of the elementary school site. In addition to preserving this windrow, the new cottonwood forest proposed along the western edge of the Specific Plan Area in RiverPark Area 'B' will introduce additional tall trees visible from the Ventura Freeway. As previously mentioned, two sets of landscape treatments are proposed along the Ventura Freeway. This landscape buffer along the freeway varies in width but is more than thirty feet wide. As shown in Figure 4.2-27, ~~T~~the Specific Plan Area is not adjacent to any greenbelt areas. Vineyard Avenue separates the Specific Plan Area from the agricultural land to the east in the Oxnard-Camarillo-Del Norte Greenbelt and the Large Woolsey Mine Pit separates the proposed development areas in the Specific Plan Area from the greenbelt area to the north of Central Avenue. The portions of the Specific

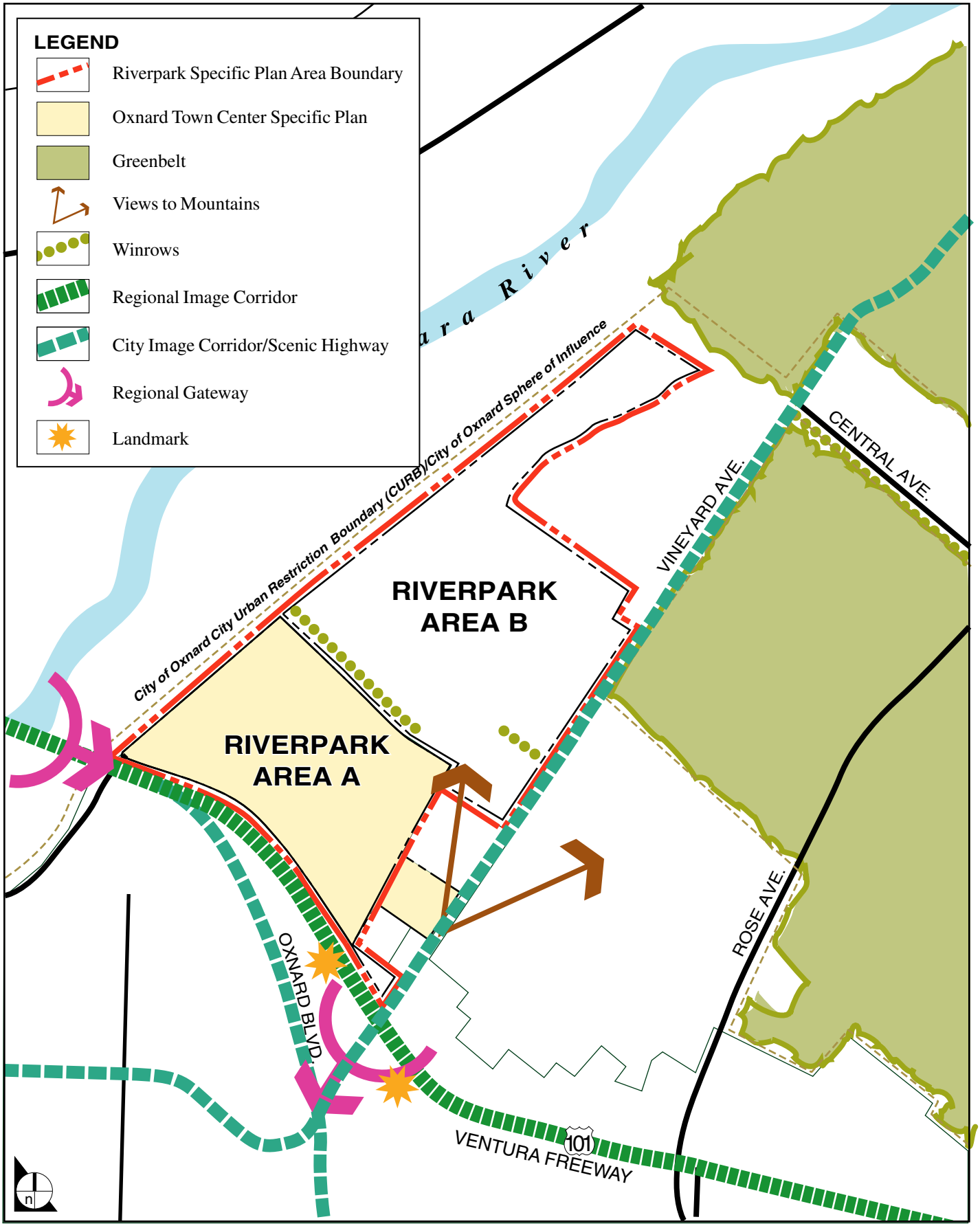

FIGURE **2-20**

Revised General Plan Community Design Structure Map

Plan Area closest to the greenbelt consist of open space uses, including the reclaimed mine pits and a water quality detention basin. The school site located between Northpark Drive and Santa Clara River Boulevard will consist of grassy playfields along Vineyard Avenue. This edge of open space uses along Vineyard Avenue ensures land use compatibility with the agricultural uses in the greenbelt. The RiverPark Project is consistent with this policy.

VCAC-10

El Rio Retention Basin No. 1 is not used for agricultural purposes and was not in production at the time of the referenced field surveys. Figure 4.4-1 has been revised and is presented on the following page as **Figure 2-21**.

VCAC-11

Comment noted. The referenced text on page 4.6-2 is revised as follows:

Using Soil Conservation Service soil classifications, discussed above, the California Department of Conservation (DOC) ~~and the California Association of Resource Conservation Districts translate~~ translates soil survey data into an "Important Farmland Series" of maps for the State's agricultural counties.

VCAC-12

Comment noted. The referenced text on page 4.6-5 is revised as follows:

The amount of agricultural land converted to other uses has been monitored since 1984 by the DOC based on information reported by the Ventura County Planning Division. ~~County Agricultural Commissioner.~~ This information is presented ~~below~~ in Table 4.6-1 on page 4.6-5 of the Draft EIR.

VCAC-13

Comment noted. The referenced text on page 4.6-8 is revised as follows:

LEGEND

W	Southern Willow Scrub
MF	Mule Fat Scrub
FRB	Forb Dominated Moist Ground
RUD	Ruderal
E	Eucalyptus
WR	Wind Row
AG	Agricultural
DEV	Developed

FIGURE 2-21

Revised Vegetation Communities

The Williamson Act

The California Land Conservation Act, also known as the Williamson Act, was adopted in 1965 in order to encourage the preservation of the state's agricultural lands and to prevent its premature conversion to urban uses. In order to preserve these uses, this act established an agricultural preserve contract procedure by which any county or city within the state taxes landowners at a lower rate using a scale based on the actual use of the land for agricultural purposes, as opposed to its unrestricted market value. In return, the owners guarantee that these properties would remain under agricultural production for a ten- or twenty-year period. This contract is renewed automatically unless a notice of non-renewal is filed by the owner. In this manner, each agricultural preserve contract (at any given date) is always operable at least nine or nineteen years into the future. No Williamson Act contracts exist in the Specific Plan Area.

VCAC-14

Comment noted. The referenced text on page 4.6-8 is revised as follows:

With certain exceptions, tThe County SOAR Ordinance requires countywide voter approval of any change to the County *General Plan* involving the Agricultural, Open Space, or Rural designations or any changes to a County *General Plan* goal or policy related to those land use designations.

VCAC-15

Comment noted. The referenced text on page 4.6-10 is revised as follows:

Specific policies to achieve that goal include: designating land outside the Existing Community- or Rural-designated areas within the El Rio/Del Norte Area Plan boundary which is currently in, or suitable for agricultural production as Agriculture and zoned such areas Agricultural Exclusive (A-E), prohibiting conflict of discretionary development located on land designated as Agricultural with the agricultural uses of those land, conditioning discretionary development adjacent to Agricultural designated land to ensure that impacts on the agricultural uses are minimized, requiring discretionary, non-agricultural land uses adjacent to Agricultural designated land to establish buffers, conditioning preservation of topsoil for reuse for discretionary development on lands containing Prime farmland or Farmland of Statewide Importance Significance agricultural soils, and requiring evaluation regarding the feasibility of dedicating land or a conservation easement or cash-in-lieu fees to preserve agricultural land which is comparable to

any land which would be permanently lost due to discretionary development on lands containing Prime farmland or Farmland of Statewide Importance Significance agricultural soils.

VCAC-16

The text on pages 4.6-10 and 4.6-11 accurately represents existing agricultural uses in RiverPark Area 'B'. As presented in response to Comment VCAC-10 above, Figure 4.4- 1 has been revised to be consistent with 4.6-3. Figure 4.6-3 reflects the following information presented in the second paragraph on page 4.6-11:

As stated in this paragraph, a portion of the bottom of the basin is being used at this time for agricultural use. Due to the fact that this is a flood control basin, this does not represent land available for full time permanent agricultural use.

VCAC-17

Comment noted. The referenced text on page 4.6-14 is revised as follows:

At the request of the Ventura County Agriculturale Commissioner's Office mentioned in the Notice of Preparation the following analysis examines the monetary effects of this crop loss.

VCAC-18

As indicated by the data produced by the State's Farmland Mapping and Monitoring Program, fluctuations in the type and amount of farmland throughout the state is normal as land is put into, or taken out of, agricultural production. In addition, it should be noted that there also have been changes in the methodology used by the State Department of Conservation to identify and map farmland. The *Value of Agriculture to Ventura County* report indicates that the State Farmland Mapping and Monitoring Program was one of several sources of data used in that study.

VCAC-19

Comment noted. The referenced text on page 4.6-15 is revised as follows:

The closest residential and school/park areas proposed in the RiverPark Specific Plan would be located approximately 1,500 feet from this agricultural land.

VCAC-20

Comment noted. The referenced text on page 5.0-2 is revised as follows:

The analysis shows that concentrations of four pollutant constituents will remain above the numerical thresholds of significance used. Runoff from storms that are less ~~more~~ frequent than a 10-year event storm will be conveyed to the reclaimed mine pits. Concentrations of iron, manganese and nickel in this runoff are calculated to remain above the thresholds being used. Given the low frequency of these large storm events, this impact would not occur often.

VCAC-21

Comment noted. The referenced text on page 5.0-28 is revised as follows:

Noise

The proposed project is expected to result in significant noise impacts to existing residential uses during construction. ~~With no development in RiverPark Area 'B', the duration of construction would be lessened. As a result, the duration of construction noise impacts would also be lessened, but not avoided.~~ Construction noise impacts would remain as site development and individual building projects would still occur. ~~in RiverPark Area 'A'.~~ With the proposed mitigation measures, these construction-related noise impacts would be reduced to less than significant levels. The potential for noise from a ballpark facility in RiverPark Area 'A' to impact the residential uses around it would not be avoided with this alternative. No significant roadway noise impacts were identified for the project and none would occur with this alternative.

VCAC-22

This alternative assumes the density of development would increase in the reduced area available for development.

VCAC-23

The referenced text on page 5.0-33 is revised as follows:

Water Resources

The proposed water quality treatment system would detain and treat all storms with runoff up to a 10-year storm event. Runoff from storms ~~less~~ more frequent than a 10-year event storm will be conveyed to the reclaimed mine pits.

VCAC-24

This alternative assumes the density of development would increase in the reduced area available for development.

Ventura
Local Agency Formation Commission

January 17, 2001

Mr. Gary Sugano
Principal Planner
Planning and Environmental Services Division
City of Oxnard
305 West Third Street
Oxnard, CA 93030

RE: DRAFT EIR – RIVERPARK SPECIFIC PLAN

Dear Mr. Sugano:

Thank you for the opportunity to comment on the Draft EIR for the RiverPark Specific Plan. As a responsible agency for this project, LAFCO must be able to make findings that the CEQA determinations made by the lead agency are appropriate for proposed reorganizations. Having the opportunity to comment on Notice of Preparations and draft environmental documents helps to ensure that all of the CEQA issues as they pertain to the LAFCO process are addressed prior to application to LAFCO.

Specifically, LAFCO is a responsible agency for the proposed reorganization of the City of Oxnard for the area described in the Draft EIR as RiverPark Area B. The following comments are submitted about the Draft EIR:

1. Section 2.0, Surrounding Land Uses: Figure 2.0-7 shows existing land uses of the proposed project and adjacent areas. Areas numbered as 5 and 6 represent unincorporated islands of territory. The EIR should discuss potential impacts of areas 5 and 6 once the project is annexed to the City of Oxnard. It is LAFCO's understanding that the City of Oxnard intends to file concurrent reorganization requests for these two areas. If the proposed RiverPark EIR does not discuss future plans and potential impacts to these areas, the proposals will need a separate environmental review process in order to be accepted by LAFCO. LAFCO-1

   Similarly, with the annexation of Area B into the City of Oxnard, the site of the Ventura County Juvenile Justice Center (JJC) would become contiguous with the City's boundaries. The City of Oxnard and the County have an out of area service agreement that provides for the annexation of the JJC site if requested by the City. Given this agreement, it is probable that LAFCO staff will request the City of Oxnard to request annexation of the JJC site concurrent with, or as part of, the RiverPark reorganization for Area B of the RiverPark Project. The LAFCO-2

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RiverPark EIR should reference the out of area service agreement between the City and the County, and the JJC EIR, and should discuss the possibility of the RiverPark reorganization including the JJC site. LAFCO-2

2. Section 3.0, Project Description: As part of the project description, the annexation to the City of Oxnard should be listed as a reorganization, not solely an annexation. The reorganization includes the annexation to the City of Oxnard, annexation to the Calleguas Municipal Water District, detachment from the Ventura County Fire Protection District, and detachment from the Ventura County Resource Conservation District. LAFCO-3

Additionally, as the City of Oxnard has conveyed to LAFCO that they have one-hundred percent consent of the owners of the El Rio West area to annex their properties, LAFCO recommends that annexation of this area be included in the project description. LAFCO-4

Separately, the project description should discuss the out of area service agreement between the City and the County relating to sewer service for the JJC site, the MOU between the City, the County, the Ventura County Flood Control District, and RiverPark LLC, and the County's agreement with the City to annex the JJC site. LAFCO-5

3. Section 3.0, Project Description: A figure or map specifically showing the annexation area to the Calleguas Municipal Water District should be shown **in addition** to the annexation for the City of Oxnard. In the Commissioner's Handbook, under Specific Policies, Section 3.2.2., it states that annexations to the City of Oxnard shall be considered and approved if the territory is already within the Calleguas Municipal Water District, or is approved concurrently with an annexation to the Calleguas Municipal Water District, unless it is clearly demonstrated that the subject territory has no foreseeable need for potable water service. In this case, it is our understanding that the City of Oxnard, does not want to annex a portion of Area B, the proposed water quality/storm water control basins, to the Calleguas Municipal Water District as there will be no need for potable water service in those areas. Therefore, the annexations to the City of Oxnard and the Calleguas Municipal Water District will have different boundaries and legal descriptions and should be shown separately. LAFCO-6

4. Section 3.0, Responsible Agencies: As Area B will be detaching from the Ventura County Fire Protection District and the Ventura County Resource Conservation District, these agencies should be listed and treated as responsible agencies. LAFCO-7

5. Section 4.6, Agriculture, On-Site Characteristics: The agricultural areas are separated into two sections. One section which is 155 acres in size and another area 54 acres in size.

The portion that is 155 acres in size is classified as Prime Farmland as shown on the State Important Farmlands maps, and is in Specific Plan Area A.

LAFCO is concerned and has comments on the agricultural impacts of Specific Plan Area B. The Cortese-Knox-Hertzberg Act has its own definitions for Prime agriculture.

Prime Agriculture is defined as: (Government Code (G.C.) Section 56064)
"...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 the following qualifications:

(a) Land that qualifies, if irrigated, for rating as class I or II in the USDA Natural Resource 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 and 100 Storie Index Rating. LAFCO-8
(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...
(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 commercial bearing period on an annual basis...of not less than $400 per acre.
(e) *Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than $400 per acre for three of the previous five years."*

There is no discussion or analysis on the USDA class ratings and Storie Index Ratings for both Area A and Area B. While the City of Oxnard's Threshold of Significance may only be based on the State Farmland Maps, typical impact analysis give full detail of the agricultural soil characteristics of the site.

For LAFCO purposes, the USDA Class and Storie Rating for the agricultural area in Area B will need to be addressed. Additional factors such as the production thresholds and revenues would need to be addressed either in the Draft EIR or at the time of the reorganization application.

Additionally, LAFCO has adopted specific policies, or factors, for conversion of prime agriculture for reorganization proposals. Section 3.1.5. of the Commissioner's Handbook, dated January 1, 2002, attached, states those policies that LAFCO must address before approving annexations of prime agriculture lands. These factors should be addressed in the EIR. Specific attention should be made to Section 3.1.5.2. that requires an evaluation of all vacant, non-prime agricultural lands within the boundaries of the jurisdiction that could be developed for the same or similar uses. LAFCO-9

6. Section 4.10.1, Public Schools: Although the EIR discusses the phases of the project and related schools per phase, there are no timetable discussion/analysis on when the schools will be built and ready for student population.

There should be additional tables in the section stating the timetables and development benchmarks of the proposed schools for the project and the overall capacity result for the two school districts with the inclusion of the new schools and build-out of the residential units. Special attention should be made to discuss impacts to the surrounding high schools in the area as the project only proposes two elementary schools and one middle school for the area of development. LAFCO-10

In the Cumulative Impacts section, there is discussion that there would be cumulative impacts of the project to both school districts. If these impacts will require a Statement of Overriding Considerations in order to approve the project, it should be addressed in this section or in the Executive Summary. LAFCO-11

There should also be some type of timetable for Mitigation Measure #4.10.1-2. When do the school facilities need to be built and dedicated? Is there a deadline? Without any enforceable time frame or deadline, this mitigation measure seems infeasible. Additionally, there should be discussion of the development agreement between the school districts, City of Oxnard, and the RiverPark LLC that requires schools to be constructed. LAFCO-12

7. Section 7.0, Executive Summary: This summary should be put in the front of the document for ease to the reader and general public. Most EIR's have a summary discussion in the beginning of the document and often have a Summary of Impacts chart that informs the public of the major issues/impacts of the project. LAFCO-13

8. Section 7.0, Executive Summary, Irreversible Environmental Changes: The summary does not discuss or list the unavoidable impacts to agriculture or the cumulative impacts to schools. LAFCO-14

9. Section 7.0, Executive Summary: The summary should have a section on impacts that will require a Statement of Overriding Considerations for the final project approval. The Executive Summary is not clear as to what the unavoidable impacts of the project are. LAFCO-15

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

Sincerely,

Hollee King Brunsky

Attachment: Section 3.1.5., LAFCO Commissioner's Handbook, January 1, 2002

c: John Flynn, Supervisor, District 5
Marty Robinson, Deputy CEO
Ron Coons, Director, Public Works Agency
Tom Berg, Director, Resource Management Agency
Lowell Preston, Manager, Water Resources Division
Joseph Wisenhunt, L# 1740 – RMA Reference # 00-056
Donald Kendall, Calleguas Municipal Water District
Pat Oliver, Ventura County Resource Conservation District
Bob Roper, Ventura County Fire Protection District

SECTION 3.1.5 AGRICULTURE AND OPEN SPACE PRESERVATION

3.1.5.1 Findings and criteria for prime agricultural and open space land conversion: LAFCO will approve a proposal for a change of organization or reorganization which is likely to result in the conversion of prime agricultural or open space land use to other uses only if the Commission finds that the proposal will lead to planned, orderly, and efficient development. For the purposes of this policy, a proposal for a change of organization or reorganization leads to planned, orderly, and efficient development only if all of the following criteria are met:

i. The territory involved is contiguous to either lands developed with an urban use or lands which have received all discretionary approvals for urban development.

ii. The territory is likely to be developed within 5 years and has been pre-zoned for non-agricultural or open space use. In the case of very large developments, annexation should be phased wherever possible.

iii. Insufficient non-prime agricultural or vacant land exists within the existing boundaries of the agency that is planned and developable for the same general type of use.

iv. The territory involved is not subject to voter approval for the extension of services or for changing general plan land use designations. Where such voter approval is required by local ordinance, such voter approval must be obtained prior to LAFCO action on any proposal unless exceptional circumstances are shown to exist.

v. The proposal will have no significant adverse effects on the physical and economic integrity of other prime agricultural or open space lands.

3.1.5.2 Findings that insufficient non-prime agricultural or vacant land exists: The Commission will not make affirmative findings that insufficient non-prime agricultural or vacant land exists within the boundaries of the agency unless the applicable jurisdiction has prepared a detailed alternative site analysis which at a minimum includes:

i. An evaluation of all vacant, non-prime agricultural lands within the boundaries of the jurisdiction that could be developed for the same or similar uses.

ii. An evaluation of the re-use and redevelopment potential of developed areas within the boundaries of the jurisdiction for the same or similar uses.

iii. Determinations as to why vacant, non-prime agricultural lands and potential re-use and redevelopment sites are unavailable or undesirable for the same or similar uses, and why conversion of prime agricultural or open space lands are necessary for the planned, orderly, and efficient development of the jurisdiction.

3.1.5.3 Impacts on adjoining prime agricultural or open space lands: In making the determination whether conversion will adversely impact adjoining prime agricultural or open space lands, the Commission will consider the following factors:

i. The prime agricultural and open space significance of the territory and adjacent areas relative to other agricultural and open space lands in the region.
ii. The economic viability of the prime agricultural lands to be converted.
iii. The health and well being of any urban residents adjacent to the prime agricultural lands to be converted.
iv. The use of the territory and the adjacent areas.
v. Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of prime agricultural or open space land outside of the agency's sphere of influence, or will be extended through prime agricultural or open space lands outside the agency's sphere of influence.
vi. Whether natural or man-made barriers serve to buffer prime agricultural or open space lands outside of the agency's sphere of influence from the effects of the proposal.
vii. Applicable provisions of local general plans, applicable ordinances that require voter approval prior to the extension of urban services or changes to general plan designations, Greenbelt Agreements, applicable growth-management policies, and statutory provisions designed to protect agriculture or open space.
viii. Comments and recommendations by the Ventura County Agricultural Commissioner.

SECTION 3.1.6 SCHOOL CAPACITY

In addition to the factors and determinations required by state law, LAFCO will consider whether or not the territory involved in a proposal for a change of organization or reorganization can be served by affected school districts. LAFCO will not favor any change of organization or reorganization proposal where any affected school district certifies that there is not sufficient existing school capacity, or will not be sufficient school capacity at the time of development, to serve the territory involved.

Ventura Local Agency Formation Commission (LAFCO)

LAFCO-1

The areas numbered 5 and 6 on Figure 2.0-7 are part of the same unincorporated "island" surrounded by the City, known as El Rio West. El Rio West is not part of the proposed RiverPark Specific Plan Area and, for this reason, the potential impacts of annexation of these areas are not addressed in the EIR.

The City of Oxnard intends to annex this area within the same general time frame as the RiverPark Project in a separate proceeding. Area 6 is the site of a proposed residential project that has been submitted to the City of Oxnard for review.

The annexation of El Rio West will be subject to environmental review separate from RiverPark. It is noted that LAFCO previously found annexing this area to the Calleguas MWD to be Categorically Exempt from CEQA (Class 19). As these existing areas are almost completely developed and can be served by existing or planned utilities identified in the Water, Wastewater and Drainage Master Plans prepared by the City of Oxnard, extensive environmental review of these separate annexation efforts should not be required.

LAFCO-2

The RiverPark Draft EIR recognizes and discusses the Ventura County JJC project. The County of Ventura prepared an EIR for the JJC project. The JJC project is considered in the cumulative impact analysis in the RiverPark Draft EIR. The out of area service agreement addresses the provision of services to the JJC by the City of Oxnard. Including the JJC in the RiverPark Reorganization is a policy question for LAFCO and the City of Oxnard. Should the JJC be added to the RiverPark Reorganization, the analysis in the Ventura County EIR on the JJC and the RiverPark Draft EIR provides sufficient information to serve as the environmental review documents for this action.

LAFCO-3

The text on page 3.0-38 is revised to read as follows:

~~*Annexation*~~

~~RiverPark Area 'B' is currently located outside of the City of Oxnard but within the City's Sphere of Influence and CURB lines. The City will request approval of annexation of this area from the Ventura County Local Agency Formation Commission (LAFCO).~~

Local Government Boundary Changes

RiverPark Area 'B' is outside of the City of Oxnard but within the City's sphere of influence and CURB lines. The City will submit a reorganization proposal to the Ventura Local Agency Formation Commission (LAFCO) to annex the territory to the City of Oxnard and concurrently detach it from the Ventura County Fire Protection District and Ventura Resource Conservation District.

In addition the Calleguas Municipal Water District will submit an annexation proposal to LAFCO for a portion of RiverPark Area 'B,' specifically all portions of the project that may utilize water from the City and hence from the Calleguas MWD and Metropolitan Water District of Southern California.

LAFCO-4

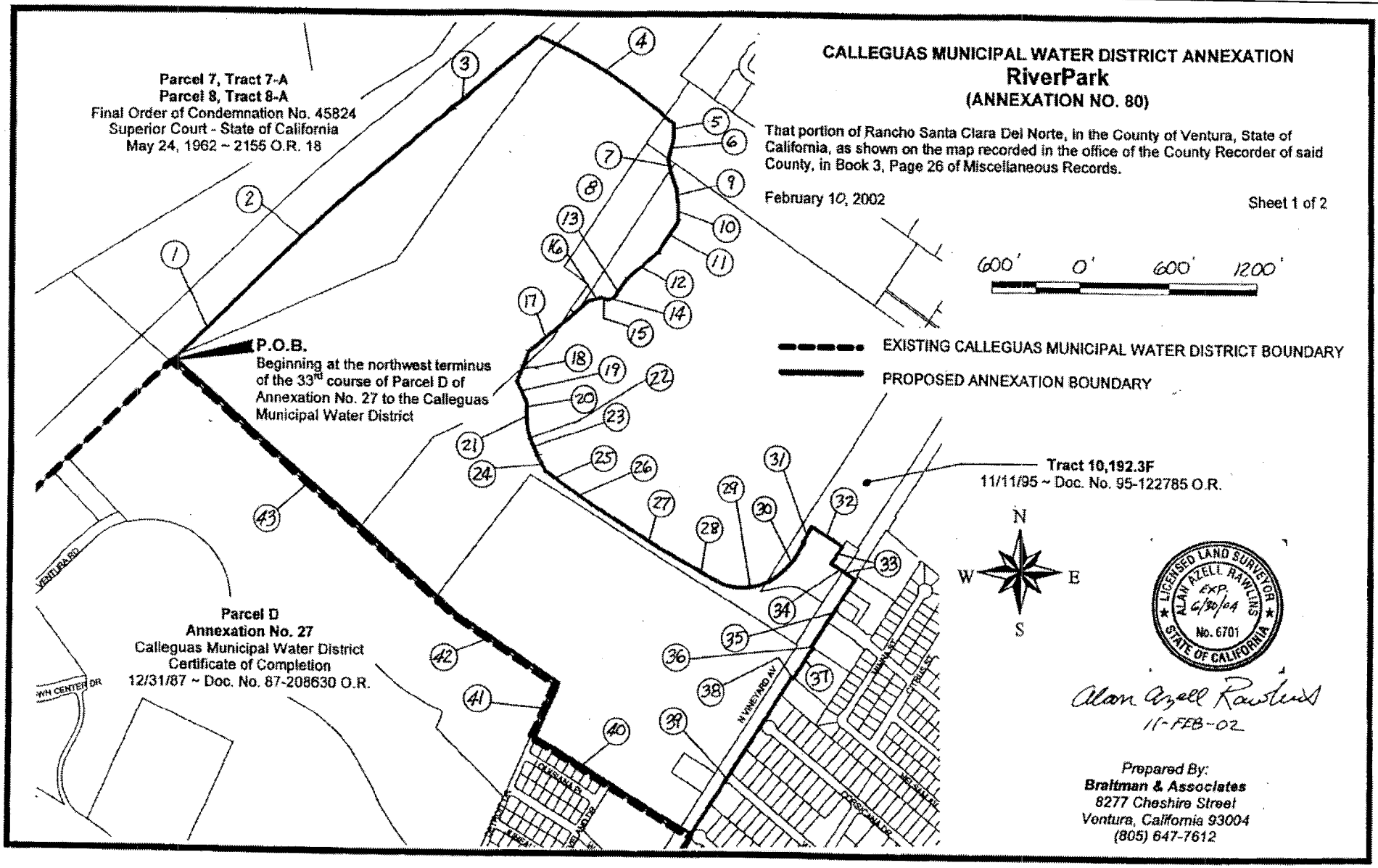
The El Rio West area is not part of the RiverPark project. Its annexation to the City can occur independently of the RiverPark project. This is not an environmental issue but rather a matter of policy for the City and LAFCO. The City has indicated its willingness to annex the property and is already providing municipal water services to this area in exchange for the consent of property owners to annex to the City in the future.

LAFCO-5

These existing executed agreements are discussed on page 2.0-22 of the Environmental Setting Section. These existing agreements are not part of the RiverPark project as proposed by the applicant and are not discussed in the Draft EIR Project Description section for this reason.

LAFCO-6

Please see **Figure 2-22** on the following page which shows the areas proposed for annexation to the City of Oxnard and Calleguas Municipal Water District (MWD). As indicated in the comment, annexation of the existing mine pits to Calleguas MWD is not proposed as the pits will be reclaimed for use for the



SOURCE: Braitman & Associates, Feb 11, 2002

FIGURE **2-22**

Calleguas Municipal Water District Annexation No. 80

storage of water by UWCD and will not receive or be eligible to receive water from the City, Calleguas MWD or Metropolitan Water District.

LAFCO-7

The Ventura County Fire Protection District and Ventura Resource Conservation District are not "responsible agencies" as defined by CEQA. Special districts are not empowered to prevent detachments and, therefore, are not responsible agencies with authority over the project.

These two special districts are recognized by the City as affected agencies, meaning those agencies whose boundaries would be changed as a result of the reorganization.

LAFCO-8

It should be noted that the 155 acres of agricultural located within RiverPark Area 'A.' is within the City of Oxnard and Calleguas MWD, having been previously annexed. No further LAFCO approvals are needed for this territory to receive services. The impacts of development of the farmland in RiverPark Area 'A' has been previously addressed in the EIR prepared by the City of Oxnard for the Oxnard Town Center Specific previously approved in 1986 and the Oxnard *2020 General Plan* EIR. In addition, the impact on this agricultural land is also addressed in the RiverPark Specific Plan.

Please see **Figure 2-23** (following this page) which presents an aerial photograph of the portion of RiverPark Area 'B' still under agricultural production. As shown in **Figure 2-23**, the construction of the 15 foot deep El Rio Retention Basin No. 2 by the County of Ventura in 1997 impacted the agricultural land on this portion of the proposed Specific Plan Area. Presently only a small strip of agricultural land along Vineyard Avenue remains undisturbed and in agricultural production. This remnant strip of agricultural land is approximately 19 acres in size.

The 54-acre area discussed in the Draft EIR is the entire El Rio Retention Basin No. 2 parcel, which includes approximately 17 of the 19 acres of agricultural land along Vineyard Avenue. The rest of this 54-acre parcel consists of the retention basin.

The USDA Soil Survey for the Ventura Area identifies three related soil types on the 19 acres of remaining agricultural land: Pico Loam; Pico sandy loam - 2 to 9 percent slopes (PcC); and Pico sandy loam - 0 to 2 percent slopes (PcA). The Storie Index Ratings for these three soil types are, respectively: 76, 77 and 86. Based on the Storie Index Ratings only one of these soil types, PcA, qualifies for a 80 to

LEGEND

W	Southern Willow Scrub
MF	Mule Fat Scrub
FRB	Forb Dominated Moist Ground
RUD	Ruderal
E	Eucalyptus
WR	Wind Row
AG	Agricultural
DEV	Developed

FIGURE 2-23

Revised Vegetation Communities

100 Storie Index Rating, which is identified in Government Code Section 56064 as Prime Farmland. All three soil types are identified as Class I or II soils. Based on these class ratings, the remaining 19 acres of agricultural land meet the definition in Government Code Section 56064 (a) of Prime Farmland.

LAFCO-9

The City of Oxnard believes that annexation of this small remnant of agricultural land is justified, as the inclusion of this 19 acres in the 700-acre Specific Plan Area is logical and necessary for the planned, orderly and efficient development of this area. If this area is not included in the annexation, a small island of agricultural land would be left between Vineyard Avenue, the existing El Rio Residential Neighborhood to the south and proposed urban uses to the west. This 19-acre area would be part of a planned elementary and middle school site to be developed by the Rio Elementary School District. No other vacant non-prime agricultural areas exist north of the Ventura Freeway in the El Rio Community and the boundaries of the Rio Elementary School District that are available for the development of an elementary and middle school.

LAFCO-10

Elementary schools (grades K-8) are under the jurisdiction of the Rio School District. The Rio School District and the developer of the RiverPark Project intend to provide two elementary schools and one junior high school within the RiverPark Specific Plan Area with capacity to serve 100% of students generated from RiverPark. Furthermore, current plans are to provide school capacity before occupancy of residential units, to avoid the need to house RiverPark students at existing district schools or temporary portable schools. The initial development benchmarks identified for construction are as follows:

1. Open Elementary School No. 1 simultaneously with occupancy of the first dwelling unit
2. Open Junior High School simultaneously with occupancy of the 1,000th dwelling unit
3. Open Elementary School No. 2 simultaneously with occupancy of the 1,600th dwelling unit.

The impact of the project on K-8 schools is summarized in **Table 15** below. As shown, RiverPark's impact on elementary school facilities is fully mitigated.

Table 15
Project Impact on K-8 Schools

	RiverPark School Capacity	Cumulative RiverPark Students	Available Capacity
Status Quo	0	0	0
Open Elementary School No. 1	530	0	530
Occupancy of up to 1,000 units	530	590	-60
Open Junior High School	1,130	590	540
Occupancy of up to 1,600 units	1,130	944	186
Open Elementary School No. 2	1,660	944	716
Occupancy of up to 2,805 units	1,660	1,654	6

High schools (grades 9-12) are under the jurisdiction of the Oxnard Union High School District. Residential development in RiverPark falls within the existing attendance boundaries of Rio Mesa High School, which means that RiverPark high school students would normally attend Rio Mesa High School. Application of OUHSD's student generation rates estimate that 337 high school students[2] will be generated at build-out if all 2,805 dwelling units allowed by the proposed RiverPark Specific Plan are built (1,328 multi-family, 1,014 single family attached, and 463 single family detached). OUHSD recently opened a new high school in the City of Oxnard (Pacific High School) and is considering the potential need to open additional new high schools if student enrollment grows significantly. Specifically, the District is considering opening new schools in two areas: (i) Ormond Beach in Oxnard, primarily to service the City of Oxnard, including relief of overcrowding and accommodating growth, and (ii) Camarillo High School No. 2, to relieve overcrowding at the existing Camarillo High School and accommodate growth. Cumulative impacts from enrollment growth in the Rio Mesa/Camarillo areas will most likely be accommodated as follows:

1. If cumulative growth in enrollment merits the need for an additional high school, Camarillo High School No. 2 will be constructed. Camarillo High School No. 2 would house (i) enrollment growth of 600-800 students, (ii) roughly 700 City of Camarillo students from areas currently within Rio Mesa High School attendance area, and (iii) roughly 500-700 students from areas currently within the existing Camarillo High School attendance area. This would relieve overcrowding at the existing Camarillo High School, provide space for growing enrollments in the Camarillo area, and "free up" space for 700 students at Rio Mesa High School.

2 Eric Ortega, Assistant Superintendent-Business Services, Oxnard Union High School District and Louis Cunningham, Director of Facilities, Oxnard Union High School District. Communication with NewSchools on February 12, 2002.

2. If cumulative growth in enrollment does not merit the need for an additional high school, OUHSD will add capacity to Rio Mesa High School on a long-term basis to serve RiverPark and adjacent areas.

3. In both cases, OUHSD will utilize portable facilities to house students at Rio Mesa High School until the decision to construct a new high school is made and construction is completed. OUHSD indicates it has sufficient space to add portable facilities at Rio Mesa High School until a permanent solution is implemented.

OUHSD collects developer impact fees which must be paid by homebuilders in RiverPark. With the collection of impact fees and implementation of the facilities strategy summarized above, the impact of RiverPark on high school facilities is fully mitigated.

LAFCO-11

As discussed above in the response to Comment LAFCO-10, impacts of the project on school facilities will be fully mitigated.

LAFCO-12

Please see the response to Comment LAFCO-10 for a discussion of the timing of the provision of additional school facilities.

LAFCO-13

The first section of the Draft EIR is a 15 page summary prepared to meet the content requirements defined in Section 15123 of the CEQA *Guidelines*. For each topic addressed in the EIR, this summary identifies any significant impacts identified, measures proposed to mitigate these impacts and any unavoidable significant impacts. Section 7.0 is provided in the Draft EIR consistent with Section 15126.2 (c) of the CEQA *Guidelines* which requires an EIR to identify "Significant Irreversible Environmental Changes Which Would be Caused by the Proposed Project Should it be Implemented."

LAFCO-14

Please see the response to Comment LAFCO-13 above. The Summary in the Draft EIR identifies the unavoidable impacts of the project for each topic where applicable.

LAFCO-15

The Summary Section identifies the unavoidable adverse impacts for each topic, as applicable.

January 18, 2002

City of Oxnard
Planning Dept.
305 West 3rd Street
Oxnard, CA 93030

Attn: Gary Sugano
Marilyn Miller
Matthew Winegar

Comments of EL RIO/DEL NORTE MUNICIPAL ADVISORY COUNCIL

In re: City of Oxnard Draft Environmental Impact Report
RiverPark Project: RiverPark, LLC

At the January 18, 2002 meeting of the El Rio/Del Norte Municipal Advisory Council (MAC), board members voiced the following comments and concerns:

They concur with the following comments made by the Oxnard City Planning Commission:

The fire station that will be built as a combined City/County station should be expanded to include the combined fire stations plus a substation for the CHP, Sheriff's station and Oxnard Police Department on a 5 acre site. This would allow the facility to be constantly manned to better serve the residents. MAC-1

The needs of the El Rio residents must be met. MAC-2

Traffic must be mitigated. It is requested that a Neighborhood Traffic Maintenance Program and the tools necessary to ensure a successful and efficient neighborhood traffic management program be implemented. MAC-3

Oxnard Blvd. should be extended past RiverPark to end in a four way intersection with Central Avenue. This would mitigate some of the traffic problems caused by adding such a large development to the already existing neighborhoods. MAC-4

They concur with the comments on the enclosed report entitled "Impacts & Concerns". MAC-5

The need for additional schools and parks must be addressed. MAC-6

Further mitigation is needed for both drainage issues and the sewer system. MAC-7

Based on the attached comments the El Rio/Del Norte Municipal Advisory Council (MAC) on January 18, 2002 made the following motion:
The Final EIR for RiverPark should be submitted to the MAC before being submitted to the Ventura County Board of Supervisors, Oxnard City Council, Ventura County Planning Commission and the Oxnard Planning Commission. MAC-8

As the area most impacted by this proposed development, we should have a strong voice in ensuring all possible mitigation measures are taken to minimize the negative effects that so many additional residents will have on traffic, schools, parks, drainage and the sewer system.

Sincerely,

Florence B. Young

FLORENCE YOUNG
Chairwoman, El Rio/Del Norte MAC

Cc: Oxnard City Council
Oxnard Planning Commission
Ventura County Board of Supervisors
Ventura County Planning Commission

El Rio/Del Norte Municipal Advisory Council
Riverpark Project Draft Environmental Impact Report
El Rio, Strictland & Nyeland Acres
January 18, 2002
IMPACTS AND CONCERNS:

I. Drainage—Stroube Street, Cortez Street.
Will the project alleviate drainage problems existing on Cortez Street via the Stroube Street Drain? MAC-9

II. Ballpark facility: There has been some concern in other areas in Ventura County regarding a proposal for a commercial ballpark. People were concerned that a commercial ballpark would either prohibit or overcharge for public use of a commercial ballpark. The proposal was evidently made by a corporation or commercial entity to build such a facility in South Oxnard near or in College Park, which is near Oxnard College. Another concern was that the commercial ballpark was to be constructed partially or completely with public funds—tax money. MAC-10

III. El Rio Road access to Fwy 101 northbound at the Santa Clara River Bridge. At the present time El Rio Drive connects to an on-ramp to the Ventura Freeway of the river bridge. This makes it easy for residents of El Rio to enter the freeway northbound, especially when traffic on the freeway is severely congested. MAC-11

UPDATE: pg. 2.0-15: The new Esplanade Plaza is mostly or completely finished at this time. MAC-12

IV. Errata: Page 2.0-17 third complete paragraph seventh line "A majority of the El Rio community is presently using individual septic systems for the treatment of sewage, which has ALLEGEDLY resulted in high levels of nitrates in local groundwater." The word "allegedly" was erroneously omitted from that sentence. MAC-13

V. The SCAT bus which serves El Rio, route #15, does not connect with the Railroad Station, where other bus routes connect. Bus #15 goes from the Esplanade to St. Johns Hospital, and returns, and connects to #6 and #4 bus routes which go to the railroad station. #15 travels along Vineyard Avenue which is State Hwy 232. (page 4.2-3). Bus #15 does not run early enough in the morning to connect with Metrolink. This error is on pages 4.1-18; 4.1-36; and 4.7-16; 4.7-17. MAC-14

Line 19—"the RiverPark...is located in an area that is served by a number of mass transit providers. What is that number? MAC-15

MAJOR CONCERN:

The majority of residents of El Rio, and presumably including Strictland and Nyeland Acres, are strongly opposed to being annexed by the City of Oxnard, which additionally has grown too large. For this reason, we should seriously consider opposing the annexation of RiverPark area B, since this is in proximity to El Rio and the other communities.
Many concerns are raised over the protection of this area from annexation: MAC-16

1. Oxnard sphere of influence
2. The sewer situation
3. Growth management element of the Oxnard general plan
4. Does LAFCO have any specifications to protect from annexation?
5. We need to know LAFCO section 56377
6. Guidelines for Orderly Development

Questions: How do these factors protect this area from annexation? Do they? If not, Why? And how can they be made to give us this protection?

El Rio/Del Norte Municipal Advisory Council (MAC)

MAC-1

The City of Oxnard considered a joint police-fire facility during the planning of the project. As described in Section 4.10.3, Police Protection Services, of the Draft EIR, the Oxnard Police Department determined that the most appropriate facility for this new community would be a storefront police station of approximately 1,000 square feet. The Police Department is also recommending that this storefront station be located centrally within the Specific Plan Area in the proposed commercial area. The California Highway Patrol and Ventura County Sheriff already have existing facilities in the area that meet the needs of these agencies.

MAC-2

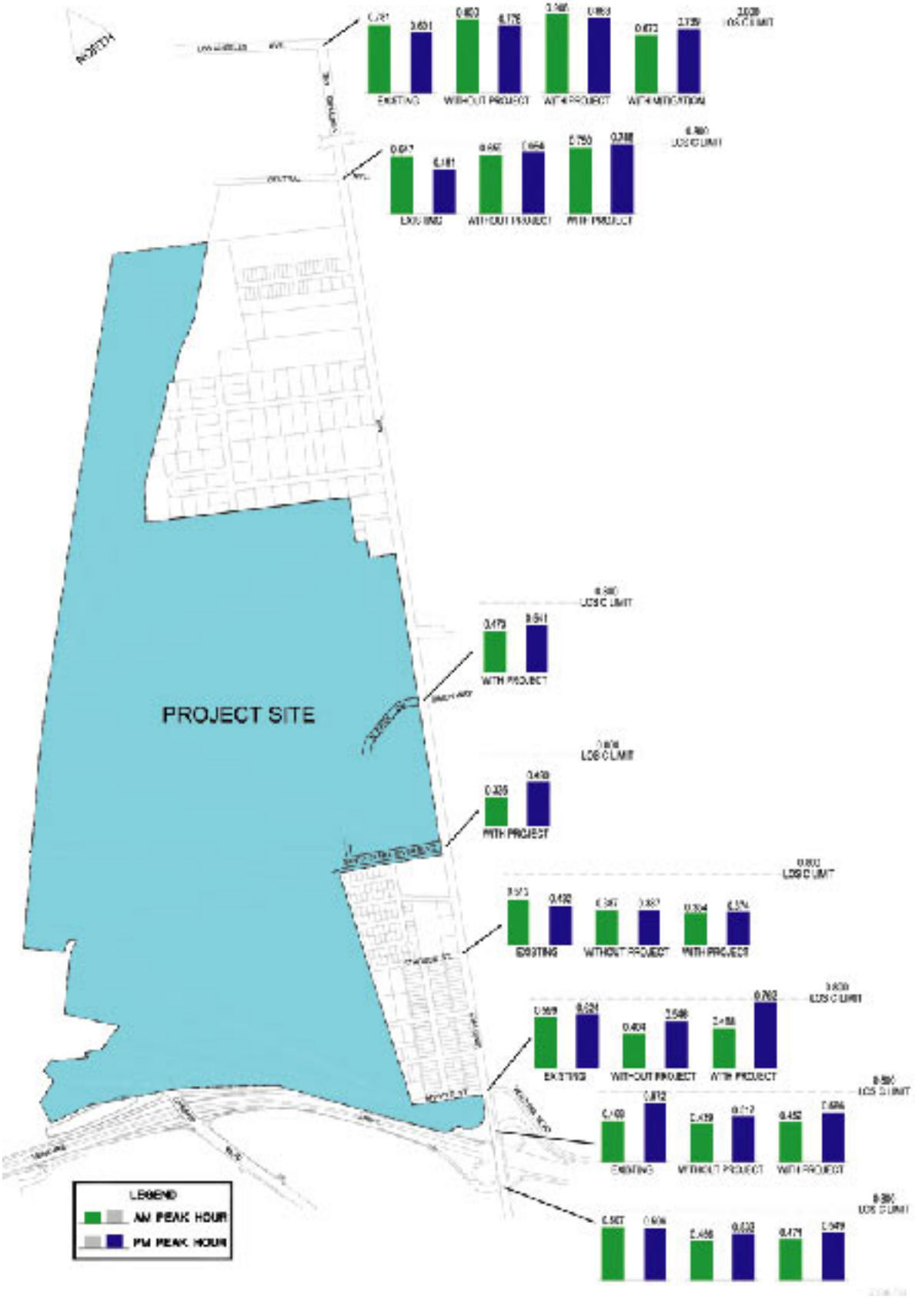
Please see the response to the other comments from the El Rio Mac on specific topics.

MAC-3

The traffic impacts of the project are discussed in section 4.7 of the Draft EIR including a discussion of Neighborhood Traffic Impacts on page 4.7-31. As concluded in that section, the project will not significantly impact local neighborhood streets. The project applicant has, however, voluntarily offered to establish a fund for installation of neighborhood traffic control measures. This fund will contain $150,000 available for a 5-year period to implement measures jointly agreed upon by the El Rio Community, the County Public Works Agency Transportation Department, and the District 5 Supervisor's office. Measures to be funded and built may include speed humps, added STOP signs, changes to signal timing or phasing, turn restrictions (e.g., peak hour or right-turn-on-red restrictions), chokers, traffic circles, islands or diverters. The specific measures chosen, and their location, will be agreed upon by area residents and the County. It should be noted that the RiverPark Specific Plan will have limited access routes to El Rio. Therefore, no neighborhood traffic intrusion is anticipated from the project with or without this program. However, this neighborhood traffic control program will further assure that significant neighborhood traffic intrusion impacts do not occur.

MAC-4

The extension of Oxnard Boulevard to Central Avenue is not required to maintain an acceptable level of service on Vineyard Avenue or any other streets in the area. **Figure 2-24** (following this page) shows



SOURCE: Crain & Associates.

FIGURE **2-24**

Future Traffic Conditions on Vineyard Avenue

the projected traffic conditions with traffic from the project in the year 2020 for the eight signalized intersections along Vineyard Avenue between the Ventura Freeway and Los Angeles Avenue. As shown, all of these intersections will operate at Level of Service C or better.

Improvements are also planned to Vineyard Avenue to improve traffic flow and safety. Presently there is no barrier between off-street parking and on-street traffic at all locations along Vineyard Avenue. In order to minimize the potential for conflicts from drivers failing to yield the right-of-way to oncoming traffic when entering or exiting parking spaces and areas, the existing Vineyard Avenue median island will be extended further to the north as part of the project. This median would be extended to the northerly project roadway opposite Simon Way for aesthetic as well as safety reasons. The location of this proposed extension of existing median island is shown in **Figure 2-25** following this page.

The extension of Oxnard Boulevard north to Central Avenue is also not considered feasible. Any extension of this road to the north would need to travel through the existing Large Woolsey mine pit, which occupies all the area between the Santa Clara River Levee and the existing Beedy Street and Montgomery/Lambert Street industrial areas. This existing mine pit would need to be completely filled to accommodate this road. Sufficient fill material is also not available to fill this entire pit. A water quality treatment basin is planned at the southern end of the Large Woolsey Mine Pit. This basin would accept and clean runoff from the Beedy Street and Montgomery/Lambert industrial areas and the northern portion of the RiverPark residential area. This basin would be impacted by a road extension. In addition, UWCD is planning to use the Large Woolsey Mine Pit for the storage and recharge of water diverted from the Santa Clara River at the Freeman Diversion Structure. Filling this mine pit to accommodate an extension of Oxnard Boulevard further north would eliminate this use. Groundwater quality and quantity impacts would result, therefore, from the filling of the pit to facilitate this road extension.

MAC-5

Please see the responses to the comments in the "Impacts & Concerns" attachments to this letter.

MAC-6

The Draft EIR includes analysis of the need for both schools and parks. The RiverPark Specific Plan includes sites for two new elementary schools and one new middle school for the Rio Elementary School District. These school sites were selected and planned based on extensive consultation with the Rio School District. The Rio School District and the developer of the RiverPark Project intend to provide

SOURCE: Crain & Associates.

FIGURE **2-25**

Vineyard Avenue Proposed Widenings and Median Islands

two elementary schools and one junior high school within the RiverPark Specific Plan Area with capacity to serve 100% of students generated from RiverPark. Furthermore, current plans are to provide school capacity before occupancy of residential units, to avoid the need to house RiverPark students at existing district schools or temporary portable schools. The initial development benchmarks identified for construction are as follows:

1. Open Elementary School No. 1 simultaneously with occupancy of the first dwelling unit
2. Open Junior High School simultaneously with occupancy of the 1,000th dwelling unit
3. Open Elementary School No. 2 simultaneously with occupancy of the 1,600th dwelling unit.

The impact of the project on K-8 schools is summarized in **Table 16** below. As shown, RiverPark's impact on elementary school facilities is fully mitigated.

Table 16
Project Impact on K-8 Schools

	RiverPark School Capacity	Cumulative RiverPark Students	Available Capacity
Status Quo	0	0	0
Open Elementary School No. 1	530	0	530
Occupancy of up to 1,000 units	530	590	-60
Open Junior High School	1,130	590	540
Occupancy of up to 1,600 units	1,130	944	186
Open Elementary School No. 2	1,660	944	716
Occupancy of up to 2,805 units	1,660	1,654	6

High schools (grades 9-12) are under the jurisdiction of the Oxnard Union High School District. Residential development in RiverPark falls within the existing attendance boundaries of Rio Mesa High School, which means that RiverPark high school students would normally attend Rio Mesa High School. Application of OUHSD's student generation rates estimate that 337 high school students[3] will be generated at build-out if all 2,805 dwelling units allowed by the proposed RiverPark Specific Plan are built (1,328 multi-family, 1,014 single family attached, and 463 single family detached). OUHSD recently opened a new high school in the City of Oxnard (Pacific High School) and is considering the potential

3 Eric Ortega, Assistant Superintendent-Business Services, Oxnard Union High School District and Louis Cunningham, Director of Facilities, Oxnard Union High School District. Communication with NewSchools on February 12, 2002.

need to open additional new high schools if student enrollment grows significantly. Specifically, the District is considering opening new schools in two areas: (i) Ormond Beach in Oxnard, primarily to service the City of Oxnard, including relief of overcrowding and accommodating growth, and (ii) Camarillo High School No. 2, to relieve overcrowding at the existing Camarillo High School and accommodate growth. Cumulative impacts from enrollment growth in the Rio Mesa/Camarillo areas will most likely be accommodated as follows:

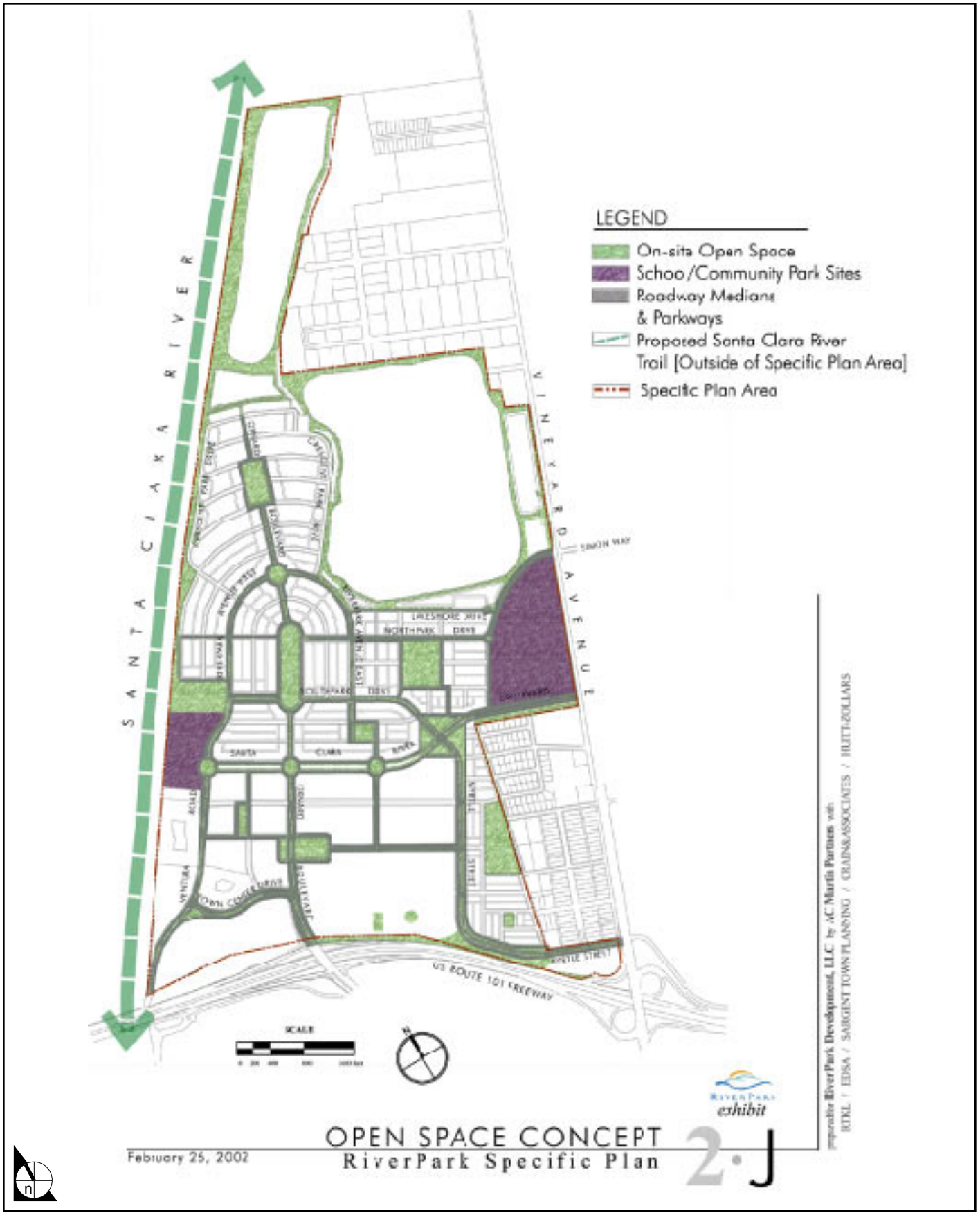
- If cumulative growth in enrollment merits the need for an additional high school, Camarillo High School No. 2 will be constructed. Camarillo High School No. 2 would house (i) enrollment growth of 600-800 students, (ii) roughly 700 City of Camarillo students from areas currently within Rio Mesa High School attendance area, and (iii) roughly 500-700 students from areas currently within the existing Camarillo High School attendance area. This would relieve overcrowding at the existing Camarillo High School, provide space for growing enrollments in the Camarillo area, and "free up" space for 700 students at Rio Mesa High School.

- If cumulative growth in enrollment does not merit the need for an additional high school, OUHSD will add capacity to Rio Mesa High School on a long-term basis to serve RiverPark and adjacent areas.

- In both cases, OUHSD will utilize portable facilities to house students at Rio Mesa High School until the decision to construct a new high school is made and construction is completed. OUHSD indicates it has sufficient space to add portable facilities at Rio Mesa High School until a permanent solution is implemented.

OUHSD collects developer impact fees which must be paid by homebuilders in RiverPark. With the collection of impact fees and implementation of the facilities strategy summarized above, the impact of RiverPark on high school facilities is fully mitigated.

The RiverPark Specific Plan includes a variety of park facilities including three neighborhood parks and smaller open spaces adjacent to the planned residential neighborhoods to meet neighborhood park needs, as shown on **Figure 2-26** following this page. The City's park planning standard, as defined in the General Plan Parks and Recreation Element and discussed in Section 4.10.4, Parks and Recreation, of the Draft EIR, is 1.5 acres of neighborhood park space and 1.5 acres of community park land for each 1,000 residents. Based on this standard, approximately 11 acres of neighborhood park land and 11 acres of community park land is required to meet the needs of the residents of RiverPark. As originally proposed and assessed in the Draft EIR, the RiverPark Specific Plan included 13 acres of neighborhood



SOURCE: Riverpark Specific Plan, February 2002.

FIGURE **2-26**

Community Open Space Concept

park land in three neighborhood parks located in the southern, central and northern portions of the Specific Plan Area in residential neighborhoods. These neighborhood parks were distributed throughout the community to ensure that neighborhood park space is within easy walking distance of all residential areas. Access to these parks will be enhanced by the pedestrian and bicycle network planned throughout the community.

Based on review of the Draft Specific Plan by the staff of the Oxnard Parks and Recreation Department, the size of these three neighborhood parks has been increased. The park in Planning District F, located next to the existing El Rio West Neighborhood, has been increased in size to 7.4 acres, the park in Planning District J has been increased in size to 6.1 acres, and the park in Planning District has been increased in size to 6.4 acres. The amount of neighborhood parkland in these three neighborhood parks is 19.9 acres. When the 3.3-acre neighborhood park in Planning District H is added, the total amount of neighborhood park space in these four parks is 23.3 acres. This amount of neighborhood park space is over twice the 11 acres required under the City's park planning standards for the 7,220 residents projected for the project.

With regard to community park land, the Specific Plan also provides community playfields in conjunction with the two school sites that will be available for public use outside of school hours. A minimum of 12 acres of community playfields will be provided on these two school sites, an amount that exceeds the 11 acres required under the City's park planning standards. In addition to these community playfields, the RiverPark Specific Plan provides other park and spaces that do not meet the definition of neighborhood or community park space in the Oxnard *2020 General Plan* Parks and Recreation Element. These facilities, including a network of trails around the community, will help meet the parks and recreation needs of residents of the area.

MAC-7

The Draft EIR includes extensive analysis of both drainage and sewage conditions and facilities. The Draft EIR includes a complete evaluation of existing and proposed drainage conditions in Section 4.11.1, Stormwater Drainage, of the Draft EIR. The RiverPark Specific Plan includes a storm drain master plan that will provide adequate drainage within the Specific Plan Area and capacity to accept runoff from El Rio. In addition, the project applicant has voluntarily agreed to fund storm drain improvements within El Rio to correct existing drainage problems in this area.

The analysis of sewer service in Section 4.11.3 of the Draft EIR was based on information in the recently updated City of Oxnard Wastewater Collection System Master Plan. As discussed on page 4.11.3-7 of the

Draft EIR, the Wastewater Collection System Master Plan considers flows from El Rio and provides capacity for the El Rio Community to hook up to the City's sewer system. No adverse impacts to sewer facilities will result from the RiverPark Project.

MAC-8

A copy of the Final EIR will be sent to the El Rio MAC.

MAC-9

Please see the response to Comment MAC-7 above. The proposed RiverPark Specific Plan includes a storm drain system that matches the City and County storm drain master plans for the area. In addition, the project applicant has voluntarily agreed to fund storm drain improvements within El Rio to correct existing drainage problems in this area. The Stroube Street drain will be extended and the drainage conditions at Cortez Street will be improved.

MAC-10

The Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use.

MAC-11

Traffic conditions on the U.S. 101 Freeway will be improved as a result of the construction of a new wider bridge across the Santa Clara River and a new interchange with Oxnard Boulevard. Congestion will be reduced as a result of these improvements and the El Rio neighborhood will be connected to the northbound U.S. 101 Freeway through a new interchange at Oxnard Boulevard. The elimination of El Rio Road, therefore, will not result in any decrease in convenience or accessibility to the freeway for residents of El Rio.

MAC-12

Comment noted. The referenced text on page 3.0- 15 is revised to read as follows:

Existing commercial areas are located south of the freeway in the Wagon Wheel, Esplanade, and Financial Plaza Areas. Redevelopment of the 44-acre Esplanade Shopping Center site, located between Oxnard

Boulevard and Vineyard Avenue, was approved by the City of Oxnard in November 2000. ~~Construction is presently underway on a~~ A new 506,000 square foot shopping center was recently built on this site, which was formerly developed with the Esplanade Mall, an enclosed regional shopping center. The new Esplanade Plaza ~~will~~ includes a variety of retail commercial stores, including a home improvement warehouse store and a variety of other retail stores.

MAC-13

The information presented on page 2.0-17 is based on studies conducted by the Los Angeles Regional Water Quality Control Board on water quality in the forebay of the Oxnard Aquifer System. These studies indicate that the existing septic systems are impacting groundwater quality.

MAC-14

The SCAT routes were altered last summer as noted by this comment. The project will provide new facilities for the use of transit vehicles to facilitate additional service in the area by SCAT.

MAC-15

The text referenced in this comment was not found in Section 4.7 Transportation and Circulation of the Draft EIR. Existing public transportation services in Oxnard are described on pages 4.7-16 and 4.7-17 in the Draft EIR. As discussed on these pages public transportation services in Oxnard include the SCAT bus system, Metrolink commuter train service and Amtrak train service.

MAC-16

California State laws govern annexations to the City of Oxnard. El Rio and other communities are in no greater likelihood of being annexed to the City following the annexation of RiverPark Area B than they are at present.

The Cortese-Knox-Hertzberg Act, which governs boundary changes in California, specifies that an "inhabited annexation," meaning an area with 12 or more registered voters, can be annexed to a city only with the consent of those voters, as provided for in Government Code Section 57075.

Protection of the El Rio community from annexation to the City of Oxnard is found within the State laws governing annexations. No change in statutes or policies is required to provide this procedural safeguard since it exists in State law.

City of Oxnard Sphere of Influence

The City of Oxnard Sphere of Influence as determined by the Local Agency Formation Commission has included El Rio, Nyeland Acres, the Strickland Tract and RiverPark Area 'B' for many years. Annexation of RiverPark Area 'B' will not affect the sphere of influence.

Sewer Service

It is acknowledged that the on-site disposal systems prevalent in the unincorporated El Rio area must be replaced with connections to a sanitary sewer system by 2008 as directed by the State Regional Water Quality Control Board. How this occurs and whether the services will be provided by the City or by other means is unrelated to the RiverPark Project and annexation.

Government Code Section 56377

Government Code Section 56377, directs a LAFCO to consider the policies and priorities of guiding development away from existing prime agricultural lands towards non-prime agricultural lands and developing vacant or non-prime agricultural lands within a city's sphere of influence before allowing proposals to convert such lands outside of the sphere of influence. Since the proposed RiverPark Project is contained entirely within the City's sphere of influence it is consistent with Section 56377.

Guidelines for Orderly Development

The Guidelines for Orderly Development are Ventura County policies that state urban uses should to be located in cities whenever and wherever practical. RiverPark is consistent with the Guidelines for Orderly Development, which has been adopted by the County, LAFCO and all city councils.

December 18, 2001

Planning Commission
City of Oxnard
305 W. 3rd. St., 2nd Floor
Oxnard, Ca. 93030

RE: Riverpark Draft EIR

Dear Chairman Duff and Members of the Planning Commission:

We are in the process of reviewing the Draft EIR on the Riverpark Specific Plan, but due to the size of the project and the extensive information presented in the EIR, we will not have our comments complete by the date of the hearing on December 20.

As you are aware, we will be directly influenced by the project and consequently will be submitting formal comments on the draft EIR within the review period. In the interim, there are several issues which we would like you to consider as you complete your own review of this important project.

Traffic on Vineyard Avenue

This major thoroughfare adjacent to the project area is heavily congested with truck and commuter traffic during the AM and PM peak hours. Traffic volumes on this already busy road will be increased by project generated traffic. At the same time, current conditions in this area include widespread lack of sidewalks and high volumes of children walking to and from school. In addition, commercial developments on the east side of Vineyard Avenue have inadequate parking such that motorists leaving the shops have to back into oncoming traffic. How will project traffic affect these existing conditions and what can be done to mitigate these significant safety issues? ERW-1

Parks and Recreation

The developer has been responsive to our concerns regarding the critical need for a neighborhood park in the El Rio West Neighborhood and has provided a park site, identified as El Rio Park, adjacent to and just south of our neighborhood. However, according to the EIR, this park will be approximately 5 acres in size. Based on City Standards, this is the minimum size for neighborhood parks. The City's Parks and Recreation Dept. has informed us that in order to function as an effective recreation ERW-2

area, a neighborhood park should be at least 6 acres in size. Area F, within which this park is to be located, consists of medium to high density residential development with a maximum total of 420 residences. In order to meet the recreation needs of future residents as well as the existing residents of El Rio West, we feel this park should be 6 acres in size, at least. The same analysis should be applied to other proposed parks within the Specific Plan area. ERW-2

Affordable Housing

Affordable housing is an important goal in the orderly development of the community. However, we believe strongly that affordable units should be distributed throughout the specific plan area and not concentrated in one area. This will ensure that each Planning Area within the Specific Plan will provide housing opportunities for the full range of economic segments. ERW-3

In closing, we would like to say that we are not against the Riverpark development, and realize it will become a reality. In fact, Mr. Keller and his associates have been very conscientious in meeting with us and should be commended for listening to and attempting to address our concerns. At the same time, it is imperative that the Riverpark Specific Plan represent the very best for our neighborhood, the future residents of Riverpark and the City of Oxnard.

Thank you for considering our concerns.

Sincerely,

Richard A. Burgess

Richard A. Burgess
El Rio West Neighborhood
221 Juneau Place
Oxnard, Ca. 93030

January 19, 2002

Chairman Albert Duff
Planning Commission
City of Oxnard
305 W. 3rd St., 2nd Floor
Oxnard, Ca. 93030

RE: Comments on Riverpark Project Draft EIR

Dear Chairman Duff and Members of the Planning Commission:

As you are aware, those of us who live in the El Rio West neighborhood have taken an active interest in the development of the RiverPark Draft Specific Plan. This massive project will form the western and northern boundaries of our small neighborhood and will definitely impact our lives. In addition, if this project comes to fruition, it will represent the build-out of this portion of the City, and therefore, what we decide today will have a significant impact on the future of our City.

In order to become well informed on this project, the El Rio West Neighborhood Council has had several meetings with the developers, who have, in general, been cooperative. In addition, we have made several presentations to the Planning Commission over the past weeks to inform you of some of our concerns. We applaud the Planning Commission's suggestions and recommendations at your meeting of December 18, 2001 and are confident that you will strive for the best project possible for both the existing and new residents.

In reviewing the draft EIR, our comments are as follows:

Project Description, Pg. 3.0-22 Reference is made to a proposed 5,000 seat multi-use ballpark in Planning Unit D. This component of the project was never alluded to in any of our meetings with the developers and it is obvious from your reaction at your December 18 meeting that it was a surprise to you as well. Although it may not be the developer's intention, the way the stadium has been "soft-pedaled" and folded into the EIR as an afterthought leads to the suspicion that they are trying to slip this in without our noticing. ERW-3

It is suggested that the ballpark will be a permitted use under the Specific Plan, subject to the approval of a Special Use Permit by the City. Our concern is that once the stadium becomes a permitted use under the Specific Plan, it will become a self-fulfilling prophecy whether or not an ERW-4

SUP is required.

The ballpark will be a privately-owned facility over which the City will have little control. Oxnard's recent painful experience with the California Suns Minor League baseball team is an indication that the minor league venue will surely fail. We feel that the stadium is a bad idea, represents an incompatible land use (more about that later) and should be deleted from the Specific Plan. ERW-5

Aesthetics - The Aesthetics Section would benefit from a readable map which identifies the streets and the locations from which viewshed perspectives were taken. It is difficult, even for those familiar with the area, to ascertain exactly where these photographs were taken. New streets depicted in these photographs should be named. ERW-6

Pg. 4.2-15 The EIR notes that "North of the El Rio West Neighborhood, the uses would largely have an open space character." It is our understanding that the elementary school planned for this area will be two-stories high. This does not lend itself to an "open space character" and is in direct contradiction to the developer who asserted that there would be no multiple-story structures in this area. ERW-7

- Where will the new school building be placed and how will it affect the viewshed of people living along Louisiana Place? ERW-8

- What type of lighting will be used at the play fields at the elementary school and how will this affect the El Rio West Neighborhood? What are the times of operation of the play fields i.e. will there be night games? Will the play fields be open to all members of the community or will they be only available to those in organized sports? There is no analysis of this impact presented in the EIR. Any lighting of these playfields and the implementation of night games would have a negative impact on our neighborhood. ERW-9

Pp 4.2-30 - 4.2-33 We are concerned about the viewshed impact on our neighborhood created by the physical appearance of the ballpark. How will the architectural design of this structure affect the viewshed of our residential neighborhood and the new residents?

The EIR states that "As the Specific Plan would allow residential development in and adjacent to Planning District D, there is some potential for lighting from a ballpark facility to impact residential uses... This potential impact is considered significant." ERW-10

The mitigation proposed in the EIR is a lighting study at some future date. A lighting study is not mitigation. In addition, CEQA prohibits the approval of a project based on future mitigation. If the developer is really serious about this ballpark/stadium, the time to study impacts associated with it is now. This type of use is incompatible with residential use and should be deleted from the plan. ERW-11

Earth Resources - The Earth Resources Section should be broken into two sections, one dealing with seismic safety and the other addressing mineral resources. Combining the two topics in one section makes the EIR cumbersome. ERW-12

Biological Resources - It should be noted that the white wagtail, a rare migrant from the Aleutian Islands has been found in the vicinity of the former SP Milling property in recent years. While this species would not nest on site, it apparently found wintering conditions favorable. The white wagtail should be listed as a rare seasonal migrant which has occurred on site. Members of the Ventura Audubon Society are very aware of the presence of this species and should have been consulted by the biologists as an important local resource. ERW-13

Pg 4.4-14, Table 4.4-2 While it is correct to state that the proposal will not directly affect sensitive fish species such as the southern steelhead, Santa Ana sucker, tidewater gobi and arroyo chub, the project's potential impacts are not just limited to the mine pits. Because there is no "connectivity" of the on-site mine pits with the river, the occurrence of these species is listed as "not expected". However, the species are noted in the table as "known to occur adjacent to site in the Santa Clara River". The proposed stormwater quality treatment system shows two points of discharge into the Santa Clara River. Thus, stormwater discharges from the site could have potential negative indirect impacts to aquatic biota. The table should be revised to reflect this information. ERW-14

The Rare Plant and Vegetation Surveys in Appendix 4.4 , Volume II has the RiverPark site broken down into 14 sections which seem to have no relation to the current plan. Although reference is made to a map, it was not included in the appendix. ERW-15

The Focused Bird Survey Report seems to be missing its title page and the credentials of the biologist. Although Jim Greaves is well known in the birding world, he's not exactly a house-hold name. ERW-16

- In column three of the first page of Table 1 "Avian Species Observed or Detected", common pochard is misspelled. ERW-17

Transportation and Circulation

Pg. 4.7-23 The project is projected to generate approximately 94,500 daily trips with the expectation that 78,840 trips would leave the Specific Plan Area on a daily basis. Project traffic is projected to result in significant adverse impacts at 8 of the 33 intersections studied and will result in significant adverse cumulative impacts on the Ventura Freeway south of Central Avenue where conditions will reach LOS F in the morning and evening peak hours. LOS F is a step beyond "severe congestion" and involves forced flow at very low speed with stoppages of long duration. ERW-18

Pg. 4.7-31 Neighborhood Traffic Impacts. The EIR states that "There are no direct street ERW-19

connections to the El Rio West Neighborhood." This is an extremely important feature of the Specific Plan which is strongly supported by the El Rio West Neighborhood.

Residents of the El Rio West Neighborhood all use Vineyard Avenue on a daily basis and most use the Ventura Freeway to get to and from work. To the extent that traffic is increased by the development both on Vineyard Avenue and the Ventura Freeway, the project's traffic impacts will affect the people of El Rio West. We do not feel that the statement that "No unavoidable significant traffic and circulation impacts will result from the RiverPark Project." is accurate. ERW-20

The proposed mitigation involves throwing large amounts of money ($17,685,877) at the problem to finance an elaborate system of lane additions, restriping and transit improvements. In a perfect world, all of these mitigation measures would work as planned. However, many of the mitigation measures will require that additional right-of-way be obtained and the transit improvement mitigation requires that people will actually use mass-transit: a rather "iffy" proposition here in Southern California. If any one of these mitigation measures becomes unfeasible, traffic impacts will become more adverse. ERW-21

We are concerned about the safety and operational efficiency of Vineyard Avenue. Ten lanes of project traffic are funneled directly onto Vineyard. In the project vicinity, this major thoroughfare is heavily congested with truck and commuter traffic during the AM and PM peak hours. At the same time, current conditions in the area include widespread lack of sidewalks and large numbers of children walking to and from school. In addition, commercial developments on the east side of Vineyard Avenue have inadequate parking such that motorists leaving the shops have to back into oncoming traffic. Traffic volumes on this already busy road will be increased by project generated traffic, perhaps to a higher degree than indicated in the EIR. Trip distribution, after all, is nothing more than an educated guess and may be off by several percentage points. There are no mitigation measures in the EIR that address project impacts to the safety and operational efficiency of Vineyard Avenue. ERW-22

We do not see any analysis in the EIR of traffic impacts associated with the 5000 seat baseball stadium. This will be a regional traffic magnet and potential impacts and proposed mitigation measures should be developed now, so that we can determine if this intensive use is right for the area, rather than later when it is already part of the Specific Plan. We feel the stadium will have significant adverse traffic impacts which cannot be mitigated to a level of insignificance. ERW-23

We feel that the applicant should investigate the feasibility of providing another point of ingress and egress at the norther portion of the site perhaps by extending Oxnard Boulevard to end in a four-way intersection with Central Avenue. The extension of Oxnard Boulevard could serve as a primary arterial which would provide efficient access throughout the development and would help to keep project impacts within the project where they belong. This should be evaluated in the EIR as a way of taking some of the traffic pressure off Vineyard Avenue and the adjacent freeway. ERW-24

Noise

While we are aware that ambient noise in our neighborhood will increase as a result of increased traffic volumes and construction activities, we understand that they are unavoidable impacts associated with development. We are particularly concerned about sound levels associated with the baseball stadium/arena. According to the EIR (p 4.9-20), sound levels associated with this facility will be significant. The measure put forward to mitigate this impact is the preparation of an acoustical study. As noted previously in relation to a future lighting study, an acoustical study does not constitute mitigation. Baseball stadium/arenas produce noise levels incompatible with residential development and this facility should be deleted from the Specific Plan. ERW-25

The other significant noise impact, not mentioned in the EIR, is noise levels generated by the proposed play fields associated with the elementary school north of our neighborhood. The EIR should assess noise levels expected to be generated by games at the play fields and the effects these impacts will have on our neighborhood. ERW-26

Public Services

Police Protection - The effect that the 5000 seat baseball stadium/arena will have on police staffing should be evaluated in the EIR. We believe that this facility will strain police services beyond what can be provided by the proposed storefront police station. ERW-27

Parks and Recreation - The developer has been responsive to our concerns regarding the critical need for a neighborhood park in the El Rio West Neighborhood and has provided a park site, identified as El Rio Park, adjacent to and just south of our neighborhood. However, according to the EIR, this park will be approximately 5 acres in size. Based on City Standards, this is the minimum size for neighborhood parks. The City's Parks and Recreation Department has informed us that in order to function as an effective recreation area, a neighborhood park should be at least 6 acres in size. Area F, within which this park is to be located, consists of medium to high density residential development with a maximum total of 420 residences. In order to meet the recreation needs of future residents as well as the existing residents of El Rio West and the surrounding El Rio area, we feel this park should be 6 acres in size, at least. ERW-28

Pg 4.10.4-4 Parks Included in Specific Plan. The EIR states that the Specific Plan contains three neighborhood parks. This is incorrect. The neighborhood parks in Districts F and J are approximately 5 acres in size and the park in District H is approximately 3 acres in size. On pg. 4.10.4-2, the EIR states that the minimum land area for a neighborhood park is 5 - 10 acres. At approximately 3 acres in size, the park in District H is too small to be classified as a neighborhood park by the City's own standards, while the other two parks are at the bare minimum. Since the 3 acre park in District H is too small to be a neighborhood park, it cannot be counted toward the neighborhood park total. This leaves the project with only two neighborhood parks, totaling 10 acres, which is below the City's standard of 1.5 acres per 1000 new residents. The most obvious way of solving this problem is to provide three neighborhood parks of 6 acres each. ERW-29

This concludes our comments on the RiverPark Draft EIR. We look forward to seeing your response to our concerns in the Final EIR.

Sincerely

Richard A. Burgess

Richard A. Burgess
221 Juneau Place
Oxnard, Ca. 93030

El Rio West Neighborhood (1) (ERW)

ERW-1

Please see the response to Comment MAC-4 from the El Rio Municipal Area Council above for a description of projected future traffic conditions on Vineyard Avenue. As discussed in this response, Vineyard Avenue will operate at Level of Service C or better during A.M. and P. M. Peak Hour traffic period with the addition of project traffic. No significant impact on the level of service along Vineyard Avenue will result from the project. In addition, the existing median island will be extended to the north to improve traffic flow and safety.

ERW-2

Based on review of the Draft Specific Plan by the staff of the Oxnard Parks and Recreation Department, the size of the proposed neighborhood parks have been increased. The park referred to in this comment has been increased in size to 7.4 acres and the park in Planning District J has been increased in size to 6.1 acres. The amount of neighborhood parkland in these two parks is 13.5 acres. This is greater than the 11 acres required under the City's park planning standards for the 7,220 residents projected for the project.

ERW-3

The RiverPark Specific Plan does not restrict affordable housing to single location within the residential neighborhoods. The Specific Plan will allow the development of affordable housing in multiple locations.

El Rio West Neighborhood (2) (ERW)

ERW-3

The Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use.

ERW-4

The Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use.

ERW-5

The Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use.

ERW-6

Figure 2-27 is provided on the following page showing the locations from which the photographs provided in Section 4.2 are taken. Figure 4.2-10 is on Oxnard Boulevard and is represented in **Figure 2-27** as Viewing Location 1 indicated on entry to project extension. Figure 4.2-11 is of the intersection of Santa Clara River Boulevard and Vineyard Avenue and is represented as Viewing Location 3 in **Figure 2-27**.

ERW-7

The proposed elementary and middle schools planned north of Santa Clara River Boulevard have not been planned by the Rio Elementary School at this time. For this reason, it is not known if these new schools will have any two-story elements. The new school buildings will be located on the western edge of the school site with the grass playfield areas along Vineyard Avenue. The majority of the school site will be open space in character.

Views of the new school buildings will be screened by landscaping on the school site and the large landscape buffer proposed along the northern edge of the El Rio West Neighborhood. This fifty-foot wide landscape buffer is proposed to separate Santa Clara River Boulevard from the neighborhood. This buffer area would include an eight-foot parkway and a six-foot sidewalk immediately south of Santa Clara River Boulevard. The remaining thirty-six feet will be bermed and landscaped with dense plantings of evergreen trees and shrubs. With the visual screening to be provided by landscaping, no significant visual impacts will result from the development or one or two-story school buildings.

ERW-8

Please see the response to Comment ERW-7 above. Views from Louisiana Place will be screened by the dense landscaping to be provided in the 50-foot landscape buffer planned along the northern edge of the El Rio West Neighborhood.

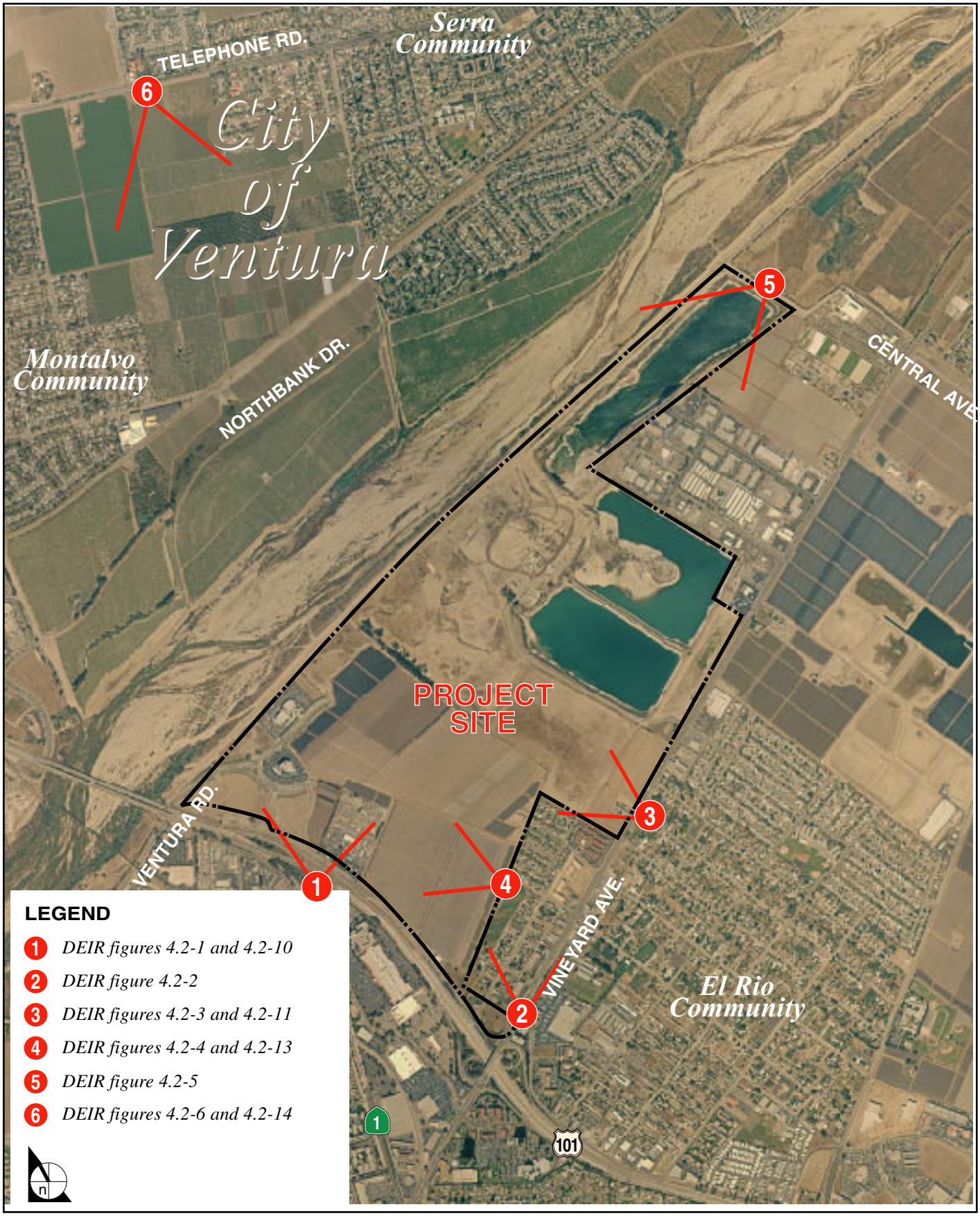


FIGURE **2-27**

View and View Simulation Photograph Locations

ERW-9

The Rio Elementary School District has not designed this new school site yet. No lighting plans have been developed at this time. As described in Section 3.0, Project Description, the RiverPark EIR serves as a Program EIR for the new school facilities allowed by the proposed Specific Plan due to the fact that no site design has been completed yet. Further environmental review by the Rio School District may be required at the time site designs have been prepared.

Use of the proposed playfields outside of school hours will be managed by the Oxnard Parks and Recreation Department. No programming of the use of these new proposed playfields has been completed at this time.

ERW-10

The Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use.

ERW-11

The Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use. Please note that the Draft EIR did include analysis of potential lighting impacts based on research and reasonable assumptions about the type of lighting fixtures and designs typically used for this type of facility.

ERW-12

The City of Oxnard considered separating this section into two sections as suggested by this comment. The City concluded that the creation of additional sections would also make the EIR cumbersome.

ERW-13

The occasional presence of the white wagtail in the vicinity of the Specific Plan Area is noted.

ERW-14

The potential for in impacts to aquatic species in the Santa Clara River from changes in the quality of water being discharged to the river is assessed on Pages 4.4-26 and 4.4-27 of the Draft EIR. As stated, the quality of runoff from the site will be improved from existing conditions and no impacts to aquatic species will occur.

ERW-15

The biology surveys were conducted prior to the land use planning of the project and there was never any intent to have the survey areas be coordinated with the planning districts as identified in the Specific Plan. The vegetation community map was provided in the Draft EIR as Figure 4.4-1.

ERW-16

This comment correctly notes that Jim Greaves completed the bird surveys.

ERW-17

It is noted that "porchard" was misspelled in the bird survey report.

ERW-18

The comment correctly summarizes the conclusions of the traffic analysis in the Draft EIR. It should be noted that the significant impacts identified in this comment are prior to mitigation. Feasible measures to mitigate all significant impacts are also identified in the Draft EIR.

ERW-19

This comment in support of the proposed circulation plan is noted.

ERW-20

As discussed in the response to Comment MAC-4, improvements to Vineyard Avenue are proposed and the level of service will remain at LOS C or better with the addition of traffic from the RiverPark Project,

ERW-21

All traffic mitigation measures were reviewed for feasibility by the preparers of the traffic study, the applicants, the preparers of the EIR, City staff and the public. All traffic mitigation measures are feasible based upon these reviews. No mitigation measure will require additional right-of-way which has not been identified.

ERW-22

A mitigation measure is proposed at the intersection of Los Angeles Avenue and Vineyard Avenue. In addition, an improved interchange is programmed as a related improvement at Oxnard Boulevard and the U.S. 101 Freeway. As indicated in Tables 4.7-8 and 4.7-10, with these improvements adequate freeway access and arterial capacity would exist. Vineyard Avenue will operate at Level of Service C or better with the addition of traffic from the project.

Presently there is no barrier between off-street parking and on-street traffic at all locations along Vineyard Avenue. In order to minimize the potential for conflicts from drivers failing to yield the right-of-way to oncoming traffic when entering or exiting parking spaces and areas, the existing Vineyard Avenue median island will be extended further to the north by the project. This median would be extended to the northerly project roadway opposite Simon Way for aesthetic as well as safety reasons.

ERW-23

The traffic study was prepared to look at the worst case development of the Specific Plan, including potential stadium uses. The stadium use would displace regional commercial uses included in the analysis. As is indicated in Table 4.8-8 on page 28 of the traffic study, the assumed regional commercial uses would have a similar peak hour traffic generation. As discussed in previous responses, the Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use.

ERW-24

Please see the response to Comment MAC-4 for information related to extending Oxnard Boulevard north to Central Avenue. As discussed in this response, extension of Oxnard Boulevard further north is not feasible and is not necessary as Vineyard Avenue will operate at Level of Service C or better.

ERW-25

The Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use.

ERW-26

As stated on page 3.0-39 of the Draft EIR, the RiverPark EIR will be used as a Program EIR, as defined by Section 15168 of the CEQA *Guidelines*, by the Rio Elementary School District for the proposed new elementary schools and middle school. No site plans have been prepared by the Rio Elementary School District at this time. The Rio Elementary School District may need to complete additional environmental review when detailed plans are completed for these school facilities.

Some general information can be provided at this time, however, based on typical school facilities and operations. Noise from the school sites during the time school is in session, would occur primarily from outdoor activities such as children playing, talking, and yelling, and school bells. Noise levels that would be generated by children playing on hardcourts and grass field areas on the project site have been estimated based on monitoring conducted by Impact Sciences at another school site. Observations made during the noise monitoring revealed that the primary sources of noise were children talking and yelling. Ball and apparatus use was a secondary source of noise. One minute noise levels monitored during lunch ranged from 58.5 dB(A) L_{eq} to 62.0 dB(A) L_{eq} at 50 feet from the nearest play area and hardcourt. Noise levels were slightly higher during physical education (PE) class since more children were playing at that time. One minute noise levels monitored during PE ranged from 60.5 dB(A) L_{eq} to 64.5 dB(A) L_{eq} at 50 feet from the nearest playfield and hardcourt.[4]

Playfields and hardcourt play areas may be located directly across Santa Clara River Boulevard from the eight existing homes located on the northern side of Louisiana Place. Based on a review of a 1" =200' aerial photograph, these homes have rear yard setbacks that vary from approximately 15 to 30 ft. The distance from the property line of the school sites to the property line of the homes on the north side of Louisiana Place will be 146 feet. This distance will be made up of the 50-foot landscape buffer between the existing homes and Santa Clara River Boulevard, the 82-foot street cross-section, and a 14-foot parkway on the northern side of Santa Clara River Boulevard. When the existing rearyard setbacks are

4 Manhattan Beach Unified School District, *Manhattan Beach Middle School Replacement Project Final EIR*, December 11, 1996.

considered, the distance from the edge of the school site to the existing homes is approximately 160 to 175 feet.

Based on the noise levels established by monitoring and described above, noise generated from recreational areas within the planned school site would result in noise levels estimated up to 59.4 dB(A) L_{eq} at the nearest residences. This noise level estimate is based on a distance of no less than 160 feet with no noise attenuation accounted for aside from distance. This would, therefore, provide a worse case scenario with respect to expected future noise levels at adjacent residential uses. These levels would be lower than existing ambient noise conditions and would be less than those noise levels experienced due to quarry operations currently occurring on within the Plan Area. The solid landscaped berm and solid wall proposed as part of the 50-foot buffer between the existing homes and Santa Clara River Boulevard will interrupt the line of sight from the school to the residences, further reducing these noise levels. Considering the above, noise levels from outdoor activities at the school site would not result in a significant increase in ambient noise levels and would not result in the City's time-weighted CNEL noise standards being exceeded. The noise impact from outdoor activities would not, therefore, be significant.

ERW-27

The Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use.

ERW-28

Please see the response to Comment ERW-2 above. The size of the neighborhood park referenced in this comment has been increased in size to 7.4 acres.

ERW-29

Based on review of the Draft Specific Plan by the staff of the Oxnard Parks and Recreation Department, the size of the proposed neighborhood parks have been increased. The park referred to in this comment has been increased in size to 7.4 acres and the park in Planning District J has been increased in size to 6.1 acres. The amount of neighborhood parkland in these two parks is 13.5 acres. This is greater than the 11 acres required under the City's park planning standards for the 7,220 residents projected for the project.

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PLANNING DIVISION
CITY OF OXNARD

December 20, 2001

VIA FACSIMILE TRANSMISSION AND FIRST-CLASS U.S. MAIL

Hon. Members of the Planning Commission
c/o Planning & Environmental Services Division
305 West Third Street
Oxnard, CA 93030

Re: *Draft Environmental Impact Report No. 00-3 for the proposed RiverPark Project Specific Plan*

Honorable Members of the Planning Commission:

As you probably know, Best Best & Krieger LLP represents Newport Boats. Newport Boats is very concerned about the potential environmental impacts of the City's proposed RiverPark Project Specific Plan. On behalf of Newport Boats, we are writing to submit these preliminary comments on the draft Environmental Impact Report ("Draft EIR") for the RiverPark Project.

Newport Boats is concerned that the Draft EIR does not adequately analyze the project's potential environmental impacts and, instead, improperly defers both analysis and mitigation measures. Specifically, Newport Boats notes the following deficiencies in the Draft EIR:

- The Draft EIR's finding that the Project will not have any significant impacts on aesthetics is unsupportable. The Draft EIR indicates that the City designates roadways that provide views of agricultural lands within and around the City as "image corridors." The area proposed for inclusion in the RiverPark Specific Plan includes 155 acres that are currently in agricultural production and which are visible from the Ventura freeway. Consequently, BBK-1

these lands constitute an "image corridor." However, all of these lands will be developed under the proposed Specific Plan. The conversion of these strawberry fields to commercial and other development will irretrievable destroy this image corridor, thereby substantially degrading the existing visual character or quality of the Project site and its surroundings. BBK-1

- The Draft EIR's conclusion that the Project will not result in any significant unavoidable geotechnical or geologic hazard impacts cannot be sustained. The Project proposes construction of buildings on soil that is known to be unstable. Specifically, the groundwater table underlying the site is very shallow, resulting in greatly increased risks of landslide, subsidence, liquefaction or collapse, especially when a seismic event is coupled with a wet year that elevates the groundwater table. The mitigation measures proposed in the Draft EIR defer the analysis and mitigation of this potential impact and do not adequately mitigate the impact below a level of significance. BBK-2

- The Draft EIR's conclusions about the Project's potential impacts on mineral resources appear to be inconsistent. On the one hand, the Draft EIR concludes that the Project will have a significant direct impact on mineral resources, due to the permanent loss of access to approximately 2.2 tons of mineral resources in an area that has been designated by the State Mining and Geology Board as containing sand and gravel resources of regional significance. Yet, applying the same significance criteria, the Draft EIR concludes that the Project's cumulative impacts on mineral resources will not be significant. BBK-3

- Although the Project proposes dewatering the stockpile area on the existing mine site, the Draft EIR fails to adequately analyze how this action will impact wildlife such as migratory waterfowl, which are known to use the mine pits' exposed groundwater for resting and limited foraging. BBK-4

- While the Draft EIR acknowledges that the Project site has a moderate potential for supporting white-tailed kites, Northern harriers, and Cooper's hawks, the Draft EIR utterly fails to analyze whether the development of the Project will have impacts on these species, all of which are designated as Species of Special Concern by the California Department of Fish & Game. In fact, the Draft EIR appears to mischaracterize these raptors as "common wildlife resources," ignoring their special status. The Draft EIR also incorrectly concludes that "no loss of special-status species habitat will occur." BBK-5

- The Draft EIR also fails to adequately analyze the Project's impacts on wildlife movement. The Santa Clara River, which adjoins the Project site, is known BBK-6

to serve as an important regional wildlife corridor. By eliminating the open space around the River which now serves as a buffer, and replacing this with developed areas from which wildlife shy away, the Project will substantially interfere with wildlife movement through the Project area. BBK-6

- The Draft EIR fails to adopt all feasible measures for mitigating the Project's significant impacts on groundwater quality. The mitigation measure that the Draft EIR does adopt, 4.5-1, is too indefinite and uncertain to be enforceable. BBK-7

- The Draft EIR's analysis of cumulative impacts to water resources appears to improperly limit the other projects considered to be contributing cumulative impacts. The Draft EIR indicates that it will rely on the "list" method of analyzing cumulative impacts and lists numerous other related projects. (State CEQA Guidelines, § 15130, subd. (b)(1)(A).) However, in this and many other sections of its analysis, the Draft EIR then appears to limit its cumulative impacts analysis to selected projects. BBK-8

- The Draft EIR's conclusion that the Project will not result in significant traffic impacts is unsupportable. The Ventura Freeway south of Central Avenue already operates at Level of Significance F in the northbound direction during the peak hour and in the southbound direction during the peak hour. Development of the Project will create additional traffic and further exacerbate the existing problem. Finding that the problem "will be identified and addressed through the Ventura County CMP program" amounts to improper deferred mitigation. BBK-9

- The Draft EIR improperly defers analysis of the air quality impacts based on the standards adopted by the local Air Pollution Control District. In *Communities for a Better Environment, et al. v. California Resources Agency*, Sacramento County Superior Court Case No. 00CS00300, Judge Ronald L. Robie specifically determined that State CEQA Guidelines section 15064, subdivision (h) was invalid because it allowed local agencies to determine that impacts that meet existing environmental standards are insignificant by definition. Agencies are not permitted to defer their responsibilities under CEQA in this manner. Rather, agencies must make their own evaluation of whether the particular impact identified is significant or not. The City has failed to do this with regard to "normal construction-related air quality impacts." BBK-10

- The Draft EIR is inconsistent in that it concludes that significant air emissions will remain even after all feasible mitigation measures are applied to the Project, but simultaneously finds that the Project will not have any unavoidable significant air quality impacts. BBK-11

- Likewise, the Draft EIR inconsistently concludes that the Project will exceed the thresholds of significance for both on and off-site construction noise, but also finds that the Project will not have unavoidable significant noise impacts. BBK-12

- The Draft EIR fails to impose all feasible mitigation measures to mitigate the potentially significant impacts to fire protection services. While the Draft EIR notes that the development of the Project will require the construction of a new fire station, and that this development "would need to occur early in the development of the Specific Plan Area to ensure adequate response times can be maintained as development occurs," the Draft EIR fails to impose any conditions on the construction of the fire station and inexplicably concludes that the Project will not result in any significant impact to fire service response times. BBK-13

- The thresholds of significance adopted for the Draft EIR's analysis of the Project's impacts to police services are so vague that the analysis of this category of potential impacts is deficient. BBK-14

- The Draft EIR utterly fails to consider whether existing or planned landfills have the capacity to serve the proposed Project. In fact, the Draft EIR indicates that they do not have the capacity to serve this additional demand. The Bailard landfill has already been closed, and the Simi Valley landfill will be filled to capacity within approximately 12 years at the existing rate of disposal. At full build-out, the Project will generate about 15,132 tons of solid waste per year, and it is utterly unrealistic to conclude that the Project will not have significant impacts on solid waste management when the only means of handling waste identified in the Draft EIR is source reduction and recycling. There is no explanation for why the City has chosen to ignore this critical analysis. At the very least, the additional refuse generated by the Project will have significant cumulative impacts on solid waste management. BBK-15

- The Draft EIR's analysis of the cumulative impacts of storm water drainage again appears to fail to analyze all the projects the Draft EIR lists as affecting the cumulative impacts. Moreover, this analysis incorrectly concludes that the Project will not have significant cumulative drainage impacts. The Draft EIR concedes that the development of the Project and other projects will sometimes overwhelm the drainage system designed for the Ventura County Juvenile Justice Center site and cause overflow into the Large Woolsey Basin, thereby resulting in the creation or contribution of runoff water that would exceed the capacity to an existing storm water system. BBK-16

- The Draft EIR severely understates the Project's impacts on the local water supply shortage. To support its conclusion that the Project will not have BBK-17

significant water supply impacts, the Draft EIR indicates that the water rights for five wells will be transferred to the water service provider on the development of this Project. However, by relying on pumping data from 1985-1989, the Draft EIR improperly inflates the amount of water that can be reasonably anticipated to be extracted from these wells. In this case, the proper environmental baseline, i.e., the amount of water supply that can be anticipated from these wells, is the amount of water that was being pumped at the time the Notice of Preparation for this Project was published. (State CEQA Guidelines, § 15125, subd. (a) ["the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published . . . will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant."]; see, also, State CEQA Guidelines, § 15126.2, subd. (a); compare, *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 126 [where project proponent greatly increased water pumping in years immediately prior to application for subdivision of land, agency abused discretion by relying on recent pumping figures as estimate of water supply available to project].) Here, there is no data about how much water was pumped out of any of these five wells in the last decade. Because there is no information about current water supplies, it is utterly unreasonable for the City to assume that the Project will be able to contribute 1,580 acre-feet of water rights to support its development. This conclusion is particularly absurd given the severe overdraft conditions in the Oxnard Plain Basin and the forced reductions in pumping that are being imposed to cure this problem. BBK-17

- Oddly, the Draft EIR finds that "major portions of the Central Trunk Sewer have insufficient capacity to convey the projected flows" resulting (in part) from development of the Project, but the Draft EIR also concludes that the Project will not have significant impacts on wastewater service. This conclusion is unfounded, given the Draft EIR's finding that the existing wastewater collection and conveyance lines do not have sufficient capacity to accommodate wastewater from the Project. Feasible mitigation measures must be adopted to address this potentially significant impact. BBK-18

- The Draft EIR improperly concludes that the significant historic impacts resulting from the permanent destruction of a recognized historic site, the El Rio Rock Company, will be mitigated below a level of significance by merely documenting the site through photos. There is no evidence to support this finding. BBK-19

- The mitigation measures adopted for mitigating the Project's potentially significant impacts to hazards do not adequately guarantee that these impacts will be reduced to a level of less than significance. BBK-20

Because the Draft EIR fails to adequately analyze the Project's potential environmental impacts, it has improperly minimized the extent of the environmental harm that will result from the Project. Moreover, the Draft EIR has improperly rejected feasible project alternatives that would reduce the Project's significant environmental impacts. BBK-21 BBK-22

Correcting the deficiencies identified above will require that significant new information be added to the Draft EIR. Consequently, the document will need to be recirculated once this new information is added. (Pub. Res. Code § 21092.1; State CEQA Guidelines, § 15088.5.) BBK-23

Once the Draft EIR is revised to reflect all of the Project's significant environmental impacts, the record will not contain substantial evidence to support the conclusion that the project's benefits outweigh its environmental impacts. Thus, Newport Boats does not believe that the facts now known to us are sufficient to justify adoption of a Statement of Overriding Considerations. (See, Pub. Res. Code, § 21081, subd. (b); State CEQA Guidelines, § 15093, subd. (a).) BBK-24

Thank you for the opportunity to submit these initial comments on the RiverPark Project Draft EIR. Due to time constraints, we were not able to analyze the Draft EIR and the analyses on which it relies in greater detail. Once we have had an opportunity to do so, we may submit additional comments on the adequacy of this environmental document.

If you have any questions about any of the items discussed in this letter, please feel free to contact me at (909) 686-1450.

Sincerely,

Jennifer T. Buckman
for BEST BEST & KRIEGER LLP

cc: Sid Parstow

RVPUB\JTB\624741

Best Best & Krieger (BBK)

BBK-1

This comment does not reflect all the information presented in Section 4.2 Aesthetics of the Draft EIR. Figure 4.2-7 presents the 2020 Community Design exhibit contained in the Community Design Element of the Oxnard *2020 General Plan*. As shown, this exhibit does not identify the agricultural land in RiverPark Area 'A' as a scenic resource. This is because this portion of the site is already planned for development under the existing Oxnard Town Specific Area. This Specific Plan, adopted in 1986, allows the development of this area with commercial uses. Please note the following text on page 4.2-12 of the Draft EIR:

The RiverPark 'A' Area, most of which is located in the Oxnard Town Center Specific Plan Area, is identified as an area of visual significance. The Oxnard *2020 General Plan* assumes the retail, visitor-serving, and office commercial uses allowed by the Oxnard Town Center Specific Plan would be built. The Oxnard Town Center Specific Plan allows the development of 18 to 24-story high-rise buildings. These uses would have created a visually significant activity node for the City. However, since adoption of this Specific Plan in 1986, only the two mid-rise office buildings in the southwest corner of the Specific Plan Area have been developed.

BBK-2

Section 4.3, Earth Resources, of the Draft EIR includes extensive analysis of existing soils and geologic conditions, identifies potentially significant impacts and includes a detailed program of 44 specific measures to mitigate the potential impacts identified.

The potential for impacts from liquefaction and seismically induced settlement is discussed on pages 4.3-27 and 4.3-28 of the Draft EIR. The native soils onsite are dense to very dense in character and are not highly susceptible to liquefaction for this reason, regardless of the depth to groundwater. Native soils are located throughout RiverPark Area 'A'. The potential for liquefaction is identified in the granular submerged fill materials located in RiverPark Area 'B'. The same conclusions were reached for subsidence, or settlement. There is a potential for seismically induced settlement of the loose to medium dense artificial fill materials in RiverPark Area 'B' and minor potential for settlement in the native soils. The potential impact for liquefaction and settlement of the artificial fills present in RiverPark Area 'B' is identified as significant.

The potential for liquefaction and settlement of the soils in artificial fills on the site will be primarily mitigated by measures 4.3-3 to 4.3-9 which specify the standards for remedial grading of these fill areas. These detailed measures, for example, require the removal of fill materials until competent native materials are reached. Once native materials are reached, the exposed surface must be scarified to a depth of eight inches and recompacted to 93 relative compaction. All organic material must be removed and all backfills must be replaced in layers that do not exceed eight inches in depth and compacted to a minimum density of 93 percent. These specific measures will mitigate the identified potential for liquefaction and settlement of the existing artificial fill materials within the sand and gravel mine site in RiverPark Area 'B' to a level that is less than significant.

While no significant impacts related to liquefaction on the existing native soils onsite have been identified, Mitigation Measure 4.3-14 requires that site specific geotechnical studies be completed for individual buildings as they are designed to determine if any potential exists for liquifaction induced settlement of any of the submerged native earth materials. While the potential for this impact is ensure that no impacts will occur, building specific studies cannot be completed at this time, as individual buildings have not been designed. Completion of these studies at a later date is not deferral of analysis needed at this time as no significant impact for liquefaction of native soils on the site has been identified and such studies cannot be completed until buildings are designed.

Complete analysis of the stability of the existing slopes of the mine pits was completed. Significant slope stability impacts were also identified. Mitigation measures 4.3-25 through 4.3-44 require specific removal and reconstruction of portions of the existing slopes to mitigate impacts to a less than significant level.

BBK-3

The information on cumulative impacts on mineral resources presented on pages 4.3-37 and 4.3-38 of the Draft EIR supports the conclusion reached that the project will not contribute to a significant cumulative impact to mineral resources. This is based on the fact that the State Department of Conservation has projected a need for 310 million tons of construction aggregate by 2030 and identified available resources in amounts greater than this within Ventura County.

BBK-4

The proposed dewatering will be very localized in nature, occur within a limited time frame and will not result in a drop in water level in the existing mine pit.

BBK-5

The bird species referenced in this comment are recognized as special status species in Section 4.4, Biological Resources, in the Draft EIR. Table 4.4-1, Special Status Wildlife Species Potentially Occurring in the RiverPark Specific Plan Vicinity lists these bird species. Also noted in Table 4.4-1 is the occurrence potential for each species. There is a moderate potential for transient foraging on site for these three bird species. Marginal nesting habitat for the white-tailed kite is present on site. Mitigation Measure 4.4-1 on page 4.4-29 of the Draft EIR addresses the disturbance of active Special-Status bird nests.

BBK-6

The value of the Santa Clara River as a wildlife migration corridor and the potential for impacts from the proposed RiverPark Project is discussed on pages 4.4-18 and 4.4-19 of the Draft EIR. No significant impact on the Santa Clara River is identified given the low quality of the habitat existing on the site for wildlife, the buffer provided by the existing levee separating the river from the project site, and the native revegetation planned along the western edge of RiverPark Area 'B'.

BBK-7

Mitigation measure 4.5-1 will be enforced through the approval process for the permit which must be approved by the Los Angeles Regional Water Quality Control Board for the proposed dewatering. All potential mitigation measures for the identified impacts are described and analyzed on pages 4.4-99 through 4.9-104 of the Draft EIR. As discussed on these pages, none of the potential measures identified are feasible. This comment does not identify any other potential feasible measures.

BBK-8

The cumulative analysis in the Draft EIR meets the requirements of Section 15130 of the CEQA *Guidelines*. For each topic, cumulative analysis is based on either the extensive list of related projects provided in Appendix 4.0 or a summary of projections contained in an adopted general plan or related planning document. For each topic, projects off the related project list are considered, as they are appropriate based on location. The cumulative impact analysis for water resources considers those projects located with the same drainage area that could also effect the quality of the exposed groundwater in the existing mine pits within the Specific Plan Area or would drain to the Santa Clara River through the same outlets to the river. This approach is appropriate and consistent with the requirements of the CEQA *Guidelines*.

BBK-9

The CMP is a standing program mandated by State statute, to address impacts on the regional roadway network. The freeway impact cited in this comment was identified in the Draft EIR. It is reasonable for the City to rely upon an established program outside of its control to accomplish the programs mandated requirement and address cumulative traffic impacts on the regional highway network.

BBK-10

Air emissions associated with construction are discussed on pages 4.8-10 and 4.8-11 of the Draft EIR. Types and amounts of air emissions associated with construction of the project are described. All feasible measures to mitigate these impacts are also included. Analysis and identification of mitigation measures is not deferred, as indicated in this comment.

BBK-11

The analysis of the effectiveness of air quality mitigation measures follows the format defined in the Ventura County Air Quality Air Quality Assessment Impacts. As discussed on page 4.8-23, contribution to an off-site Transportation Demand Management (TDM) Fund is recommended by the APCD only after all feasible recommended measures have been applied to a project and significant emissions remain. Accordingly, a calculation of the effectiveness of the "project" mitigation measures is provided. This analysis shows that significant emissions will remain even after all feasible mitigation measures are applied to the project. Then, the mitigation analysis identifies the contribution to an off-site TDM fund as a mitigation measure. This contribution mitigates all remaining impacts.

BBK-12

The conclusions referenced are not inconsistent. The analysis determined that construction impacts would be significant prior to mitigation. With application of the recommended mitigation measures, construction noise impacts can be mitigated to a level that is less than significant.

BBK-13

The timing of the new fire station is addressed in the Development Agreement proposed as part of the project to the satisfaction of the City of Oxnard. The new fire station will be provided in a timely manner to avoid any significant impact on fire protection services.

BBK-14

The criteria used to determine a significant impact was selected by the Oxnard Police Department. This criteria is not vague and addresses a variety of factors associated with calls for police protection services including the number of calls for service, adequacy of police staffing, response times and potential for interference with an evacuation plan. Based on the threshold, it was determined that the addition of the RiverPark Specific Plan Area to the existing police response beat for the northern portion of the City would result in a substantial decline in response times and, therefore, a significant impact. This impact will be mitigated by the establishment of a new storefront police station within the commercial portion of the Specific Plan Area. As this summary demonstrates, the significance threshold used, which were based on the operational characteristics of the Oxnard Police Department, are definitive, as evidenced by the fact that a significant impact was identified.

BBK-15

As described on pages 4.10.5-2 and 3 of the Draft EIR, solid waste disposal in Ventura County is a competitive and dynamic system and, theoretically, waste can be disposed at any landfill in the region depending upon the preference of individual solid waste haulers and other factors, such as proximity to the collection area, tipping fees, and daily capacities at the landfill sites. Currently, most solid waste collected within Ventura County by public and private haulers is disposed of in the County. However, this does not guarantee that solid waste haulers do not or would not take solid wastes outside the County. Solid waste management in Ventura County no longer focuses on "waste sheds," or fixed areas that dispose of their wastes at a particular landfill. For this same reasons, solid waste disposal planning is also no longer done on the basis of population forecasts. The Draft EIR discusses the current projected lifespan of the Toland Road and Simi Valley Landfills. The Toland Road landfill is projected to have a lifespan of 31 years, with closure projected to occur in the year 2027. The County of Ventura Conditional Use Permit (CUP) for the Toland Road Landfill requires that the operator only accept waste generated within the County, with the minor exception of a small amount of waste generated in Carpinteria. The Simi Valley Landfill has a projected 12-year lifespan at this point under the current CUP for this facility. Solid waste from Oxnard may also be disposed of at alternative landfill sites located in Los Angeles County or other counties, including the Chiquita Canyon Landfill near Santa Clarita. It should be noted that the amount of solid waste generated for disposal in landfills will not be 15,132 tons per year as referenced in this comment, but rather 5,145 tons per year after diversion at the City's current rate is taken into account (Table 4.10.5-1 in the Draft EIR). Given the dynamic nature of the solid waste disposal market, it would be speculative to assume that a significant impact related to solid waste disposal will result from the project due to the fact that existing landfills in Ventura County have a limited capacity.

Over the next 25 years, new landfills will need to be permitted within Ventura County or surrounding counties to accept current streams of solid waste. In accordance with Section 15145 of the CEQA *Guidelines*, the City of Oxnard has determined that it would be speculative at this point in time to evaluate where solid waste will be disposed of on a long-term basis after the Toland Road Landfill closes in 2027.

BBK-16

The cumulative analysis in the Draft EIR meets the requirements of Section 15130 of the CEQA *Guidelines*. For each topic, cumulative analysis is based on either the extensive list of related projects provided in Appendix 4.0 or a summary of projections contained in an adopted general plan or related planning document. The cumulative drainage analysis is based on the City of Oxnard Drainage Master Plan, which accounts for drainage from all existing areas as well as additional uses allowed by the City's *2020 General Plan*, and the list of related projects in Appendix 4.1. The cumulative storm drain analysis considers all related projects that will contribute runoff to the same drainage facilities as the project. In addition, the analysis considers areas planned to drain to the same facilities. This is appropriate and properly accounts for cumulative impacts to drainage facilities.

This comment is not correct in concluding that the proposed project and other projects will sometimes overwhelm the drainage system planned for the Ventura County Juvenile Justice Center (JJC) project. As described on page 4.11.1-15 of the Draft EIR, the JJC is being designed with a stand-alone drainage system including a drainage basin with a capacity for over a 100-year storm. No other projects of areas will drain to the JJC drainage system, including this basin.

BBK-17

The water supply analysis properly accounts for the amount of groundwater extraction allocations that will be transferred to the City. This amount is based on Fox Canyon Groundwater Management Agency (FCGMA) 5.9, as discussed on pages 4.11.2-5 and 6 of the Draft EIR. This ordinance constitutes the existing regulatory baseline for groundwater extraction and use in the Oxnard Plain. The use of 1985 – 1989 pumping data to determine groundwater extraction allocations is defined in FCGMA Ordinance 5.9. Pumping data from this period establishes a historical baseline that is applied to all pumpers on the Oxnard Plain. This established system of groundwater extraction allocations was established by the FCGMA to ensure a safe yield of groundwater by the year 2010 and eliminate any overdraft condition.

BBK-18

As discussed in Section 4.11.3, Wastewater Service, adequate sewer facilities to serve the project will be provided for through the implementation of the City of Oxnard's Wastewater Collection System Master Plan. This citywide master plan identifies the improvements needed to the Central Trunk System to provide adequate capacity for the RiverPark Project, existing uses and all other additional uses allowed by the Oxnard *2020 General Plan* that will be served by this same trunk sewer. The City will construct the master plan improvements as required with sewer connection fees. This existing fee program will mitigate impacts to the City's wastewater collection system.

BBK-19

This comment does not correctly state the conclusion of the analysis of impacts to historical resources in the Draft EIR. The Draft EIR does not conclude the significant impact to historical resources will be mitigated to below a level of significance. The conclusion on page 4.12-16 of the Draft EIR is that the impact of the project on the historical resources identified on the site will be an unavoidable significant impact.

BBK-20

The four mitigation measures on page 4.13-18 of the Draft EIR reflect current applicable regulations for any existing abandoned oil wells on the site and for the removal of asbestos containing building materials and lead-based paint in any of the existing structures on the site that will be demolished. Conformance with these existing regulations adopted by the State Department of Conservation Oil and Gas Division and the Ventura County Air Pollution Control District will effectively and feasibly mitigate the identified impacts to a level that is less than significant.

BBK-21

Please see the responses to Comments BBK-1 through BBK-20 above. These responses demonstrate that the Draft EIR provides adequate analysis of the potential impacts of the project.

BBK-22

Section 5.0, Alternatives of the Draft EIR provides sufficient information to support the conclusions reached on the feasibility of the alternatives examined.

BBK-23

Please see the responses to Comments BBK-1 through 22 above. Responses have been provided to all comments and none of these responses include the identification of "significant new information" as defined Section 15088.5 of the CEQA *Guidelines,* that would require recirculation of the EIR. All of the conclusions in the EIR are supported by the information in the EIR as reflected in the responses to Comments BBK-1 through 22. Section 15088.5 of the CEQA *Guidelines* requires recirculation of an EIR when significant new information results in any of the following: (1) Identification of new significant impact that would result from the project or a mitigation measure; (2) Identification of a substantial increase in the severity of an impact that cannot be mitigated; or (3) Identification of a feasible alternative or mitigation measure considerably different from those previously analyzed that the project proponents decline to adopt. None of these circumstances have occurred as a result of the information included in the responses to BBK-1 through 22 above. Recirculation of the EIR is, therefore, not required.

BBK-24

Please see the response to Comment BBK-23 above. The Draft EIR contains substantial evidence as defined in Section 15384 of the CEQA *Guidelines* to support all of the conclusions in the Draft EIR.

Friends of the Santa Clara River

660 Randy Drive, Newbury Park, California 91320-3036 • (805) 498-4323

January 7, 2002

Mr. Gary Sugano, Sr. Associate Planner
Planning & Environmental Services Division
City of Oxnard
305 West 3rd Street
Oxnard, CA 93030

Re: Draft EIR, Riverpark Project SCH #2000051046

Dear Mr. Sugano,

Friends of the Santa Clara River submits the following comments on the subject document.

Impacts to water quality in the Santa Clara River and potential groundwater contamination are our major concerns relative to the River Park project.

Because of reduced impacts to groundwater in the mine pits conferred by Water Quality Treatment Alternative No. 1, we recommend its inclusion in the final project design. We note that the selection of this alternative would not alter the amount of development allowed within the Specific Plan Area. FSCR-1

Thank you for your consideration of these comments.

Sincerely,

Ron Bottorff

Ron Bottorff, Chair

Friends of the Santa Clara River (FSCR)

FSCR-1

As described on page 5.0-32 of the Draft EIR, Water Quality Treatment Alternative No. 1 would involve the construction of larger stormwater detention basins. Since the proposed basins are located within 2 to 4 feet of the elevation of historic high groundwater, the basins could not be made deeper and would need to be expanded. In order to hold a 100-year storm, these basins would need to be 80% larger than proposed. In order to maintain the same amount of development on less land, the density of the residential uses on the remaining land would need to increase. This alternative is not considered feasible as the increase in construction and maintenance costs would provide only a very limited benefit to water quality.

The Gas Company®

January 4, 2002

Gary Sugano, P.Plnr.
CITY OF OXNARD
Planning/Environmental Services
305 West Third Street
Oxnard, CA 93030

Southern California
Gas Company
9400 Oakdale Avenue
Chatsworth, CA
91313-2300

Mailing Address:
Box 2300
Chatsworth, CA
91313-2300

Subject: **Agency Comment for the RiverPark DEIR, TT 5352 (PZ 01-5-134)**
City of Oxnard, County of Ventura, State of California.
(Gas Co. Atlas # VCO 1495-4, et.al.)

The S.C.Gas Company anticipates no environmental issues in serving this Project.

This letter is not to be interpreted as a contractual commitment to serve this proposed project, but only as an information service. Its intent is to notify you that Southern California Gas Company has facilities in the area where this project is proposed. Gas service can be provided **without** significant impact on the environment from existing **medium pressure mains in existing streets.**

TGC-1

Service would be in accordance with our policies and extension rules on file with the California Public Utilities Commission at the time contractual arrangements are made. The availability of natural gas service, as set forth in this letter, is based on present conditions of gas supply and regulatory policies. As a public utility, Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. We can also be affected by actions of federal regulatory agencies. Should these agencies take any action which affects gas supply or the condition under which service is available, gas service will be provided in accordance with the revised conditions.

When your project has final approval by the city or county engineer, please contact Mr. Dave Conway, New Business Project Manager, at **(805) 385-4823**. It may require up to 90 days to process your application for the installation of gas lines in your project.

Sincerely,

Jim Hammel
Technical Services, Northern Region
818-701-3324
FAX: 818-701-3380

c: D. Conway, NBPM, Oxnard District
B. Huleis, Environmental Compliance
SCG En'g Masterplanning
City Correspondence File

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The Gas Company (TGC)

TGC-1

This comment from the Gas Company indicating that gas service can be provided without significant impacts agrees with the analysis in the Draft EIR.

January 18, 2002

Hanson Aggregates
El Rio Plant
3555 Vineyard Avenue
Oxnard
CA 93030-1082
Tel 805-485-3101
Fax 805-983-1336

City of Oxnard
Planning and Environmental Services
305 West Third Street
Oxnard, CA 93030

Attention: Gary Sugano, Principal Planner

Subject: Draft EIR For RiverPark Project
SCH #2000051046

The subject EIR has been reviewed by Hanson Aggregates, which owns a large portion of the RiverPark B area. Under the proposed project, this land would be acquired from Hanson and its uses changed to accommodate residential development. However, this current ownership includes inactive mining pits, concrete, asphalt, and recycle plants, and a stockpile area. This area is subject to an existing reclamation plan, El Rio Plant Rehabilitation Plan which was approved by Ventura County in 1979 and subsequently modified. Under that plan, Hanson would partially refill the mining pits and restore the site as open space. In contrast, the RiverPark project proposes development, including residential, commercial and public facilities uses in addition to open space. Among other actions related to the project, RiverPark proposes a new reclamation plan for the mining site to address a higher intensity use for Area 'B' – additional housing opportunities for the City of Oxnard. RiverPark's proposed reclamation plan would replace the existing reclamation plan. The EIR analyzes the potential environmental effects of this new development proposal.

Hanson Aggregates supports the RiverPark project as proposed. However, we are concerned that some elements of the EIR overstate baseline conditions and, therefore, make overly conservative assumptions about the level of potential impact and need for mitigation. While we have no objection to the adoption of the measures propose in the context of the current proposal, we are concerned about the implications for Hanson Aggregates activities on the site should the RiverPark project not be approved.

For example, the EIR uses extremely conservative assumptions, effectively modeling a "worst-case" impacts analysis in the context of residential use. This approach may be appropriate for assessing property intended for the proposed use, but there is no indication that these assumptions provide appropriate standards for implementation of the existing reclamation plan. The conservative nature of the assumptions used in the Water Resources section are discussed in the attached analysis by Dr. Barry Keller. The conservative nature of assumptions used in the Earth Resources section are discussed in the attached analysis by The J. Byer Group. The EIR should be revised to clarify the

HANSON-1

distinctions between the descriptions of *actual* baseline conditions and the descriptions of conditions that are based on conservative *assumptions*. HANSON-1

Similarly, many mitigation measures and other improvements identified in the EIR are designed to mitigate potential environmental effects associated with the proposed residential development, but would be inappropriate in a "no project" scenario. For example, the RiverPark project envisions residential development in the vicinity of the Vickers pit and the EIR includes mitigation measures to address this. If residential development does not occur there, leaving the current reclamation plan in place, it would not be necessary to mitigate artificial fill in northwestern end of the Vickers Pit, as described by mitigation measure 4.3-30. It also would not be necessary to mitigate artificial fill in the stockpile and plant areas as described by mitigation measures 4.3-21 and 4.3-22. Moreover, the EIR contemplates drainage improvements and revegetation to accommodate the proposed development. If the property were not developed as RiverPark plans, the drainage improvements and revegetation would not be necessary. HANSON-2

We also offer the following clarifications:

1. Page 2.0-9, 1st Complete Paragraph
   DEIR Text: Implementation of this existing reclamation plan would require approximately 6.4 million cubic yards of material to be imported to the site to fill the pits to the levels required by the reclamation plan.
   Comment: Hanson agrees that approximately 6.4 million cubic yards are needed to implement the existing reclamation plan. Approximately 6.1 million cubic yards are located onsite and 0.3 million cubic yards would need to be imported to implement the existing reclamation plan. HANSON-3

2. Page 4.1-24, Paragraph 3
   DEIR Text: The company has initiated actions to reclaim the mine pits pursuant to an approved reclamation plan. Upon completion of the reclamation project the facility will serve as a groundwater recharge basin.
   Comment: To clarify, Hanson has initiated restoration activities in accordance with the existing approved reclamation plan. These activities include removal of the rock and sand plant and other structures, remediation of known contamination, and removal of boneyards. The pits will serve as a groundwater recharge basin after the proposed RiverPark reclamation plan is implemented. HANSON-4

3. Page 4.5-69, Footnote 47
   DEIR Text: West Coast Environmental and Engineering, RiverPark Reclamation Plan, Prepared for Hanson Aggregates West, Inc. August 1, 2001. HANSON-5

Comment: Hanson Aggregates asked West Coast Environmental to prepare a reclamation plan that reflects the RiverPark proposal. This reclamation plan is not being proposed by Hanson Aggregates. HANSON-5

Please contact this office if there are any questions.

Steven Zacks

Steve Zacks
Environmental/Property Manager

Barry Keller Ph.D., RG, CHG -Hydrogeophysicist
741 Dolores Drive, Santa Bárbara, California 93109 USA

14 January 2002

This is a review of a version of the City of Oxnard Draft Environmental Impact Report (DEIR – SCH #2000051046, dated December 2001) for the RiverPark Project . This review is oriented towards the relation between the Hanson Aggregates El Rio pits and adjacent groundwater, in both the pre-project condition and in regard to project elements.

The potential for stormwater runoff from agricultural, residential, or industrial areas to impact water resources is of concern and has in recent years received increasing regulatory scrutiny, and any measures that can be taken to reduce or eliminate this potential impact are certainly worthwhile. In the case of the RiverPark Project, engineered stormwater runoff controls for runoff water that in the existing, pre-project configuration would reach the pits appear to be adequately protective of groundwater. However, the occasional runoff that would still reach the pits is evaluated in the DEIR document as having "significant" impacts to groundwater, due to modeled concentrations of iron, manganese, and nickel. In fact, there is virtually no possibility that water with these concentrations could actually reach groundwater, nor has done so in the past, due to dilution with existing pit water and rainwater that falls directly on the pits. There are no data to indicate that runoff of stormwater into the pits has ever impacted groundwater quality. The extremely conservative nature of the "significant" impact evaluation needs to be made clear. Several specific text clarification suggestions are included below to make this clarification. HANSON-6

The groundwater model concentrations are based on conservative assumptions (in other words, artificially HIGH) values used to ensure a viable runoff control design, but they do not represent the true existing situation. The modeling is based on the assumption that the runoff water recharges directly to groundwater, with losses only for settling of solid particles, but "Dilution within the basins is not considered as part of the removal mechanisms or anticipated constituent concentrations." (Appendix 4.5-5, page 27, particulate setting addressed on page 31 – 32.) In reality there are three sources of water to the pits: 1) the runoff that was modeled; 2) rainfall directly on the surface of the pits; and 3) discharge from adjacent groundwater on the upgradient side of the pits. Although it has never been precisely quantified, the third source in all probability represents the great majority of the water in the pits and is the main source of water that subsequently recharges the groundwater on the downgradient side of the pits. Furthermore, the modeling does not consider the mechanism of recharge from the pits to groundwater. Although this mechanism has never been investigated in detail, it is very possible that siltation of the floor and lower walls of the pits makes the recharge fairly slow compared to the movement of groundwater in the adjacent aquifer, further diluting the contribution from the pits. HANSON-7

TEXT CLARIFICATIONS

Page S-15 Header "ISSUES RAISED DURING ENVIRONMENTAL REVIEW". The sentence "The primary issued raised during environmental review of the proposed project has been the impact of stormwater runoff on the groundwater exposed in the existing mine pits on the site" could easily be misinterpreted to indicate that impacts to groundwater have been documented in the existing condition, which is not the case. The sentence should be replaced with the following: "The primary issue raised during the environmental review of this project has been the potential for stormwater that discharges to standing water in the existing mine pits on the site to impact adjacent groundwater resources, although there are no data to indicate that any such degradation of groundwater quality has ever actually occurred." HANSON-8

Page 4.5-11. This section discuses the relation of elevation of the water in the pits to that of adjacent groundwater. In this section the term "exposed water table" is used, whereas elsewhere the water in the pits is called "exposed groundwater". In fact, the water in the pits is surface water that is discharged from groundwater on the upgradient side and recharges to groundwater on the downgradient side. The text points out that, "In general, pit water levels appear to correlate to levels measured in nearby wells and respond similarly to water level changes over time." A following sentence should be added: "The observation that the water in the pits does not rise noticeably relative to groundwater during wet periods or fall during dry periods reflects the condition that most of the water in the pits is water that came from groundwater on the upgradient side and that the volumetric contribution to the pit water from runoff or direct rainfall is minor." HANSON-9

Page 4.5-50. The following sentence would be sufficient without the second, qualifying phrase: "The sampling results indicate that pit water quality is similar to that of the unexposed groundwater in the area, although it is unclear how representative these samples are due to the uncertainty in the timing of sample collection relative to the duration of the sampled storm event." The important point is that at any time that a sample might be collected, even during a storm, constituents due to runoff would be greatly diluted in the pits, both by the existing pit water and by direct rainfall, which is by itself volumetrically greater than the runoff. Therefore, the timing of the sampling of pit water is not of great importance. Samples that have been taken during storm events of actual runoff, prior to its entering the pits, have confirmed that the presence of dissolved constituents in the runoff itself. HANSON-10

Page 4.5-60. The criterion for evaluating an impact to groundwater as "significant" is given in the following bullet. " • Any discharges [sic – should be singular] to exposed groundwater in the existing mine pits containing concentrations of selected constituents greater than ambient groundwater concentrations or Basin Plan objectives as measured where the discharged water physically leaves the pits is identified as a HANSON-11

significant impact." However, the modeled runoff concentrations apply only to the point where the water enters the pits, not leaves it. As noted above, the water in the pits is actually surface water, not "exposed groundwater". Water from the pits recharges groundwater on the downgradient side by mechanisms that have not been studied in detail. By the time contaminant-bearing runoff water actually reached groundwater, it would be greatly diluted by the pit water and direct rainfall. Another sentence should be added to the bullet: "This criterion is extremely conservative, because the concentrations in the runoff water would be greatly diluted before actually reaching groundwater." HANSON-11

Page 4.5-86 Header "**Constituents with Significant Impacts**". On the basis of the criterion on page 4.5-60, runoff water entering the pits is modeled as having "significant" concentrations that exceed ambient groundwater concentrations for iron (0.21 mg/L vs 0.13 mg/L), manganese (0.5 mg/L vs 0.3 mg/L), and nickel (.007 mg/L vs .003 mg/L). As noted above, it is very unlikely that these concentrations would ever reach groundwater. They would be diluted to below the ambient groundwater conditions by direct rainfall on the pits alone, and much more so by the existing pit water. Therefore, a sentence should be added to each of the paragraphs for the individual metals: "As noted previously, the "significance" criterion is extremely conservative, and it is very unlikely that these concentrations would ever actually reach groundwater." HANSON-12

Page 4.5-87. Header "***Frequency of Impacts to Groundwater***". The text describes the modeled total elimination of runoff flow to the pits that the project design would have provided during the 20-year hydrologic record period: "This is a positive benefit of the proposed project as it would substantially reduce the amount of pollutant loading to the Water Storage/Recharge basins, particularly from the early storm period or "first flush", in comparison to existing conditions." This is true, and elimination of the potential for street and industrial contaminants to impact groundwater is certainly a worthy goal. However, a following sentence should be added: "However, it is important to note that the existing condition has not, as far as is known, resulted in any impact to groundwater downgradient from the pits." HANSON-13

Page 4.5-104. Header "***Mitigation Measures, Iron, Manganese, and Nickel***". Two possible water treatment schemes to reduce metals concentrations are discussed, but both are considered to be "infeasible" due to cost and operational difficulties. A final sentence should be added to the discussion of each alternative: "Since the impact which would be mitigated is an extremely conservative modeled condition, and not an actual documented impact to groundwater quality, such a measure is not justified." HANSON-14

Page 4.5-12. Header "**UNAVOIDABLE SIGNIFICANT IMPACTS**". The same modeled concentrations of iron, manganese, and zinc in runoff water entering the pits are identified as "unavoidable significant impacts". The previously mentioned factors of relatively low concentrations, rarity of occurrence, and excessive cost of mitigation measures are repeated. However, a final sentence should be added to the last HANSON-15

paragraph: "As noted above, the identified impacts are extremely conservative modeled results, and it is very unlikely that even these relatively low metals concentrations could ever actually reach groundwater."

HANSON-15

Section 5. **ALTERNATIVES.** In several places in the alternatives section are statements that could be misunderstood to indicate that the existing pits have caused degradation of groundwater quality. In each case, the term "impacts to groundwater quality" should be replaced with "conservatively modeled potential impacts to groundwater quality". These places are: the end of the second paragraph under "**Water Resources**" on page 5.0-10; the end of the paragraph under "**Water Resources**" on page 5.0-19; the end of the paragraph under "**Water Resources**" on page 5.0-27; the end of the paragraph under "**Water Resources**" on page 5.0-34; and in each of the descriptions under "**CONCLUSIONS**" on pages 5.0-38 and 39.

HANSON-16

THE J. BYER GROUP, INC.
A GEOTECHNICAL CONSULTING FIRM
1461 E. CHEVY CHASE DR. #200, GLENDALE, CA 91206
818•549•9959 TEL 818•543•3747 FAX
"Trust the Name You Know"

January 18, 2002
JB 18356-I

Hanson Aggregates West, Inc.
3555 Vineyard Avenue
Oxnard, California 93030

Attention: Steven Zacks, Environmental/Property Manager

Subject

Review of Draft Environmental Impact Report
Proposed Riverpark Project and Reclamation of Gravel Pits
Former S.P. Milling Company Site
3555 Vineyard Avenue
El Rio Area of Ventura County, California

References: **Reports by The J. Byer Group, Inc.:**

Draft Geotechnical Engineering Exploration, Proposed Reclamation of Gravel Pits, Former S.P. Milling Company Site, 3555 Vineyard Avenue, El Rio Area of Ventura County, California, dated May 23, 2000 and;

Response to Fugro EIR Report, Proposed Reclamation of Gravel Pits, Former S.P. Milling Company Site, 3555 Vineyard Avenue, El Rio Area of Ventura County, California, dated April 20, 2001.

Report by Impact Sciences:

City of Oxnard, Draft Environmental Impact Report, Riverpark Project, Volumes I, II, and III, December 2001.

Report by Fugro West, Inc.:

Geotechnical and Geological Input for the Environmental Impact Report, Riverpark A and B, City of Oxnard and El Rio Area of Ventura County, California, dated May 2000.

Report by Earth Systems Consultants, Inc.:

Southern Pacific Milling Borrow Pit, Slope Stability Analyses of Borrow Pits Along Montgomery and Lambert Streets, dated October 24 1997.

Dear Mr. Zacks:

As requested, The J. Byer Group, Inc. has reviewed the Draft Environmental Impact Report (DEIR) prepared by Impact Sciences and geotechnical input by Fugro. We have the following comments and clarifications regarding the geotechnical aspects of the DEIR.

NATIVE ALLUVIUM

Static and Seismic Gross Stability

Fugro concludes that native slopes that are at a gradient slightly steeper than 2:1 (1.9:1) are grossly stable under static (safety factor of at least 1.5) and seismic conditions (safety factor of at least 1.1). Where existing slopes around the margins of the pit are steeper than 2:1, Fugro recommends trimming the slopes to between 2:1 and 2.5:1. The J. Byer Group, concurs with Fugro that 2:1 slopes in native alluvium are grossly stable under static and seismic loading. Trimming native slopes that are steeper than 2:1 to 2:1 is reasonable and in conformance with the current reclamation requirements and expectations. HANSON-17

It is our opinion that 2.5:1 slopes shown on the Slope Reclamation Plan for Riverpark B (Plate 3 by Fugro, dated July 2001) are overly conservative. The tops of 2.5:1 slopes are shown encroaching into existing flood control basins (southeastern slopes of Brigham and Vickers pits) and toward the offsite properties (northeastern Small Woolsey Pit). Slopes that are 2.5:1 will have a higher calculated static safety factor. However, the additional safety factor is not needed since 2:1 slopes more than exceed the minimum requirements for stability. Furthermore, the flatter slopes could move the top of slopes closer to the adjoining properties, or require special grading techniques.

Due to the difficulty in determining the topography of the base and lower margins of the pits as a result of variable groundwater levels, Fugro has made conservative assumptions as to the steepness and depths of all of the pits. Therefore, the toes and tops of the 2:1 trims shown on Fugro's reclamation plan represent the 'worst case scenario'. Accurate pit topography will result in more realistic slope configurations and reduce the amount of grading performed for mitigation. HANSON-17

Pages 4.3-32, 4.3-45, 4.3-47, and 4.3-49 contain unduly conservative statements. On page 4.3-32, bullets 3, 7, 10, and 14 state that the existing slopes do not meet minimum factor of safety requirements. However, the southeastern slope of the Brigham Pit, the southeastern slope of the Vickers Pit, the southeastern slope of the Small Woolsey, and the northeastern slope of the Large Woolsey are comprised of native alluvium with slope gradients that are near 2:1. Our May 23, 2000 report contains calculations that indicate these slopes to be stable (safety factor greater than the minimum requirements) under static and seismic conditions. Also, these slopes are similar to the generic slope analyzed and found to be stable by Fugro. Mitigation measures 4.3-28, 4.3-31, 4.3-34, and 4.3-37 are not required. HANSON-18

Lateral Movement

The J. Byer Group agrees with Fugro that due to its density and strength, the native alluvium is not subject to liquefaction or a loss of strength during an earthquake. However, Fugro has determined that the ground adjacent to the margins of the pits may move laterally toward the pits in the event of a large earthquake. Reportedly, Fugro's lateral movement analysis is based upon methods and procedures contained in *Guidelines for Analyzing and Mitigating Landslide Hazards in California*, a 2000 DRAFT publication for the CDMG and SCEC. It should be noted that this publication has not been finalized or adopted for use by the State of California, County of Ventura, or local agencies. Newmark's methods were apparently used, but calculations, assumptions, and ground motion data were not available for review. As a consequence of the 'excessive movement', overly conservative mitigation consisting of setbacks and mechanical slope stabilization were identified for the DEIR. HANSON-19

Apparently, Fugro used a cohesion/phi angle combination of 150 psf/35 degrees, which is more conservative than strength data of the native alluvium contained in reports by Byer, 2000, Earth Systems, 1997, and Fugro 1999 and 2000. The strengths assumed for the analysis are also more conservative than shear strength correlations contained in the *Guidelines for Analyzing and Mitigating Landslide Hazards in California*, publication. Fugro acknowledges that the phi angle is conservative and would likely be revised higher upon completion of '*more comprehensive slope material characterization and shear strength testing.*' HANSON-20

Shear strengths assumed by Fugro for the deformation analysis appear too conservative based upon data collected by Byer Group, Fugro, and Earth systems. Because of the low assumed shear strengths, the Newmark analysis used by Fugro over-estimates deformation. The difference in phi angle determined through correlations and laboratory testing and what was assumed for the stability and deformation analyses in the EIR is significant. Higher phi angles (stronger soils) result in a higher yield acceleration and corresponding lower deformation. Seismic deformation at the offsite structures (upslope from Large Woolsey and Small Woolsey pits) will be nil or within 'acceptable' limits using more realistic strength values. HANSON-21

It is the opinion of The J. Byer Group, Inc. that the phi angle assumed by Fugro to represent the native alluvial soils is overly conservative and not supported by field and laboratory data. As a result, the corresponding calculations and mitigation schemes are believed to be too cautious. Shear strengths determined by The J. Byer Group and Earth Systems will result in no to very little lateral movement hazard and no mitigation requirement. Mitigation schemes identified in the DEIR 4.3-36 second paragraph, 4.3-41, 4.3-43, 4.3-44 are not necessary. HANSON-22

EXISTING FILL

Fugro and Byer Group both agree that the existing fill, whether placed hydraulically or as spill fill, is not surficially or grossly stable under static or seismic conditions. It is concurred that any fill on the slopes should be removed and replaced as compacted fill. The areas of the existing fill have been identified in the previous studies of the site. In areas of proposed Riverpark slopes and development, such as along the northern sides of the pits, Fugro has recommended deep removal of fill and ground improvements. This will only be required to construct the slopes planned as part of the Riverpark project. Deep removal and deep dynamic compaction will not be required for the pit reclamation. HANSON-23

We concur with Fugro that further study and analyses, based upon more accurate topographic maps, will reduce the scope of the mitigation that has been identified. HANSON-24

The J. Byer Group appreciates the opportunity to offer our consultation and advice on this project. Any questions regarding this or the referenced draft report should be directed to the undersigned.

Very Truly Yours,
THE J. BYER GROUP, INC.

REGISTERED PROFESSIONAL ENGINEER
JON A. IRVINE
RCE 55005
Exp. 06-30-04
CIVIL
STATE OF CALIFORNIA

Jon A. Irvine
E.G. 1691/R.C.E. 55005

JAI:fh
Y:\FINAL\REPORTS\18356-i1.rpt.wpd

xc: (1) Addressee (Fax 805-983-1336 and Mail)

Hanson Aggregates (HA)

Hanson-1

In response to the limited monitoring data available for runoff for the site, several assumptions were made with regard to runoff water quality/concentrations. As indicated in the Draft EIR these assumptions are conservative and reflect the nature of stormwater runoff, which can be highly variable in quality. The data used represents the best information available. Care was taken to include the results of Hanson Aggregates monitoring data (Table 4.5-16), but in some cases additional information was required to determine project impacts based on the proposed land uses and the proposed stormwater treatment system. The Draft EIR clearly states where assumptions have been made and where baseline conditions have been established based on monitoring data.

Hanson-2

The Draft EIR identifies measures to mitigate the impacts of the proposed RiverPark Project. It is acknowledged that many of these measures would not be required if the uses included in the RiverPark Project are not developed. Reclamation of the site under the existing approved County Reclamation Plan would for open space uses would not require many of the identified mitigation measures and improvements.

Hanson-3

This comment is noted. The majority of the earth materials needed to implement the existing approved County Reclamation Plan are located on the site.

Hanson-4

This comment on the status of the implementation of the existing approved County Reclamation Plan is noted.

Hanson-5

The City recognizes that the new reclamation plan evaluated in the Draft EIR is proposed by RiverPark, LLC and not Hanson Aggregates.

Hanson-6

This comment on the conservative nature of the water quality analysis is noted. The Draft EIR describes the conservative methodology used for the analysis and identification of impacts.

Hanson-7

In cases where there were gaps in existing monitoring data for runoff on the site, analogous data representing the best available information was used. It has been assumed that these data are representative of the existing conditions, but only a systematic sampling program conducted over several years could verify this. While it is true that other mechanisms, such as rainfall directly into the pits and upgradient groundwater, are available to further dilute runoff concentrations, these effects are difficult to quantify. Rainfall dilution would be expected to be greater for larger storm events when runoff concentrations would be expected to be lower and less for smaller storm events when runoff concentrations would be expected to be higher. Upgradient dilution would be a function of water levels within the gravel pits that is difficult to correlate to any given situation. Based on the high degree of variability, it was decided not to include these factors in the analysis, although it is acknowledged that they would help reduce the runoff pollutant concentrations.

Hanson-8

The referenced sentence is revised to read:

The primary issue raised during environmental review of the project ~~has been the impact of stormwater runoff on~~ is the potential for stormwater runoff to impact groundwater exposed in the existing mine pits on the site.

Hanson-9

This comment is consistent with the information presented in the Draft EIR.

Hanson-10

It is acknowledged that direct rainfall into the pits and upgradient dilution can dilute pollutants in the runoff. However, the point being conveyed in the sentence referenced in this comment is that pollutant concentrations can vary over the course of a storm event. If the samples were collected at the very end of

a storm event, they would likely be of lesser concentration than those collected early in the storm event. Without that information, it is difficult to determine whether the sample is representative of the event mean concentration.

Hanson-11

The City acknowledges that the water quality analysis is conservative. A conservative significance thresholds was established due to the variability in runoff quality to ensure maximum protection of water quality.

Hanson-12

The City acknowledges that the water quality analysis is conservative. A conservative significance thresholds was established due to the variability in runoff quality to ensure maximum protection of water quality.

Hanson-13

This comment on the conservative nature of the water quality impact analysis is noted.

Hanson-14

This comment on the conservative nature of the water quality impact analysis is noted.

Hanson-15

This comment on the conservative nature of the water quality impact analysis is noted.

Hanson-16

The text of the Alternatives section clearly indicates that the alternatives are being compared to the proposed project and not existing conditions.

Hanson-17

The J. Byer Group (JBG) indicates that the proposed 2.5h:1v slopes ".... are overly conservative..." because factors of safety will be higher than those for 2h:1v slopes. The proposed 2.5h:1v slopes were developed to allow for lower estimated lateral displacements from strong ground motion and to better assure that slopes consist entirely of native, not fill, materials. Please note that additional geotechnical studies will be performed prior to construction to refine preliminary analyses for the pit slopes.

The JBG indicates that the proposed slope configurations were developed for estimated "worst case" scenarios. This statement is correct. It is agreed that more accurate topography would allow for the proposed slope configurations to be refined; however, more accurate topography is not readily available, because it relies heavily on the historical record (i.e., past episodes of steepened cut slopes or deeper excavations that have since been filled with uncontrolled fills) which is far from complete. A considerable effort was made to develop available topographic information including compositing topographic information from old topographic data and stereo photography. More accurate topography might be obtained by performing recent topography surveys, but such surveys would not capture probable maximum historical excavation depths in the pits and on the pit slopes that have been subsequently been filled with loose fill.

Hanson-18

The JBG indicates that the southeastern slope of the Brigham Pit, the southeastern slope of the Vickers Pit, the southeastern slope of the Small Woolsey Pit and the southeastern slope of the Large Woolsey Pit, with near 2h:1v slopes, meet minimum requirements in terms of the factor of safety for static and pseudostatic conditions. However, Appendix 4.3, pages A-1 through A-3 ("Pit Mining History," Fugro 2001), summarizes historical slope excavations much steeper than 2h:1v along the southeastern slopes of the Brigham, Vickers, and Small Woolsey Pits and artificial fills on the order of about 15 feet deep along the southeastern slope of the Large Woolsey Pit, conditions that would not satisfy minimum factor of safety requirements.

Hanson-19

For the Draft EIR, Fugro completed evaluations to assess whether procedures presented in the 2000 draft of "Guidelines for Analyzing and Mitigating Landslide Hazards in California" satisfied

requirements for lateral displacements resulting from strong ground motion. Fugro completed those evaluations for several reasons:

- The referenced "Guidelines" will be adopted by the State once they are finalized. Since the timing of development of RiverPark is not certain, it was prudent to evaluate how pit slopes might satisfy the pending State requirements.

- Geotechnical literature indicates that satisfying factors of safety for pseudostatic conditions does not presuppose that lateral movements are not significant. If fact, the Northridge earthquake demonstrated that significant lateral movements large enough to cause damage to adjacent structures can occur even though the slope did not "fail." Slope stability evaluations for pseudostatic conditions were originally developed for situations like dam embankments to mitigate failure, but could undergo fairly large lateral movements up to a meter.

- In light of present day perceptions about the prospect of lateral movements near slopes from strong ground motion, the intent was to assess, in a conservative stance, possible lateral displacements in accordance with reasonable procedures to mitigate potential impacts to structures. With the advent of the pending "Guidelines," despite the fact they have not been finalized or adopted, it would be imprudent and unethical not to assess or mitigate possible impacts in a reasonable fashion.

Subsequent studies to be performed for the pit slopes prior to construction will document the result of the evaluations of lateral displacements.

Hanson-20

For the preliminary slope evaluations completed for the Draft EIR, values of cohesion were used (150 psf) and friction angle (35 degrees) that are believed to be conservative. However, the values were based on observations and back calculations for incipient failures of 20 to 25-foot-high, near vertical cut pit walls in the Rose Avenue pit located east of Vineyard Avenue. The JBG argues that higher values can be documented using correlations with other gradational and density index parameters. To date, actual shear strength data has only been generated on small diameter samples that may well be influenced by gravel particles. Planned studies will endeavor to perform large-scale testing to accommodate gravel sizes, although large scale testing introduces its own set of problems. Once this large-scale test data is available the shear strength data will be reassessed and values will be used that appear appropriate.

Hanson-21

See response to Comment Hanson-20 above.

Hanson-22

See response to Comment Hanson-20 above.

Hanson-23

See response to Comment Hanson-20 above.

Hanson-24

See response to Comment Hanson-20 above.

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Anson M. Whitfield
Of Counsel

January 29, 2002

5019-0

Planning Commission
c/o Ms. Marilyn Miller, Planning Manager
City of Oxnard
305 West Third Street
Oxnard, California 93030

Re: RiverPark Specific Plan Draft EIR and Project

Honorable Planning Commission:

The Draft EIR for the RiverPark Specific Plan assessed a project inconsistent with earlier staff assurances concerning the property owned by my client, Santa Clara Development, in the southwest corner of the Specific Plan area. Staff assured my client that the property indicated in red as Area B on Figure 3.0-8, Conceptual Land Use Plan, would have a mixed use overlay. As a result of that assurance, we took no action to challenge the scope of the EIR nor did we make any effort to make a point of our concern to you or to the City Council. Our review of the document, including the alternatives, does not reveal any alternative that includes Area B within a mixed use overlay designation.

For your reference, the mixed use overlay designation is shown only with regard to Area D, in addition to areas north of Area D. That is demonstrated on Figure 3.0-13, entitled "General Plan Land Use Amendment".

At the very least, we would ask that Area B on the Conceptual Land Use Plan be provided with the mixed use overlay on the General Plan Land Use Amendment diagram as a possible alternative in the Draft EIR so that the designation can be considered by you and the City Council at a later time without having to revisit the Final EIR after it is certified. SCNK-1

In addition, we want the record to reflect the objection of Santa Clara Development to the proposed change of designation and use of that property owned by it and lying immediately north of the State Fund building. The current Oxnard Town Center Specific Plan designates the property for office use, while the proposed RiverPark Specific Plan changes the designation to a school/park use, a use which we find very questionable from a child safety standpoint because the property lies adjacent to a levee holding back the Santa Clara River. SCNK-2

While Santa Clara Development was not requested to pay for the development of the proposed RiverPark Specific Plan, it is unfortunate that no one sought out our wishes, plans or opinions regarding it. When we raised the first concern early on in the process, staff did assure us of the overlay designation on Area B and requested that we agree to join in or co-sponsor the new Specific Plan. We did not formally join as a co-sponsor because that assumed we had certain information and knowledge about the details of the proposal to which we were not privy. However, we did demonstrate our cooperation by not objecting to a redesignation of Area B based on staff's representation to us. However, we have not been consulted about, discussed or agreed upon any redesignation of the parcel of land north of the State Fund building.

Certainly, if you have any questions or require additional information, please feel free to communicate with me.

Very truly,

MITCHEL B. KAHN

MBK:bp
cc: City Council
Mr. Matthew G. Winegar
Santa Clara Development

Schroeder Comis Nelson & Kahn (SCNK)

SCNK-1

The Draft Specific Plan includes the referenced property in Planning District B. A mix of commercial uses, including offices, retail uses and food service facilities would be permitted in this District.

SCNK-2

The current Federal Emergency Management Agency (FEMA) generated Flood Insurance Rate Maps (FIRM) along this reach of the Santa Clara River are based on a Q100 flow rate of approximately 160,000 cubic feet per second (cfs) for the Santa Clara River. The estimated 1969 flow at the Highway 101 bridge was approximately 165,000 cfs. The existing levee was rebuilt by the Army Corps of Engineers after the 1969 flood to provide protection from a standard project flood in the Santa Clara River.

The *1996 Santa Clara River Enhancement and Management Plan,* "Flood Protection Report" provided additional flood plain analysis using an updated Q100 flow rate of 200,000 cfs for this section of the river. As shown in the table below, the levee currently provides from 3 to 5 feet of freeboard along this reach of the Santa Clara River for a Q100 flow rate of 200,000 cfs in the Santa Clara River. Given the conservative nature of the Q100 flowrate used in the freeboard analysis and the design of the levee, no flood significant flood hazards exist.

Table 4.11.1-2
Freeboard Analysis - RiverPark at Santa Clara River

Description	Station	Design Flow Line Elevation	Water Surface Elevation	Top of Levee Elevation	Freeboard
1,000' upstream of 101	250+00	64.2	79.4	82.7	3.3
6,000' upstream of 101	300+00	77.5	92.7	95.8	3.1
11,000' upstream of 101	350+00	90	105.2	111	5.8

References: Flow Depth and Design Q's are from The Santa Clara River Enhancement and Management Plan, *"Flood Protection Report" June 1996 Final Draft, Table 4-2 Hydraulic Properties by Reach in Ventura County - Reach From Highway 101 to Highway 118. Present Condition Q100 Flow Quantity 200,000 cfs Flow depth 15.2 ft, Design Flow Line Elevations from Historical Profile Design Flow Line Fig 2-7 and Fig 2-8 NAV 1988 datum.*

The "east elementary" school site referenced in this comment was selected by the Rio Elementary School as an appropriate and desirable location for a new school to serve the RiverPark Community. Please note

that the original school concept prepared by the project planning team for review by the Rio District consisted of one larger elementary school and the new middle school in the location where the middle school and the other new elementary school are proposed to the north of Santa Clara River Boulevard and west of Vineyard Avenue. The Rio District requested that the elementary school be split into two schools so that the size of each school would be similar to the other existing schools in the District to better match the District's operation and support programs for elementary schools. The District also requested that the second school be placed along the western boundary of the Specific Plan Area to better serve the residential neighborhoods planned.

Dorothy Gibson
201 Louisiana Place
Oxnard, CA 93030-1210
January 22, 2002

Chairman Albert Duff
Planning Commission
City of Oxnard
305 W. 3rd St., 2nd Floor
Oxnard, CA 93030

RE: Draft EIR for the RiverPark Project

Dear Chairman Duff and members of the Planning Commission:

I represent the El Rio West Neighborhood as its chairman and want to convey to the Planning Commission a brief summary of its concerns about the RiverPark Project.

- The increase in traffic associated with the project appears to have been studied, but no real mitigation has been proposed. Our main concerns are with the affect on Vineyard Avenue and the amount of traffic that will be directed at the boundaries of the existing neighborhoods to avoid the "thoroughfare effect" within the new neighborhoods of the project. DG-1
- The reliance on a mass transit system that already is inadequate in this area. The route in El Rio is self-contained and transfers to more useful routes are awkward. DG-2
- The 5000 seat baseball stadium was a complete surprise to us at the December 18th Planning Commission meeting. It is incompatible with our neighborhood and poses new problems with traffic flows in the area, noise and light pollution, and public safety issues. DG-3
- The number and size of neighborhood parks is inadequate for the number of people who will potentially use them. The proposed parks are too small to provide enough open space for all the residents in the area. DG-4
- The increased need for upgraded wastewater disposal. It was apparent that there is inaccurate information about sewer lines and their abilities to handle the additional wastewater. DG-5

Thank you for addressing these issues in the Final EIR.

Sincerely,

Dorothy Gibson

Dorothy Gibson (1) (DG (1))

DG-1

Please see the response to Comment MAC-4 from the El Rio Municipal Area Council above for a description of projected future traffic conditions on Vineyard Avenue. As discussed in this response, Vineyard Avenue will operate at Level of Service C or better during A.M. and P. M. Peak Hour traffic period with the addition of project traffic. No significant impact on the level of service along Vineyard Avenue will result from the project. In addition, the existing median island will be extended to the north to improve traffic flow and safety.

DG-2

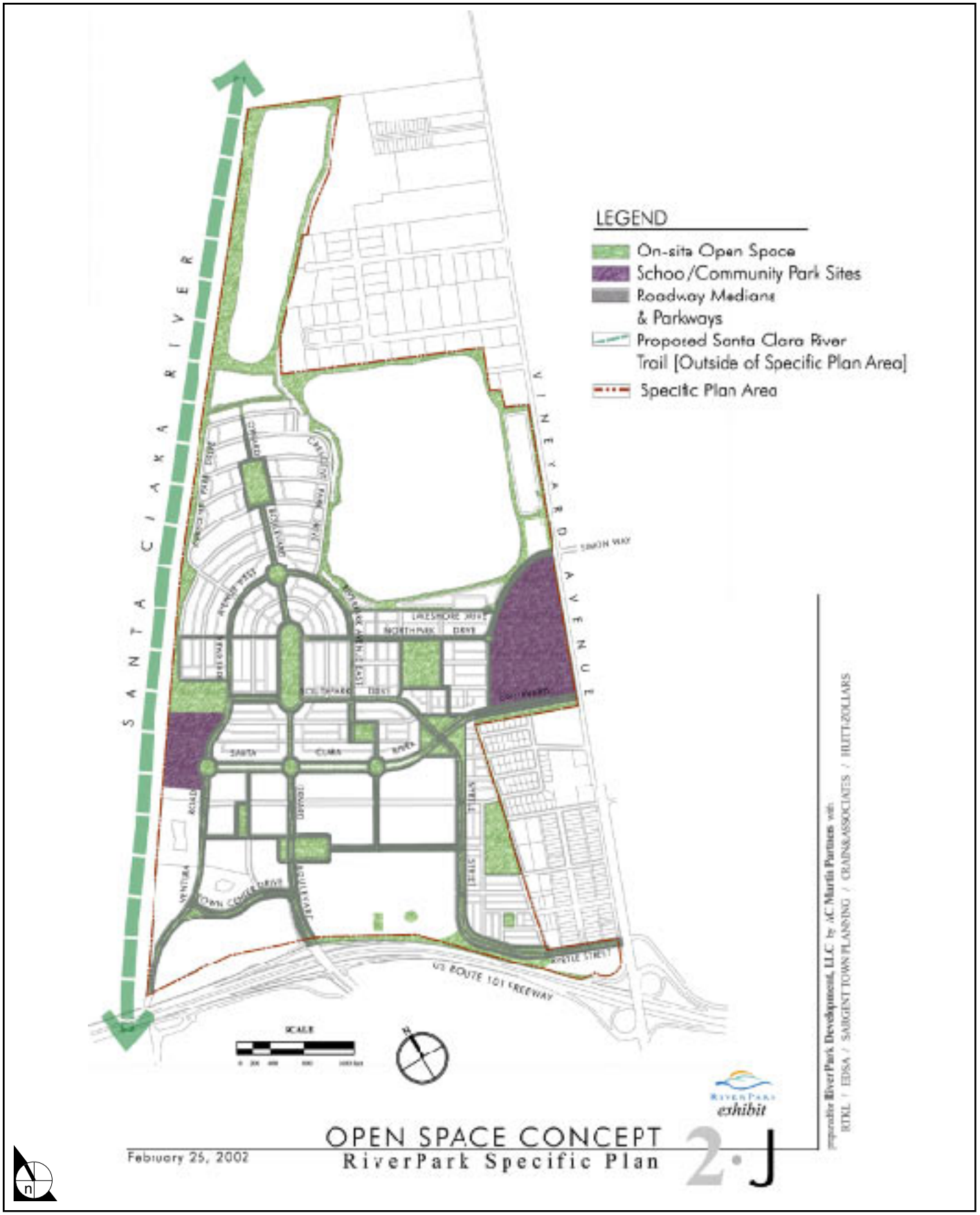
Discussions with representatives of South Coast Area Transit (SCAT) indicate that transit service will likely be increased as the number of residents, employees, shoppers, and other travelers increases. Connections with existing routes will be considered as service is expanded.

DG-3

The Draft Specific Plan has been revised and a ballpark is no longer proposed as a conditionally allowed use.

DG-4

The RiverPark Specific Plan includes a variety of park facilities including three neighborhood parks and smaller open spaces adjacent to the planned residential neighborhoods to meet neighborhood park needs, as shown on the **Figure 2-28** following this page. The City's park planning standard, as defined in the General Plan Parks and Recreation Element and discussed in Section 4.10.4, Parks and Recreation, of the Draft EIR, is 1.5 acres of neighborhood park space and 1.5 acres of community park land for each 1,000 residents. Based on this standard, approximately 11 acres of neighborhood park land and 11 acres of community park land is required to meet the needs of the residents of RiverPark. As originally proposed and assessed in the Draft EIR, the RiverPark Specific Plan included 13 acres of neighborhood park land in three neighborhood parks located in the southern, central and northern portions of the Specific Plan Area in residential neighborhoods. These neighborhood parks were distributed throughout the community to ensure that neighborhood park space is within easy walking distance of all residential areas. Access to these parks will be enhanced by the pedestrian and bicycle network planned throughout the community.



SOURCE: Riverpark Specific Plan, February 2002.

FIGURE **2-28**

Community Open Space Concept

Based on review of the Draft Specific Plan by the staff of the Oxnard Parks and Recreation Department, the size of these three neighborhood parks has been increased. The park in Planning District F, located next to the existing El Rio West Neighborhood, has been increased in size to 7.4 acres, the park in Planning District J has been increased in size to 6.1 acres, and the park in Planning District has been increased in size to 6.4 acres. The amount of neighborhood parkland in these three neighborhood parks is 19.9 acres. When the 3.3-acre neighborhood park in Planning District H is added, the total amount of neighborhood park space in these four parks is 23.3 acres. This amount of neighborhood park space is over twice the 11 acres required under the City's park planning standards for the 7,220 residents projected for the project.

With regard to community park land, the Specific Plan also provides community playfields in conjunction with the two school sites that will be available for public use outside of school hours. A minimum of 12 acres of community playfields will be provided on these two school sites, an amount that exceeds the 11 acres required under the City's park planning standards. In addition to these community playfields, the RiverPark Specific Plan provides other park and spaces that do not meet the definition of neighborhood or community park space in the Oxnard *2020 General Plan* Parks and Recreation Element. These facilities, including a network of trails around the community, will help meet the parks and recreation needs of residents of the area.

DG-5

As discussed in Section 4.11.3, Wastewater Service, adequate sewer facilities to serve the project will be provided for through the implementation of the City of Oxnard's Wastewater Collection System Master Plan. This citywide master plan, completed in January 2001, identifies the improvements needed to the Central Trunk System to provide adequate capacity for the RiverPark Project, existing uses and all other additional uses allowed by the Oxnard *2020 General Plan*.

3830 San Simeon Ave.
Oxnard, CA 93033
January 15, 2002

Marilyn Miller
City of Oxnard Planning Department
305 W. 3rd Street
Oxnard, CA 93030

Re: RiverPark Specific Park Draft EIR

I have read the section of the EIR relating to wastewater (sewage) from the RiverPark development and the planned use of the Central Trunk. I do not believe that the mitigation proposed is adequate, and I disagree with the conclusion that "no significant impacts have been identified."

Presently during peak wet weather flow portions of the Central Trunk are deficient. In addition to all the additional sewage that will be generated by RiverPark, the Juvenile Justice Center and the El Rio Community will be connected to the Central Trunk by 2008. "Major portions of the Central Trunk Sewer have insufficient capacity to convey the projected flows." The Central Trunk will reach the surcharge (100% plus) level.

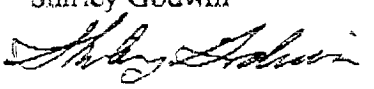
I am affected by this personally because my home backs up to the Central Trunk. The sewer line is less than 10 feet from my rear wall and a manhole is centered directly behind my property. The manhole is much higher than my property and any overflow of sewage will flow directly into my backyard. SG-1

I am the chairperson of the Blackstock South Neighborhood Council, and I am also concerned about the other residents of my neighborhood. Many residential properties in my neighborhood back up to the Central Trunk as do numerous residential properties in Oxnard, especially south Oxnard.

The EIR recommends upgrading the Central Trunk. I do not believe this is feasible. The Central Trunk is already a 36" pipe. A significant portion of the Central Trunk is located in a narrow corridor between the back of homes and the drainage canal (Oxnard Industrial Drain). Therefore, the lack of sufficient capacity in the existing trunk cannot be mitigated by enlarging the Central Trunk. I have discussed this problem with City staff, but this also needs to be addressed in the EIR.

The timing of the phasing for the trunk improvements, as stated in the EIR, also does not provide for adequate mitigation when it is needed. Additional capacity will be needed before Phase 2 (2006-2010) and Phase 3 (2011-2020) and needs to be detailed in the EIR.

Shirley Godwin



Shirley Godwin (SG)

SG-1

Section 4.11.3, Wastewater Service, discusses the City of Oxnard's Wastewater Collection System Master Plan, completed in January 2001, identifies existing portions of the Central Trunk Sewer as inadequate, as stated in this comment. The Master Plan identifies the improvements to the Central Trunk needed to create the additional capacity needed. The City's public works staff have determined that these improvements are feasible. The City will require the developers of RiverPark to make any needed improvements if the City has not already made them to ensure that adequate capacity is available.

January 21, 2002

Chairman Albert Duff
Planning Commission
City of Oxnard
305 W. 3rd St., 2nd Floor
Oxnard, Ca. 93030

RE: Comments on Riverpark Project Draft EIR

Dear Chairman Duff and Members of the Planning Commission:

My concerns are:

- There are no real mitigation measures for traffic generated by the project. Lots of talk and facts to make you think they are saying something. Restriping dose not deceases the number of cars. There is not adequate rapid transit in the Ventura county to make commuting to work viable. Unless busses run every 15 minute and to more areas within the county, additional people will not ride the bus. SCAT will not commit to increasing their services into the new project area nor to any other service increases (pg. 4.7-38). If there are no services guaranteed this is conjecture not planning and cannot be used as a mitigation measure. In addition, the concept that a large number of people who live in the residential srea will also work in the commercial area is pure conjecture. Unfortunately, as noted in a recent article in the star El Rio schools are not highly rated and this will not encourage families to move, if they are in a better school district just to be closer to work. They will commute. PM-1
- River park can change its lay out to accommodate a road that runs through the project ending at the freeway. I understand that the planning for esthetic is important and that the developer has a real desirer to make a visually pleasing project, but we have to suffer the traffic he creates. I am also sure that a good architect could incorporate a 6 or 8 lane road within the site, taking unneeded and unwanted traffic of our already congested roads. Lets see a plan like that. PM-2
- This is a quite community. no mitigation has been provided for the cumulative noise levels. With more cars, businesses, schools, the play fields on vineyard and the park the ambient noise level will be greatly increased. What are you going to do? PM-3
- Can any temporary sound walls be installed during construction to lessen the unbearable and constant noise generated by project construction. As I do a lot of my computer work at home I fell this will negatively impact my work, and I am not the only person that works from home in this neighborhood. PM-4
- Why are there not more parks? Big houses on small lots and no place for kids to play make for a dangerous and unhappy community. Two neighborhood parks for the estimated 2800 new homes, in addition to all the people form the existing neighborhoods in El Rio is not enough. Parks and Reaction told me that all the other new communities have parks of 6 Acers. We have waited for 25 years for a park in our neighborhood we do PM-5

not want nor do we deserve less the another neighborhoods.

Thank you,

Patricia Munro

Patricia Munro
221 Juneau Place
Oxnard

Patricia Munro (PM)

PM-1

Please see Section 4.7 of the Draft EIR for a complete discussion of project traffic impacts and proposed mitigation measures. The traffic study does not assume that travelers will shift to transit usage in the mitigation section or elsewhere. The measures cited in this comment on page 4.7-38 would make the Specific Plan Area transit accessible in that transit facilities would be available to allow service to be extended when sufficient demand exists.

PM-2

As proposed, the RiverPark Specific Plan provides for Oxnard Boulevard to extend from the new interchange at the U.S. 101 freeway to the northern end of the site. The project street system includes to direct connections to existing streets in the El Rio West Neighborhood to avoid any increase in traffic in this neighborhood.

PM-3

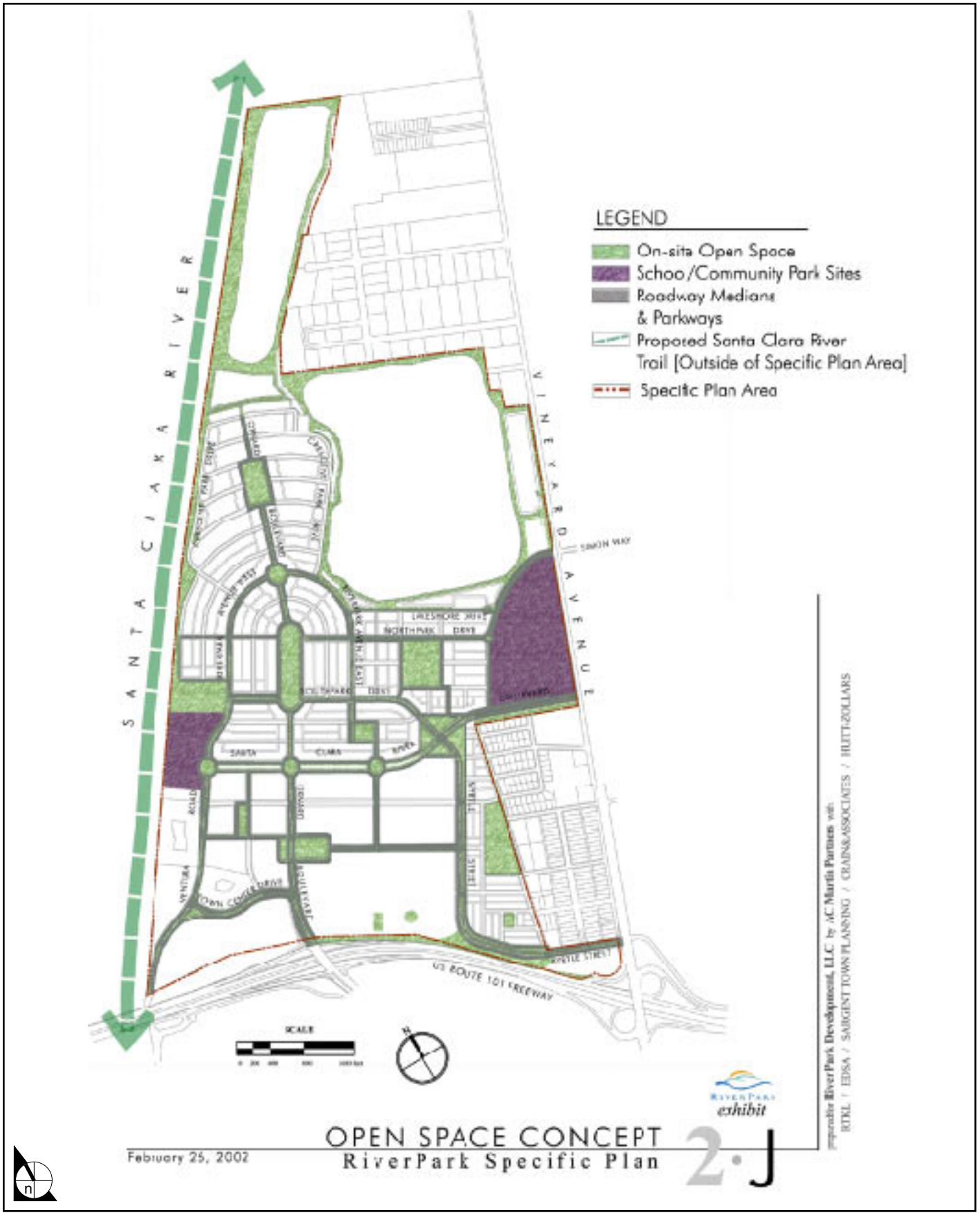
Section 4.9, Noise, in the Draft EIR includes a complete assessment of construction, roadway and operational noise. A 50-foot buffer, including 36-feet of landscaping is proposed between Santa Clara River Boulevard and the existing residential uses to the south. The noise analysis demonstrates that this buffer is sufficient to prevent significant noise impacts from this new road. No significant increases in roadway noise were identified. Please see the response to Comment ERW-26 for a discussion of noise levels associated with outdoor activities at the proposed school sites. As demonstrated by this analysis, no significant impacts are anticipated.

PM-4

Installation of temporary noise barriers is considered a feasible mitigation measure by the City of Oxnard.

PM-5

The RiverPark Specific Plan includes a variety of park facilities including three neighborhood parks and smaller open spaces adjacent to the planned residential neighborhoods to meet neighborhood park needs, as shown on **Figure 2-29** following this page. The City's park planning standard, as defined in



SOURCE: Riverpark Specific Plan, February 2002.

FIGURE **2-28**

Community Open Space Concept

the General Plan Parks and Recreation Element and discussed in Section 4.10.4, Parks and Recreation, of the Draft EIR, is 1.5 acres of neighborhood park space and 1.5 acres of community park land for each 1,000 residents. Based on this standard, approximately 11 acres of neighborhood park land and 11 acres of community park land is required to meet the needs of the residents of RiverPark. As originally proposed and assessed in the Draft EIR, the RiverPark Specific Plan included 13 acres of neighborhood park land in three neighborhood parks located in the southern, central and northern portions of the Specific Plan Area in residential neighborhoods. These neighborhood parks were distributed throughout the community to ensure that neighborhood park space is within easy walking distance of all residential areas. Access to these parks will be enhanced by the pedestrian and bicycle network planned throughout the community.

Based on review of the Draft Specific Plan by the staff of the Oxnard Parks and Recreation Department, the size of these three neighborhood parks has been increased. The park in Planning District F, located next to the existing El Rio West Neighborhood, has been increased in size to 7.4 acres, the park in Planning District J has been increased in size to 6.1 acres, and the park in Planning District has been increased in size to 6.4 acres. The amount of neighborhood parkland in these three neighborhood parks is 19.9 acres. When the 3.3-acre neighborhood park in Planning District H is added, the total amount of neighborhood park space in these four parks is 23.3 acres. This amount of neighborhood park space is over twice the 11 acres required under the City's park planning standards for the 7,220 residents projected for the project.

With regard to community park land, the Specific Plan also provides community playfields in conjunction with the two school sites that will be available for public use outside of school hours. A minimum of 12 acres of community playfields will be provided on these two school sites, an amount that exceeds the 11 acres required under the City's park planning standards. In addition to these community playfields, the RiverPark Specific Plan provides other park and spaces that do not meet the definition of neighborhood or community park space in the Oxnard *2020 General Plan* Parks and Recreation Element. These facilities, including a network of trails around the community, will help meet the parks and recreation needs of residents of the area.

CITY OF SAN BUENAVENTURA

RECEIVED
JAN 25 2002
PLANNING DIVISION
CITY OF OXNARD

January 25, 2002

Mr. Gary Sugano, Principal Planner
City of Oxnard
Planning and Environmental Services Division
305 West Third Street
Oxnard, California 93030

RE: RiverPark Project Draft Environmental Impact Report

Dear Mr. Sugano:

The City of Ventura would like to thank you for the opportunity to provide comments on the City of Oxnard Draft Environmental Impact Report (DEIR) for the RiverPark Project (SCH #2000051048). As was indicated in your denial to the City of Ventura's request for a 30-day extension of the public review period, our comments are being submitted to your office prior to the close of business on January 25, 2002.

The City of Ventura's comments on the DEIR for the RiverPark Project address the following issues: biology; housing; recreation; transportation and circulation; water quality; and, water supply.

BIOLOGY

It is indicated on page S-7, paragraph 2, that the proposed project would result in a net gain to the groundwater system of approximately 8,000 acre-feet per year (AFY) as a result of the surface water diversions proposed by United Water Conservation District (UWCD), and the elimination of groundwater pumping for agricultural and industrial supply. The DEIR did not analyze potential impacts on biological resources in the Santa Clara River, from which the surface water would be diverted. The portions of the Santa Clara River adjacent to the project site, as well as downstream areas are within the boundaries of the Draft Santa Clara River Restoration Plan. If surface water flows are modified (reduced) due to the proposed project, impacts on biological resources in the Santa Clara River that are water-dependent need to be analyzed and mitigation specified where impacts occur. VEN-1

In order to understand and assess the project's impact on biological resources in the Santa Clara River, clarification of the proposed surface water diversion program needs to be provided. The DEIR does not identify how much of the 8,000 AFY would be

501 Poli Street • P. O. Box 99 • Ventura, California • 93002-0099 • (805) 654-7800 • FAX (805) 652-0865

attributed solely to the proposed project's surface water diversions. The DEIR does not indicate if the amount of surface water diversion would exceed the amount that UWCD is currently entitled to. The DEIR does not indicate how much surface water the UWCD is currently entitled to divert. This information is critical to understand both the parameters of the proposed action and the potential resultant impacts. VEN-1

The results of this analysis should be reviewed by the U.S. Fish and Wildlife Service and the California Department of Fish and Game prior to further processing of the proposed RiverPark Park project in order to ensure that the proposed project is consistent with the Draft Santa Clara River Restoration Plan, and that potential project impacts are mitigated to less than significant levels. VEN-2

Page 4.4-28, paragraph 2 of the DEIR discusses that potential impacts of the proposed project on biological resources due to increased use of the project site by domestic animals. This discussion analyzes the potential for domestic animals disturbing nesting or roosting sites, and disruption of the normal foraging activities of wildlife in adjacent habitat areas. This discussion then concludes that the levee, its associated fences, and the proposed landscaping will form an effective barrier that will minimize the potential for domestic animals to access the river habitats and reduce this potential impact to a less than significant level. These types of barriers (e.g., concrete walls, fences, landscaping) in other urban settings (i.e., residential neighborhoods, downtown areas, etc.) do not limit the movement of cats and dogs to only those properties where they reside. If the effectiveness of these barriers has not been demonstrated to be successful in existing settings, what evidence is presented in the DEIR that would support the conclusion that these barriers would be successful for the proposed project? The DEIR does not support this finding of no significant impact with verifiable documentation. VEN-3

As stated above, the DEIR addresses the potential impacts of project-related domestic animals on adjacent biological resources in the Santa Clara River, however the DEIR is silent on the potential impact of 7,220 new residents on these same biological resources. The DEIR does not provide a justification as to why this potential impact is not analyzed. Therefore, the analysis of the proposed project's potential impacts on biological resources is incomplete and inadequate. VEN-4

HOUSING

The DEIR discusses the proposed project's consistency with the Southern California Association of Governments (SCAG) Regional Comprehensive Plan and Guide. The Growth Management Chapter of this Guide specifies that SCAG shall support provisions and incentives created by local jurisdictions to attract housing growth in job rich sub regions and job growth in housing rich sub regions (DEIR page 4.1-35, para. 4). The analysis that follows in the DEIR states that the Specific Plan Area is located in a growth area that contains wide variety of employment opportunities. This characterization of the employment opportunities in the project area is unsubstantiated VEN-5

by any studies, census data, or any other type of supporting data. Therefore, the conclusionary statement on page 4.1-36, paragraph 1 that, "The RiverPark Specific Plan is consistent with these PCPC policies" is not supported by substantial evidence in the public record. VEN-5

As proposed, the project would be developed in phases, with the first phase including development of 2,485,000 square feet of commercial uses and 1,528 (54 percent) of the proposed 2,805 residential units. The DEIR indicates that the proposed commercial uses would create approximately 5,368 permanent jobs (DEIR page 4.1-32, para. 5). The impact of the creation of 5,368 permanent jobs would not be mitigated by the concurrent development of 1,528 (54 percent) of the proposed residential units. Housing needs resulting from the creation of 5,368 permanent jobs would impact the areas housing supply beyond the City of Oxnard's corporate boundaries. The assertion that housing needs resulting from development of the commercial component of the proposed project would be provided for by the residential component of the proposed project and other future housing development in the City of Oxnard is not supported by the proposed project's phasing program. The analysis provided in the DEIR assumes that once the proposed project is completely built housing demands of the new commercial development would be met by the new residences. The project as proposed would allow for the commercial uses to be constructed and operating several years before many of the new residences are constructed and occupied. The DEIR should analyze the project's impacts on the local housing supply, regardless of the jurisdiction where that supply exists. VEN-6

Page S-4, paragraph 2 of the DEIR indicates that, "...development of the entire Specific Plan Area with the proposed uses would be consistent with the City's land use plans and policies." However, page 3.0-34, paragraph 2 of the DEIR states, "An amendment to the City of Oxnard 2020 General Plan Land Use Map is also proposed to create consistency between the General Plan and the proposed Specific Plan." These statements are inconsistent with each other and should be revised to reflect either the project's consistency with current policy and land use plans, or inconsistency with these same plans. VEN-7

Recreation

Section 4.10.4 (Parks and Recreation) of the DEIR identifies park facilities located with the City of Oxnard, but does not identify existing and planned park facilities in the vicinity of the project site. The project site is located along the western boundary of the City of Oxnard, and to identify and discuss parks that are located on the other side of the City while ignoring park facilities that are located on just the other side of a jurisdictional boundary is not a fair or accurate characterization of the "Environmental Setting." Section 15125(c) of the California Environmental Quality Act (CEQA) Guidelines state, "Knowledge of the regional setting is critical to the assessment of environmental impacts." This section of the Guidelines does not state that the "jurisdictional setting' is critical, but that the "regional setting" setting is critical. VEN-8

Therefore, since the environmental setting is incomplete, the DEIR is inadequate due to the fact that it cannot demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed, and the analysis in the DEIR did not permit the significance of the project to be considered in the full environmental context. The DEIR is completely silent to park facilities located in the local vicinity of the proposed project that are not located in the City of Oxnard. The proposed project's approximately 7,220 new residents and 5,368 new employees would have an impact on recreational resources beyond those located in the City of Oxnard, specifically parks located in the City of Ventura. Recreational facilities that are not located in the City of Oxnard, and are located in close proximity to the project site include the following: San Buenaventura Golf Course (1.06 miles from the project site); Barranca Vista Park (1.2 miles from the project site), Junipero Serra Park (0.75 miles from the project site); and the 89-acre Ventura Community Park (2.1 miles from the project site) that includes an aquatics center, community center, multi-use fields, basketball courts, tennis courts children's play areas, and group picnic areas. These park facilities are available to residents and visitors to the area regardless of the jurisdiction in which they reside. Unless these park facilities are included in the environmental setting, and potential project impacts on these facilities are analyzed in their full environmental context in the DEIR and mitigated, then the analysis contained in Section 4.10.4 of the DEIR is incomplete, inadequate, and noncompliant with the requirements specified in the CEQA Guidelines. VEN-8

TRANSPORTATION AND CIRCULATION

The following comments address Section 4.7 (Transportation and Circulation) of the DEIR. Attached at the City of Ventura's Traffic Impact Study Preparation Guidelines, which may assist in responding to the following comments.

Surrounding Roadway Network

- Revise the description of Johnson Drive on Page 4.7-9 by deleting the last sentence and indicating that the recently constructed interchange improvements are interim in nature and that preliminary concepts for the proposed ultimate interchange improvements have been developed. VEN-9

- Revise the description of Victoria Avenue on Page 4.7-10 to indicate an eight-lane roadway between Webster Street and the Ventura Freeway. VEN-10

Existing Roadway Levels of Service

- No explanation or justification has been provided to indicate how the eight study intersections in Ventura were identified. City staff had requested that the study intersections in Ventura be identified based on a preliminary project traffic distribution and consistent with the criteria identified in the City's "Traffic Impact VEN-11

Study Preparation Guidelines" (copy attached). Given the size and location of the proposed development, it is very likely that additional intersections in Ventura will need to be included as study intersections. VEN-11

- No explanation or justification has been provided to indicate why the Johnson Drive/US-101 Northbound Ramps intersection was **not** included as a study intersection. VEN-12

- In addition to AM and PM peak hours, the average daily traffic volumes on roadway segments also serve as an indicator to quantify traffic impacts. Consequently, the daily volumes on roadway segments should be clearly identified for all existing and future traffic scenarios both with and without the project. VEN-13

- Please note that the turning movement counts at the US-101 Southbound Ramps/Valentine Road and the Valentine Road/Victoria Avenue intersections for the AM and PM peak hours on Figures 4.7-2 and 3, have been reversed. Additionally, the left turn volumes on the southbound direction at the US-101 Southbound Ramps/Valentine Road intersection has been omitted. VEN-14

Analysis of Existing Freeway Conditions

- Correct Table 4.7-4 to indicate LOS "E" for the following segments:
- Northbound US-101 between Route 1 and Vineyard Avenue during both AM and PM peak hours;
- Southbound US-101 between Vineyard Avenue and Rose Avenue during the PM peak hour;
- Southbound US-101 south of Central Avenue during the PM peak hour. VEN-15

IMPACT ANALYSIS

Methodology

- The text on Pages 4.7-18 and 4.7-19 indicates that future year 2020 traffic conditions were derived from both the Oxnard Transportation Model (OTM) and the Ventura County Transportation Commission (VCTC) model and that modifications were made to the OTM. The text further indicates that the expected future traffic conditions without the RiverPark Project were used as the "baseline" for purposes of evaluating and identifying the impacts of the proposed project. It is unclear how the OTM was modified, how the data from the two models were VEN-16

combined, or what land use assumptions were used in the "baseline" conditions. Consequently, all of the traffic model run data from both the OTM and the VCTC models should be made available for review. VEN-16

Thresholds of Significance

- The text on Page 4.7-20 indicates that the City of Oxnard considers the traffic impact of a project to be significant in other jurisdictions if project traffic would cause the V/C ratio at any intersection to increase by 0.02 or more with a resulting LOS of E or F. This would be in conflict with the City of Ventura's adopted Level of Service standard of LOS C for all signalized intersections, with the exception of freeway interchange related intersections, where the standard is LOS D. VEN-17

Project Trip Generation

- Verify that the land use assumptions in Table 3.0-2 and Table 4.7-6 are consistent. VEN-18

- The text on Page 4.8-23 indicates that in districts with permitted or specially permitted land uses, the traffic analysis assumed the use with higher peak hour to ensure a "worst-case" traffic analysis. However, Table 4.8-8 of the Traffic Study indicates that the higher peak hour was based on the total of the AM and PM peak hours. Since the PM peak hour is the most critical and the daily trips are also a factor in identifying traffic impacts, the "worst-case" traffic analysis should be based on the use with the higher PM peak hour traffic. VEN-19

- The following comments are with reference to Table 4.7-6:

- Correct the ADT for Park/Open Space as 573; VEN-20

- Is Light Industrial/Industrial use shown in Table 4.8-7 of the Traffic Study a permitted use; VEN-21

- Is Office a permitted or specially permitted use in District D as identified in Table 4.8-8 of the Traffic Study; VEN-22

- The comparison of permitted uses in District F in Table 4.8-8 of the Traffic Study should be based on 220 multi-family residential units. VEN-23

Trip Distribution and Traffic Assignment

- City staff had specifically requested that a "select zone" analysis be conducted to identify the distribution of the project trips on the roadway network rather than the cordon count method. VEN-24

- The "select zone" analysis would identify the project trips at each of the intersections and roadway segments during the AM and PM peak hours and on a daily basis but would also quantify the internal trip capture. VEN-25

- Table 4.7-7 indicates that approximately 15,335 trip ends (64% of the residential trip ends) will stay within the Specific Plan area, an internal trip capture of 16%, which is unrealistic and unsubstantiated and inadequate for a "worst-case" traffic analysis. VEN-26

Future Traffic Conditions

- The Project Description identifies an infrastructure phasing plan and states that following the construction of the Phase One site improvements, the Specific Plan would allow development of any of the permitted land uses. Consequently, a short-term traffic analysis needs to be performed based on the land uses that would be supported by the Phase One site improvements. VEN-27

- The short-term traffic analysis is also necessitated by the fact that a number of planned roadway improvements assumed for the future year 2020 are unlikely to be completed at the end of Phase One of the site improvements. VEN-28

- The short-term traffic analysis is also necessitated by the fact that the Phase One site improvements will allow development of most of the commercial and office land uses and only a small portion of the residential uses. Consequently, the high internal trip capture assumed in the future year 2020 is unlikely to occur in the near term. VEN-29

- As stated before, the average daily traffic volumes of the roadway network needs to be provided for the future forecasts with and without the project. VEN-30

- An illustration of the lane configuration assumptions at the study intersections for existing and future conditions would assist in identifying the feasibility of the proposed mitigation measures. VEN-31

- Please indicate what assumptions were made with regard to the roadways in Ventura for the future year 2020. VEN-32

- Correct Table 4.7-9 as follows: VEN-33

- Northbound US-101 at the Santa Clara Bridge during the AM peak hour as LOS D for with Project traffic conditions;
- Southbound US-101 at the Santa Clara Bridge during the AM peak hour as LOS D for with Project traffic conditions;
- Southbound US-101 at the Santa Clara Bridge during the PM peak hour as LOS C for without Project traffic conditions;
- Northbound US-101 between Route 1 and Vineyard Avenue during the PM peak hour as LOS E for with Project traffic conditions;
- Northbound US-101 between Vineyard Avenue and Rose Avenue during the AM peak hour as LOS D for with Project traffic conditions; VEN-33
- Southbound US-101 between Vineyard Avenue and Rose Avenue during the PM peak hour as LOS D for without Project traffic conditions;
- LOS B for Oxnard Boulevard between Vineyard Avenue and US-101 for both northbound and southbound during both peak hours;
- Northbound US-101 south of Central Avenue during the PM peak hour as LOS E for both with and without Project traffic conditions;
- Southbound US-101 south of Central Avenue during the AM peak hour as LOS D for both with and without Project traffic conditions.

Consistency with Relevant Transportation Plans and Policies

- Please provide the traffic model run data for the Kimball Road crossing of the Santa Clara River for review. VEN-34
- Appendix A of the Traffic Study states on Page A-1 that specific arrangements have been made so that the future bridge would be connected as the fourth leg at the Ventura Road/Santa Clara River Boulevard intersection and that this arrangement would not prevent the bridge from being built. The City of Ventura requests that the possible connection of the future Kimball Road crossing, if it occurs, be ensured through a reservation of the needed right-of-way. VEN-35

MITIGATION MEASURES

- Please note that the proposed mitigation measure at the Johnson Drive and North Bank Drive intersection as shown in Table 4.7-10(b) does not meet the City VEN-36

of Oxnard's requirement that improvements be implemented by a project to mitigate any impacts by restoring operating conditions to pre-operating conditions at intersections outside of the jurisdiction and control of the City of Oxnard and County of Ventura. VEN-36

ALTERNATIVES

Transportation & Circulation

- Please provide a break down of the land uses and trip generation for the 4.4 million square feet of commercial and public facilities uses in the Oxnard Town Center Specific Plan. VEN-37

WATER QUALITY

The DEIR indicates on page S-2, paragraph 1 that RiverPark Area 'B' contains an existing sand and gravel mine, and that the County of Ventura has approved a reclamation plan for this mine site that required the existing pits to be partially filled. This approved reclamation plan in not identified or discussed in Section 4.5 (Water Resources), Local Water Quality Planning. Additionally, project consistency/ inconsistency with this approved plan is also not analyzed in the DEIR. VEN-38

The DEIR indicates on page S-3, paragraph 1 that the Specific Plan designates the reclaimed mine pits to be used by the UWCD as water storage and recharge basins at some future date. As a project component, these facilities are critical to the mitigation or avoidance of significant impacts associated with water quality and water supply. Due to the fact that the implementation of this component of the proposed project is uncertain, a worst-case analysis of the proposed project impacts on water quality and water supply should be completed without the proposed water storage and recharge basins. VEN-39

Page 3.0.39, last paragraph of the DEIR indicates that the UWCD will serve as the Lead Agency for any required environmental review of the use of the mine pits for water storage and recharge basins. The DEIR should identify the agencies that would be involved with the approval of this critical element of the proposed project, the types of approvals required, and potential requirements that may modify the capacity or characteristics of these features which may reduce their potential to mitigate potential project impacts to less than significant levels. The potential exists for the proposed project to be approved and the environmental review and agency processing of the proposed water storage and recharge basins to extend well beyond the commercial and/or residential elements of the proposed project being constructed and occupied. VEN-40

The DEIR indicates that the UWCD would be allowed to use the water storage and recharge basins. Should the UWCD choose not to utilize these facilities, what agency/authority would then implement, operate and maintain these proposed project elements? VEN-41

WATER SUPPLY

The DEIR's treatment of impacts on local and regional water supplies needs more expansive discussion and clarification. There are potentially significant impacts that need, at a minimum, to be properly evaluated and have mitigation measures provided. The DEIR's basic assumptions about available water supply are at best, overly optimistic, any may be unfounded. Assumptions are made regarding the availability of water that depend on the City's "pursuing a variety of water service programs" and acquiring "additional groundwater pumping credits" (see, p. 4.11.2-6) all of which may or may not materialize as apparently hoped.

The project's admitted shortfall of 255 acre feet is explained away on page 4.11.2-12 by reliance on the yet-to-be implemented "GREAT" program. There are a variety of problems with that conclusion. To begin with, it assumes that the GREAT program is a "given" - that it will be adopted, implemented, and will perform as predicted. In the absence of any substantial evidence to support such a premise, only those portions of the project for which a "sufficient water supply" as defined by SB 221 is demonstrated to be available can be approved. Moreover, making the future course of development of the River Park project dependent on implementation of the GREAT program links the potential environmental impacts of those two projects in a manner that requires further analysis of their cumulative effects. Given the DEIR's lack of description of the analytical assumptions of the "GREAT" program and any evaluation in even summary fashion of its environmental impacts, the decision-makers and the public are deprived of adequate information regarding the potentially far-reaching impacts of the River Park project on area water supplies. VEN-42

At a minimum, the River Park project needs to have a "phasing" mitigation measure imposed to provide that, unless and until a "sufficient water supply" for individual portions of the project is verified in accordance with SB 221, no subdivision maps, permits, or related approvals may be issued by any decision-making authority for that portion or the project. The preferred mitigation measure in this instance would be a "reduced-density" alternative similar to that evaluated in Section 5 of the DEIR. The 255-acre foot shortfall alone represents the equivalent of about 2000 persons (or 500 four-person households) and/or an equivalent intensity of commercial uses. The preferred mitigation measure is the downsizing of the project by reducing the project's buildout population, reducing the number and intensity of commercial uses, or some combination of the two as required to adequately mitigate the project's water consumption and enable the project to comply with SB 221.

The DEIR contends at page 5.0-40 that the "reduced-density" alternative (as well as the other environmentally superior alternative- the River Park "A" only alternative) "would not be financially feasible." Two things stand out about that conclusory statement: (1) in order for the decision -makers to reject any environmentally superior alternative as financially infeasible, it is not sufficient to show that the proposed alternative is merely more expensive or less profitable. Rather, the additional costs or lower profitability must be demonstrably severe enough to render it completely impractical to proceed with the project. In spite of the representations made in the DEIR as stated on page 5.0-40, such a degree of severity is not demonstrated or supported by the purported explanation in the DEIR's appendix which consists of no more than a table of conclusory dollar amounts without accompanying background figures or calculations; (2) given the admitted lack of currently identifiable sources of a "sufficient water supply" as defined by SB 221, it is the proposed project, not the environmentally superior alternatives described in Section 5, that is infeasible. VEN-43

CONCLUSION

The DEIR needs considerable augmentation in order to adequately serve as an informational document for decision-makers and the public in accordance with CEQA. All the missing items of information cited above, including, but not limited to, the components of adequate traffic impact and water supply analyses, need to be added to the DEIR as well as the proposed mitigation measures described above [relating to biology, housing, recreation, transportation and circulation, water quality and water supply]. The addition of this required additional data and material, the corresponding evaluation thereof, and the development of the new mitigation measures required to adequately address all potential environmental impacts described above (as well as those impacts discovered by the additional analysis) will undoubtedly comprise "significant new information" as defined by Public Resources Code 21092.1 and State CEQA Guidelines Section 15088.5 and will, thereby, require the recirculation of the DEIR for review by public agencies and interested members of the public before the EIR can be certified. VEN-44

Further, the notable lack of information in the current DIER as outlined above means that the DEIR as originally circulated is, in the words of Guidelines Section 15088.5, "fundamentally and basically inadequate and conclusory in nature" and as a result "meaningful public review and comment were precluded." Meaningful public review will only occur when the missing information, analysis, and related mitigation measures are added to the DEIR and the revised document is recirculated. The City of Ventura strongly suggests that, upon recirculation, the required additional review period be the full 45 days generally required for projects of regional or statewide significance. VEN-45

Again, the City of Ventura appreciates the opportunity to provide comments on the DEIR for this regionally significant project. Please contact me at 654-7727 if you have any questions regarding these comments on the DEIR for the RiverPark Project.

Sincerely,

Paul Calderwood
Senior Planner

C: Donna Landeros, City Manager
Susan J. Daluddung, Community Development Director
Dennis Mackay, Planning Manager
Jim Neuerburg, Assistant City Attorney
Everett Millais, Local Agency Formation Commission
Christopher Stephens, County of Ventura

Attachment

City of San Buenaventura (VEN)

VEN-1

UWCD is proposing to use the reclaimed mine pits to store water it is currently permitted to divert from the Santa Clara River. At present, UWCD is permitted by the State Water Resources Control Board to divert up to 375 cubic feet per second of Santa Clara River water, up to an annual amount of 144,630 Acre-Feet per Year (AFY). An EIR/EIS for the construction of the Freeman Diversion Structure and the diversion of water in the amount allowed by the current permit was previously prepared. As discussed on page 3.0-16 of the Draft EIR Environmental Setting section, UWCD does not currently divert all the water allowed under the current permit due to the limited capacity of its existing spreading grounds. The use of the reclaimed mine pits in the Specific Plan Area to store diverted water is proposed to allow UWCD to divert more of the water it is allowed to divert under the existing permit. Based on historical rainfall and streamflow data, UWCD estimated that an average of 7,022 AFY of additional Santa Clara River water could have been diverted over the 20 year historical period used for the water resources analysis in the EIR. This estimate was based on the existing permit conditions, which allow no more than 144,630 AFY to be diverted per year, a maximum of 375 cubic feet per second to be diverted and the assumption that the pits could accommodate no more than 15,000 AFY. As there will be no increase in the amount of water diverted above the amount already permitted, no analysis of the potential for impacts to biological resources in the Santa Clara River is necessary or warranted.

VEN-2

As discussed in the response to comment VEN-1 above, all water diverted by UWCD to the mine pits within the Specific Plan Area will be within the limits established by the current permit approved by the State Water Resources Control Board. As there will be no increase in the amount of water diverted above the amount already permitted, no analysis of the potential for impacts to biological resources in the Santa Clara River is necessary or warranted.

VEN-3

The combination of fences, distance, existing and planned landscaping and vertical grade changes will combine to form an effective barrier to the movement of domestic animals from the proposed residential areas in RiverPark Area 'B' to the Santa Clara River. This edge condition is unique and not similar in character to other urban settings. The horizontal distance between the bottom of the levee and the proposed residential uses will vary from approximately 150 to 600 feet. More importantly, the vertical

distance from the bottom of the levee to the top averages 19 feet along the edge of the project site. The face of the levee is smooth earth at a slope of 4:1. The vertical distance from the top of the levee to the proposed residential areas varies from 6 feet to 16 feet. There is an existing security fence along the edge of the Ventura County Flood Control easement area that contains the levee that, by itself, will serve to keep domestic animals away from the river.

As described on page 3.0-12 and 3.0-13 of the Draft EIR Project Description Section, the landscape master plan in the proposed RiverPark Specific Plan includes the establishment of a linear landscaped riparian edge, composed of native vegetation communities, is proposed along the western edge of the Specific Plan Area in RiverPark Area 'B'. The goal of this native landscape edge is to create a multi-layered habitat that utilizes native vegetation communities to attract and support a wide range of wildlife species, especially birds. Selected tree species, including Fremont Cottonwoods, black cottonwoods, red willow, and native willows are proposed between the existing river levee and the proposed residential uses. A dry swale for the treatment of runoff from the project will be incorporated into this new riparian corridor. This new landscaping within the Specific Plan Area will add to the obstacles between the proposed residential uses and the Santa Clara River. As evidenced by this information, substantial obstacles will exist that will form an effective barrier against domestic animal movement to the Santa Clara River.

VEN-4

The potential for residents of the proposed project to gain access to the Santa Clara River is limited by the existing and planned physical characteristics of the area between the river and the proposed residential uses, as described above in the response to the previous comment. No significant indirect impacts to natural resources in the river from the residents of the project will result. In addition, the proposed Specific Plan provides a variety of active and passive open space amenities for use by residents, as shown on Figure 4.2-9, Open Space Master Plan, in the Draft EIR. Trails around the reclaimed mine pits are included in the open space network as shown in Figure 3.0-6 in the Draft EIR. These trails and other amenities will reduce the incentive for residents to try to access the river by providing alternative recreational opportunities. Please note that some level of managed human activity along this portion of the river is a component of regional plans for the Santa Clara River. The establishment of a regional trail along the existing levee has been discussed in the past and, for this reason, potential connections to a future river trail are provided from the proposed RiverPark trail system, as shown on Figure 4.2-9, Open Space. Establishment of a public trail system along this portion of the Santa Clara River is a feature of the proposed Santa Clara River Parkway and consistent with the recommendations of the Santa Clara River Enhancement Plan Steering Committee as discussed on page 2.0-12 of the Draft EIR. This planned trail

and management of human activity along the river will also serve to prevent any impacts from residents of the project on natural resources in the river.

VEN-5

As stated in this comment, the Draft EIR includes analysis of the consistency of the project with applicable demographic projections, including population, housing and employment forecasts for the region adopted by the Southern California Association of Governments (SCAG). SCAG submitted a comment letter on the Draft EIR in which SCAG states that the analysis in the EIR of the consistency of the project with regional plans and policies, including applicable demographic projections, is complete and adequate. The SCAG letter reads:

"The Draft EIR includes a discussion on the proposed Projects' consistency with SCAG policies and applicable regional plans, which were outlined in our May 19, 2000 letter on the Notice of Preparation (NOP) for this Draft EIR. The Draft EIR cited SCAG policies and addressed the manner in which the proposed Project is consistent with applicable core policies and supportive of applicable ancillary policies. This approach and support of SCAG policies is commendable and we appreciate your efforts."

This comment questions whether the conclusion reached on page 4.1-36 of the Draft EIR that the proposed RiverPark Project is consistent with applicable policies of the RCPG is supported by sufficient information. The 46 page Land Use Planning, Programs and Policies Section of the Draft EIR includes, and analyzes, the consistency of the project with adopted growth forecasts for the City of Oxnard and the County of Ventura. Consistency of the population and employment growth associated with project with the SCAG population, housing and employment forecasts for the City of Oxnard is presented on page 4.1-33. This analysis supports the conclusions made that the RiverPark project is consistent with the applicable policies of the SCAG RCPG.

VEN-6

The phasing plan included in the proposed RiverPark Specific Plan is described on pages 3.0-32 and 3.0-33 of the Draft EIR. As described in these pages, the RiverPark Specific Plan contains a phasing plan for infrastructure but no phasing plan for the permitted development. The first phase of the infrastructure phasing plan addresses the southern portion of the Specific Plan Area (RiverPark Area 'A') while the second phase addresses the northern portion of the Specific Plan Area (RiverPark Area 'B'). While the infrastructure in the southern portion of the Specific Plan Area will be built first, the second phase could be built at any time following completion of the first phase. Any of the permitted commercial or residential development would be allowed to be built in response to market demands.

This comment states that the analysis in the Draft EIR assumes that once the proposed project is completely built the housing needs of the employees associated with the proposed commercial development would be fully met by the residential uses included in the project. The Draft EIR analyzes the consistency of the proposed commercial and residential uses with adopted regional growth projections and the goals of the Oxnard *2020 General Plan*, including the Housing Element. As discussed on pages 4.1-21 and 4.1-22 of the Draft EIR, the RiverPark Specific Plan would provide a variety of housing types consistent with the goals of the Oxnard Housing Element, including affordable housing. The RiverPark Specific Plan would require 15 percent of the total number of housing units built to be affordable. The conclusion of the analysis in the Draft EIR is that the project is consistent with these growth projections and the goals of the Oxnard *2020 General Plan*.

Please note that it is not an objective of the RiverPark Specific Plan, or an assumption of the Draft EIR, that the housing allowed by the RiverPark Specific Plan will fully meet all the housing needs of the employees associated with the commercial development. The proposed RiverPark Specific Plan will improve the overall balance of jobs to housing for the City of Oxnard by adding 2,805 new housing units in the northern part of the City while reducing the amount of jobs generated in this same area. The existing Oxnard Town Center Specific Plan, which applies to most of RiverPark Area 'A', allows development of up to 4.4 million square feet of commercial development, which would generate 11,460 employment opportunities. The Oxnard Town Center Specific Plan provides no housing. By replacing the Oxnard Town Center Specific Plan with the RiverPark Specific Plan, which will generate 5,370 employment opportunities, the City will increase housing opportunities in the northern portion of the City by 2,805 units while reducing jobs in this same area by 6,090. The RiverPark Specific Plan includes a variety of commercial uses, including office, hotel, and retail commercial uses, as well as a variety of housing types, including multi-family and single-family units to match the range of jobs to be generated by the commercial uses.

On a citywide scale, this change in the number of jobs and housing in the northern portion of the City will improve the overall balance of jobs and housing. While numeric standards for the balance of jobs and housing have been previously considered in regional planning efforts, there are no adopted standards at this time. With regard to the topic of jobs/housing balance, the Growth Management Element of the SCAG RCPG currently states:

"Jobs/housing balance, as a growth management and mobility strategy, and as a Transportation Control Measure, has been difficult to implement regionally, and has been the subject of numerous regional debates. The extent of its efficacy in reducing congestion and emissions of air pollutants has been questioned. "

The SCAG RCPG Growth Management Element does not contain any numerical standards or targets for the balance of jobs and housing in an area. The following policy is included in the Growth Management Element of the RCPG:

"SCAG shall support provisions and incentives created by local jurisdictions to attract growth in job rich subregions and job growth in housing rich subregions."

While no adopted numeric standard for jobs/housing balance exists at this time, discussion of appropriate balances has been considered previously. One study that addressed the appropriateness of numerical targets for measuring the balance of jobs and housing was the Vehicle Miles Traveled Reduction Final Report produced in 1995 by the County of Ventura Planning Department for the Ventura Council of Governments. This study was funded by SCAG.

Page 3-5 of this report discusses jobs/housing balance measures. This discussion reads as follows:

"The jobs/housing ratio for the 6-county SCAG region is 1.21 (i.e., 1.21 jobs per dwelling unit). This number represents a jobs/housing "equilibrium" or balance within the SCAG region." "Although a quantitative measure has limitations, this study has used the SCAG region's job/housing ratio of 1.21 as a suggested *guideline* for comparing jobs and housing in the VCOG Subregion. Because the literature suggests there is disagreement as to what constitutes an appropriate "balance" ratio, staff employed a numerical range that features a 10% latitude above and below the SCAG "benchmark" ratio (i.e., the suggested balance range for the VCOG Subregion could be 1.10:1 to 1.34:1). A ratio lower than 1.10:1 represents excess housing ("housing rich"), and a ratio higher than 1.34:1 would mean excess jobs ("jobs-rich"). The 10% latitude factor is consistent with other literature and studies such as previous SCAG studies and the Ahmanson Ranch Specific Plan/EIR documents."

As presented in Table 4.1-5 in the Draft EIR Land Use section, the adopted SCAG demographic projections for the City of Oxnard for the year 2020 are for the City to have 55,000 residences and 75,800 jobs. The resulting jobs/housing ratio projected for the City of Oxnard in the year 2020 is 1.38, which would be slightly higher than the 1.10:1 to 1.34:1 balance range identified previously by the County.

When adjustments are made to the 2020 housing and employment forecasts for Oxnard to reflect the reduction in jobs and increase in the number of housing units that would result from the adoption of the RiverPark Specific Plan, the resulting jobs/housing balance is 1.19, which is balanced based on the numerical threshold discussed above.

VEN-7

The Draft EIR describes and analyzes the proposed General Plan Amendment. The summary of the Draft EIR states, in the last paragraph on page S-3, that approval of several actions related to the proposed

Specific Plan are requested, including a general plan amendment. In addition to the discussion in the Summary section of the Draft EIR, the general plan amendment is fully described on pages 3.0-34 and 3.0-35 of the Draft EIR Project Description Section. As presented on these pages, the general plan amendment includes changes to the current land use designations for the Specific Plan Area on the *2020 General Plan* Land Use Map, minor changes to the definition of two of the land use designations defined in the Land Use Element of the Oxnard *2020 General Plan* and minor changes to one objective and two policies in the Open Space and Conservation Element related to mineral resources. Again, these changes were determined to be consistent with the relevant goals, objectives and policies of the Oxnard *2020 General Plan*. The statement on page S-4 excerpted in this comment refers to the consistency of the RiverPark Project as proposed, inclusive of the proposed general plan amendment. The analysis in Section 4.1, Land Use Planning, Programs & Policies, demonstrates that all components of the project, including the general plan amendment, are consistent with the goals of the Oxnard *2020 General Plan*.

VEN-8

The Draft EIR discusses parks and recreation facilities in the City of Ventura where this discussion is relevant to the discussion of potential significant impacts. For example, this comment does not note that Section 4.2, Aesthetics, of the Draft EIR includes a description of the linear parks along the eastern edge of the City of Ventura identified in the Ventura Comprehensive Plan. Specifically, a description of these linear parks is provided on pages 4.2-4 and 4.2-22 and 4.2-23 of the Draft EIR. This section includes an analysis of this planned system of linear parks in Ventura and views from these parks that include the project site. This analysis includes a photograph showing the view from this part of east Ventura and a photo-simulation showing how this view would change with the project. The conclusion of this analysis is that the RiverPark Project will not result in a significant adverse change to views from this linear park system. This example demonstrates that the Draft EIR discusses parks and recreation facilities in the City of Ventura where relevant.

This comment includes a partial quotation of Section 15125 (c) of the CEQA *Guidelines*. This section reads:

"Knowledge of the regional setting in critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region that would be affected by the project."

This comment quotes the first sentence in this section of the CEQA *Guidelines* but not the second. As can be seen by reading both sentences, the orientation of this section is on rare and unique resources in the region. An example of a rare and unique regional resource that is addressed in the Draft EIR consistent with this section of the CEQA *Guidelines* is the Santa Clara River. Parks and recreation facilities in Ventura do not constitute rare or unique regional resources, nor are they likely to be affected by the project.

Section 15125 (a) of the CEQA *Guidelines* reads:

"The description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project..."

The discussion of parks facilities relevant to gaining an understanding of the significant effects of the potential impacts of the project on parks is provided. The environmental setting portion of Section 4.10.4, Parks and Recreation, of the Draft EIR includes a description of the City of Oxnard's park classification system and park planning standards. As the City presently does not have any park facilities in the El Rio area, no discussion of existing park facilities is provided. The environmental setting portion of the parks section is the Draft EIR is adequate and sufficient to address the impacts of the project. As the discussion below demonstrates, sufficient park facilities are provided within the Specific Plan Area and the City of Oxnard to meet the needs of the future residents of the Specific Plan Area. For this reason, there will be little incentive for residents of RiverPark to travel to Ventura to meet their recreational needs. There will be no significant impacts on parks facilities in Ventura and no need, therefore, to describe existing and planned parks in Ventura in the EIR.

This comment is based on the assumption that residents of RiverPark will use parks in Ventura based solely on the proximity of these facilities to RiverPark. The distances provided to the parks in Ventura mentioned in this comment are straight line "point to point" distances rather than the actual distances residents of RiverPark would need to travel on streets and the Ventura Freeway to these park facilities in Ventura.

Figure 2-1 on the following page shows the four park facilities in Ventura mentioned in this comment in relation to the RiverPark Specific Plan Area. As shown in this exhibit, the Santa Clara River is a barrier between RiverPark and the east Ventura. The Ventura Freeway is the only connection between Oxnard and Ventura in the vicinity of the Specific Plan Area. As shown on this exhibit, two of the park facilities identified in this comment, Barranca Vista and Junipero Serra Parks, are small neighborhood parks located within residential neighborhoods within Ventura. Residents of RiverPark would not travel 1.2 miles to reach Barranca Vista Park or .75 miles to Junipero Serra Park as indicated in this comment. Residents of RiverPark would need to take Oxnard Boulevard or Vineyard Avenue to the Ventura Freeway to Johnson Drive in Ventura to access these parks. The actual travel distance to Barranca Vista Park would be 2.9 miles and the distance to Junipero Serra Park would be 3.6 miles. These neighborhood parks in Ventura are neither conveniently located or close enough to be attractive to residents of RiverPark.

FIGURE **2-1**

Surrounding Parks

The RiverPark Specific Plan includes a variety of park facilities including three neighborhood parks and smaller open spaces adjacent to the planned residential neighborhoods to meet neighborhood park needs, as shown on the exhibit preceding this page. The City's park planning standard, as defined in the General Plan Parks and Recreation Element and discussed in Section 4.10.4, Parks and Recreation, of the Draft EIR, is 1.5 acres of neighborhood park space and 1.5 acres of community park land for each 1,000 residents. Based on this standard, approximately 11 acres of neighborhood park land and 11 acres of community park land is required to meet the needs of the residents of RiverPark. As originally proposed and assessed in the Draft EIR, the RiverPark Specific Plan included 13 acres of neighborhood park land in three neighborhood parks located in the southern, central and northern portions of the Specific Plan Area in residential neighborhoods. These neighborhood parks were distributed throughout the community to ensure that neighborhood park space is within easy walking distance of all residential areas. Access to these parks will be enhanced by the pedestrian and bicycle network planned throughout the community.

Based on review of the Draft Specific Plan by the staff of the Oxnard Parks and Recreation Department, the size of these three neighborhood parks has been increased. The park in Planning District F, located next to the existing El Rio West Neighborhood, has been increased in size to 7.4 acres, the park in Planning District J has been increased in size to 6.1 acres, and the park in Planning District has been increased in size to 6.4 acres. The amount of neighborhood parkland in these three neighborhood parks is 19.9 acres. When the 3.3-acre neighborhood park in Planning District H is added, the total amount of neighborhood park space in these four parks is 23.3 acres. This amount of neighborhood park space is over twice the 11 acres required under the City's park planning standards for the 7,220 residents projected for the project.

Given the proximity and sufficiency of neighborhood parks in the RiverPark Specific Plan Area, there will not be any necessity or incentive for residents of RiverPark to travel by car to neighborhood parks in east Ventura. Discussion of the two neighborhood parks in Ventura in the EIR, therefore, is not necessary to address the impacts of the project on neighborhood parks.

With regard to community park land, the Specific Plan also provides community playfields in conjunction with the two school sites that will be available for public use outside of school hours. A minimum of 12 acres of community playfields will be provided on these two school sites, an amount that exceeds the 11 acres required under the City's park planning standards. In addition to these community playfields, the RiverPark Specific Plan provides other park and spaces that do not meet the definition of neighborhood or community park space in the Oxnard *2020 General Plan* Parks and Recreation Element. These facilities, including a network of trails around the community, will help meet the parks and

recreation needs of residents of the area. Again, given the sufficiency and proximity of these facilities, there is no incentive for residents of RiverPark to travel 4.1 miles to the planned Ventura Community Park. Please note that while this comment indicates the Ventura Community Park is located 2.1 miles from the RiverPark Specific Plan Area, the actual travel distance from the residential portion of RiverPark would be 4.1 miles. It should be noted that the Ventura Community Park, while recently approved, has not yet been built. This comment notes that use of parks in Ventura is not restricted to use by residents of Ventura. The same is true, of course, of parks in Oxnard. Community parks are generally used for organized recreational activities, such as sports leagues. It would by typical for residents of Oxnard and Ventura to participate in leagues organized within their communities. This further reduces the likelihood that residents of RiverPark will significantly impact a planned regional park located 4.1 miles away in Ventura. Discussion of the planned regional park in Ventura is not required, therefore, to address the impacts of the RiverPark Project on community and regional park facilities.

This comment also mentions the San Buenaventura Golf Course. Residents of RiverPark would need to take the Ventura Freeway to Victoria Avenue and travel south to Olivas Park Drive and to access this golf course. This travel distance would be 3.4 miles, as opposed to the 1.06 miles referenced in this comment. This comment does not mention that the City of Oxnard owns and operates the RiverRidge Golf Course on Vineyard Avenue between Ventura Road and Victoria Avenue. This course is open to the public and the City recently approved a Specific Plan that will allow this 18-hole course to be expanded to 36-holes. Residents of RiverPark could take Ventura Road, Oxnard Boulevard or Vineyard Avenue to reach the RiverRidge Golf Course. The travel distance to the RiverRidge course would be approximately 2.3 miles as opposed to the 3.4 miles distance to the San Buenaventura Golf Course. As the RiverRidge Golf Course will have a greater capacity than the San Buenaventura Golf Course with two 18-hole courses, will be located closer to the residents of RiverPark, and can be accessed via major streets without the necessity for freeway travel, there will be little incentive for residents to use the San Buenaventura Golf Course on a regular basis. Again, as no significant impact to the San Buenaventura Golf Course will result from the RiverPark Project, discussion of this golf course in Ventura is not required in the EIR.

The conclusion of the analysis in the Draft EIR is that the RiverPark Project will not result in a significant impact on parks facilities. The additional information presented in this response supports this conclusion. For this reason, the additional information presented in this response does not constitute significant new information.

VEN-9

The description of Johnson Drive on page 4.7-9 of the Draft EIR is revised to read as follows:

Johnson Drive

Johnson Drive is an arterial that extends in a north-south direction in Ventura. Johnson Drive provides access to the Ventura Freeway southbound on and off ramps located immediately to the north of the Santa Clara River Bridge. This roadway extends north from the Ventura Freeway ramps for approximately two miles where it terminates south of SR-126. ~~The Johnson Drive interchange is being reconstructed and the freeway ramps aligned as a full interchange as part of a separate interchange reconstruction project.~~ Recent interim improvements have been made to the Johnson Drive interchange with the Ventura Freeway and preliminary concepts for the proposed ultimate interchange improvements have been developed.

These revisions do not affect the conclusions of the traffic analysis.

VEN-10

The description of Victoria Avenue on page 4.7-10 of the Draft EIR is revised to read as follows:

Victoria Avenue

Victoria Avenue generally extends in a north-south direction. Victoria Avenue is a four-lane roadway between Valentine Road and Olivas Park Drive, provides five lanes between Ventura Freeway and Valentine Road and is an eight ~~six~~ lane roadway between Webster Street and Ventura Freeway.

This revision does not affect the conclusions of the traffic analysis.

VEN-11

All intersections with 50 or more hourly trips from the RiverPark Project were analyzed, regardless of the jurisdiction they were located in, consistent with the City of Oxnard traffic study standards. Project impacts were analyzed using standard modeling procedures (see Appendix 4.7, pages 35 and 36 in Volume III of the Draft EIR for a description of modeling procedures). To summarize, the traffic volume

growth projected with the Specific Plan development was compared to the traffic volume growth without the Specific Plan.

The volume to capacity ratio was then evaluated, the project impacts were determined and the significance criteria was applied to the traffic impacts at each study intersection. (see Table 4.7-8 on page 4.7-29). On this basis, the location, magnitude and significance of impacts was determined.

All intersections with 50 or more project trips from a separate select link analysis were included per City of Oxnard traffic study standards. City of Ventura standards were reviewed and deemed not applicable or adequate for the following reasons:

- Project traffic impacts are defined as the traffic volumes which will occur with the project compared to those volumes without the project. The project does not propose to add any land uses to the City of Ventura and will be separated from the City of Ventura by the Santa Clara River. The trip generation and roadway network in the City of Ventura would be unchanged by the Specific Plan. Thus, except for potential redirection of trips already generated by land uses in Ventura, traffic impacts would be minimal, as demonstrated by the traffic modeling included in the Draft EIR.
- The City of Oxnard criteria was used to determine all locations where significant traffic impacts may occur.
- The criterion listed in the guidelines is not appropriate for a project such as the Specific Plan that would not directly affect traffic conditions in Ventura.

As demonstrated by the traffic modeling included in the Draft EIR, traffic from the RiverPark project would impact only one of the eight intersections analyzed in the City of Ventura, as shown in Table 4.7-8(b) on page 4.7-30 in the Draft EIR. Analysis of additional intersections in Ventura is not warranted, as too few trips from RiverPark would use these intersections to result in any significant impacts.

VEN-12

The intersection of North Bank Drive at Johnson Drive is included as a study intersection, as shown in Table 4.7-8(b) on page 4.7-30 in the Draft EIR. This intersection is identified in this table as study intersection number 33. Northbound U.S. 101 traffic exiting at Johnson Drive utilizes this intersection since the northbound ramps continue as North Bank Drive (no other intersection of Johnson Drive/U.S. 101 northbound ramps exists).

VEN-13

Within the Specific Plan Area, where roadway width requirements are being set, the Specific Plan document sets designations considering daily volumes. However, the worst case surface street conditions occur during peak hours at intersections. The EIR analyzes intersection conditions during peak hours, identifies significant impacts and recommends traffic mitigation measures. The peak hour intersection analysis is presented in Tables 4.7-8 (a) and 4.7-8 (b) in the Draft EIR. Traffic conditions during the remainder of the day (i.e., during off-peak conditions) will be better, so further analysis is not necessary to identify significant impacts.

VEN-14

The volumes identified in this comment have been modified and Tables 4.7-2(b) and 4.7-8(b) have been updated as follows:

Table 4.7-2(b)
Intersection Volume/Capacity Summary – Existing Conditions (2000)
City of Ventura Intersections

No.	Intersection	AM Peak Hour		PM Peak Hour	
		V/C	LOS	V/C	LOS
29	U.S. 101 Southbound Ramps & Valentine Road	0.158	A	0.410	A
30	Victoria Ave. & Valentine Rd.	0.345	A	0.587	A

Table 4.7-8(b)
Intersection Volume/Capacity Summary – Future Peak Hour Traffic Conditions (2020)
City of Ventura Intersections

No.	Intersection	Hour	Without Project		With Project		Impact
			V/C	LOS	V/C	LOS	
29	U.S. 101 Southbound	AM	0.193	A	0.194	A	+0.001
		PM	0.500	A	0.532	A	+0.032
30	Victoria Ave. & Valentine Rd.	AM	0.512	A	0.515	A	+0.003
		PM	0.871	D	0.874	D	+0.003

These updates do not affect any of the conclusions of the traffic study.

VEN-15

The changes requested in this comment have been made to **Table 4.7-4**.

Table 4.7-4
Existing (2000) Freeway Volumes and Level of Service

Freeway Segment	Dir.	Peak Hour	Freeway Capacity	Daily Volume	Peak Hour Volume	D/C Ratio	LOS
US 101 at the Santa Clara River Bridge	N/B	AM	6,000	158,100	6,990	1.165	F(0)
		PM	6,000		7,110	1.185	F(0)
	S/B	AM	8,000		5,530	0.691	C
		PM	8,000		6,270	0.784	D
US 101 between Route 1 and Vineyard Avenue	N/B	AM	6,000	122,400	5,410	0.902	E
		PM	6,000		5,510	0.918	E
	S/B	AM	6,000		4,280	0.713	C
		PM	6,000		4,850	0.808	E
US 101 between Vineyard Avenue and Rose Avenue	N/B	AM	6,000	132,600	5,860	0.977	E
		PM	6,000		5,970	0.995	E
	S/B	AM	6,000		4,640	0.773	D
		PM	6,000		5,260	0.877	E
Oxnard Blvd. (Route 1) between Vineyard Avenue and US 101	N/B	AM	4,000	26,500	1,010	0.253	A
		PM	4,000		1,060	0.265	A
	S/B	AM	4,000		910	0.228	A
		PM	4,000		1,200	0.300	A
US 101 south of Central Avenue	N/B	AM	6,000	140,000	5,960	0.993	E
		PM	6,000		6,170	1.028	F(0)
	S/B	AM	6,000		4,720	0.787	D
		PM	6,000		5,430	0.905	E

These changes do not change any of the conclusions of the traffic study.

VEN-16

All traffic model data is available for public review at the City of Oxnard, Department of Public Works. Standard modeling procedures were used. The Oxnard Traffic model was run for several different scenarios. As outlined in the project traffic study, contained in Appendix 4.7 of the Draft EIR, separate model runs were conducted for no further development (no project) within the Specific Plan Area, but continuing development outside the Specific Plan Area. This formed the baseline for all impact analyses. In addition, the project roadways and development was added to form the "With Project" scenario and determine project impacts. Likewise, the proposed Specific Plan and a potential future extension of Kimball Road across the Santa Clara River were evaluated using the standard City of Oxnard model. These are included as Appendix A and B of the traffic study in Volume III of the EIR. Further

documentation of the study model is provided on pages 35 and 36 of the project Traffic Study in Appendix 4.7 of the Draft EIR. It should be noted that the City of Oxnard's traffic model includes a number of traffic analysis zones in Ventura that include most of the city. For this reason, the Oxnard Traffic Model accurately distributes traffic to and from land uses in the City of Ventura and produces reliable information for use in the identification of traffic impacts in Oxnard and Ventura.

VEN-17

Comment noted. The City of Ventura standard is discussed above in the response to comment Ven-12. Also note that no program of improvements for meeting the Level of Service standard cited in this comment (or any other standard) has been adopted by the City of Ventura. Such an improvement program was available for those study intersections located in the City of Oxnard and County of Ventura. All deficiencies in the standards set for the study intersections in Oxnard or the County for the "With Project" scenario were carefully identified and mitigation measures recommended for inclusion in the program. Since no comparable program could be identified for the City of Ventura, project impacts in light of cumulative development were considered. Where a significant traffic impact was identified, a separate stand-above improvement measure was then identified for project implementation. It should also be noted that except for the intersection with the mitigation measure (Johnson Drive and North Bank Drive), all intersections would operate a Level of Service (LOS) D or better with the project. The majority of those intersections operating at LOS D would operate at that level of service with or without the project (2 out of 3 intersections). Thus, the criteria chosen by the City of Oxnard are considered both adequate and appropriate for the purpose of identifying significant traffic impacts.

VEN-18

The traffic analysis is internally consistent with the project description and, as demonstrated by Table 4.8-8 on page 28 of the traffic study, the traffic generation analysis is conservative.

VEN-19

Comment noted. The project analyses were within 29 trips of the highest potential PM peak hour generation for all zones. A maximum of 29 trips out of the over 9,800 PM peak hour trips analyzed (see Table 4.8-7 on page 27 of Appendix 4.7) will not result in any additional significant impacts. Therefore, the highest overall peak hour impact was analyzed.

VEN-20

Comment noted. The park/open space area includes detention basins that will not generate traffic. Modifying the average daily traffic as suggested in the comment would not alter study analyses or conclusions.

VEN-21

Comment noted. The industrial uses represent the most intensive use for the public facilities zone along Vineyard Avenue north of North Park Drive. This planning area would specifically allow the development of a fire station and administrative facilities for the Rio Elementary School District.

VEN-22

Office is an allowed use in District D. The traffic analyses contained the maximum (worst case) generation under the proposed specific plan as shown in Table 4.8-8.

VEN-23

Comment noted. A reduction in the number of multi-family dwelling units in District F will not increase potential impacts analyzed in the traffic study.

VEN-24

Please see the response to comment VEN-12 for a discussion of traffic study methodology and the response to comment VEN-17 for discussion of modeling data procedures and availability. The data included in Table 4.7-7 in the Draft EIR gives the distribution of trips produced by the model. This data is a summary of model results, rather than a "method." The traffic study methodology of comparing the "With Project" conditions to "Without Project" conditions was determined to adequately and accurately portray project and cumulative traffic impacts. A select zone analysis would not have identified all project traffic impacts, such as rerouted trips using the new project roadways, and, thus, would be misleading.

VEN-25

A comparison of Figures 4.8-8 and 4.8-7 with 4.8-6 and 4.8-5 shows the peak hour impacts of the project. The project will build new roadways and redistribute trips in addition to generating trips. Therefore, a select link analysis presentation was determined to be misleading for this analysis because it would not accurately portray trips added by the project to roadways in the area.

VEN-26

The standard City of Oxnard traffic model was utilized which reflects the mix of residential, commercial, school and other issues included in the RiverPark Specific Plan. When all trip purposes are considered, the trip distribution projected by the City of Oxnard model is reasonable. The City's traffic model is based on the Ventura County Transportation Commission (VCTC) model and uses standard modeling procedures. When the mixed-use character and the magnitude of the Specific Plan are considered, the proportion of project vehicle trips projected to remain within the Specific Plan Area by the City's traffic model is reasonable.

VEN-27

The Draft EIR evaluates the RiverPark Specific Plan as proposed. A phase one infrastructure plan is defined within the Specific Plan. The roadways included in the Specific Plan allows both for travel through the Specific Plan Area by cumulative traffic and for providing service throughout the study area. The phase one infrastructure plan addresses continuity rather than capacity. The roadways in the first phase of the infrastructure plan would support will be built to their ultimate planned width and would support and accommodate all of the permitted land uses in the first phase area. No analysis of the development allowed by this first phase of infrastructure is, therefore, warranted.

VEN-28

This comment is not specific as to which specific improvements would not be completed prior to 2020. The City of Oxnard traffic impact fee program will ensure that all roadway improvements will be provided as needed. In particular, the rebuilding of the U.S. 101 mainline and the Oxnard Boulevard interchange has already been designed and construction will begin shortly.

All other improvements will also be in place prior to build-out of the Specific Plan. Traffic impact fees will be paid to the City of Oxnard as individual development projects are built within the Specific Plan

Area. The responsibility of the City, County, and State to maintain acceptable conditions would not be altered by this project and it is reasonable to expect that they would maintain these standards given their existing programs. The Phase One improvements are called out in the Specific Plan only to make certain that a transportation backbone is provided for initial development of the project. This backbone system is provided to ensure the continuity of the roadway system, rather than in direct response to any level of service issues or impacts.

VEN-29

The greatest traffic impacts will occur at build-out of the Specific Plan. It is speculative to assume that the office and commercial uses would build-out before the residential development. Also, it should be noted that the second phase of the infrastructure phasing plan could be built at any time following completion of the first phase if there is market demand for the land served by the second phase of infrastructure. The infrastructure phasing plan only addresses the sequence in which the infrastructure will be built to support the permitted land uses. No development phasing is proposed. For this reason, it would be speculative to provide any "short-term" analysis as suggested in this comment. Please see the response to comment VEN-7 for a full discussion of the phasing plan. Please also see the response to comment VEN-28 above.

VEN-30

Please see the response to comment VEN-14. As stated in that response, peak hour conditions, which are analyzed in the Draft EIR, will be the most congested throughout the day and will determine the need for mitigation. Therefore, daily traffic volumes are not relevant for determining project impacts.

VEN-31

Comment noted. The lane configurations for each scenario at each study intersection are shown in Appendix C of the project traffic study, which is Appendix 4.8 in Volume III of the Draft EIR.

VEN-32

All of the assumed improvements to the regional highway system are discussed on pages 33 and 34 of the traffic study. The largest changes are the on-going improvements to the U.S. 101 freeway. Lane configuration assumptions are shown in Appendix C. No intersection improvements were assumed in the City of Ventura.

VEN-33

The modifications requested in this comment have been made as shown in the revised table following this page, but do not change the conclusions of the study.

VEN-34

Please see Appendix A of the traffic study for the traffic model run data for a Kimball Road crossing. This model run examines traffic conditions in the area with an extension of Kimball Road across the Santa Clara River connecting to Santa Clara River Boulevard as planned in the Specific Plan Area. First, it should be noted that the traffic analysis of the project demonstrates that acceptable levels of service can be maintained on roadways and at intersection in Ventura and Oxnard without the Kimball Road extension. A traffic model run with a bridge across the Santa Clara River in alignment with Kimball Road was provided in Appendix A to the Draft EIR. This model run shows that extending Kimball Road across the Santa Clara River would not result in any substantial improvement in the operating conditions of any of the roadways or intersections in the area or avoidance of any of the impacts of the RiverPark Project.

With regard to the future extension of Kimball Road, as shown on the City of Ventura Circulation Element, it is important to note that the Circulation Element of the City Of Oxnard General Plan has never provided for this roadway connection. In addition, the City of Ventura Comprehensive Plan and the Comprehensive Plan EIR do not include any information that justifies the need for this roadway extension. Kimball Road is identified on the Ventura Comprehensive Plan Circulation Map as a "Future Extension" of an arterial roadway as opposed to a "Future Widening" to be accomplished by the horizon year of the Ventura Comprehensive Plan. The extension of North Bank Drive north to the Kimball Road extension is also shown as this type of Future Extension on the Ventura Circulation Element Map. The Circulation Element text does not define the term "Future Extension." The only specific reference to roadway extensions is the text in Policy 1.2 under the heading Objective 1 - Long-Range Circulation Plan – in the Circulation Element, which reads:

"The long-range circulation system depicts proposed roadway extensions across agricultural lands. These proposed roadways are not intended to be extended until development which is consistent with the Comprehensive Plan occurs, or until they become necessary to accommodate traffic. Such roads should be designed as urban parkways."

Table 4.7-9
Future (2020) Freeway Volumes and Level of Service

CMP Station	Dir.	Peak Hour	Freeway Capacity	Future (2020) Without Project Traffic Conditions				Future (2020) With Project Traffic Conditions				
				Daily Volume	Peak Hour Volume	D/C Ratio	LOS	Daily Volume	Peak Hour Volume	D/C Ratio	LOS	Project Impact
US 101 at the Santa Clara River Bridge	N/B	AM	12,000	199,600	8,530	0.711	C	214,100	8,833	0.736	D	0.025
		PM	12,000		9,460	0.788	D		10,072	0.839	D	0.051
	S/B	AM	12,000		8,310	0.693	C		8,828	0.736	D	0.043
		PM	12,000		6,400	0.533	C		7,188	0.599	C	0.066
US 101 between Route 1 and Vineyard Avenue	N/B	AM	10,000	169,000	6,610	0.661	C	180,000	7,143	0.714	C	0.053
		PM	10,000		8,290	0.829	D		9,077	0.908	E	0.079
	S/B	AM	10,000		6,010	0.601	C		6,156	0.616	C	0.015
		PM	10,000		6,780	0.678	C		7,122	0.712	C	0.034
US 101 between Vineyard Avenue and Rose Avenue	N/B	AM	10,000	177,600	7,050	0.705	C	187,400	7,533	0.753	D	0.048
		PM	10,000		8,350	0.835	D		8,661	0.866	D	0.031
	S/B	AM	10,000		6,510	0.651	C		6,794	0.679	C	0.028
		PM	10,000		7,190	0.719	D		7,724	0.772	D	0.053
Oxnard Boulevard (Route 1) between Vineyard Ave. and US 101	N/B	AM	4,000	32,300	1,230	0.308	B	35,100	1,296	0.324	A	0.016
		PM	4,000		1,290	0.323	B		1,374	0.344	A	0.021
	S/B	AM	4,000		1,240	0.310	A		1,413	0.353	B	0.043
		PM	4,000		1,330	0.333	A		1,443	0.361	B	0.028
US 101 south of Central Avenue	N/B	AM	8,000	182,400	7,940	0.993	E	187,700	8,258	1.032	F(0)	0.039*
		PM	8,000		7,110	0.889	E		7,250	0.906	E	0.017
	S/B	AM	8,000		5,980	0.748	D		6,086	0.761	D	0.013
		PM	8,000		8,000	1.000	E		8,287	1.036	F(0)	0.036*

The Introduction to the Circulation Element states:

"The changes or increases in demands on the City's roadways and circulation system that may result from land use changes in implementing this Plan are described in the Traffic and Circulation Section (6.18) of the Master Environmental Impact Report for the Comprehensive Plan Update to the Year 2010 (April 1989). This section of the EIR is incorporated in this Plan by reference. The Circulation Plan Map reflects the analysis of impacts resulting from potential changes in land use"

The EIR for the City of Ventura Comprehensive Plan examined several land use alternatives for the Comprehensive Plan and concluded that the higher density alternatives would require more traffic capacity at the south edge of the City to reduce impacts on Johnson Drive. The lowest density land use alternative was adopted in the Comprehensive Plan, and this land use alternative would not require added capacity at the south edge of the City. Further, no actual traffic study was made of the benefits of the Kimball Road extension. Any benefit from the bridge was an assumed model input, rather than a demonstrated benefit shown by comprehensive traffic modeling. The traffic modeling included in the Comprehensive Plan EIR assumed volumes on the Kimball Road extension rather than modeling potential river crossing volumes southward until they come to a common cordon point. The assumptions made in the traffic analysis in the Comprehensive Plan EIR, do not, therefore, justify the need for the Kimball Road extension.

The City of Ventura placed the Kimball Road crossing as a future roadway extension on its Circulation Element Map. It should be noted that the alignment shown on the Circulation Element Map is not the same alignment considered in the traffic analysis in the Comprehensive Plan EIR. The alignment for the Kimball Road extension as shown on the Ventura Circulation Element Map and the County 2020 Roadway Network Map is shown on **Figure 2-2** on the following page. The alignment on the Ventura Circulation Element Map would extend across the open mine pits on the Hanson Aggregates Mine site and connect to Vineyard Avenue at the northern edge of the El Rio Residential Community. The traffic analysis in the Comprehensive Plan EIR considered an alignment further south. The information in the Comprehensive Plan EIR does not justify the current alignment for the Kimball Road extension as required by Policy 1.2 of the Ventura Circulation Element.

In order to fully assess the need for the Kimball Road extension, the City of Oxnard prepared a traffic model run with this roadway link which was provided in Appendix A of the River Park Specific Plan traffic study. This analysis concluded the original alignment of the Kimball Road extension identified in the Ventura Comprehensive Plan EIR would not result in any substantial improvement in traffic conditions on roadways in the area, including Johnson Drive in Ventura. The traffic modeling completed with an extension of Kimball Road to Santa Clara River Boulevard in the project shows that there would be a minimal change of less than seven percent in the ICU value for peak hour traffic

FIGURE **2-2**

Kimball Road Extension

conditions at the Johnson Drive/North US-101 Ramps (North Bank) intersection, resulting in no change to the Level of Service. Adding the Kimball Road extension to the area roadway network resulted in the actual traffic volumes at this Johnson Drive intersection dropping less than three percent (approximately 160 trips). The results of the traffic modeling are shown in **Table 11** below.

Table 11
Johnson Drive/North US-101 Ramps (North Bank)
Intersection Analysis

	AM Peak Hour			PM Peak Hour		
	ICU	LOS	Volume	ICU	LOS	Volume
Without Bridge	1.357	F	6,051	1.669	F	8,052
With Bridge	1.310	F	5,895	1.560	F	7,897
Bridge Benefit	(0.047)	--	(156)	(0.109)	--	(155)
% Benefit	3.5%	--	2.6%	6.5%	--	1.9%

Further, given the ongoing improvements to US 101 over-crossing of the Santa Clara River, no justification can be made for an additional river crossing in the area. The Kimball Road extension alternative studied in the River Park traffic study was selected not only because it was analyzed in the City of Ventura Comprehensive Plan EIR, but because it was the most probable alignment in the opinion of those preparing the River Park Specific Plan traffic study as well. Also, this alignment was that crossing most likely to benefit the Johnson Drive interchange, the stated goal of extending Kimball Road identified in the City of Ventura Comprehensive Plan EIR.

As a supplement to the traffic modeling contained in Appendix A to the Draft EIR, additional runs of the City of Oxnard traffic model were completed to determine the potential benefits of the Kimball Road extension in the alignment shown on the Ventura Circulation Element Map. As stated above, Appendix A addressed the most beneficial crossing, which was the alignment included in the traffic study for the City of Ventura Comprehensive Plan. Based on the Comprehensive Plan adopted by the City of Ventura, the County of Ventura placed a Kimball Road extension on the County 2020 Roadway Network Map in the more northerly alignment shown on the exhibit on the previous page. As stated above this alignment would cross the open mine pits on the Hanson Aggregates Mine Site, cross Vineyard Avenue through the prime agricultural lands immediately north of the El Rio and Nyeland Acres residential neighborhoods and connect to the Ventura Freeway in Oxnard at the Del Norte Boulevard interchange. It should be noted that this roadway extension was added to the County of Ventura Roadway Network Map at the

request of the City of Ventura General Plan, but no additional traffic analysis was conducted by the County to demonstrate the need for this roadway extension.

To analyze the alignment currently shown on the County's Roadway Network Map, additional traffic model runs were also prepared to supplement the traffic model runs in Appendix A to the Draft EIR. This analysis showed that this alignment for extension of Kimball Road would result in even less change in traffic conditions at the Johnson Drive/North US 101 Ramps (North Bank) intersection than the alignment further south. Peak hour traffic volumes at this intersection would drop a maximum of 120 trips in the P.M. peak hour, resulting in a change in the ICU value of 1.5 percent or less as shown in **Table 12** below. No change to the level of service of the Johnson Drive/North US-101 Ramps (North Bank) Intersection would result.

Thus, the Kimball Road extension as currently shown on the City of Ventura Circulation Element and County of Ventura Roadway Network Map would be less effective traffic measure than that alignment considered in the City of Ventura's Comprehensive Plan EIR and analyzed in Appendix A of the traffic study for River Park. However, neither alignment would improve the operating condition of Johnson Drive at the northbound US 101 ramps to a substantial degree as demonstrated by the information presented in **Tables 1 and 2.**

Table 12
Johnson Drive/North US-101 Ramps (North Bank)
Intersection Analysis

	AM Peak Hour			PM Peak Hour		
	ICU	LOS	Volume	ICU	LOS	Volume
Without Bridge	1.357	F	6,051	1.669	F	8,052
With Bridge	1.344	F	5,986	1.619	F	7,931
Bridge Benefit	(0.013)	--	(65)	(0.050)	--	(121)
% Benefit	1.0%	--	1.1%	3.0%	--	1.5%

The minor benefit provided by extending Kimball Road across the Santa Clara River must also be viewed in terms of environmental and monetary costs. The EIR for the City of Ventura Comprehensive Plan estimated a cost of over $12 million to extend Kimball Road across the river more than 10 years ago. This cost has risen with the passage of time. The estimated cost for the US 101 bridge would indicate that, ignoring the surface streets leading to the bridge, the actual cost already will be well in excess of that estimate. When the roadways within the City of Ventura and Oxnard are combined with the roadway

through the prime agricultural land in the County, the monetary cost for this roadway extension would be prohibitive. It should also be noted that the Kimball Road extension is currently an unfunded improvement which is not part of the traffic fee program for the City of Ventura.

The discussion above of the cost of extending Kimball Road does not account for the environmental consequences of a Kimball Road bridge. The current alignment would require the extension of Kimball Road across agricultural land in Ventura, including land recently purchased by the Nature Conservancy with a grant from the California Coastal Conservancy. This 220-acre site represents the first purchase of property for the Santa Clara River Parkway planned by the California Coastal Conservancy along the southern reaches of the Santa Clara River. This new parkway is described on pages 2.0-13 and 2.0-14 of the Draft EIR. The acquisition of land along a 12-mile stretch of the river is proposed to facilitate restoration and enhancement of natural river habitat along this portion of the river. The extension of Kimball Road through the land recently purchased by the Nature Conservancy would be inconsistent with this important regional conservation effort, as would the construction of another bridge across this portion of the river, which contains sensitive natural habitat. In addition, the planned alignment would require extensive filling of the existing mine pits to allow the road to cross. Further, this road extension would impact prime agricultural land located in the Oxnard-Camarillo-Ventura Greenbelt to the north of El Rio and Nyeland Acres. Thus, the marginal traffic benefits of this road extension bridge hardly justify its high monetary and significant environmental impacts. In addition, the feasibility of obtaining the required permits and approvals to build the road and bridge are questionable.

Extension of Kimball Road would not be consistent with the applicable policy of the Ventura Circulation Element which states that the future roadways shown on the Ventura Circulation Element Map are not intended to be extended until development which is consistent with the Comprehensive Plan occurs, or until they become necessary to accommodate traffic. The Ventura Comprehensive Plan does not allow development around the Kimball Road extension and the information presented above demonstrates that the extension of Kimball Road is neither justified or necessary to maintain acceptable traffic conditions in Ventura, Oxnard or the surrounding areas. This roadway extension has never been a component of the Oxnard General Plan Circulation Element. No significant impacts will result, therefore, from adoption of a specific plan for the RiverPark Specific Plan Area that precludes the extension of Kimball Road.

VEN-35

The Specific Plan does not provide for the reservation of right-of-way to allow for the connection of Kimball Road. As discussed above in the response to comment VEN-34, the extension of Kimball Road has not been a feature of the Oxnard General Plan Circulation Element and the traffic analysis shows that

this future road extension is not needed to maintain an acceptable level of service on the roadway network in the area.

VEN-36

Please see Table 4.7-10 (b) on page 4.7-34 which shows the mitigation measure would be effective in mitigating project traffic impacts at this location.

VEN-37

The Oxnard Town Center Specific Plan is analyzed as the No Project/Existing Approvals Alternative. This alternative is analyzed in detail in Appendix B of the project traffic study in Appendix 4.8 in Volume III of the Draft EIR. The adopted Specific Plan, including the land use and its traffic generation, was the subject of a previous EIR (the Oxnard Town Center EIR). A comparison of the traffic that would be generated by the Oxnard Town Center Specific Plan with the traffic that would be generated by the RiverPark Specific Plan is provided on pages 5.0-11 and 5.0-12 of the Alternatives section of the EIR. As discussed in this section, the RiverPark Specific Plan would generate approximately 14 percent fewer trips on roadways outside the Specific Plan Area than the currently adopted Oxnard Town Center Specific Plan.

VEN-38

The Draft EIR does contain discussion of the existing County Reclamation Plan where it is appropriate. This existing reclamation plan is discussed in Section 2.0, Environmental Setting, on pages 2.0-8 and 2.0-9 of the Draft EIR. The existing reclamation plan is also addressed in the No Project/Existing Conditions Alternative, on pages 5.0-7 through 5.0-16 of the Draft EIR. This discussion in the alternatives section of the Draft EIR provides comparative analysis of the existing reclamation plan with the project as proposed.

As the existing reclamation plan is not part of the proposed project, it would not be appropriate to address this existing plan in Section 4.5, Water Resources, which evaluates the impacts of the RiverPark Project, a component of which is a new reclamation plan.

VEN-39

Although UWCD's proposed use of the reclaimed mine pits does provide a benefit to the project water balance, it is not essential to insuring that the project does not significantly impact water quantity. Under existing conditions, the largest component of the water balance on an average basis is the agricultural usage (see Table 4.5-3 in the Draft EIR). Implementation of the project will eliminate this use and will result, on average, in a positive water balance. This is also reflected in Table 4.5-21, where, if the average UWCD diversion (7,022 AFY) is subtracted from the reconfigured gravel pits water balance column, the net result is still a positive water balance. Under existing conditions there is a negative water balance.

Section 4.5, Water Resources, in the Draft EIR does contain separate analysis of the proposed use of the pits for groundwater storage and recharge by UWCD. With regard to water quality, separate analysis of the impacts of the use of the pits by UWCD is provided. The use of the pits by UWCD does not affect the water quality impacts of the proposed development in RiverPark.

VEN-40

UWCD's proposed use of the reclaimed mine pits was examined at a programmatic level only as detailed information regarding this use has not been developed at this time by the UWCD. As described in the Draft EIR Project Description Section on page 3.0-16, the proposed RiverPark Specific Plan would allow the existing mine pits to be used by UWCD for the storage and recharge of water diverted from the Santa Clara River. The potential environmental effects of this proposed use is analyzed in the Draft EIR. It is noted in the Draft EIR that UWCD has not designed the facilities to convey water to the pits or defined other details associated with its proposed use of the pits. For this reason, further meaningful review of this proposed future use of the pits cannot be conducted at this time and would be speculative.

The proposed future use of the reclaimed mine pits by UWCD is not a "critical element" of the proposed project. Use of the mine pits is not essential to mitigation of potential project impacts (see the response to comment VEN-39 above), and, for this reason, further analysis of this use of the pits by UWCD as allowed by the proposed specific plan is not warranted or necessary. However, insofar as the UWCD project would be utilized to supplement existing potable water production facilities in the area, approvals and/or permits from the California Department of Health Services and the Regional Water Quality Control Board would be required at a minimum.

VEN-41

Should UWCD not use the reclaimed mine pits for water storage and recharge, there will be no active use of the pits. The proposed reclamation plan would be fully implemented, which would involve stabilizing the slopes of the pits and planting these slopes with native vegetation. A City Maintenance Assessment District is proposed to provide for the maintenance of the slopes of the pits and the water quality treatment system, which consists of a series of dry swales and lined detention basins. If UWCD uses the pits, responsibility for maintenance of the pits would be assumed by UWCD.

VEN-42

The GREAT Program is one of the water supply programs identified in the City of Oxnard Urban Water Management Plan. The GREAT Program is not the only additional source of water identified in the City's Urban Water Management Plan. While the GREAT Program is planned by the City to ultimately satisfy the future increase in demand for water in the City, the Urban Water Management Plan also identifies other water sources to meet the increased demands for water identified in the Plan. Should the GREAT Program not be developed as currently envisioned the City would purchase additional water above its current Fox Canyon Groundwater Management Agency allocation (for groundwater) and/or Calleguas Municipal Water District allocation (for surface water). Both of these options will incur cost penalties, but are viable options for the City identified in the Urban Water Management Plan. Based on the multiple sources of additional water identified in the City's Urban Water Management Plan, sufficient water supplies will be available to meet the demands of the RiverPark Project, consistent with the requirements of SB 221 and SB 610. A formal water supply assessment addressing all items and topics defined in SB 610 can be found in **Appendix A** of the Final EIR.

VEN-43

Please note that Appendix 5.0 of the Draft EIR contains information supporting the conclusion that the RiverPark A only and 25% Reduction Alternatives are not financially feasible. This information demonstrates that these alternatives are not just more expensive or less profitable, but rather would result in a negative return on investment, which makes these alternatives financially infeasible. As discussed in the response to the previous comment, the City's Urban Water Management Plan identifies multiple sources of additional water the City can feasibly develop or acquire to meet projected cumulative water demands, including the additional demands associated with the RiverPark Project.

VEN-44

Please see the responses to Comments 1-43 above. Responses have been provided to all comments and none of these responses include the identification of "significant new information" as defined Section 15088.5 of the CEQA *Guidelines* that would require recirculation of the EIR. All of the conclusions in the EIR are supported by the information in the EIR. In almost all cases, the information requested by the City of Ventura in comments 1-43 was already provided in the Draft EIR and its technical appendices. None of the conclusions reached in the Draft EIR have been changed as a result of the responses to Comments 1-43. Section 15088.5 of the CEQA *Guidelines* requires recirculation of an EIR when significant new information results in any of the following: (1) Identification of new significant impact that would result from the project or a mitigation measure; (2) Identification of a substantial increase in the severity of an impact that cannot be mitigated; or (3) Identification of a feasible alternative or mitigation measure considerably different from those previously analyzed that the project proponents decline to adopt. None of these circumstances have occurred as a result of the information included in the responses to Comments 1-43 above. Recirculation of the EIR is, therefore, not required.

VEN-45

As demonstrated by the responses to Comments 1-43 above, all of the conclusions in the Draft EIR are supported by substantial information and evidence included in the Draft EIR. Recirculation of the EIR is, therefore, not required.