

***FINAL ENVIRONMENTAL IMPACT REPORT***

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***Sakioka Farms Business Park Specific Plan***

**SCH# 2002071070**

***Prepared for:***  
**City of Oxnard**  
**Planning Division**

***Prepared By:***



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**July 2011**

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# I. INTRODUCTION

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## SUMMARY OF THE PROPOSED PROJECT

### Sakioka Farms Specific Plan and Land Use Concept

The Sakioka Farms Specific Plan (Specific Plan, Project) envisions the phased development of a master planned industrial/business/commercial park on a 430-acre parcel currently in agricultural use located entirely within the City of Oxnard.<sup>1</sup> The Specific Plan establishes the general type, location, parameters and character of land uses and development within the Project site boundaries while allowing for flexible subdivision and design of subsequent individual developments that are consistent with the overall Specific Plan. The Specific Plan recognizes that the area would be developed in phases over an extended period and allows a variety of uses in response to evolving market conditions. The Specific Plan divides the site into seven Planning Areas, numbered 1 to 7, which are likely to be developed as phases while the remainder of the site continues in agricultural production. The planning areas are described in detail in Section 4 of the May 2009 Draft Specific Plan which is included in its entirety as Appendix D to the Draft EIR. Five primary land uses are identified in the land use plan: business research, office, industrial, commercial, and optional residential. In addition, the project site includes an approximately 1.5 acre site for a future fire station, and if residential uses are included, a park site. The seven planning areas are described below.

**Planning Area 1** is the highest profile area of the Specific Plan site as it is located adjacent to the Ventura (101) Freeway. Defined on its southern side by an eastward extension of Gonzales Road, this area is planned to accommodate high profile freeway-oriented office and commercial development. This area consists of approximately 80 acres and would establish the primary design image for the Project area.

**Planning Area 2** is on the east side of and fronts Rice Avenue (4 to 6 lanes) and would provide opportunities for office, business research, and industrial uses or an optional residential village. The area covers approximately 35 acres and would continue the design theme established in Planning Area 1.

**Planning Area 3** is the interior 77-acre portion of the Project site and is planned to accommodate a range of development options such as a high intensity core with larger office buildings, optional residential uses with integrated community facilities, and/or commercial uses. This area could also be a continuation of Area 1 or Area 5 development.

**Planning Area 4** is a 30-acre area located along the west side of Del Norte Boulevard (4 to 6 lanes). This area may develop in a pattern similar to Planning Area 2, with an emphasis on new office, optional

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<sup>1</sup> *The Project site is in agricultural use and approximately 430 acres, including streets and rights-of-way. Without the planned streets and rights-of-way, the Project site is approximately 422.5 acres.*

residential and business research uses. This area may also develop in a manner similar to other industrial areas to the south and cater to smaller industrial projects.

**Planning Area 5** is designated as the primary light industrial area of the Specific Plan. This area consists of 116 acres and is planned to accommodate major industrial tenants and/or agricultural processing uses. It is adjacent to existing light industrial uses and the large Proctor and Gamble facility.

**Planning Area 6** is a 36-acre area located east of Del Norte Boulevard and abuts unincorporated agricultural uses. This area may be developed in a number of different ways depending on market conditions and may include a combination of light industrial and research development uses.

**Planning Area 7** is a 14-acre area located at the northeastern corner of the Specific Plan and adjacent to the Camino Real Business Park Specific Plan. Gonzales Road would be extended through this area and a portion of this area is likely to be utilized for the reconstruction of the Del Norte Boulevard/Ventura Freeway interchange. Smaller freeway-oriented commercial uses are planned.

## ENVIRONMENTAL REVIEW PROCESS

The proposed project was reviewed by the City of Oxnard Development Services Department, Planning Division, (Planning) which determined that the City of Oxnard (City) was the Lead Agency and that the proposed project required the preparation of an Environmental Impact Report (EIR). The original Notice of Preparation (NOP) for the Draft EIR was circulated for a 30-day review period between July 12, 2002 and August 11, 2002. Due to revisions to the original project description and elapsed time, a second NOP was circulated on January 25, 2006 (see Appendices A and B to the Draft EIR for copies of the NOPs and responses). All NOP comments relating to the EIR were reviewed and the issues raised in those comments were addressed in the Draft EIR.

The Draft EIR was released for public comment on September 7, 2010. The comment period ended on October 22, 2010, meeting the 45-day review period required by the California Environmental Quality Act (CEQA). During that time, the Planning Division received comments on the Draft EIR from 22 individuals and agencies in the form of emails, letters, and verbal comments presented at the October 7, 2010 Planning Commission meeting.

Before approving a project, CEQA requires the lead agency to prepare and certify a Final Environmental Impact Report (Final EIR). The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, as follows:

*The Final EIR shall consist of:*

- (a) *The Draft EIR or a revision of the Draft.*
- (b) *Comments and recommendations received on the Revised Draft EIR either verbatim or in summary.*

- (c) *A list of persons, organizations, and public agencies commenting on the Draft EIR.*
- (d) *The responses of the lead agency to significant environmental points raised in the review and consultation process.*
- (e) *Any other information added by the lead agency.*

CEQA requires that the lead agency provide each agency that commented on the Draft EIR with a copy of the lead agency's proposed response at least 10 days before certifying the Final EIR. Notices to that effect were mailed on March 1, 2011.

## **ORGANIZATION OF THE FINAL EIR**

This document, together with the Draft EIR and the Draft EIR Technical Appendices constitute the "Final EIR" for the proposed project. The Draft EIR consisted of the following:

- The Draft EIR, which included the environmental analysis for the proposed project; and
- Draft EIR Technical Appendices, which included:
  - Appendix A: Notice of Preparation
  - Appendix B: Responses to the Notice of Preparation
  - Appendix C: Related Projects List [2006]
  - Appendix D: Proposed Sakioka Farms Specific Plan [May, 1, 2009]
  - Appendix E: Agricultural Resources Documents
  - Appendix F: Phase I Environmental Site Assessment
  - Appendix G: Conceptual Hydrology Drainage Study
  - Appendix H: Draft EIR Traffic Study
  - Appendix I: Air Quality Documents
  - Appendix J: Noise Impact Documents
  - Appendix K: Water Supply Assessment
  - Appendix L: Draft Development Agreement
  - Appendix M: Biology Impacts Documents
  - Appendix N: Oxnard 2008 Traffic Mitigation Plan

The Draft EIR also incorporated by reference the following documents:

- The City of Oxnard 2030 General Plan Program Environmental Impact Report (PEIR), including Five Re-circulated Sections, Responses to Comments, and Final PEIR. All documents are available for review on the City of Oxnard Planning Division's Internet site at: <http://www.ci.oxnard.ca.us> [2030 General Plan] and at the Oxnard Main Library, 241 South A Street, Oxnard, CA 93030.

- The Draft Groundwater Recovery Enhancement and Treatment (GREAT) Program EIR (SCH 2003011045), Responses to Comments, and the Final PEIR are available for review on the City of Oxnard Planning Division's Internet site at:  
<http://developmentservices.cityofoxnard.org/Department.aspx?DepartmentID=7&DivisionID=76&ResourceID=550> and at the Oxnard Main Library, 241 South A Street, Oxnard, CA 93030.

This Sakioka Farms Specific Plan Final EIR is organized in the following sections:

### **I. Introduction**

Overview of the proposed project and CEQA requirements.

### **II. Corrections and Additions**

Corrections and additions incorporated into the Draft EIR in response to public and agency comments and staff and applicant corrections. Table I-1, Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation, is included in its entirety and replaces the same table in the Draft EIR.

### **III. Responses to Comments**

Responses to public and agency Draft EIR comments, including comments from the Oxnard Planning Commission hearing of October 7, 2010. Comment letters are included in Appendix A.

### **IV. Mitigation Monitoring and Adaptive Management Program**

Exhibit A, the Adaptive Management Mitigation Monitoring and Reporting Program for the Sakioka Farms Business Park Specific Plan Incorporating Mitigation Measures from the Sakioka Farms Business Park Specific Plan Final EIR, becomes Section 7 of the Sakioka Farms Specific Plan and identifies the monitoring phase, the enforcement phase and the applicable department or agency responsible for ensuring that each mitigation measure is implemented and/or adapted over the project buildout if applicable. For those mitigations that are identified as adaptive the three key elements are: (1) selection of criteria and indicators; (2) monitoring of the indicators; and (3) implementation of one or more identified measures that, when implemented, reduce and/or prevent the impact from exceeding the City's threshold of significance.

### **Appendices**

- A: Agency and Individual Comment Letters
- B: Traffic Count Summary for Central Avenue at the 101 Ramps

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## II. CORRECTIONS AND ADDITIONS

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### I. INTRODUCTION / SUMMARY

#### Page I-8

**Table I-I, Archeological Resources** Mitigation Measure A-1 is revised as follows:

**A-1** This is an adaptive management mitigation measure. The Project developer and/or subsequent responsible parties shall contract with a qualified archaeologist to monitor all initial grading and excavation in excess of three feet. In the event that any historic or prehistoric cultural resources are discovered, they will be evaluated in accordance with the procedures set forth in CEQA Section 15064.5. If the evaluation determines that such resources are either unique or significant archaeological, paleontological, or historic resources and that the project would result in significant effects on those resources, then further mitigation would be required. In cases where the resources are unique, then avoidance, capping, or other measures, including data recovery, would be appropriate mitigation. If the resources are not unique, then recovery, without further mitigation, would be appropriate.

#### Page I-8

**Table I-I, Archeological Resources** Mitigation Measure A-2 is revised as follows:

**A-2** This is an adaptive management mitigation measure. The Project developer and/or subsequent responsible parties shall contract with a Native American monitor to be present during all subsurface grading, trenching, or construction activities in excess of three feet on the Project site. The monitor shall provide a ~~weekly~~ monthly report to the Planning Division summarizing the activities during the reporting period. If any qualifying cultural materials are encountered during this phase of project construction, construction activities on the project site shall be halted immediately, and the Project developer shall notify the City. If any find were determined to be significant by the Native American monitor, the City and the Native American monitor would meet to determine the appropriate course of action. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval ~~prior to issuance of any grading permits~~ as a component of the project application. ~~The~~ A final monitoring report(s) shall be provided to the Planning Division prior to approval of final building certificate(s) of occupancy ~~permit~~ signature.

#### Page I-10

**Table I-I, Land Use and Planning**, is changed to include the following information:

However, if the Oxnard 2030 General Plan is adopted before the Final Sakioka Farms EIR is certified and if determined to be required, a 2030 General Plan consistency analysis shall be completed by the City and

reimbursed by the Project applicant.

**Page I-11**

**Table I-I, Agricultural Resources** Mitigation Measure C-1 is revised as follows:

- C-1** This is an adaptive management mitigation measure. The project developer shall offer, at cost, the top 12 inches of the Prime Farmland soils (at 100 acres) for relocation to a farm site or farm sites that have lower quality soils. The cost will include the suitable replacement soil, if needed for site improvements. This mitigation may occur in phases as the areas with Prime Farmland are incrementally developed.

**Page I-11**

**Table I-I, Agricultural Resources** Mitigation Measure C-2 is revised as follows:

- C-2** This is an adaptive management mitigation measure. The project developer shall install a fence or wall with a minimum height of eight (8) feet along the eastern perimeter of the project site that abuts the unincorporated portion of Ventura County when developed is proposed east of Del Norte Boulevard. Fencing may be required between developed phases of the Project and continuing agricultural operations on the remaining Project site based on subsequent entitlement actions.

**Page I-11**

**Table I-I, Agricultural Resources** is changed to include the following information and Mitigation Measure:

The following mitigation measure reduces the potential for employees of or visitors to commercial properties adjacent to agricultural property to be overly concerned or anxious regarding the use of agricultural chemicals on adjacent properties.

- C-3** This is an adaptive management mitigation measure. In order to buffer on- or off-site agricultural land uses and on-site non-agricultural uses either of the following measures may be undertaken to allow scheduled Restricted Materials applications by an on- or off-site farmer; 1) closure of the buildings during periods when restricted materials will be used on the adjacent farmland parcels or 2) notification, consistent with common-practice in Ventura County, of building occupants and/or building managers that normal farming activities will occur nearby from time to time which can include noise, mild dust, and odors; that inert and non-toxic substances are frequently used by farmers which should be of no concern to people nearby, and that actual chemical spray drift from farms is rare and should not be misperceived.

**Page I-13**

**Table I-I, Biological Resources** Mitigation Measure E-1 is revised as follows:

**E-1** This is an adaptive management mitigation measure. In order to avoid adverse impacts to nesting birds, including nesting migratory birds known to exist in the trees (if any) on the Project site, during construction activities, ground vegetation removal activities must take place outside of the nesting season (~~15 February — 1 September~~), ~~although these dates are somewhat arbitrary~~ recognized by the California Department of Fish and Game for that species in this area. If vegetation removal activities occur during the nesting season, a qualified ecologist/biologist must be present to monitor the removal activities to ensure that no active nests will be impacted. If nests are found, a ~~100-foot~~ 300 foot (500 feet for raptors) buffer radius shall be established until the young have fledged. If nests are observed and lesser buffer distances are desired, the biological monitor shall confer with Planning and Fish and Game staff to determine an appropriate buffer distance based on species specific requirements. This measure does not apply to agricultural row crops.

**Page I-14**

**Table I-I, Biological Resources** Mitigation Measure E-2 is revised as follows:

**E-2** This is an adaptive management mitigation measure. Prior to processing the initial tract map for a planning area that could lead to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, prepare and submit to the Corps for verification a “Preliminary Delineation Report for Waters of the U.S.” and a Streambed Alteration Notification package to CDFG for the irrigation drainage features. If these agencies determine that the feature is not regulated under their jurisdiction, then no further mitigation is necessary. However, if the Corps considers the feature to be jurisdictional through a “significant nexus” test per recent Corps and EPA guidance,<sup>1</sup> then a Clean Water Act Section 404 permit shall be obtained from the Corps, and any permit conditions shall be agreed to, prior to the start of construction activities in the affected area. If CDFG determines that the drainage is a regulated “streambed”, then a Streambed Alteration Agreement shall be entered into with CDFG and any associated conditions shall be agreed to prior to the start of construction in the affected area.

**Page I-15**

**Table I-I, Biological Resources** Mitigation Measure E-3 is revised as follows:

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<sup>1</sup> U.S. Environmental Protection Agency and U.S. Department of the Army. 2007. *Clean Water Act Jurisdiction Following the U.S. Supreme Court’s Decision in Rapanos v. United States & Carabell v. United States. June 5, 2007.*

**E-3** This is an adaptive management mitigation measure. In order to prevent unauthorized impacts to jurisdictional features, the following permits shall be issued and/or reports approved (or exemptions issued) by the respective resource agency, and any associated conditions of approval shall be agreed upon, prior to processing the initial tract map for a planning area that could lead to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, subsequent to adoption of the Project (i.e. Specific Plan) ~~the initiation of any ground-disturbing activities associated with the proposed development:~~

- Clean Water Act Section 404 Permit from the Corps,
- Streambed Alteration Agreement under Section 1600 of the Fish and Game Code from CDFG;
- Clean Water Act Section 401 Water Quality Certification or Waste Discharge Requirements from the RWQCB

If the irrigation ditches were to be determined as jurisdictional by the Corps, it will be necessary to insure adequate compensation for adverse impacts to jurisdictional features from project development be made. If so, a detailed Mitigation Plan shall be prepared by a qualified biologist. The Plan shall describe and justifying the (1) formal delineation (2) proposed methods including timing, materials, and erosion control measures, (3) the proposed location for the replacement areas, (4) habitat protection measures (including a mechanism for permanent preservation of the area supporting the replacement habitat). This Plan shall be submitted to and approved by the County, Corps, CDFG, and RWQCB prior to initiation of construction activities. ~~Several strategies to compensate for the loss of riparian habitat are proposed below:~~

#### Page I-16

**Table I-I, Biological Resources** Mitigation Measure E-4 is revised as follows:

**E-4** If required to compensate for riparian habitat loss by the Corps, the project applicant will place under conservation easement in a manner acceptable to the Corps and the California Department of Fish and Game an area of riparian habitat that will accommodate constructed replacement at a ~~1:1 ratio~~ ratio to be determined during the formulation of a Lake and Stream Alteration Agreement (i.e. a number of acres of constructed riparian habitat). This conserved riparian habitat must be of the same or higher quality as the habitat that is to be removed as a result of the Project. Or, the Project applicant will purchase the requisite number of credits from a qualified conservation bank. The Project applicant can only purchase credits from those banks that sell credits covering the riparian species to be affected by the proposed Project or as approved by the Corps or agency of jurisdiction.

#### Page I-17

**Table I-I, Biological Resources** Mitigation Measure E-5 is revised as follows:

**E-5** This is an adaptive management mitigation measure. Prior to construction of the Planning Area 1, located adjacent to the Ventura Freeway, a qualified ecologist/biologist must determine the presence and extent/absence of monarch butterfly activity surrounding the proposed construction area if any mature windrow trees are present. If temporary aggregation activity is observed within this area, construction shall be halted until after the temporary aggregation season (September – December) or until the monarchs have left the project vicinity.

#### Page I-17

**Table I-I, Geology and Soils** Mitigation Measure F-1 is revised as follows:

**F-1** This is an adaptive management mitigation measure. **Conduct Geotechnical Investigations and Adhere to Recommendations:** Detailed design-level geotechnical investigations shall be performed by qualified licensed professionals for each individual proposed project/phase of the Sakioka Farms Business Park Specific Plan project. These geotechnical investigations shall include, but not be limited to:

- identification of unsuitable soils including expansive, corrosive, and collapsible soils,
- identification presence and extent of liquefiable soils,
- calculation of site-specific seismic design criteria,
- a fault evaluation study to location confirm the presence or absence of the Springville and Camarillo segments of the Simi-Santa Rosa fault across the southern half of the Proposed Project site.

Recommendations shall be provided in these reports for design of project structures and facilities and for mitigation of any unsuitable conditions encountered. These reports shall be provided to the City and other reviewing agencies for review. These recommendations shall be implemented, as deemed appropriate by the City and the Applicant's engineering design consultant.

#### Page I-20

**Table I-I, Hazards and Hazardous Materials** Mitigation Measure G-2 is revised as follows:

**G-2** A visual inspection of all storage structures shall be performed prior to demolition activities. In the event that hazardous materials are encountered, the materials shall be tested and properly disposed of pursuant to Local, State and Federal regulations.

#### Page I-21

**Table I-I, Hazards and Hazardous Materials** Mitigation Measure G-4 is revised as follows:

**G-4** Areas of exposed soil five feet from the expanded Caltrans Right-of-Way along the Ventura Freeway after completion of the Rice Avenue/101 Freeway interchange reconstruction, which will be disturbed during any excavation/grading activities, shall be sampled and tested for lead. In the

unlikely event that unacceptable levels of lead materials are encountered, the materials shall be disposed of pursuant to State and Federal regulations.

#### Page I-21

**Table I-I, Hazards and Hazardous Materials** Mitigation Measure G-5 is revised as follows:

- G-5** This is an adaptive management mitigation measure. Soil sampling shall occur throughout the Project site concurrent with phased development, including the pesticide mixing areas within Areas 1 and 3. The sampling will determine if pesticide concentrations exceed established regulatory requirements and will identify proper handling procedures that may be required.

#### Page I-22

**Table I-I, Operational Impacts, Aircraft Hazards** is changed to include the following Mitigation Measure:

- G-8** This is an adaptive management mitigation measure. Consistent with the Airport Comprehensive Land Use Plan for Ventura County (ACLUP) and the Sakioka Farms Specific Plan, commercial/industrial development is permitted within the Extended Traffic Pattern Zone and residential development, should it be incorporated into future plans, is permitted within the Extended Traffic Pattern Zone subject to aviation easements and appropriate recorded disclosures.

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**Table I-I, Transportation/Traffic** is changed to include the following information:

The following measures are part of an adaptive management mitigation program. The traffic improvements listed below as I-1 through I-34, inclusive, are intended to maintain Level of Service C with the development of the Project unless excepted by the City Council based upon the traffic modeling completed in February 2010 for the Draft EIR. Subsequent traffic studies required by the Specific Plan may change the number and type of improvements based upon phasing of development, traffic counts and future travel behavior. Adaptive management will allow consideration of such subsequent traffic studies in the implementation of the Transportation/Traffic mitigation measures. The February 2010 traffic modeling does not take into account the City's Intelligent Transportation Systems (ITS) project under construction in 2011. Similar ITS projects have improved travel time and speed by 12%-16% and decreased delay by 32%-44% (ATSAC evaluation study, 1994). As part of the adaptive management of the Transportation/Traffic mitigation measures, the implementation of such mitigation measures shall take into account when feasible the ITS, future traffic counts and updated trip generation data which may reduce, change or make unnecessary the mitigation measures while still achieving the City's adopted Level of Service, unless modified by City Council. The Developer's payment of applicable City and County traffic impact fees in the amount agreed to by the City, County and Developer or, if there is no

agreement, in the amount in effect at the time of issuance of a building permit, satisfies in full the action required by Developer in connection with the implementation of the Transportation/Traffic mitigation measures. Developer may also contribute additional funds towards the traffic improvements subject to reimbursement from the City in the form of credits against future City traffic impact fees or repayment by the City.

### **Level of Significance After Mitigation**

With the adaptive management implementation of Mitigation Measures I-1 through I-33, traffic impacts of the proposed Project are reduced to a less than significant level except for cumulative significant traffic impacts at the five intersections shown below that are an unavoidable significant impact after implementation of the recommended mitigation measures:

1. C Street and Wooley Road (PM LOS D)
2. “Five Points” Oxnard Blvd/Saviors Rd (AM LOS D and PM LOS E)
3. Rose Avenue & Gonzales Road (AM LOS D)
4. Oxnard Boulevard & Gonzales Road (PM LOS D)
5. Vineyard Avenue and Oxnard Boulevard (PM LOS D)

Implementation of Mitigation Measure I-34, in conjunction with measures J-4 and J-6, is the project’s proportional contribution to the City’s overall program that reduces impact to the Ventura Freeway to less than significant.

### **Page I-26**

**Table I-I, Transportation/Traffic Mitigation Measure I-1 is revised as follows:**

**I-1** *Rose Avenue & Gonzales Road:* The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing ~~implement~~ improvements to the Rose Avenue & Gonzales Road intersection that adds a fourth westbound thru lane which will mitigate both Project and cumulative (2010 no Project) impacts.

### **Page I-26**

**Table I-I, Transportation/Traffic Mitigation Measure I-2 is revised as follows:**

**I-2** *Rose Avenue & Camino Del Sol:* The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing ~~implement~~ improvements to the Rose Avenue & Camino Del Sol intersection that adds a third northbound thru lane by removing the existing northbound right-turn lane.

### **Page I-26**

**Table I-I, Transportation/Traffic Mitigation Measure I-3 is revised as follows:**

**I-3** *Rice Avenue & Fifth Street:* The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing ~~implement~~ improvements to the Rice Avenue & Fifth Street intersection that adds a third southbound thru lane by removing the existing southbound right turn lane.

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**Table I-I, Transportation/Traffic** Mitigation Measure I-4 is revised as follows:

**I-4** *Del Norte Boulevard & Ventura Freeway NB Ramps:* The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards ~~providing provide~~-signalization.

**Page I-27**

**Table I-I, Transportation/Traffic** Mitigation Measure I-5 is revised as follows:

**I-5** *Del Norte Boulevard & Ventura Freeway SB Ramps:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to signalize and add a northbound right turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.

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**Table I-I, Transportation/Traffic** Mitigation Measure I-5 is revised as follows:

**I-5** *Del Norte Boulevard & Ventura Freeway SB Ramps:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to signalize and add a northbound right turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.

**Page I-27**

**Table I-I, Transportation/Traffic** Mitigation Measure I-6 is revised as follows:

**I-6** *Ventura Road & Wooley Road:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Ventura Road & Wooley Road intersection that adds a third northbound thru lane and a third southbound thru lane which will mitigate both Project and cumulative (2010 no Project) impacts.

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**Table I-I, Transportation/Traffic** Mitigation Measure I-7 is revised as follows:

**I-7** *Oxnard Boulevard & Gonzales Road:* The Project developer shall pay applicable City and County traffic impact fees toward improvements adding a third eastbound thru lane at the Oxnard Boulevard & Gonzales Road intersection. ~~support improvements to the Oxnard Boulevard & Gonzales Road intersection that adds a third eastbound thru lane.~~

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**Table I-I, Transportation/Traffic** Mitigation Measure I-8 is revised as follows:

**I-8** *Rose Avenue & Gonzales Road:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Gonzales Road intersection that adds a fourth southbound thru lane.

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**Table I-I, Transportation/Traffic** Mitigation Measure I-9 is revised as follows:

**I-9** *Rose Avenue & Fifth Street:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Fifth Street intersection that adds a second eastbound thru lane.

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**Table I-I, Transportation/Traffic** Mitigation Measure I-10 is revised as follows:

**I-10** *Rice Avenue & Fifth Street:* The Project developer shall ~~pay a fair share cost~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Fifth Street intersection that adds a second westbound left turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.

**Page I-28**

**Table I-I, Transportation/Traffic** Mitigation Measure I-11 is revised as follows:

**I-11** *Rice Avenue & Channel Islands Boulevard:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Channel Islands Boulevard intersection that changes the southbound defacto right turn lane to a free right turn lane.

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**Table I-I, Transportation/Traffic** Mitigation Measure I-12 is revised as follows:

**I-12** *Del Norte Boulevard & Ventura Freeway NB Ramps:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Del

Norte Boulevard & Ventura Freeway NB Ramps intersection that adds a second northbound thru lane, adds a separate northbound left turn lane, adds a second southbound thru lane, adds a separate southbound right turn lane, and adds a separate westbound left turn lane.

**Page I-29**

**Table I-I, Transportation/Traffic** Mitigation Measure I-13 is revised as follows:

**I-13** *Del Norte Boulevard & Ventura Freeway SB Ramps*: The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Del Norte Boulevard & Ventura Freeway SB Ramps intersection that adds a second northbound thru lane, adds a separate northbound free-right turn lane, adds a second southbound thru lane, adds a separate southbound left turn lane, and adds a separate eastbound left turn lane.

**Page I-29**

**Table I-I, Transportation/Traffic** Mitigation Measure I-14 is revised as follows:

**I-14** *Oxnard Boulevard & Vineyard Avenue*: The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Oxnard Boulevard & Vineyard Avenue intersection that adds a third northbound thru lane.

**Page I-29**

**Table I-I, Transportation/Traffic** Mitigation Measure I-15 is revised as follows:

**I-15** *Oxnard Boulevard & Vineyard Avenue*: The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Oxnard Boulevard & Vineyard Avenue intersection that adds a fourth southbound thru lane.

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**Table I-I, Transportation/Traffic** Mitigation Measure I-16 is revised as follows:

**I-16** *Rose Avenue & Gonzales Road*: The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Gonzales Road intersection that adds a second westbound left turn lane.

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**Table I-I, Transportation/Traffic** Mitigation Measure I-17 is revised as follows:

**I-17** *Rose Avenue & Fifth Street*: The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Fifth Street intersection that adds a second westbound left turn lane.

**Page I-30**

**Table I-I, Transportation/Traffic** Mitigation Measure I-18 is revised as follows:

**I-18** *Rice Avenue & Fifth Street:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Fifth Street intersection that completes the grade separation / bypass which will mitigate both Project and cumulative (2020 no Project) impacts.

**Page I-30**

**Table I-I, Transportation/Traffic** Mitigation Measure I-19 is revised as follows:

**I-19** *Rice Avenue & Wooley Road:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Wooley Road intersection that adds a third northbound thru lane and a third southbound thru lane.

**Page I-30**

**Table I-I, Transportation/Traffic** Mitigation Measure I-20 is revised as follows:

**I-20** *Ventura Road & Wooley Road:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Ventura Road & Wooley Road intersection that adds a second southbound left lane.

**Page I-31**

**Table I-I, Transportation/Traffic** Mitigation Measure I-21 is revised as follows:

**I-21** *Rose Avenue & Camino Del Sol:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Camino Del Sol intersection that adds a second eastbound left lane and a second westbound left lane.

**Page I-31**

**Table I-I, Transportation/Traffic** Mitigation Measure I-22 is revised as follows:

**I-22** *Del Norte Boulevard & Fifth Street:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Del Norte Boulevard & Fifth Street intersection that adds a second westbound thru lane.

**Page I-31**

**Table I-I, Transportation/Traffic** Mitigation Measure I-23 is revised as follows:

**I-23** *Ventura Road & Gonzales Road:* The Project developer shall pay a ~~fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Ventura Road & Gonzales Road intersection that adds a second northbound left turn lane and a third northbound thru lane which will mitigate both Project and cumulative (2025 no Project) impacts.

**Page I-31**

**Table I-I, Transportation/Traffic** Mitigation Measure I-24 is revised as follows:

**I-24** *Ventura Road & Wooley Road:* The Project developer shall pay a ~~fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Ventura Road & Wooley Road intersection that adds a third eastbound thru lane and a third westbound thru lane which will mitigate both Project and cumulative (2025 no Project) impacts.

**Page I-32**

**Table I-I, Transportation/Traffic** Mitigation Measure I-25 is revised as follows:

**I-25** *Rose Avenue & Camino Del Sol:* The Project developer shall pay a ~~fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Camino Del Sol intersection that removes the southbound free right turn lane, adds a third southbound thru lane and adds an eastbound right turn lane which will mitigate both Project and cumulative (2025 no Project) impacts.

**Page I-32**

**Table I-I, Transportation/Traffic** Mitigation Measure I-26 is revised as follows:

**I-26** *Rose Avenue & Fifth Street:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Fifth Street intersection that adds a southbound right turn lane or ~~contribute fair share towards~~ grade separation.

**Page I-32**

**Table I-I, Transportation/Traffic** Mitigation Measure I-27 is revised as follows:

**I-27** *Rose Avenue & Channel Islands Boulevard:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Channel Islands Boulevard intersection that adds a third northbound thru lane.

**Page I-32**

**Table I-I, Transportation/Traffic** Mitigation Measure I-28 is revised as follows:

**I-28** *Rose Avenue & Bard Road:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Bard Road intersection that adds a third northbound thru lane and a third southbound thru lane by removing the existing northbound and southbound right turn lanes.

**Page I-33**

**Table I-I, Transportation/Traffic** Mitigation Measure I-29 is revised as follows:

**I-29** *Rice Avenue & Camino Del Sol:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Camino Del Sol intersection that adds a second eastbound left turn lane which will mitigate both Project and cumulative (2025 no Project) impacts.

**Page I-33**

**Table I-I, Transportation/Traffic** Mitigation Measure I-30 is revised as follows:

**I-30** *Rose Avenue & Wooley Road:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Wooley Road intersection that adds a third southbound thru lane.

**Page I-33**

**Table I-I, Transportation/Traffic** Mitigation Measure I-31 is revised as follows:

**I-31** *Rose Avenue & Pleasant Valley Road:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Pleasant Valley Road intersection that adds a third northbound thru lane and a third southbound thru lane by removing existing northbound and southbound right turn lanes.

**Page I-33**

**Table I-I, Transportation/Traffic** Mitigation Measure I-32 is revised as follows:

**I-32** *SR-1/Rice NB & Pleasant Valley Road:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the SR- 1/Rice NB & Pleasant Valley Road intersection that adds a westbound right turn lane.

**Page I-34**

**Table I-I, Transportation/Traffic** Mitigation Measure I-33 is revised as follows:

**I-33** *Rice Avenue & Gonzales Road:* The Project developer shall pay applicable City and County traffic impact fees and dedicate additional land to accommodate improvements to the Rice Avenue &

Gonzales Road intersection to achieve LOS C, unless the City Council decides this mitigation is infeasible and accepts LOS D for this intersection with an accompanying Statement of Overriding Considerations.

~~I-33a Rice Avenue & Gonzales Road: The Project developer shall pay a fair share cost and provide additional land to accommodate improvements to the Rice Avenue & Gonzales Road intersection that adds a northbound thru lane.~~

~~—OR—~~

~~I-33b The City Council shall make an exception to allow Rice Avenue & Gonzales Road intersection to operate below LOS “C”. The City has initiated the Intelligent Transportation Systems (ITS) Master Plan project as a tool to strategically deploy ITS strategies to improve mobility and safety to the traveling public within the Oxnard region. The methodology used to calculate the LOS does not credit or take into account the City’s ITS Master Plan, which similar ITS programs such as the Automated Traffic Surveillance and Control system used in Los Angeles County have shown improved travel time and speed by 12% 16% and decreased delay by 32% 44% (ATSAC evaluation study, 1994).~~

#### Page I-35

**Table I-I, Transportation/Traffic** Mitigation Measure I-34 is revised as follows:

**I-34** 101 (Ventura) Freeway: The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements that are, or are subsequently included, component(s) of the Oxnard Traffic Capital Improvement Program which: 1) extend and connect north- and south-bound Ventura Freeway exit and entrance ramps between Oxnard Blvd and Del Norte Blvd. and/or 2) extend Gonzales Road and/or Ventura Road to Central Avenue.

~~*Camarillo, JCT. RTE. 34, Lewis Road Interchange:* The Project developer shall pay a fair share cost toward implementing improvements which add a fourth travel lane in both northbound and southbound to mitigate the Projects impact on the Ventura Freeway.~~

#### Page I-35

**Table I-1, Air Quality** Mitigation Measure J-1 is revised as follows:

**J-1** This is an adaptive management mitigation measure. The Project developer shall implement fugitive dust control measures throughout all phases of construction. The Project developer shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. These measures, like all EIR mitigation measures, are binding on subsequent parties and developers. Examples of the types of measures currently required and recommended include the following:

- Minimize the area disturbed on a daily basis by clearing, grading, earthmoving, and/or excavation operations.
- Pre-grading/excavation activities shall include watering the area to be graded or excavated before the commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during these activities.
- All trucks shall be required to cover their loads as required by California Vehicle Code §23114.
- All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary.
- Material stockpiles shall be enclosed, covered, stabilized, or otherwise treated, to prevent blowing fugitive dust offsite.
- Graded and/or excavated inactive areas of the construction site shall be monitored by a City-designated monitor at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.
- Signs shall be posted on-site limiting on-site traffic to 15 miles per hour or less.
- During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off-site or on-site. The site superintendent/supervisor shall use his/her discretion in conjunction with the VCAPCD in determining when winds are excessive.
- Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
- Personnel involved in grading operations, including contractors and subcontractors should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.

**Page I-39**

**Table I-1, Air Quality** Mitigation Measure J-3 is revised as follows:

**J-3** This is an adaptive management mitigation measure. The Project developer shall include in construction and building management contracts one or more of the following requirements or other measures shown to be equally effective:

- ~~All structures developed with the Project shall achieve a Tier 1 “green building” designation within the meaning of the California Green Building Code, Chapter 5, Section 503 by exceeding the 2007 California Energy Code requirements by 15 percent.~~
- Use solar or low-emission water heaters in new buildings where feasible and as in common practice in similar new construction in the Oxnard area.
- Require that commercial landscapers providing services at the common areas of project site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).
- Provide bus stops pull-out areas, and/or shelters at locations along and within the Project site. The number and location of bus stops shall be determined in consultation with Gold Coast Transit and the City Traffic Engineer. Cumulative air quality impact fees (see Mitigation J-6) paid by the Project developer or subsequent interests may be used for some or all of these structures or as credits against the fee and/or to be funded from the fee fund consistent with the City’s practice with other projects with similar transit-oriented mitigation requirements.

**Page I-40**

**Table I-1, Air Quality** Mitigation Measure J-4 is revised as follows:

**J-4** This is an adaptive management mitigation measure. A Project-wide Transportation Demand Management (TDM) program shall be prepared by a qualified consultant for review by the Development Services Director within one year of the ~~adoption of the Project~~ recording of the first Final Tract Map and implemented on a phase by phase basis thereafter. The TDM program shall incorporate best and commonly used trip-reduction incentives, programs, and practices found in TDMs of similar projects in terms of allowed uses, size, and transportation and transit service context. The TDM shall, to the maximum extent financially feasible or practical, be coordinated and consistent with Gold Coast Transit service planning, development and/or final adoption of a regional and/or Oxnard Sustainable Communities Strategy (under SB 375), and TDMs or similar efforts of surrounding businesses and organized business and commercial organizations, including but not limited to, the Camino Real Business Park; Proctor and Gamble; Riverpark (The Collections); The Esplanade; The Village; Oxnard Auto Center Dealers Associations; and the McGinnes Ranch, Northgate, and Seagate business parks. The TDM shall

include an estimate of Project vehicular trips; a target reduction; a strategy and timeline to achieve the target; and one or more means of an independent sustainable funding program to administer, monitor, and routinely update the TDM program. At the discretion of the City Traffic Engineer based on applicable professional practice, documented and sustained TDM-attributable trip reductions shall be incorporated into future Project-related traffic studies and/or analyses for purposes of calculating traffic fees and/or modifying traffic-related mitigations. The TDM may be implemented on a phase-by-phase basis.

#### Page I-42

**Table I-1, Air Quality** Mitigation Measure J-5 is revised as follows:

**J-5** This is an adaptive management mitigation measure. The Specific Plan shall include a requirement that all structures with a flat or nearly flat roof area of over 10,000 square feet shall be designed ~~to support the installation of solar panel and/or similar equipment~~ with roof systems capable of supporting equipment that generates electricity from sunlight and/or wind if economically feasible and subject to review by the Fire Department. ~~The owner/tenant of the building may elect to install such equipment~~ The roof systems may be designed to service the building and/or enter into a commercially reasonable public or private utility agreement for purposes of generating energy or transmission, ~~if requested by the City and economically feasible.~~

#### Page I-42

**Table I-1, Air Quality** Mitigation Measure J-6 is revised as follows:

**J-6** This is an adaptive management mitigation measure. The Project developer shall contribute ~~an estimated \$2,713,928.00~~ to a cumulative impacts mitigation “buy-down” TDM fund managed by the City based on the Ventura County Air Pollution Control District fee schedule effective at the time a building permit is issued. ~~to~~ The fee contribution shall be assessed and paid incrementally as individual buildings are developed. The ~~TDM~~ fee is allocated based on each development’s share of average daily trips (ADT) for the Project buildout. The ADT shall be recalculated annually by the City Traffic Engineer or upon request of the Project developer with a payment of a fee determined by the City Traffic Engineer that covers actual time and material costs to the City. The City shall consider transit and traffic demand management improvements and programs suggested by the Project developer, in excess of those otherwise required, as credits against the fee and/or to be funded from the fee fund.

#### Page I-43

**Table I-1, Noise** is changed to include the following information:

#### Cumulative Noise

No mitigation measures are feasible to reduce the cumulative roadway noise impacts along Gonzales Road between Rice Avenue and Rose Avenue.

**Page I-45**

**Table I-I, Population and Housing** Mitigation Measure L-1 is revised as follows:

**L-1** If there is a housing component within the Project of over 10 units, ten percent of the total units within each project or a percentage determined by an economic impact assessment that estimates the need for very low and low income housing created by actual and anticipated development with the Specific Plan, whichever percentage is higher but not to exceed 23 percent, would be set aside developed as affordable housing in a manner consistent with the City's inclusionary housing program for qualified low and moderate income households, to be determined by an economic impact assessment that estimates the need for very low and low income housing created by the actual and anticipated development and the wages paid to their employees. This information shall also be reflected in the Specific Plan document under section 4.7, Affordable Housing.

~~the affordable housing requirement shall be a minimum of 15 percent to a maximum of 21 percent, composed of equal portions for very low, low, and moderate income households. The affordability requirement shall be determined by a nexus study that estimates the incomes of current and projected employees within the Project compared to the availability of correspondingly affordable housing within the commute shed.~~

**Level of Significance After Mitigation**

Less than significant impact with implementation of Mitigation Measure L-1 if housing is proposed.

**Page I-46**

**Table I-I, Public Services - Fire** Mitigation Measure M.1-1 is added as follows:

**M.1-1** The Specific Plan permits the development of 1.7 million square feet of development (approximately 20 percent of allowed development by the Specific Plan) prior to the completion of a fully operational fire station. The exact location of an approximately 1.5-acre site near Rice Avenue and the easterly extension of Gonzales Road and construction of the fire station are subject to a future agreement among City, Oxnard Fire Department (OFD) and Developer.

**Level of Significance After Mitigation**

The Oxnard Fire Department has determined after reviewing its current service capacity, current demands for service, and anticipated increases in demands for service from other projects that 1.7 million square feet (20 percent of the Specific Plan) could be developed within the Specific Plan before the fire station is required.

Less than significant impact following the implementation of Mitigation Measure M.1-1.

**Page I-47**

**Table I-I, Public Services - Schools** Mitigation Measure M.3-1 is revised as follows:

**M.3-1** This is an adaptive management mitigation measure. The subsequent developer(s) under the specific plan would be required to pay all applicable school fees to offset the impact of additional student enrollment at schools. No other mitigation measures are required as part of the environmental review process unless State Law changes so as to allow subsequent environmental reviews to identify appropriate feasible mitigations to reduce a significant impact on schools to a level below the significance threshold.

**Page I-49**

**Table I-I, Utilities - Water** Mitigation Measure N-1 is revised as follows:

**N-1** The on-site domestic water system shall include the following:

- A public pipeline systems which feed into separate water meters for each ownership. In addition, there shall be separate water meters for each multi-family unit townhouses, but not apartment units. The high-rise residential towers may be master-metered.
- A separate water meter (1) for the common landscape areas that would be connected to the future recycled water system.
- All domestic water pipelines shall adhere to Division of Occupational Health and Safety (DOHS) requirements for separation between water and recycled water/wastewater pipelines.
- The Project developer shall be responsible for payment of capital improvement/connection fees, including all related “installation fees.”
- The Project developer shall provide the City any approvals necessary to dedicate to the City all FCGMA allocation associated with the Project site, on a phase-by-phase basis and upon the conversion of land from agricultural to urban uses. ~~whether such allocation is associated with the conversion of agricultural to urban uses, or otherwise.~~
- ~~• Developer shall provide to the City addition water rights, water supplies, or water offsets in the form of recycled water facilities, conservation retrofits, financial contributions towards City programs which generate in City water conservation, or participation in other similar programs with cumulatively result in a total water supply contribution, taken together with other water rights or FCGMA allocation provided to the City, which offset the entire estimated water demand associated with the Project.~~

**Page I-51**

**Table I-I, Utilities - Water** Mitigation Measure N-2 is revised as follows:

**N-2** This is an adaptive management mitigation measure. The Project developer shall provide a recycled water system that serves all practical irrigated areas and which is: (1) separated from the domestic water system, (2) constructed per the City's Recycled Water Construction Standards (being developed), (3) irrigated at night, and (4) properly signed once the system is fully operational.

- The portion of the irrigation intended for the future recycled water system shall be separately metered from that portion of the system that will not be connected to the future recycled water system, if any.
- Until the recycled water system is operational, the common area irrigation system shall be connected to the domestic system. Once recycled water is available, and connection to the recycled water system is made, the Project developer shall remove the connection to the domestic water system. No domestic water back-up is needed, since the City will provide such back-up including an appropriate air gap facility as part of the City's system.
- Prior to the availability of recycled water, the Project developer shall be responsible for payment of the Recycled Water Connection Fee or the water connection fee, whichever is greater for facilities constructed.
- At such time as recycled water is available, the Project developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled water system, including appropriate signage. Credits for connection fees shall be given by the City based on the size of the meter(s). Under no circumstance will there be a refund of water connection fees already paid.
- The Project developer shall be responsible for appropriate Sakioka Farms Specific Plan Covenants, Conditions and Restrictions (CC&Rs) covering the use of recycled water and for proper disclosures.
- ~~Prior to submittal of subdivision improvement plans, the Project developer shall review with the City the potential for dual plumbing, whereby toilet facilities would be served by the recycled water system. No determination has yet been made regarding whether the City will desire to proceed with this plan. However, should the City decide that it is desired, all costs associated with the dual plumbing shall be borne by the developer.~~

### Page I-53

**Table I-I, Utilities - Water** Mitigation Measure N-3 is revised as follows:

**N-3** This is an adaptive management mitigation measure. The Project developer shall incorporate exterior water conservation features, as recommended by the State Department of Water Resources at the time of adoption or in common practice in the future, into the Project. These shall include, but are not limited to:

- Landscaping of common areas with low water-using plants,
- Minimizing the use of turf by limiting it to lawn dependent uses, and
- Wherever turf is used, installing warm season grasses.

**Page I-54**

**Table I-I, Utilities - Water** Mitigation Measure N-4 is revised as follows:

**N-4** This is an adaptive management mitigation measure. The Project developer shall, to the extent feasible, use reclaimed water for irrigation of landscaping and other uses if or when such water is available at the project site.

**Page I-54**

**Table I-I, Utilities - Water** Mitigation Measure N-5 is revised as follows:

**N-5** The Project developer shall predominantly use vegetation that requires minimal irrigation (i.e., drought tolerant plant species) in all site landscaping where feasible for new plantings.

**Page I-55**

**Table I-I, Utilities - Water** Mitigation Measure N-10 is revised as follows:

**N-10** The Project developer shall, to the extent feasible, install a “smart sprinkler” system to provide irrigation for the landscaped areas. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be automatically adjusted by a state-of-the-art system that relies on local weather forecasts.

**Page I-55**

**Table I-I, Utilities - Water** Mitigation Measure N-12 is revised as follows:

**N-12** This is an adaptive management mitigation measure. The Project’s annual water supply deficit of 330 acre feet was estimated using 2010 water use estimates for the theoretical buildout of the entire project. Actual water demand over the buildout of the Project is likely to change as actual development and uses occur and changing water consumption. Subsequent water demand/supply analyses required by subsequent CEQA review may change water supply needs relative to the City’s future water supply. The Draft 2010 Urban Water Management Plan (UWMP) incorporates the Project’s water demand as proposed. Should subsequent project development incur water demand in excess of that anticipated by the adopted 2010 UWMP and/or the City’s water supplies are reduced below those anticipated by the adopted 2010 UWMP, the Project developer shall, to the extent feasible, implement one or more, but not limited to, the following

adaptive measures to remain water neutral to the City's available and projected supply at the time of subsequent project approvals that involve a Negative Declaration, Mitigated Negative Declaration, or Subsequent EIR:

N-12.1 The Project developer shall provide to the City additional water rights of at least the shortage amount.

N-12.2 The Project developer shall provide to the City water supplies equal to the shortage amount until City supply is adequate.

N-12.3 The Project developer shall provide to the City permanent quantified water offsets in the form of recycled water.

N-12.4 The Project developer shall provide to the City financial contributions towards City programs which generate in-City water conservation or recycled water capacity or conveyance.

N-12.5 The Project developer shall participation in other similar programs with cumulatively result in an adequate water supply contribution.

~~In order to negate the Project's projected annual water supply deficit of 330 acre-feet and achieve the water neutral policy established by the City Council, the Developer shall participate in the financing of an approximately 4.5 mile recycled water supply branch pipeline commencing at the intersection of Ventura Road and Fifth Street, going east along Fifth Street to Oxnard Boulevard, north on Oxnard Boulevard to Camino del Sol, east on Camino del Sol to Rose Avenue, and north on Rose Avenue to Gonzales Road, then from there into the Project's recycled internal pipelines required by mitigation N-2. The pipeline varies in width from 16 to 12 inches and a more feasible and/or less expensive alternative route may be substituted by the Director of Public Works. The Project's estimated share of the total expense is approximately 55 percent, or \$3,930,720 which includes a 20 percent contingency. This Project's obligation may be proportionately reduced and/or refunded should other recycled water users buy into the water line under a cost sharing program to be developed by the Director of Public Works. This pipeline is required to be in place and operational when, and if, the cumulative actual and projected potable water demands of subsequent development exceed the transferred ground water credits transferred to the City.~~

**Page I-56**

**Table I-I, Utilities - Water Mitigation Measure N-13 is revised as follows:**

N-13 The Project developer shall participate in an assessment district or similar financing instrument for the construction of a recycled water supply pipeline that will connect into the Project's recycled internal pipelines required by mitigation, or pay applicable connection fees to connect to the City's recycled water line when requested.

~~The Project shall construct an 18 inch potable water pipeline approximately 900 feet in length from the intersection of Solar Drive and Gonzales Road eastward and connecting to the Project's~~

~~internal potable pipeline system at Rice Avenue. The estimated cost is \$370,000 which includes a 20 percent contingency. This pipeline connector and related equipment shall be completed and operable prior to completion of any structure in Planning Areas 1, 2, or 3 or as determined by the Director of Public Works.~~

## Page I-58

**Table I-I, Utilities - Energy** Environmental Impact is revised as follows:

The proposed Project is estimated to consume a total of 253,691 or 264,999 (With residential uses and without residential uses, respectively) kilowatt-hours (kWh) of electricity per day. SCE has states that the electrical loads of the Project are within parameters of projected load growth which SCE is planning to meet in the area. The total system demand for electricity increases annually and this Project would contribute to that growth. However, the SCE has plans for new distribution resources that would give SCE the ability to serve all customers' loads in accordance with its rules and tariffs adequately through 2011 ~~2010~~. Furthermore, the proposed Project would be required to comply with Title 24, which establishes energy conservation standards for new construction. Therefore, there would be a less than significant impact on electrical supply systems.

## II. ENVIRONMENTAL SETTING

### Page II-4

The first paragraph of **Description of the Project Site and Existing Land Uses**, is changed to read:

The project site consists of four parcels totaling 424.6 acres of land. The four Sakioka Farms-owned parcels ~~(216-003-007/ 010/ 014/ 015)~~ (216-030-145, 075, 155, 105) total 422.56 acres in the City's GIS system, but does not include the publically-owned Del Norte Boulevard and Camino Street ROWs of approximately 8 acres for a combined total of approximately 430 acres.

## III. PROJECT (PLAN) DESCRIPTION

### Page III-1

Subsection **Objectives** is changed to read as follows:

The objectives of the Project, which is the adoption of a Specific Plan but referred to as a "project" for CEQA purposes, are set forth by the applicant as follows:

- Implement the goals and policies of the 2020 Oxnard General Plan by defining the physical development of the Sakioka Farms Business Park site, or the 2030 General Plan if adopted prior to action on the Project.
- Provide the framework and guidelines for a phased well-planned business park

development and achieve a high level of quality design.

- Provide flexible business options – including a mix of business research, professional office, light industrial, and commercial – appropriate for regional freeway-adjacent uses and responsive to market conditions.
- Enhance the existing job base in the City of Oxnard through the creation of a broad range of employment and career opportunities.
- Allow the option of affordable housing and workforce housing to be developed in close proximity to employment centers.
- Allow continued agricultural cultivation throughout the buildout of the project.
- Other objectives listed in the Draft Specific Plan.
- To establish a planning concept, design theme, development regulations and administrative procedures necessary to achieve an orderly and compatible development of the project area.
- To establish the general type, location, parameters and character of all development within the sites boundaries, while allowing for creative design ideas on individual projects consistent with an overall concept.
- To establish the alignment and design of a circulation system, and all public facilities and infrastructure necessary to implement a master planned business park.

### Page III-13

The first sentence of the first paragraph under the heading Housing and Childcare is revised to read as follows:

Optional residential uses would be permitted within Planning Areas 2, 3, and 4 in place of light industrial uses. Affordable housing would be addressed within each residential project. ~~A minimum of Ten percent of the total units within each project or a percentage determined by an economic impact assessment that estimates the need for very low and low income housing created by actual and anticipated development with the Specific Plan, whichever percentage is higher but not to exceed 23 percent, would be set aside~~ developed as affordable housing in a manner consistent with the City's inclusionary housing program for qualified low and moderate income households, to be determined by an economic impact assessment that estimates the need for very low and low income housing created by the actual and anticipated development and the wages paid to their employees. The intent is that an appropriate portion of the demand for affordable housing created by the Project may need to be partly satisfied within the Project if the City or region are not providing enough affordable housing. Low income households are between 60 and 80 percent of the Ventura County median income and moderate is between 80 and 120 percent. An additional ten percent of the total units would be made available as workforce housing for

households with incomes between 120 and 150 percent of the County's median income.

## IV. ENVIRONMENTAL IMPACT ANALYSIS

### IV.A. Impacts Found to Be Less Than Significant

Page IV.A-3, Archeological Resources Mitigation Measure A-1 is revised as follows:

**A-1** This is an adaptive management mitigation measure. The Project developer and/or subsequent responsible parties shall contract with a qualified archaeologist to monitor all initial grading and excavation in excess of three feet. In the event that any historic or prehistoric cultural resources are discovered, they will be evaluated in accordance with the procedures set forth in CEQA Section 15064.5. If the evaluation determines that such resources are either unique or significant archaeological, paleontological, or historic resources and that the project would result in significant effects on those resources, then further mitigation would be required. In cases where the resources are unique, then avoidance, capping, or other measures, including data recovery, would be appropriate mitigation. If the resources are not unique, then recovery, without further mitigation, would be appropriate.

### IV.A. Impacts Found to Be Less Than Significant

Page IV.A-4, Archeological Resources Mitigation Measure A-2 is revised as follows:

**A-2** This is an adaptive management mitigation measure. The Project developer and/or subsequent responsible parties shall contract with a Native American monitor to be present during all subsurface grading, trenching, or construction activities in excess of three feet on the Project site. The monitor shall provide a ~~weekly~~ monthly report to the Planning Division summarizing the activities during the reporting period. If any qualifying cultural materials are encountered during this phase of project construction, construction activities on the project site shall be halted immediately, and the Project developer shall notify the City. If any find were determined to be significant by the Native American monitor, the City and the Native American monitor would meet to determine the appropriate course of action. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. ~~The~~ A final monitoring report(s) shall be provided to the Planning Division prior to approval of final building certificate(s) of occupancy ~~permit~~ signature.

### IV.B. Land Use and Planning

Page IV.B-11, Table IV.B-3 is changed to read as follows:

The Specific Plan site is not located in an area with high geologic hazards or proximate to the coastline. Therefore, the potential for beach erosion or tsunami hazard does not exist. Although

the eastern portion of the Specific Plan site is located within the protected zone for the Camarillo Airport, the proposed uses would be compatible with the recommended restrictions following the implementation of Mitigation Measure G-8 and Project implementation is not expected to result in any abnormal or significant safety hazard for the employees, residents, or patrons of the project site.

#### Page IV.B-20

The following paragraph is added to subsection **LEVEL OF SIGNIFICANCE AFTER MITIGATION**:

However, if the Oxnard 2030 General Plan is adopted before the Final Sakioka Farms Final EIR is certified and if determined to be required, a 2030 General Plan consistency analysis shall be completed by the City and reimbursed by the Project applicant.

#### IV.C. Agricultural Resources

##### Page IV.C-7

The first sentence of subsection *Conversion of Farmland of Statewide Importance* is revised to read:

As discussed previously in this EIR section, ~~the Project site is classified as farmland of statewide importance~~ approximately 99.7 acres of the Project site are classified as Prime Farmland and the remaining 323.7 acres are classified as Farmland of Statewide Importance.

##### Page IV.C-9

Mitigation Measure C-1 is revised as follows:

- C-1** This is an adaptive management mitigation measure. The project developer shall offer, at cost, the top 12 inches of the Prime Farmland soils (at 100 acres) for relocation to a farm site or farm sites that have lower quality soils. The cost will include the suitable replacement soil, if needed for site improvements. This mitigation may occur in phases as the areas with Prime Farmland are incrementally developed.

##### Page IV.C-9

Mitigation Measure C-2 is revised as follows:

- C-2** This is an adaptive management mitigation measure. The project developer shall install a fence or wall with a minimum height of eight (8) feet along the eastern perimeter of the project site that abuts the unincorporated portion of Ventura County when developed is proposed east of Del Norte Avenue. Fencing may be required between developed phases of the Project and continuing agricultural operations on the remaining Project site based on subsequent entitlement actions.

**Page IV.C-9**

At the request of the County of Ventura, Office of Agricultural Commissioner, the following information and Mitigation Measure is added:

The following mitigation measure reduces the potential for employees of or visitors to commercial properties adjacent to agricultural property to be overly concerned or anxious regarding the use of agricultural chemicals on adjacent properties.

**C-3** This is an adaptive management mitigation measure. In order to buffer on- or off-site agricultural land uses and on-site non-agricultural uses either of the following measures may be undertaken to allow scheduled Restricted Materials applications by an on- or off-site farmer; 1) closure of the buildings during periods when restricted materials will be used on the adjacent farmland parcels or 2) notification, consistent with common-practice in Ventura County, of building occupants and/or building managers that normal farming activities will occur nearby from time to time which can include noise, mild dust, and odors; that inert and non-toxic substances are frequently used by farmers which should be of no concern to people nearby, and that actual chemical spray drift from farms is rare and should not be misperceived.

Following the implementation of this measure, potential impacts to Land Use Incompatibility would be less than significant.

**IV.E. Biological Resources****Page IV.E-18**

Mitigation Measure E-1 is revised as follows:

**E-1** This is an adaptive management mitigation measure. In order to avoid adverse impacts to nesting birds, including nesting migratory birds known to exist in the trees (if any) on the Project site, during construction activities, all tree and vegetation removal activities must take place outside of the nesting season (15 February – 1 September), although these dates are somewhat arbitrary recognized by the California Department of Fish and Game for that species in this area. If vegetation removal activities occur during the nesting season, a qualified ecologist/biologist must be present to monitor the removal activities to ensure that no active nests will be impacted. If nests are found, a 100-foot 300 foot (500 feet for raptors) buffer radius shall be established until the young have fledged. If nests are observed and lesser buffer distances are desired, the biological monitor shall confer with Planning and Fish and Game staff to determine an appropriate buffer distance based on species specific requirements. This measure does not apply to agricultural row crops.

**Page IV.E-18**

Mitigation Measure E-2 is revised as follows:

**E-2** This is an adaptive management mitigation measure. Prior to processing the initial tract map for a planning area that could lead to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, prepare and submit to the Corps for verification a “Preliminary Delineation Report for Waters of the U.S.” and a Streambed Alteration Notification package to CDFG for the irrigation drainage features. If these agencies determine that the feature is not regulated under their jurisdiction, then no further mitigation is necessary. However, if the Corps considers the feature to be jurisdictional through a “significant nexus” test per recent Corps and EPA guidance,<sup>2</sup> then a Clean Water Act Section 404 permit shall be obtained from the Corps, and any permit conditions shall be agreed to, prior to the start of construction activities in the affected area. If CDFG determines that the drainage is a regulated “streambed”, then a Streambed Alteration Agreement shall be entered into with CDFG and any associated conditions shall be agreed to prior to the start of construction in the affected area.

**Page IV.E-18**

Mitigation Measure E-3 is revised as follows:

**E-3** This is an adaptive management mitigation measure. In order to prevent unauthorized impacts to jurisdictional features, the following permits shall be issued and/or reports approved (or exemptions issued) by the respective resource agency, and any associated conditions of approval shall be agreed upon, prior to processing the initial tract map for a planning area that could lead to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, subsequent to adoption of the Project (i.e. Specific Plan) ~~the initiation of any ground disturbing activities associated with the proposed development:~~

- Clean Water Act Section 404 Permit from the Corps,
- Streambed Alteration Agreement under Section 1600 of the Fish and Game Code from CDFG;
- Clean Water Act Section 401 Water Quality Certification or Waste Discharge Requirements from the RWQCB

If the irrigation ditches were to be determined as jurisdictional by the Corps, it will be necessary to insure adequate compensation for adverse impacts to jurisdictional features from project development be made. If so, a detailed Mitigation Plan shall be prepared by a qualified biologist. The Plan shall describe and justifying the (1) formal delineation (2) proposed methods including

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<sup>2</sup> U.S. Environmental Protection Agency and U.S. Department of the Army. 2007. *Clean Water Act Jurisdiction Following the U.S. Supreme Court’s Decision in Rapanos v. United States & Carabell v. United States. June 5, 2007.*

timing, materials, and erosion control measures, (3) the proposed location for the replacement areas, (4) habitat protection measures (including a mechanism for permanent preservation of the area supporting the replacement habitat). This Plan shall be submitted to and approved by the County, Corps, CDFG, and RWQCB prior to initiation of construction activities. ~~Several strategies to compensate for the loss of riparian habitat are proposed below:~~

#### Page IV.E-19

Mitigation Measure E-4 is revised as follows:

**E-4** If required to compensate for riparian habitat loss by the Corps, the project applicant will place under conservation easement in a manner acceptable to the Corps and the California Department of Fish and Game an area of riparian habitat that will accommodate constructed replacement at a ~~4:1 ratio~~ ratio to be determined during the formulation of a Lake and Stream Alteration Agreement (i.e. a number of acres of constructed riparian habitat). This conserved riparian habitat must be of the same or higher quality as the habitat that is to be removed as a result of the Project. Or, the Project applicant will purchase the requisite number of credits from a qualified conservation bank. The Project applicant can only purchase credits from those banks that sell credits covering the riparian species to be affected by the proposed Project or as approved by the Corps or agency of jurisdiction.

#### Page IV.E-19

Mitigation Measure E-5 is revised as follows:

**E-5** This is an adaptive management mitigation measure. Prior to construction of the Planning Area 1, located adjacent to the Ventura Freeway, a qualified ecologist/biologist must determine the presence and extent/absence of monarch butterfly activity surrounding the proposed construction area if any mature windrow trees are present. If temporary aggregation activity is observed within this area, construction shall be halted until after the temporary aggregation season (September – December) or until the monarchs have left the project vicinity.

### IV.F. Geology and Soils

#### Page IV.F-18

Mitigation Measure F-1 is revised as follows:

**F-1** This is an adaptive management mitigation measure. **Conduct Geotechnical Investigations and Adhere to Recommendations:** Detailed design-level geotechnical investigations shall be performed by qualified licensed professionals for each individual proposed project/phase of the Sakioka Farms Business Park Specific Plan project. These geotechnical investigations shall include, but not be limited to:

- identification of unsuitable soils including expansive, corrosive, and collapsible soils,
- identification presence and extent of liquefiable soils,
- calculation of site-specific seismic design criteria,
- a fault evaluation study to location confirm the presence or absence of the Springville and Camarillo segments of the Simi-Santa Rosa fault across the southern half of the Proposed Project site.

Recommendations shall be provided in these reports for design of project structures and facilities and for mitigation of any unsuitable conditions encountered. These reports shall be provided to the City and other reviewing agencies for review. These recommendations shall be implemented, as deemed appropriate by the City and the Applicant's engineering design consultant.

#### **IV.G. Hazards and Hazardous Materials**

##### **Page IV.G-13**

The first paragraph of subsection **Aircraft Hazards** is revised to read:

The Project site is located within the planning area and protection zones for Camarillo Airport. The eastern-most area of the site is located with the Extended Traffic Pattern Zone (ETPZ) for Camarillo Airport as designated in the Airport Comprehensive Land Use Plan (ACLUP) for Ventura County. Most business research, office, commercial, and light industrial uses area compatible within the ETPZ according to the compatibility standards listed in the ACLUP with a recommended maximum structural coverage of no more than 50 percent. While no ~~NO~~ residential units would be located are currently proposed within the ETPZ boundary, should any residential uses be proposed at a future time, residential development is not to exceed 25% structural coverage. Although the ETPZ zone restrictions would limit the amount of building area that could be provided at the project site, these restrictions would not reduce the 8.5 million square feet of building space envisioned under the Specific Plan. Therefore, Project implementation is not expected to result in any abnormal or significant safety hazard for the employees of the Project site. In addition, the Project site is not located in the vicinity of any other airstrips that have operations over the site on a regular basis.

##### **Page IV.G-14**

Mitigation Measure G-2 is revised as follows:

- G-2** A visual inspection of all storage structures shall be performed prior to demolition activities. In the event that hazardous materials are encountered, the materials shall be tested and properly disposed of pursuant to Local, State and Federal regulations.

##### **Page IV.G-14**

Mitigation Measure G-4 is revised as follows:

- G-4** Areas of exposed soil five feet from the expanded Caltrans Right-of-Way along the Ventura Freeway after completion of the Rice Avenue/101 Freeway interchange reconstruction, which will be disturbed during any excavation/grading activities, shall be sampled and tested for lead. In the unlikely event that unacceptable levels of lead materials are encountered, the materials shall be disposed of pursuant to State and Federal regulations.

**Page IV.G-14**

Mitigation Measure G-5 is revised as follows:

- G-5** This is an adaptive management mitigation measure. Soil sampling shall occur throughout the Project site concurrent with phased development, including the pesticide mixing areas within Areas 1 and 3. The sampling will determine if pesticide concentrations exceed established regulatory requirements and will identify proper handling procedures that may be required.

**Page IV.G-15**

At the request of the County of Ventura, Department of Airports the following Mitigation Measure is added:

- G-8** This is an adaptive management mitigation measure. Consistent with the Airport Comprehensive Land Use Plan for Ventura County (ACLUP) and the Sakioka Farms Specific Plan, commercial/industrial development is permitted within the Extended Traffic Pattern Zone and residential development, should it be incorporated into future plans, is permitted within the Extended Traffic Pattern Zone subject to avigation easements and appropriate recorded disclosures.

**IV.I. Transportation/Traffic**

**Page IV.I-2**

The last sentence of paragraph three is changed to read:

According to the *Guidelines for CMP Traffic Impact Analysis Reports in Ventura County* and City criteria, level of service C is considered the minimum acceptable level of service (LOS) for an intersection in Oxnard. ~~LOS E is the minimum Ventura County standard.~~ The Ventura County Transportation Commission (VCTC), County of Ventura, and California Department of Transportation (CalTrans) are separate and independent agencies with jurisdiction and responsibility for intersection and road segment minimum levels of service standards outside of Oxnard. Level of Service E is the minimum acceptable LOS for VCTC (Congestion Management Program) and LOS D is the minimum acceptable LOS for Ventura County and CalTrans.

**Page IV.I-21**

The last sentence of the first paragraph is revised to read:

The analyses include planned future intersection lane geometrics for study intersections as shown in Figure IV.I-9. As shown in Table IV.I-7, all study intersections are planned to operate at ~~an acceptable level of service~~ level of service C with the exception of the five locations listed below:

**Page IV.I-52**

The first paragraph under the **MITIGATION MEASURES** heading is revised as follows:

The following measures are part of an adaptive management mitigation program. The traffic improvements listed below as I-1 through I-34, inclusive, are intended to maintain Level of Service C with the development of the Project unless excepted by the City Council based upon the traffic modeling completed in February 2010 for the Draft EIR. Subsequent traffic studies required by the Specific Plan may change the number and type of improvements based upon phasing of development, traffic counts and future travel behavior. Adaptive management will allow consideration of such subsequent traffic studies in the implementation of the Transportation/Traffic mitigation measures. The February 2010 traffic modeling does not take into account the City's Intelligent Transportation Systems (ITS) project under construction in 2011. Similar ITS projects have improved travel time and speed by 12%-16% and decreased delay by 32%-44% (ATSAC evaluation study, 1994). As part of the adaptive management of the Transportation/Traffic mitigation measures, the implementation of such mitigation measures shall take into account when feasible the ITS, future traffic counts and updated trip generation data which may reduce, change or make unnecessary the mitigation measures while still achieving the City's adopted Level of Service, unless modified by City Council. The Developer's payment of applicable City and County traffic impact fees in the amount agreed to by the City, County and Developer or, if there is no agreement, in the amount in effect at the time of issuance of a building permit, satisfies in full the action required by Developer in connection with the implementation of the Transportation/Traffic mitigation measures. Developer may also contribute additional funds towards the traffic improvements subject to reimbursement from the City in the form of credits against future City traffic impact fees or repayment by the City.

~~The following mitigation measures are required to maintain all study intersections to LOS C or better under the Phased 2030 plus Project scenario, except those specifically excepted by the City Council to operate below LOS C. All required mitigations shall be constructed during or prior to the phased development in each particular planning area, unless modified by the Oxnard City Traffic Engineer in conjunction with a subsequent traffic study and/or analysis as part of a subsequent planning or entitlement review that finds the mitigation should be modified or does not need to be fully developed in order to maintain LOS C at applicable study intersections. For off site (i.e. non Project) impacted intersection improvements, the Project shall be responsible for a fair share cost of the mitigation which, unless specifically excepted herein, is satisfied by payment of applicable City and County traffic impact fees. However, the Project may be required to complete an on or off site mitigation and be reimbursed~~

~~over an appropriate time period for the non-Project portion per City policy and/or receive traffic fee credits that may be used by subsequent developments within the Project in order to maintain LOS-C operation and ensure public safety.~~

**Page IV.I-53**

Mitigation Measure I-1 is revised as follows:

**I-1** *Rose Avenue & Gonzales Road:* The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing ~~implement~~ improvements to the Rose Avenue & Gonzales Road intersection that adds a fourth westbound thru lane which will mitigate both Project and cumulative (2010 no Project) impacts.

**Page IV.I-53**

Mitigation Measure I-2 is revised as follows:

**I-2** *Rose Avenue & Camino Del Sol:* The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing ~~implement~~ improvements to the Rose Avenue & Camino Del Sol intersection that adds a third northbound thru lane by removing the existing northbound right-turn lane.

**Page IV.I-53**

Mitigation Measure I-3 is revised as follows:

**I-3** *Rice Avenue & Fifth Street:* The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing ~~implement~~ improvements to the Rice Avenue & Fifth Street intersection that adds a third southbound thru lane by removing the existing southbound right turn lane.

**Page IV.I-53**

Mitigation Measure I-4 is revised as follows:

**I-4** *Del Norte Boulevard & Ventura Freeway NB Ramps:* The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards ~~providing provide~~ signalization.

**Page IV.I-53**

Mitigation Measure I-5 is revised as follows:

**I-5** *Del Norte Boulevard & Ventura Freeway SB Ramps:* The Project developer shall ~~pay a fair share~~ pay applicable City and County traffic impact fees toward implementing improvements to

signalize and add a northbound right turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.

**Page IV.I-53**

Mitigation Measure I-6 is revised as follows:

**I-6** *Ventura Road & Wooley Road:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Ventura Road & Wooley Road intersection that adds a third northbound thru lane and a third southbound thru lane which will mitigate both Project and cumulative (2010 no Project) impacts.

**Page IV.I-53**

Mitigation Measure I-7 is revised as follows:

**I-7** *Oxnard Boulevard & Gonzales Road:* The Project developer shall pay applicable City and County traffic impact fees toward improvements adding a third eastbound thru lane at the Oxnard Boulevard & Gonzales Road intersection. ~~support improvements to the Oxnard Boulevard & Gonzales Road intersection that adds a third eastbound thru lane.~~

**Page IV.I-53**

Mitigation Measure I-8 is revised as follows:

**I-8** *Rose Avenue & Gonzales Road:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Gonzales Road intersection that adds a fourth southbound thru lane.

**Page IV.I-53**

Mitigation Measure I-9 is revised as follows:

**I-9** *Rose Avenue & Fifth Street:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Fifth Street intersection that adds a second eastbound thru lane.

**Page IV.I-53**

Mitigation Measure I-10 is revised as follows:

**I-10** *Rice Avenue & Fifth Street:* The Project developer shall pay ~~a fair share cost~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Fifth Street intersection that adds a second westbound left turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.

**Page IV.I-53**

Mitigation Measure I-11 is revised as follows:

- I-11** *Rice Avenue & Channel Islands Boulevard:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Channel Islands Boulevard intersection that changes the southbound defacto right turn lane to a free right turn lane.

**Page IV.I-54**

Mitigation Measure I-12 is revised as follows:

- I-12** *Del Norte Boulevard & Ventura Freeway NB Ramps:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Del Norte Boulevard & Ventura Freeway NB Ramps intersection that adds a second northbound thru lane, adds a separate northbound left turn lane, adds a second southbound thru lane, adds a separate southbound right turn lane, and adds a separate westbound left turn lane.

**Page IV.I-54**

Mitigation Measure I-13 is revised as follows:

- I-13** *Del Norte Boulevard & Ventura Freeway SB Ramps:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Del Norte Boulevard & Ventura Freeway SB Ramps intersection that adds a second northbound thru lane, adds a separate northbound free-right turn lane, adds a second southbound thru lane, adds a separate southbound left turn lane, and adds a separate eastbound left turn lane.

**Page IV.I-54**

Mitigation Measure I-14 is revised as follows:

- I-14** *Oxnard Boulevard & Vineyard Avenue:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Oxnard Boulevard & Vineyard Avenue intersection that adds a third northbound thru lane.

**Page IV.I-54**

Mitigation Measure I-15 is revised as follows:

- I-15** *Oxnard Boulevard & Vineyard Avenue:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Oxnard Boulevard & Vineyard Avenue intersection that adds a fourth southbound thru lane.

**Page IV.I-54**

Mitigation Measure I-16 is revised as follows:

**I-16** *Rose Avenue & Gonzales Road:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Gonzales Road intersection that adds a second westbound left turn lane.

**Page IV.I-54**

Mitigation Measure I-17 is revised as follows:

**I-17** *Rose Avenue & Fifth Street:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Fifth Street intersection that adds a second westbound left turn lane.

**Page IV.I-54**

Mitigation Measure I-18 is revised as follows:

**I-18** *Rice Avenue & Fifth Street:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Fifth Street intersection that completes the grade separation / bypass which will mitigate both Project and cumulative (2020 no Project) impacts.

**Page IV.I-54**

Mitigation Measure I-19 is revised as follows:

**I-19** *Rice Avenue & Wooley Road:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Wooley Road intersection that adds a third northbound thru lane and a third southbound thru lane.

**Page IV.I-54**

Mitigation Measure I-20 is revised as follows:

**I-20** *Ventura Road & Wooley Road:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Ventura Road & Wooley Road intersection that adds a second southbound left lane.

**Page IV.I-54**

Mitigation Measure I-21 is revised as follows:

**I-21** *Rose Avenue & Camino Del Sol:* The Project developer shall pay a ~~fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Camino Del Sol intersection that adds a second eastbound left lane and a second westbound left lane.

**Page IV.I-55**

Mitigation Measure I-22 is revised as follows:

**I-22** *Del Norte Boulevard & Fifth Street:* The Project developer shall pay a ~~fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Del Norte Boulevard & Fifth Street intersection that adds a second westbound thru lane.

**Page IV.I-55**

Mitigation Measure I-23 is revised as follows:

**I-23** *Ventura Road & Gonzales Road:* The Project developer shall pay a ~~fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Ventura Road & Gonzales Road intersection that adds a second northbound left turn lane and a third northbound thru lane which will mitigate both Project and cumulative (2025 no Project) impacts.

**Page IV.I-55**

Mitigation Measure I-24 is revised as follows:

**I-24** *Ventura Road & Wooley Road:* The Project developer shall pay a ~~fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Ventura Road & Wooley Road intersection that adds a third eastbound thru lane and a third westbound thru lane which will mitigate both Project and cumulative (2025 no Project) impacts.

**Page IV.I-55**

Mitigation Measure I-25 is revised as follows:

**I-25** *Rose Avenue & Camino Del Sol:* The Project developer shall pay a ~~fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Camino Del Sol intersection that removes the southbound free right turn lane, adds a third southbound thru lane and adds an eastbound right turn lane which will mitigate both Project and cumulative (2025 no Project) impacts.

**Page IV.I-55**

Mitigation Measure I-26 is revised as follows:

**I-26** *Rose Avenue & Fifth Street:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Fifth Street intersection that adds a southbound right turn lane or contribute fair share towards grade separation.

**Page IV.I-55**

Mitigation Measure I-27 is revised as follows:

**I-27** *Rose Avenue & Channel Islands Boulevard:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Channel Islands Boulevard intersection that adds a third northbound thru lane.

**Page IV.I-55**

Mitigation Measure I-28 is revised as follows:

**I-28** *Rose Avenue & Bard Road:* The Project developer shall ~~implement~~ pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Bard Road intersection that adds a third northbound thru lane and a third southbound thru lane by removing the existing northbound and southbound right turn lanes.

**Page IV.I-55**

Mitigation Measure I-29 is revised as follows:

**I-29** *Rice Avenue & Camino Del Sol:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Camino Del Sol intersection that adds a second eastbound left turn lane which will mitigate both Project and cumulative (2025 no Project) impacts.

**Page IV.I-55**

Mitigation Measure I-30 is revised as follows:

**I-30** *Rose Avenue & Wooley Road:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Wooley Road intersection that adds a third southbound thru lane.

**Page IV.I-55**

Mitigation Measure I-31 is revised as follows:

**I-31** *Rose Avenue & Pleasant Valley Road:* The Project developer shall pay ~~a fair share cost~~ applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Pleasant Valley Road intersection that adds a third northbound thru lane and a third southbound

thru lane by removing existing northbound and southbound right turn lanes.

**Page IV.I-56**

Mitigation Measure I-32 is revised as follows:

**I-32** SR-1/Rice NB & Pleasant Valley Road: The Project developer shall pay a fair share cost applicable City and County traffic impact fees toward implementing improvements to the SR- 1/Rice NB & Pleasant Valley Road intersection that adds a westbound right turn lane.

**Page IV.I-56**

Mitigation Measure I-33 is revised as follows:

**I-33** Rice Avenue & Gonzales Road: The Project developer shall pay applicable City and County traffic impact fees and dedicate additional land to accommodate improvements to the Rice Avenue & Gonzales Road intersection to achieve LOS C, unless the City Council decides this mitigation is infeasible and accepts LOS D for this intersection with an accompanying Statement of Overriding Consideration.

~~**I-33a** Rice Avenue & Gonzales Road: The Project developer shall pay a fair share cost and provide additional land to accommodate improvements to the Rice Avenue & Gonzales Road intersection that adds a northbound thru lane.~~

~~—OR—~~

~~**I-33b** The City Council shall make an exception to allow Rice Avenue & Gonzales Road intersection to operate below LOS “C”. The City has initiated the Intelligent Transportation Systems (ITS) Master Plan project as a tool to strategically deploy ITS strategies to improve mobility and safety to the traveling public within the Oxnard region. The methodology used to calculate the LOS does not credit or take into account the City’s ITS Master Plan, which similar ITS programs such as the Automated Traffic Surveillance and Control system used in Los Angeles County have shown improved travel time and speed by 12% 16% and decreased delay by 32% 44% (ATSAC evaluation study, 1994).~~

**Page IV.I-56**

Mitigation Measure I-34 is revised as follows:

**I-34** 101 (Ventura) Freeway: The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements that are, or are subsequently included, component(s) of the Oxnard Traffic Capital Improvement Program which: 1) extend and connect north- and south-bound Ventura Freeway exit and entrance ramps between Oxnard Blvd and Del Norte Blvd. and/or 2) extend Gonzales Road and/or Ventura Road to Central Avenue.

~~Camarillo, JCT. RTE. 34, Lewis Road Interchange: The Project developer shall pay a fair share cost toward implementing improvements which add a fourth travel lane in both northbound and southbound to mitigate the Projects impact on the Ventura Freeway.~~

#### IV.J. Air Quality

##### Page IV.J-14:

The *Consistency with the 2007 AQMP* subsection is changed to read:

The 2007 AQMP, discussed previously, was prepared to reduce the high levels of pollutants within Ventura County, return clean air to the region, and minimize the impact on the economy. Projects that are considered to be consistent with the AQMP would not interfere with attainment because they were included in the projections utilized in the formulation of the AQMP.

The projections in the 2007 AQMP are based on residential population growth within the various growth and non-growth areas of the County. ~~Without residential uses~~ As residential uses are not proposed, the proposed Project would not result in the direct growth of population within the Oxnard Growth Area. With the potential residential uses, Section IV.L, Population and Housing predicts that up to about 3,382 residents could be accommodated within the Specific Plan area. These housing units are envisioned to serve the growth of employment opportunities in the northeastern part of Oxnard.

The 2007 AQMP uses Southern California Association of Governments (SCAG) population forecasts incorporated into the Regional Transportation Improvements (RTIP) as the basis of its population projections. SCAG forecasts a City population of 265,752 in the year 2030, while the City (in the Draft 2030 General Plan and as adopted by the Ventura County Council of Governments) projects a population of 250,608. The addition of an estimated 3,400 residents within the Specific Plan area ~~As no residential uses are proposed, the Project~~ would not cause the City's population to exceed SCAG and, therefore, 2007 AQMP, population projections. As such, the proposed Project would not conflict with the 1997 AQMP Revision and, as such, would not jeopardize attainment of State and national ambient air quality standards in Ventura County. This would be a less-than-significant impact regarding a conflict with or obstruction of implementation of the applicable air quality plan.

##### Page IV.J-15:

##### Operational Emissions

The URBEMIS 2007 model sheets for the "With Residential Uses" scenario are included near the end of the Appendix I materials, but the results of these calculations were presented in the Air Quality Section of the Draft EIR. Therefore, Table IV.J-4 from the Draft EIR shall be replaced with the following:

**Table IV.J-4  
Estimated Daily Operational Emissions – Net Increase of Proposed Project**

Emissions Source	Emissions in Pounds per Day						
	ROC	NOx	CO	SOx	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
<b>Without Residential Uses</b>							
Area Source Emissions	50.60	5.02	10.33	0.00	0.03	0.03	5,944
Motor Vehicles	227.72	147.59	1,984.58	4.83	841.75	159.17	492,852
Total Net Increase	278.32	152.61	1,994.91	4.83	841.78	159.20	498,796
VCAPCD Thresholds	25.00	25.00	NT	NT	NT	NT	NT
Significant Impact?	Yes	Yes	No	No	No	No	No
<b>With Residential Uses</b>							
Area Source Emissions	95.66	11.76	14.74	0.00	0.05	0.05	14,515
Motor Vehicles	232.30	151.33	2,037.02	4.96	863.69	163.32	505,770
Total Net Increase	327.96	163.09	2,051.76	4.96	863.74	163.37	520,285
VCAPCD Thresholds	25.00	25.00	NT	NT	NT	NT	NT
Significant Impact?	Yes	Yes	No	No	No	No	No
<i>Notes: Subtotals may not appear to add correctly due to rounding in the URBEMIS 2007 model. NT – No threshold of significance.</i>							
<i>Source: Christopher A. Joseph &amp; Associates, 2010. Calculation sheets are provided in Appendix I.</i>							

The EIR team has found a mistake in the first URBEMIS 2007 printouts that are provided in Appendix I (pages 71 through 79) and should be deleted from the appendix. The other URBEMIS 2007 sheets provided in Appendix I (pages 81 through 87) are correct and are reflected in the revised Table IV.J-4, above.

Since the estimated operational emissions for the Project have been revised in Table IV.J-4, the associated mitigation measure for operational impacts also needs to be revised, as provided below.

#### **Page IV.J-27**

Mitigation Measure J-1 is revised as follows:

**J-1** This is an adaptive management mitigation measure. The Project developer shall implement fugitive dust control measures throughout all phases of construction. The Project developer shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. These measures, like all EIR mitigation measures, are binding on subsequent parties and developers. Examples of the types of measures currently required and recommended include the following:

- Minimize the area disturbed on a daily basis by clearing, grading, earthmoving, and/or excavation operations.

- Pre-grading/excavation activities shall include watering the area to be graded or excavated before the commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during these activities.
- All trucks shall be required to cover their loads as required by California Vehicle Code §23114.
- All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary.
- Material stockpiles shall be enclosed, covered, stabilized, or otherwise treated, to prevent blowing fugitive dust offsite.
- Graded and/or excavated inactive areas of the construction site shall be monitored by a City-designated monitor at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.
- Signs shall be posted on-site limiting on-site traffic to 15 miles per hour or less.
- During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off-site or on-site. The site superintendent/supervisor shall use his/her discretion in conjunction with the VCAPCD in determining when winds are excessive.
- Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
- Personnel involved in grading operations, including contractors and subcontractors should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.

**Page IV.J-28**

Mitigation Measure J-3 is revised as follows:

**J-3** This is an adaptive management mitigation measure. The Project developer shall include in construction and building management contracts one or more of the following requirements or other measures shown to be equally effective:

- ~~All structures developed with the Project shall achieve a Tier 1 “green building” designation within the meaning of the California Green Building Code, Chapter 5, Section 503 by exceeding the 2007 California Energy Code requirements by 15 percent.~~
- Use solar or low-emission water heaters in new buildings where feasible and as in common practice in similar new construction in the Oxnard area.
- Require that commercial landscapers providing services at the common areas of project site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).
- Provide bus stops pull-out areas, and/or shelters at locations along and within the Project site. The number and location of bus stops shall be determined in consultation with Gold Coast Transit and the City Traffic Engineer. Cumulative air quality impact fees (see Mitigation J-6) paid by the Project developer or subsequent interests may be used for some or all of these structures or as credits against the fee and/or to be funded from the fee fund consistent with the City’s practice with other projects with similar transit-oriented mitigation requirements.

#### Page IV.J-28

Mitigation Measure J-4 is revised as follows:

**J-4** This is an adaptive management mitigation measure. A Project-wide Transportation Demand Management (TDM) program shall be prepared by a qualified consultant for review by the Development Services Director within one year of the ~~adoption of the Project~~ recording of the first Final Tract Map and implemented on a phase by phase basis thereafter. The TDM program shall incorporate best and commonly used trip-reduction incentives, programs, and practices found in TDMs of similar projects in terms of allowed uses, size, and transportation and transit service context. The TDM shall, to the maximum extent financially feasible or practical, be coordinated and consistent with Gold Coast Transit service planning, development and/or final adoption of a regional and/or Oxnard Sustainable Communities Strategy (under SB 375), and TDMs or similar efforts of surrounding businesses and organized business and commercial organizations, including but not limited to, the Camino Real Business Park; Proctor and Gamble; Riverpark (The Collections); The Esplanade; The Village; Oxnard Auto Center Dealers Associations; and the McGinnes Ranch, Northgate, and Seagate business parks. The TDM shall

include an estimate of Project vehicular trips; a target reduction; a strategy and timeline to achieve the target; and one or more means of an independent sustainable funding program to administer, monitor, and routinely update the TDM program. At the discretion of the City Traffic Engineer based on applicable professional practice, documented and sustained TDM-attributable trip reductions shall be incorporated into future Project-related traffic studies and/or analyses for purposes of calculating traffic fees and/or modifying traffic-related mitigations. The TDM may be implemented on a phase-by-phase basis.

#### **Page IV.J-29**

Mitigation Measure J-5 is revised as follows:

**J-5** This is an adaptive management mitigation measure. The Specific Plan shall include a requirement that all structures with a flat or nearly flat roof area of over 10,000 square feet shall be designed ~~to support the installation of solar panel and/or similar equipment~~ with roof systems capable of supporting equipment that generates electricity from sunlight and/or wind if economically feasible and subject to review by the Fire Department. ~~The owner/tenant of the building may elect to install such equipment~~ The roof systems may be designed to service the building and/or enter into a commercially reasonable public or private utility agreement for purposes of generating energy or transmission, ~~if requested by the City and economically feasible.~~

#### **Page IV.J-30**

Mitigation Measure J-6 is revised as follows:

**J-6** This is an adaptive management mitigation measure. The Project developer shall contribute ~~an estimated \$2,713,928.00~~ to a cumulative impacts mitigation “buy-down” TDM fund managed by the City based on the Ventura County Air Pollution Control District fee schedule effective at the time a building permit is issued. ~~to~~ The fee contribution shall be assessed and paid incrementally as individual buildings are developed. The ~~TDM~~ fee is allocated based on each development’s share of average daily trips (ADT) for the Project buildout. The ADT shall be recalculated annually by the City Traffic Engineer or upon request of the Project developer with a payment of a fee determined by the City Traffic Engineer that covers actual time and material costs to the City. The City shall consider transit and traffic demand management improvements and programs suggested by the Project developer, in excess of those otherwise required, as credits against the fee and/or to be funded from the fee fund.

### **IV.L. Population and Housing**

#### **Page IV.L-10:**

Mitigation Measure L-1 is revised as follows:

**L-1** If there is a housing component within the Project of over 10 units, ten percent of the total units within each project or a percentage determined by an economic impact assessment that estimates the need for very low and low income housing created by actual and anticipated development with the Specific Plan, whichever percentage is higher but not to exceed 23 percent, would be set aside developed as affordable housing in a manner consistent with the City's inclusionary housing program for qualified low and moderate income households, to be determined by an economic impact assessment that estimates the need for very low and low income housing created by the actual and anticipated development and the wages paid to their employees. This information shall also be reflected in the Specific Plan document under section 4.7, Affordable Housing.

~~the affordable housing requirement shall be a minimum of 15 percent to a maximum of 21 percent, composed of equal portions for very low, low, and moderate income households. The affordability requirement shall be determined by a nexus study that estimates the incomes of current and projected employees within the Project compared to the availability of correspondingly affordable housing within the commute shed.~~

#### **IV.M. Public Services - Fire**

##### **Page IV.M-6:**

The following information is added to subsection *New Station No. 10* as follows:

The Oxnard Fire Department has determined after reviewing its current service capacity, current demands for service, and anticipated increases in demands for service from other projects that 1.7 million square feet (20 percent of the Specific Plan) could be developed within the Specific Plan Area before the fire station is required.

##### **Page IV.M-8:**

Mitigation Measure M.1-1 is added as follows:

**M.1-1** The Specific Plan permits the development of 1.7 million square feet of development (approximately 20 percent of allowed development by the Specific Plan) prior to the completion of a fully operational fire station. The exact location of an approximately 1.5-acre site near Rice Avenue and the easterly extension of Gonzales Road and construction of the fire station are subject to a future agreement among City, Oxnard Fire Department (OFD) and Developer.

**LEVEL OF SIGNIFICANCE AFTER MITIGATION** is revised as follows:

The impacts of the proposed Project would be less than significant following the implementation of Mitigation Measure M.1-1.

**IV.M. Public Services - Schools**

**Page IV.M-19:**

Table IV.M-6, Cumulative Student Generation is revised as follows:

REVISED TABLE IV.M-6								
No.	Land Use	Size (du)	Type of Unit	OSD or RSD	K-6	7-8	9-12	Totals
5	Colonial House Mixed Use	40	MF	OSD	12	6	2	20
10	Reardon Apartments	8	MF	OSD	2	1	0	4
14	Sixth Street Apartments	8	MF	OSD	2	1	0	4
22	Press Courier Lofts	52	MF	OSD	16	7	3	25
24	Gateway Walk	190	MF	OSD	57	27	10	93
29	Cervantes Condo Complex	3	MF	OSD	1	0	0	1
31	Artisan Apartments	272	MF	OSD	82	38	14	133
48	Orbela	105	MF	OSD	32	15	5	51
49	North Shore	192	MF	OSD	58	27	10	94
58	Unnamed	159	MF	OSD	48	22	8	78
7	Arbor View (Mira Loma)	291	MF	OSD	87	41	15	143
4	Victoria/Hemlock	116	MF	OSD	35	16	6	57
11	Ventura/Vineyard	201	MF	OSD	60	28	10	98
12	Rose/Pleasant Valley	99	MF	OSD	30	14	5	49
20	Paseo De Luz	43	MF	OSD	13	6	2	21
26	Las Cortes	501	MFA	OSD	150	70	25	245
28	DaL-Villa San Lorenzo	16	MFA	OSD	5	2	1	8
59	Sycamore Senior Village b	0	MFA	OSD	0	0	0	0
21	Duplex	2	SFA	OSD	0	0	0	1
65	Dunes Duplex	2	SFA	OSD	0	0	0	1
8	Paseo Nuevo	60	SFD	OSD	15	7	11	34
13	Single Family Residence	1	SFD	OSD	0	0	0	1
15	Casa De Rosas	5	SFD	OSD	1	1	1	3
16	MacKay Residence	2	SFD	OSD	1	0	0	1
17	Duplex	2	SFD	OSD	1	0	0	1
18	Kelly Residence	1	SFD	OSD	0	0	0	1
19	Morton Condominiums	7	SFD	OSD	2	1	1	4
23	Mendoza Units	1	SFD	OSD	0	0	0	1
25	Westwinds II	40	SFD	OSD	10	5	8	22
27	Sampson Project	1	SFD	OSD	0	0	0	1
30	Smith Residence	1	SFD	OSD	0	0	0	1
35	Wallin SFD	1	SFD	OSD	0	0	0	1
39	Pickett Residence	1	SFD	OSD	0	0	0	1
41	Unnamed	1	SFD	OSD	0	0	0	1
46	Herzoff SFD	1	SFD	OSD	0	0	0	1
47	Sandefer SFD	1	SFD	OSD	0	0	0	1
50	Beachfront Dwelling	1	SFD	OSD	0	0	0	1
51	Beretta SFD	1	SFD	OSD	0	0	0	1
52	Tesoro Residence	1	SFD	OSD	0	0	0	1
53	White Duplex	1	SFD	OSD	0	0	0	1
54	Whitecap II	1	SFD	OSD	0	0	0	1
55	Unnamed	1	SFD	OSD	0	0	0	1
56	Unnamed	1	SFD	OSD	0	0	0	1
61	Casas de la Playa	9	SFD	OSD	2	1	2	5
64	Seabridge	708	SFD	OSD	177	85	135	396
34	RiverPark Apartments	400	MF	RIO	56	20	20	96
60	RiverPark Cabrillo	140	MFA	RIO	34	14	7	55
32	Riverpark - Promenade	111	SFA	RIO	24	11	14	50
36	RiverPark-Luminaria	187	SFA	RIO	41	19	24	84
40	RiverPark-The Avenue	24	SFA	RIO	5	2	3	11
43	RiverPark-Collage	76	SFA	RIO	17	8	10	34
44	RiverPark-Meridian	159	SFA	RIO	35	16	21	72
45	RiverPark-Waypointe	182	SFA	RIO	40	18	24	82
57	RiverPark-The Landing	78	SFA	RIO	17	8	10	35
63	RiverPark-The Avenue	60	SFA	RIO	13	6	8	27
1	RiverPark-Morning View	113	SFD	RIO	43	14	21	78
2	RiverPark-Veranda	95	SFD	RIO	36	11	18	66
3	Kenney Duplex conversion	2	SFD	RIO	1	0	0	1
6	RiverPark-Tradewinds II	91	SFD	RIO	35	11	17	63
9	Unnamed	1	SFD	RIO	0	0	0	1
33	Riverpark -The Market	133	SFD	RIO	51	16	25	92
37	RiverPark Destination	116	SFD	RIO	44	14	22	80
42	RiverPark-Pacific Crossing	104	SFD	RIO	40	12	20	72
62	RiverPark-Westerly II	83	SFD	RIO	32	10	16	57
Subtotal OSD					902	424	277	1,602
Subtotal RIO					563	210	281	1,054
Related Projects Total					1,465	634	558	2,657
MF = Multifamily (apartments)			SFD	RIO	0.38	0.12	0.19	OUHSD
MFA = MF all affordable units			SFA	RIO	0.22	0.10	0.13	OUHSD
SFD = single family detached			MF	RIO	0.14	0.05	0.05	OUHSD
SFA = single family attached			MFA	RIO	0.24	0.10	0.05	OUHSD
			SFD	OSD	0.25	0.12	0.19	OUHSD
Student generation rates are shown at the right.			SFA	OSD	0.10	0.03	0.13	OUHSD
			MF	OSD	0.30	0.14	0.05	OUHSD
			MFA	OSD	0.30	0.14	0.05	OUHSD

**Page IV.M-22:**

Mitigation Measure M.3-1 is revised as follows:

**M.3-1** This is an adaptive management mitigation measure. The subsequent developer(s) under the specific plan would be required to pay all applicable school fees to offset the impact of additional student enrollment at schools. No other mitigation measures are required as part of the environmental review process unless State Law changes so as to allow subsequent environmental reviews to identify appropriate feasible mitigations to reduce a significant impact on schools to a level below the significance threshold.

**IV.N. Utilities - Water****Page IV.N-33:**

Mitigation Measure N-1 is revised as follows:

**N-1** The on-site domestic water system shall include the following:

- A public pipeline systems which feed into separate water meters for each ownership. In addition, there shall be separate water meters for each multi-family unit townhouses, but not apartment units. The high-rise residential towers may be master-metered.
- A separate water meter (1) for the common landscape areas that would be connected to the future recycled water system.
- All domestic water pipelines shall adhere to Division of Occupational Health and Safety (DOHS) requirements for separation between water and recycled water/wastewater pipelines.
- The Project developer shall be responsible for payment of capital improvement/connection fees, including all related “installation fees.”
- The Project developer shall provide the City any approvals necessary to dedicate to the City all FCGMA allocation associated with the Project site, on a phase-by-phase basis and upon the conversion of land from agricultural to urban uses. ~~whether such allocation is associated with the conversion of agricultural to urban uses, or otherwise.~~
- ~~Developer shall provide to the City addition water rights, water supplies, or water offsets in the form of recycled water facilities, conservation retrofits, financial contributions towards City programs which generate in City water conservation, or participation in other similar programs with cumulatively result in a total water supply contribution, taken together with other water rights or FCGMA allocation provided to the City, which offset the entire estimated water demand associated with the Project.~~

**Page IV.N-33:**

Mitigation Measure N-2 is revised as follows:

**N-2** This is an adaptive management mitigation measure. The Project developer shall provide a recycled water system that serves all practical irrigated areas and which is: (1) separated from the domestic water system, (2) constructed per the City's Recycled Water Construction Standards (being developed), (3) irrigated at night, and (4) properly signed once the system is fully operational.

- The portion of the irrigation intended for the future recycled water system shall be separately metered from that portion of the system that will not be connected to the future recycled water system, if any.
- Until the recycled water system is operational, the common area irrigation system shall be connected to the domestic system. Once recycled water is available, and connection to the recycled water system is made, the Project developer shall remove the connection to the domestic water system. No domestic water back-up is needed, since the City will provide such back-up including an appropriate air gap facility as part of the City's system.
- Prior to the availability of recycled water, the Project developer shall be responsible for payment of the Recycled Water Connection Fee or the water connection fee, whichever is greater for facilities constructed.
- At such time as recycled water is available, the Project developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled water system, including appropriate signage. Credits for connection fees shall be given by the City based on the size of the meter(s). Under no circumstance will there be a refund of water connection fees already paid.
- The Project developer shall be responsible for appropriate Sakioka Farms Specific Plan Covenants, Conditions and Restrictions (CC&Rs) covering the use of recycled water and for proper disclosures.
- ~~• Prior to submittal of subdivision improvement plans, the developer shall review with the City the potential for dual plumbing, whereby toilet facilities would be served by the recycled water system. No determination has yet been made regarding whether the City will desire to proceed with this plan. However, should the City decide that it is desired, all costs associated with the dual plumbing shall be borne by the developer.~~

**Page IV.N-34:**

Mitigation Measure N-3 is revised as follows:

**N-3** This is an adaptive management mitigation measure. The Project developer shall, to the extent feasible, incorporate exterior water conservation features, as recommended by the State Department of Water Resources at the time of adoption or in common practice in the future, into the Project. These shall include, but are not limited to:

- Landscaping of common areas with low water-using plants,
- Minimizing the use of turf by limiting it to lawn dependent uses, and
- Wherever turf is used, installing warm season grasses.

**Page IV.N-34:**

Mitigation Measure N-4 is revised as follows:

**N-4** This is an adaptive management mitigation measure. The Project developer shall, to the extent feasible, use reclaimed water for irrigation of landscaping and other uses if or when such water is available at the project site.

**Page IV.N-34:**

Mitigation Measure N-5 is revised as follows:

**N-5** The Project developer shall predominantly use vegetation that requires minimal irrigation (i.e., drought tolerant plant species) in all site landscaping where feasible for new plantings.

**Page IV.N-35:**

Mitigation Measure N-10 is revised as follows:

**N-10** The Project developer shall, to the extent feasible, install a “smart sprinkler” system to provide irrigation for the landscaped areas. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be automatically adjusted by a state-of-the-art system that relies on local weather forecasts.

**Page IV.N-35:**

Mitigation Measure N-12 is revised as follows:

**N-12** This is an adaptive management mitigation measure. The Project’s annual water supply deficit of 330 acre feet was estimated using 2010 water use estimates for the theoretical buildout of the entire project. Actual water demand over the buildout of the Project is likely to change as actual development and uses occur and changing water consumption. Subsequent water demand/supply analyses required by subsequent CEQA review may change water supply needs relative to the

City's future water supply. The Draft 2010 Urban Water Management Plan (UWMP) incorporates the Project's water demand as proposed. Should subsequent project development incur water demand in excess of that anticipated by the adopted 2010 UWMP and/or the City's water supplies are reduced below those anticipated by the adopted 2010 UWMP, the Project developer shall, to the extent feasible, implement one or more, but not limited to, the following adaptive measures to remain water neutral to the City's available and projected supply at the time of subsequent project approvals that involve a Negative Declaration, Mitigated Negative Declaration, or Subsequent EIR:

N-12.1 The Project developer shall provide to the City additional water rights of at least the shortage amount.

N-12.2 The Project developer shall provide to the City water supplies equal to the shortage amount until City supply is adequate.

N-12.3 The Project developer shall provide to the City permanent quantified water offsets in the form of recycled water.

N-12.4 The Project developer shall provide to the City financial contributions towards City programs which generate in-City water conservation or recycled water capacity or conveyance.

N-12.5 The Project developer shall participation in other similar programs with cumulatively result in an adequate water supply contribution.

~~In order to negate the Project's projected annual water supply deficit of 330 acre feet and achieve the water neutral policy established by the City Council, the Developer shall participate in the financing of an approximately 4.5 mile recycled water supply branch pipeline commencing at the intersection of Ventura Road and Fifth Street, going east along Fifth Street to Oxnard Boulevard, north on Oxnard Boulevard to Camino del Sol, east on Camino del Sol to Rose Avenue, and north on Rose Avenue to Gonzales Road, then from there into the Project's recycled internal pipelines required by mitigation N-2. The pipeline varies in width from 16 to 12 inches and a more feasible and/or less expensive alternative route may be substituted by the Director of Public Works. The Project's estimated share of the total expense is approximately 55 percent, or \$3,930,720 which includes a 20 percent contingency. This Project's obligation may be proportionately reduced and/or refunded should other recycled water users buy into the water line under a cost sharing program to be developed by the Director of Public Works. This pipeline is required to be in place and operational when, and if, the cumulative actual and projected potable water demands of subsequent development exceed the transferred ground water credits transferred to the City.~~

**Page IV.N-35:**

Mitigation Measure N-13 is revised as follows:

**N-13** The Project developer shall participate in an assessment district or similar financing instrument for the construction of a recycled water supply pipeline that will connect into the Project's recycled internal pipelines required by mitigation, or pay applicable connection fees to connect to the City's recycled water line when requested.

~~The Project shall construct an 18-inch potable water pipeline approximately 900 feet in length from the intersection of Solar Drive and Gonzales Road eastward and connecting to the Project's internal potable pipeline system at Rice Avenue. The estimated cost is \$370,000 which includes a 20 percent contingency. This pipeline connector and related equipment shall be completed and operable prior to completion of any structure in Planning Areas 1, 2, or 3 or as determined by the Director of Public Works.~~

#### **IV.N. Utilities and Service Systems - Energy**

##### **Page IV.N-58:**

The following information is revised in subsection *Electricity* as follows:

The Project site is currently agricultural land use and has minimal need for electricity. As indicated in Table IV.N-10, the proposed Project is estimated to consume a total of 253,691 or 264,999 (With residential uses and without residential uses, respectively) kilowatt-hours (kWh) of electricity per day. SCE has states that the electrical loads of the Project are within parameters of projected load growth which SCE is planning to meet in the area. The total system demand for electricity increases annually and this Project would contribute to that growth. However, the SCE has plans for new distribution resources that would give SCE the ability to serve all customers' loads in accordance with its rules and tariffs adequately through the decade of the 2010's 2010.<sup>35</sup>

<sup>35</sup> *Written correspondence with Paul Vega Lee Canley, Customer Service Planner, Southern California Edison, May 6, 2011* ~~March 15, 2006.~~

**Table I-1**  
**Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation**  
(showing changes from the Draft EIR as new or deleted)

Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
<b>Impacts Found to be Less than Significant (see Section IV.A of the Draft EIR)</b>		
<p><b><i>Historic Resources</i></b>  Five cultural resources were identified within a ½ mile radius of the project site; however none were identified within the project site. As there are no historic resources on the project site, the project would have no impact on historic resources.</p> <p><b><i>Archaeological Resources</i></b>  One archaeological site was identified within a ½ mile radius of the project site and one isolate located within the project site. With the exception of this isolate, there are no known prehistoric archeological resources within the project site. It is likely that any surface and subsurface archeological remains that might have once occurred on the project site would have long since been eliminated by past agricultural activities. However, there is a remote possibility that archeological resources still exist below the surface, and that these remains could be encountered during site preparation. Mitigation Measure A-1 is recommended to ensure that any potential impact to a previously unknown archaeological resource is reduced to a less than significant level.</p>	<p>A-1 <u>This is an adaptive management mitigation measure.</u> The Project developer <u>and/or subsequent responsible parties</u> shall contract with a qualified archaeologist to monitor all initial grading and excavation <u>in excess of three feet</u>. In the event that any historic or prehistoric cultural resources are discovered, they will be evaluated in accordance with the procedures set forth in CEQA Section 15064.5. If the evaluation determines that such resources are either unique or significant archaeological, paleontological, or historic resources and that the project would result in significant effects on those resources, then further mitigation would be required. In cases where the resources are unique, then avoidance, capping, or other measures, including data recovery, would be appropriate mitigation. If the resources are not unique, then recovery, without further mitigation, would be appropriate.</p> <p>A-2 <u>This is an adaptive management mitigation measure.</u> The Project developer <u>and/or subsequent responsible parties</u> shall contract</p>	<p>Less than significant with adaptive management implementation of Mitigation Measures A-1 and A-2.</p>

**Table I-1**  
**Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation**  
 (showing changes from the Draft EIR as new or ~~deleted~~)

Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
<p><b><i>Paleontological Resources</i></b></p> <p>No vertebrate fossil localities are located within the project boundaries, and there are not any localities nearby from the same or similar sedimentary units as are exposed in the proposed project area. Although there are no known paleontological resources on the project site, there is a remote possibility that unsuspected paleontological resources exist below the ground surface and could be encountered during construction. Mitigation Measure A-1 is recommended to ensure that any potential impact to a previously unknown paleontological resource is reduced to a less than significant level.</p> <p><b><i>Human Remains</i></b></p> <p>While there is no evidence that human remains are located on the project site, there is a possibility that the construction phase of the proposed project could encounter human remains, which could result in potentially significant impacts. Therefore, Mitigation Measure A-1 is recommended to ensure that any potential impact to previously unknown human remains is reduced to a less than significant level.</p>	<p>with a Native American monitor to be present during all subsurface grading, trenching, or construction activities in excess of three feet on the Project site. The monitor shall provide a <del>weekly</del> <u>monthly</u> report to the Planning Division summarizing the activities during the reporting period. <u>If any qualifying cultural materials are encountered during this phase of project construction, construction activities on the project site shall be halted immediately, and the Project developer shall notify the City. If any find were determined to be significant by the Native American monitor, the City and the Native American monitor would meet to determine the appropriate course of action.</u> A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval <del>prior to issuance of any grading permits</del> <u>as a component of the project application.</u> <del>The</del> <u>A final</u> monitoring report(s) shall be provided to the Planning Division prior to approval of final building certificate(s) of occupancy <del>permit</del> signature.</p>	

**Table I-1**  
**Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation**  
 (showing changes from the Draft EIR as new or deleted)

Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
<p><b><i>Mineral Resources</i></b></p> <p>The proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State because the project site is not located within an area where significant mineral deposits are present<sup>1</sup> nor are any oil extraction or mineral extraction activities presently conducted on the project site. The proposed project would not result in the loss of availability of a locally-important mineral resource recovery site because the project site is not designated as a locally recognized area containing notable mineral deposits. Therefore, no impact would occur.</p>	<p>No mitigation measures are required.</p>	<p>No impact to Mineral Resources.</p>
<p><b>Land Use and Planning (see Section IV.B of the Draft EIR)</b></p>		
<p>The proposed project would not physically divide an established community because no established residential community exists at the project site or in the project vicinity. With the approval of the requested Zone Change, which would support the goals of the City of Oxnard 2020 General Plan and the stated purpose of Oxnard City Ordinance, impacts related to land use consistency would be less than significant. The project would not conflict with any applicable</p>	<p><b>B-1</b> If the Oxnard 2030 General Plan is adopted before the Final Sakioka Farms EIR is certified or the Development Services Director determines that the Sakioka Farms Specific Plan final adoption actions are likely to occur after adoption of the Oxnard 2030 General Plan, a 2030 General Plan consistency analysis shall be completed by the City and reimbursed by the Applicant. The</p>	<p>Less than significant impact to Land Use Planning with Mitigation Measure B-1.</p>

<sup>1</sup> City of Oxnard, City of Oxnard 2020 General Plan, 1990, Open Space/Conservation Element, Figure VIII-7 and Figure VIII-8, 2006 Oxnard General Plan Update Background Report.

**Table I-1**  
**Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation**  
 (showing changes from the Draft EIR as new or ~~deleted~~)

Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
<p>habitat conservation plan or natural community conservation plan because no habitat conservation plan or natural community plan currently exist that govern any portion of the project site. Therefore, no impact would occur.</p> <p><u>However, if the Oxnard 2030 General Plan is adopted before the Final Sakioka Farms Final EIR is certified and if determined to be required, a 2030 General Plan consistency analysis shall be completed by the City and reimbursed by the Project applicant.</u></p>	<p>2030 General Plan consistency analysis shall, at a minimum, be prepared as an Addendum to the Draft or Final Sakioka Farms EIR, whichever is applicable. If the 2030 General Plan consistency analysis identifies significant impacts and/or new or modified mitigations, the appropriate CEQA required actions shall be taken, the costs of which are to be reimbursed by the Applicant consistent with the City’s CEQA review policies and practices.</p>	
<b>Agricultural Resources (see Section IV.C of the Draft EIR)</b>		
<p>The proposed Project is classified as farmland of statewide importance. Because the total Land Evaluation and Site Assessment (LESA) score is between 60 and 79 points and both the LE and SA subscores are greater than 20, the proposed conversion of the existing agricultural land would be considered significant under the California LESA system scoring thresholds.</p> <p>The site has a corresponding BRP (Business &amp; Research Park and M-1) zone classification. Therefore, the City has already planned for the eventual conversion of the site from agriculture to urban uses and the Project would not conflict with any existing zoning</p>	<p>The following mitigation measure reduces the impact associated with the loss of the land from agricultural production.</p> <p><b>C-1</b> <u>This is an adaptive management mitigation measure.</u> The project developer shall offer, at cost, the top 12 inches of the Prime Farmland soils (at 100 acres) for relocation to a farm site or farm sites that have lower quality soils. The cost will include the suitable replacement soil, if needed for site improvements. <u>This mitigation may occur in phases as the areas with Prime Farmland are incrementally developed.</u></p>	<p>The mitigation measures in this section would enable the opportunity that no Prime Farmland soils are lost as a result of the Project and that employees and/or visitors of the Project site would have minimal opportunity to vandalize, pilferage, or trespass on the agricultural property to the east.</p> <p><u>The cumulative permanent conversion of approximately 2,000 acres of agricultural use citywide by 2030 to non-agricultural uses is an unavoidable significant impact even with the implementation of <del>the</del> recommended</u></p>

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<p>designations for agricultural resources. The Project site is also not subject to a Williamson Act contract. Therefore, no impact would occur.</p> <p>The Project’s light industrial uses would be located immediately west of agricultural land that is located within the unincorporated area of the County. The new uses are not considered to be sensitive to agricultural operations and would be similar to the similar uses to the south, and northeast of the Project site that also border agricultural operations. Therefore, no substantial conflicts between the proposed uses and agricultural uses are expected. <u>However, at the request of the County of Ventura, Office of Agricultural Commissioner, Mitigation Measure C-3 has been included to ensure potential impacts to Land Use Incompatibility would be less than significant.</u></p>	<p>The following mitigation measure reduces the potential for employees or visitors to vandalize, pilferage, or trespass on adjacent agricultural property.</p> <p><b>C-2</b> <u>This is an adaptive management mitigation measure.</u> The project developer shall install a fence or wall with a minimum height of eight (8) feet along the eastern perimeter of the project site that abuts the unincorporated portion of Ventura County when developed is proposed east of Del Norte Boulevard. Fencing may be required between developed phases of the Project and continuing agricultural operations on the remaining Project site based on subsequent entitlement actions.</p> <p><u>The following mitigation measure reduces the potential for employees of or visitors to commercial properties adjacent to agricultural property to be overly concerned or anxious regarding the use of agricultural chemicals on adjacent properties.</u></p> <p><b>C-3</b> <u>This is an adaptive management mitigation</u></p>	<p>Mitigation Measures <u>C-1 to C-3.</u></p>

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	<p><u>measure. In order to buffer on- or off-site agricultural land uses and on-site non-agricultural uses either of the following measures may be undertaken to allow scheduled Restricted Materials applications by an on- or off-site farmer; 1) closure of the buildings during periods when restricted materials will be used on the adjacent farmland parcels or 2) notification, consistent with common-practice in Ventura County, of building occupants and/or building managers that normal farming activities will occur nearby from time to time which can include noise, mild dust, and odors; that inert and non-toxic substances are frequently used by farmers which should be of no concern to people nearby, and that actual chemical spray drift from farms is rare and should not be misperceived.</u></p>	
<b>Aesthetics (see Section IV.D of the Draft EIR)</b>		
<p><b>Scenic Vistas</b>                      The project site does not represent a scenic vista and development at the project site would not substantially obstruct any views. Therefore, the proposed project would have a less than significant impact on scenic vistas.</p>	<p>No mitigation measures are required.</p>	<p>Less than significant impacts to Scenic Vistas, Scenic Resource, Visual Character and Quality, and Light and Glare.</p>

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<p><b><i>Scenic Resources</i></b></p> <p>The project site cannot be defined as a scenic resource simply because it is used for agricultural purposes. The project site is not a scenic resource nor do any scenic resources exist on the site. Although Rice Avenue, Del Norte Boulevard, and the Ventura Freeway are all identified as scenic routes in the 2020 General Plan, implementation of the proposed project will not substantially obstruct views from those roadways. Further, the proposed project would not damage any scenic resources within city-designated scenic highways and, therefore, the proposed project would result in less than significant impacts.</p> <p><b><i>Visual Character and Quality</i></b></p> <p>Although the proposed project represents a transition from agricultural open space to industrial and business research type uses, the Specific Plan ensures that development would occur in a comprehensive and responsible manner. The Specific Plan establishes design theme and landscape themes and standards with specific guidelines for implementation. Therefore, impacts associated with the visual quality of the site will be less than significant.</p>		

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<p><b><i>Light and Glare</i></b></p> <p>The Specific Plan includes guidelines to limit or avoid excessive light spillage onto adjacent properties and to prevent the use of highly reflective building materials which cause glare the use of non- or low-reflective building materials to minimize glare. Thus impacts from light and glare would be less than significant.</p>		
<b>Biological Resources (see Section IV.E of the Draft EIR)</b>		
<p>No sensitive or special status species were determined to be present on-site during the site surveys. In addition, the review of the CNDDDB and CNPS On-line Inventory for additional special status species known to occur in the region were determined to have a low potential to occur on-site due to lack of habitat at the Project site. However, the site and adjacent areas support trees and shrubs that are considered suitable nesting habitat for birds. Therefore, Mitigation Measure E-1 is recommended to ensure that any potential impact to nesting birds is reduced to a less than significant level.</p> <p>The proposed project would not result in a substantial adverse effect on any riparian habitat or other sensitive natural community because the onsite riparian</p>	<p>The following mitigation measures are recommended to reduce the proposed project’s impacts to biological resources.</p> <p><b>E-1</b>    <u>This is an adaptive management mitigation measure.</u> In order to avoid adverse impacts to nesting birds, including <u>nesting migratory birds known to exist in the trees (if any) on the Project site</u>, during construction activities, all tree and vegetation removal activities must take place outside of the nesting season (<del>15 February — 1 September</del>), <del>although these dates are somewhat arbitrary recognized by the California Department of Fish and Game for that species in this area.</del> If tree and vegetation removal activities must occur</p>	<p>Less than significant impact with adaptive management implementation of Mitigation Measures E-1 to E-5.</p>

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<p>vegetation is not of a sufficient quality to support sensitive riparian wildlife. However, Mitigation Measure E-4 is recommended to reduce any potential impact to riparian habitat to a less than significant level.</p> <p>The irrigation ditches present at the project site could potentially be regulated by the Corps as waters of the U.S., waters of the State by RWQCB, and streambeds by CDFG and, if so, their infill may constitute a significant impact. However, with the implementation of mitigation measure E-2 requiring a formal delineation to be conducted and verified by the Corps, impacts to federally protected wetlands would be less than significant.</p> <p>The project site itself is not considered to act as a movement or migratory corridor or native nursery for wildlife species due to its agricultural nature and proximity to US 101. The eucalyptus trees along the northern edge of the project site have the potential to provide temporary habitat for migrating monarch butterflies. Mitigation Measure E-5 requires avoidance of construction activities during the temporary aggregation period, which would reduce this potential impact to a less-than-significant level. Therefore, implementation of the proposed project would result in a less-than-significant impact to any native resident or migratory fish or wildlife species, or with established</p>	<p>during the nesting season, a qualified ecologist/biologist must be present to monitor the removal activities to ensure that no active nests will be impacted; if nests are found, a <del>100-foot</del> <u>300 foot (500 feet for raptors) must buffer radius shall</u> be established until the young have fledged. <u>If nests are observed and lesser buffer distances are desired, the biological monitor shall confer with Planning and Fish and Game staff to determine an appropriate buffer distance based on species specific requirements. This measure does not apply to agricultural row crops.</u></p> <p><b>E-2</b> <u>This is an adaptive management mitigation measure. Prior to processing the initial tract map for a planning area that could lead to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, prepare and submit to the Corps for verification a “Preliminary Delineation Report for Waters of the U.S.” and a Streambed Alteration Notification package to CDFG for the irrigation drainage features. If these agencies determine that the feature is not regulated under their jurisdiction, then no</u></p>	

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<p>native resident or migratory wildlife corridors, or impede the use of native wildlife nursery site.</p> <p>The project is consistent with the local policies and ordinances protecting biological resources in the City of Oxnard. Therefore, no impact would occur.</p> <p>The project site is not subject to any conservation plan or natural community conservation plan. Therefore, the project would not be in conflict with the provisions of any adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan, and no impact would occur.</p>	<p>further mitigation is necessary. However, if the Corps considers the feature to be jurisdictional through a “significant nexus” test per recent Corps and EPA guidance,<sup>2</sup> then a Clean Water Act Section 404 permit shall be obtained from the Corps, and any permit conditions shall be agreed to, prior to the start of construction activities in the affected area. If CDFG determines that the drainage is a regulated “streambed”, then a Streambed Alteration Agreement shall be entered into with CDFG and any associated conditions shall be agreed to prior to the start of construction in the affected area.</p> <p><b>E-3</b> <u>This is an adaptive management mitigation measure.</u> In order to prevent unauthorized impacts to jurisdictional features, the following permits shall be issued and/or reports approved (or exemptions issued) by the respective resource agency, and any associated conditions of approval shall be agreed upon, prior to <u>processing the initial tract map for a planning area that could lead</u></p>	

<sup>2</sup> U.S. Environmental Protection Agency and U.S. Department of the Army. 2007. Clean Water Act Jurisdiction Following the U.S. Supreme Court’s Decision in Rapanos v. United States & Carabell v. United States. June 5, 2007.

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	<p><del>to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, subsequent to adoption of the Project (i.e. Specific Plan) the initiation of any ground disturbing activities associated with the proposed development:</del></p> <ul style="list-style-type: none"> <li>• Clean Water Act Section 404 Permit from the Corps,</li> <li>• Streambed Alteration Agreement under Section 1600 of the Fish and Game Code from CDFG;</li> <li>• Clean Water Act Section 401 Water Quality Certification or Waste Discharge Requirements from the RWQCB</li> </ul> <p>If the irrigation ditches were to be determined as jurisdictional by the Corps, it will be necessary to insure adequate compensation for adverse impacts to jurisdictional features from project development be made. If so, a detailed Mitigation Plan shall be prepared by a qualified biologist. The Plan shall describe and justifying the (1) formal delineation (2) proposed methods including timing, materials, and erosion control measures, (3) the proposed location for the replacement</p>	

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	<p>areas, (4) habitat protection measures (including a mechanism for permanent preservation of the area supporting the replacement habitat). This Plan shall be submitted to and approved by the County, Corps, CDFG, and RWQCB prior to initiation of construction activities. <del>Several strategies to compensate for the loss of riparian habitat are proposed below:</del></p> <p><b>E-4</b> <u>This is an adaptive management mitigation measure.</u> The project applicant will place under conservation easement in a manner acceptable to the Corps and the California Department of Fish and Game an area of riparian habitat that will accommodate constructed replacement at a <del>4:1 ratio</del> <u>ratio to be determined during the formulation of a Lake and Stream Alteration Agreement</u> (i.e. a number of acres of constructed riparian habitat). This conserved riparian habitat must be of the same quality as the habitat that is to be removed as a result of the project, which is low. Or, the project applicant will purchase the requisite number of credits from a nearby conservation bank. The project applicant can only purchase credits from those banks that</p>	

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	<p>sell credits covering the riparian species to be affected by the proposed project.</p> <p><b>E-5</b> <u>This is an adaptive management mitigation measure.</u> Prior to construction of the Planning Area 1, located adjacent to the Ventura Freeway, a qualified ecologist/biologist must determine the presence and extent/absence of monarch butterfly activity surrounding the proposed construction area <u>if any mature windrow trees are present.</u> If temporary aggregation activity is observed within this area, construction shall be halted until after the temporary aggregation season (September – December) or until the monarchs have left the project vicinity.</p>	
<b>Geology and Soils (see Section IV.F of the Draft EIR)</b>		
<p><b>Soil Erosion</b>                      Impacts related to erosion or loss of due to construction of the proposed Project would be less than significant with implementation of the required building and grading permit requirements and the SWPPP erosion control measures.</p> <p><b>Unstable Slopes</b></p>	<p><b>F-1</b> <u>This is an adaptive management mitigation measure.</u> <b>Conduct Geotechnical Investigations and Adhere to Recommendations:</b> Detailed design-level geotechnical investigations shall be performed by qualified licensed professionals for each individual proposed project/phase of the Sakioka Farms Business Park Specific Plan</p>	<p>Less than significant impact to Soil Erosion, Unstable Slopes, Fault Rupture, Seismic Groundshaking, Liquefaction, and Expansive Soils after implementation of Mitigation Measure F-1.</p>

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<p>Any temporary unstable slopes created by construction would be stabilized by appropriate temporary measures during construction, in compliance with current building codes and OSHA standards, thereby reducing the potential impact to a less than significant level.</p> <p><b><i>Fault Rupture</i></b></p> <p>The proposed Project site is not crossed by any Alquist-Priolo zoned faults; however, the projected traces of two segments, the Springville and Camarillo segments, of the east-west trending Simi-Santa Rosa fault cross the southern portion of the project site. Implementation of mitigation to verify the presence of these faults and avoid them if present as specified by the Alquist-Priolo Earthquake Fault Zoning Act would reduce impacts related to rupture of a known earthquake fault to a less than significant level.</p> <p><b><i>Seismic Groundshaking</i></b></p> <p>Moderate to strong groundshaking should be expected in the event of an earthquake on the faults in the project area and from other major faults in the region, with an estimated PGA of 0.61 g for the Project site. However, proper design following industry standards, including detailed geotechnical surveys for proposed development and City and State Building codes for Seismic Zone 4,</p>	<p>project. These geotechnical investigations shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• identification of unsuitable soils including expansive, corrosive, and collapsible soils,</li> <li>• identification presence and extent of liquefiable soils,</li> <li>• calculation of site-specific seismic design criteria,</li> <li>• a fault evaluation study to location confirm the presence or absence of the Springville and Camarillo segments of the Simi-Santa Rosa fault across the southern half of the Proposed Project site.</li> </ul> <p>Recommendations shall be provided in these reports for design of project structures and facilities and for mitigation of any unsuitable conditions encountered. These reports shall be provided to the City and other reviewing agencies for review. These recommendations shall be implemented, as deemed appropriate by the City and the Applicant’s engineering design consultant.</p>	

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<p>would reduce the potential impact related to exposing people or structures to hazards related to strong seismic ground shaking to a less than significant level.</p> <p><b><i>Liquefaction</i></b>                      The proposed Project site is located in an area mapped as potentially liquefiable on CGS Seismic Hazard Maps. However, proper design following industry standards, including required detailed geotechnical surveys for proposed development and City and State Building codes for Seismic Zone 4, would reduce the potential impact related to exposing people or structures to hazards related to liquefaction to a less than significant level.</p> <p><b><i>Expansive Soils</i></b>                      Expansion potential for the soils at the Project site alignment ranges from low to moderate. However, proper design following industry standards, including required detailed geotechnical surveys for proposed development and City and State Building codes, would reduce the potential impact from damage to property from expansive soils to a less than significant level.</p>		
<b>Hazards and Hazardous Materials (see Section IV.G of this Draft EIR)</b>		
<b><u>Construction Impacts</u></b>	<b>G-1</b> All miscellaneous vehicles, maintenance equipment and materials,	Less than significant impact to construction and

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<p><b><i>Hazardous Materials/Hazardous Waste</i></b></p> <p>In 2002, several areas within the boundaries of the Project site were noted to contain various materials that have been identified as a source for creating a potential recognized environmental condition. These areas consist of existing ASTs, several 55-gallon drums, unsealed 5-gallon buckets (observed to contain waste oil), pesticide mixing areas, stained soils, and miscellaneous debris.</p> <p>During construction demolition activities, accidental release or upset of the contents of many of the above mentioned storage containers would cause a significant impact.</p> <p>Due to Ventura Freeway volumes of vehicles over approximately 50 years, there is the potential that lead contamination exists within exposed soils on the northern boundary of the subject site, which could potentially be released into the air during construction activities.</p> <p>Due to the fact that the majority of the Project site has been used for agricultural purposes for several decades, a combination of several commonly used pesticides which are now banned may have been used throughout the Project site.</p> <p><b><i>Oil/Gas Wells</i></b></p>	<p>construction/irrigation materials, miscellaneous stockpiled debris, dumpsters, pesticide application equipment, ASTs, 55-gallon drums, and 5-gallon buckets should be removed offsite consistent with the phased development described within the Specific Plan, and properly disposed of. Once removed, a visual inspection of the areas beneath the removed materials should be performed. Any stained soils observed underneath the removed materials should be sampled. Results of the sampling would indicate the level of remediation efforts that may be required.</p> <p><b>G-2</b> A visual inspection of all storage structures shall be performed prior to demolition activities. In the event that hazardous materials are encountered, the materials <u>shall</u> be tested and properly disposed of pursuant to <u>Local</u>, State and Federal regulations.</p> <p><b>G-3</b> Due to visible evidence of dark surface soil staining of oil/petroleum products located within Area 5, soil shall be excavated to determine the exact vertical extent of the contamination. If during soil removal,</p>	<p>operational Hazardous Materials/Hazardous Waste, Oil/Gas Wells, PCB's, ACM's, and LBP with adaptive management implementation of Mitigation Measures G-1 to G-8.</p>

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<p>Six oil/gas wells are located within the boundaries of the Project site. In addition to recommendations provided by Padre &amp; Associates, it is recommended that the California Department of Oil, Gas and Geothermal Resources (DOGGR) well abandonment procedures be followed and formal verification of closure be received by DOGGR. With implementation of these recommendations, impacts associated with oil/gas wells present on the Project site would be less than significant.</p> <p><b><i>Polychlorinated Biphenyls (PCBs)</i></b></p> <p>Power lines and transformers were noted within the western portion of the Project site. No evidence of leakage or staining was noted. RBF Consulting does not consider the transformers to be recognized environmental condition in connection with the Project site and therefore a less than significant impact would occur.</p> <p><b><i>Asbestos-Containing Materials (ACMs)</i></b></p> <p>Asbestos-containing materials are building materials containing more than one percent asbestos. Although some structures are located within the boundaries of the Project site, the structures are of wood frame construction with no insulation, tile flooring, or friable</p>	<p>staining appears to continue below the ground surface, sampling shall be performed to identify the extent of contamination and appropriate remedial measures shall be taken.</p> <p><b>G-4</b> Areas of exposed soil five feet from the expanded Caltrans Right-of-Way along the Ventura Freeway after completion of the Rice Avenue/101 Freeway interchange reconstruction, which will be disturbed during any excavation/grading activities, shall be sampled and tested for lead. In the unlikely event that <u>unacceptable levels of lead materials</u> are encountered, the materials shall be disposed of pursuant to State and Federal regulations.</p> <p><b>G-5</b> <u>This is an adaptive management mitigation measure.</u> Soil sampling shall occur throughout the Project site concurrent with phased development, including the pesticide mixing areas within Areas 1 and 3. The sampling will determine if pesticide concentrations exceed established regulatory requirements and will identify proper handling procedures that may be required.</p>	

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<p>materials. Therefore, the potential for ACMs to be found onsite is considered unlikely and impacts would be less than significant.</p> <p><b>Lead-Based Paint (LBP)</b></p> <p>Based upon the year the existing structures present on the Project site were likely built, the potential for lead-based paints to be found onsite are likely. With proper demolition of onsite structures, impacts caused by exposure to lead-paint would be less than significant.</p> <p><b>Operational Impacts</b></p> <p><b>Hazardous Materials</b></p> <p>The proposed Project does not include elements or aspects that will create or otherwise emit any health hazard or potential health hazard, would not involve the routine transport, use or disposal of hazardous material, and would not produce hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste. Therefore, impacts concerning the operation of the proposed Project would be less than significant.</p> <p><b>Aircraft Hazards</b></p> <p>The Project site is located within the planning area and protection zones for Camarillo Airport. The eastern-most area of the site is located with the Extended Traffic Pattern Zone (ETPZ) for Camarillo Airport as</p>	<p><b>G-6</b> Padre &amp; Associates findings regarding residual soil contamination associated with the historical operation of oil/gas extraction wells should be reviewed and appropriate remedial recommendations (if any) should be administered. In addition to recommendations provided by Padre &amp; Associates, the California Department of Oil, Gas and Geothermal Resources (DOGGR) well abandonment procedures shall be followed and formal verification of closure be received by DOGGR.</p> <p><b>G-7</b> A qualified lead-paint abatement consultant shall be employed to comply with applicable state and federal rules and regulations governing lead paint abatement if any remaining structures are suspected of containing lead-based paint.</p> <p><b>G-8</b> <u>This is an adaptive management mitigation measure. Consistent with the Airport Comprehensive Land Use Plan for Ventura County (ACLUP) and the Sakioka Farms Specific Plan, commercial/industrial</u></p>	

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<p>designated in the Airport Comprehensive Land Use Plan (ACLUP) for Ventura County. Most business research, office, commercial, and light industrial uses area compatible within the ETPZ according to the compatibility standards listed in the ACLUP with a recommended maximum structural coverage of no more than 50 percent. No residential units would be located within the ETPZ boundary. Therefore, Project implementation is not expected to result in any abnormal or significant safety hazard for the employees of the Project site. In addition, the Project site is not located in the vicinity of any other airstrips that have operations over the site on a regular basis. <u>However, at the request of the County of Ventura, Department of Airports, Mitigation Measure G-8 is included to ensure impacts to the ACLUP would be less than significant.</u></p>	<p><u>development is permitted within the Extended Traffic Pattern Zone and residential development, should it be incorporated into future plans, is permitted within the Extended Traffic Pattern Zone subject to avigation easements and appropriate recorded disclosures.</u></p>	
<b>Hydrology (see Section IV.H of the Draft EIR)</b>		
<p><b><u>Construction Related Impacts</u></b></p> <p>With implementation of the applicable grading and building permit requirements and the application of BMPs specifically designed to minimize construction-related water quality impacts, the construction of the proposed project would not violate any water quality standards or waste discharge requirements. Therefore, impacts from construction activities would be less than</p>	<p>No mitigation measures are required.</p>	<p>Less than significant impact on construction and operational Water Quality, Groundwater, Drainage Patterns and Erosion, Flooding, Failure of a Levee or Dam, and Seiche or Tsunami.</p>

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<p>significant.</p> <p><b><u>Operational Impacts</u></b></p> <p><b><i>Water Quality</i></b></p> <p>With the compliance with all applicable federal, State, and local regulations, Code requirements, and permit provisions, including SQUIMP, the proposed project would not violate any water quality standards or waste discharge requirements and, therefore, impacts would be less than significant.</p> <p><b><i>Groundwater</i></b></p> <p>Although soil infiltration of rainfall would be reduced onsite, it is not a major source of groundwater replenishment. In addition, bio-filtration, infiltration, detention filtration devices, and other BMPs would be used to treat polluted stormwater and reduce stormwater flows. These BMPs would also have the added benefit of allowing stormwater to infiltrate into the ground thus helping groundwater recharge. Therefore, the proposed project would not directly substantially impact groundwater and potential impacts would be less than significant.</p> <p><b><i>Drainage Patterns and Erosion</i></b></p> <p>Erosion potential would be reduced by directing stormwater flows through concrete lined drainage</p>		

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Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
<p>channels or storm drain pipes, eliminating the use of earthen drainage channels and surface flows. The site grading plan would provide positive drainage. Flows from the site would not exceed current runoff amounts and therefore, would not increase offsite flows and erosion potential. No streams or other natural water courses exist onsite. Therefore, the proposed project would have a less than significant impact with regard to drainage patterns.</p> <p><b><i>Flooding</i></b></p> <p>The proposed project would result in a substantial increase in impervious surfaces on the project site. While this would increase the potential for runoff from the project site, thus increasing potential for offsite flooding, the construction of detention basins would reduce flows from the project site to not exceed existing levels. In addition, the drainage improvements included in the proposed project would expand and improve existing drainage features increasing their capacity and effectiveness. Therefore, the proposed project impacts with regards to flooding would be less than significant.</p> <p><b><i>Failure of a Levee or Dam</i></b></p> <p>Although the project site is within the Dam Inundation Zone the potential for dam failure is considered extremely low. In addition, the entire city of Oxnard is</p>		

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<p>also in the Dam Inundation Zone. Impacts related to dam or levee failure are not project specific, and are therefore less than significant.</p> <p><b><i>Seiche or Tsunami</i></b></p> <p>Oxnard’s projected tsunami impact area extends inland from the shoreline approximately one mile. The project site is located approximately six miles from the coast and is not located near a body of water. Therefore, the potential for the project site to be affected by a seiche or tsunami is remote and impacts would be less than significant.</p>		
<b>Transportation/Traffic (see Section IV.I of this Draft EIR)</b>		
<p><b><i>Project Traffic Generation</i></b></p> <p>The Project trip generation is a net-trips total of 8,370 AM peak hour trips (6,705 inbound and 1,665 outbound), 8,738 PM peak hour trips (2,220 inbound and 6,518 outbound), and 70,750 daily trips.</p> <p><b><i>Freeway and Roadway Capacity</i></b></p> <p>The existing plus full build out traffic to the Ventura Freeway would create a significant impact to the highway in both northbound and southbound directions. The addition of fourth travel lane at both locations would be needed to mitigate the Project’s impact on the</p>	<p><b><u>The following measures are part of an adaptive management mitigation program.</u></b> The traffic improvements listed below as I-1 through I-34, inclusive, are intended to maintain Level of Service C with the development of the Project unless excepted by the City Council based upon the traffic modeling completed in February 2010 for the Draft EIR. Subsequent traffic studies required by the Specific Plan may change the number and type of improvements based upon phasing of development, traffic counts and future travel behavior. Adaptive management will allow consideration of such</p>	<p><u>With the adaptive management implementation of Mitigation Measures I-1 through I-33, traffic impacts of the proposed Project are reduced to a less than significant level except for cumulative significant traffic impacts at the five intersections shown below that are an unavoidable significant impact after implementation of the recommended mitigation measures:</u></p> <ol style="list-style-type: none"> <li><u>C Street and Wooley Road (PM LOS D)</u></li> <li><u>“Five Points” Oxnard Blvd/Saviors Rd (AM</u></li> </ol>

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<p>Ventura Freeway.</p> <p><b><i>Change in Air Traffic Patterns</i></b></p> <p>The Project does not include any aviation-related uses and would have no airport impact. It would also not require any modification of flight paths for Camarillo Airport or Oxnard Airport. Therefore, no impact would occur.</p> <p><b><i>Project Site Access and Internal Circulation</i></b></p> <p>All roadways would be designed to meet or exceed the standards of the City of Oxnard Public Works Department and the vehicles traveling to and from the site would not cause any conflicts with the properties to the south, east, and west of the site. Therefore, the Project would not increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses.</p> <p>Emergency vehicles would also have access to the Project site via any of the proposed access points and the roadways would meet the minimum standards required by the City of Oxnard Fire Department. Therefore, the Project would not result in inadequate emergency access.</p> <p><b><i>Parking</i></b></p> <p>The City requires that number of parking spaces meet</p>	<p><u>subsequent traffic studies in the implementation of the Transportation/Traffic mitigation measures. The February 2010 traffic modeling does not take into account the City's Intelligent Transportation Systems (ITS) project under construction in 2011. Similar ITS projects have improved travel time and speed by 12%-16% and decreased delay by 32%-44% (ATSAC evaluation study, 1994). As part of the adaptive management of the Transportation/Traffic mitigation measures, the implementation of such mitigation measures shall take into account when feasible the ITS, future traffic counts and updated trip generation data which may reduce, change or make unnecessary the mitigation measures while still achieving the City's adopted Level of Service, unless modified by City Council. The Developer's payment of applicable City and County traffic impact fees in the amount agreed to by the City, County and Developer or, if there is no agreement, in the amount in effect at the time of issuance of a building permit, satisfies in full the action required by Developer in connection with the implementation of the Transportation/Traffic mitigation measures. Developer may also contribute additional funds towards the traffic improvements subject to reimbursement from the City in the form of credits against future City traffic impact fees or repayment</u></p>	<p><u>LOS D and PM LOS E)</u></p> <ol style="list-style-type: none"> <li>3. <u>Rose Avenue &amp; Gonzales Road (AM LOS D)</u></li> <li>4. <u>Oxnard Boulevard &amp; Gonzales Road (PM LOS D)</u></li> <li>5. <u>Vineyard Avenue and Oxnard Boulevard (PM LOS D)</u></li> </ol> <p><u>Implementation of Mitigation Measure I-34, in conjunction with measures J-4 and J-6, is the project's proportional contribution to the City's overall program that reduces impact to the Ventura Freeway to less than significant.</u></p>

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<p>or exceed City standards for the new or modified buildings. Therefore, the Project would comply with City parking requirements and any parking-related impacts would be less than significant.</p> <p><b>Alternative Transportation</b></p> <p>Bicycle lanes would be located within the public right-of-way for Gonzales Road consistent with the City of Oxnard Bicycle Facilities Master Plan. Also, a Transportation Demand Management (TDM) plan would be prepared for the business park and all businesses located within the park would be required to participate in the TDM plan. Therefore, the Project would be consistent with adopted policies, plans, or programs supporting alternative transportation.</p>	<p><u>by the City.</u></p> <p><b>Phase I (2010)</b></p> <p><b>I-1</b> <i>Rose Avenue &amp; Gonzales Road:</i> The Project developer shall <u>pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing</u> <del>implement</del> improvements to the Rose Avenue &amp; Gonzales Road intersection that adds a fourth westbound thru lane which will mitigate both Project and cumulative (2010 no Project) impacts.</p> <p><b>I-2</b> <i>Rose Avenue &amp; Camino Del Sol:</i> The Project developer shall <u>pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing</u> <del>implement</del> improvements to the Rose Avenue &amp; Camino Del Sol intersection that adds a third northbound thru lane by removing the existing northbound right-turn lane.</p> <p><b>I-3</b> <i>Rice Avenue &amp; Fifth Street:</i> The Project developer shall <u>pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing</u> <del>implement</del> improvements to the Rice Avenue</p>	

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Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
	<p align="center">&amp; Fifth Street intersection that adds a third southbound thru lane by removing the existing southbound right turn lane.</p> <p><b>I-4</b> <i>Del Norte Boulevard &amp; Ventura Freeway NB Ramps:</i> The Project developer shall <u>pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards providing</u> <del>provide</del> signalization.</p> <p><b>I-5</b> <i>Del Norte Boulevard &amp; Ventura Freeway SB Ramps:</i> The Project developer shall pay <del>a fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to signalize and add a northbound right turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.</p> <p><b>Phase 2 (2015)</b></p> <p><b>I-6</b> <i>Ventura Road &amp; Wooley Road:</i> The Project developer shall pay <del>a fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the Ventura Road &amp; Wooley Road intersection that adds a</p>	

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Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>third northbound thru lane and a third southbound thru lane which will mitigate both Project and cumulative (2010 no Project) impacts.</p> <p><b>I-7</b> <i>Oxnard Boulevard &amp; Gonzales Road:</i> The Project developer shall <u>pay applicable City and County traffic impact fees toward improvements adding a third eastbound thru lane at the Oxnard Boulevard &amp; Gonzales Road intersection.</u> <del>support improvements to the Oxnard Boulevard &amp; Gonzales Road intersection that adds a third eastbound thru lane.</del></p> <p><b>I-8</b> <i>Rose Avenue &amp; Gonzales Road:</i> The Project developer shall <u>implement pay applicable City and County traffic impact fees toward implementing</u> improvements to the Rose Avenue &amp; Gonzales Road intersection that adds a fourth southbound thru lane.</p> <p><b>I-9</b> <i>Rose Avenue &amp; Fifth Street:</i> The Project developer shall <u>implement pay applicable City and County traffic impact fees toward implementing</u> improvements to the Rose</p>	

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Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>Avenue &amp; Fifth Street intersection that adds a second eastbound thru lane.</p> <p><b>I-10</b> <i>Rice Avenue &amp; Fifth Street:</i> The Project developer shall pay <del>a fair share cost</del> <u>pay applicable City and County traffic impact fees</u> toward implementing improvements to the Rice Avenue &amp; Fifth Street intersection that adds a second westbound left turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.</p> <p><b>I-11</b> <i>Rice Avenue &amp; Channel Islands Boulevard:</i> The Project developer shall <del>implement</del> <u>pay applicable City and County traffic impact fees toward implementing</u> improvements to the Rice Avenue &amp; Channel Islands Boulevard intersection that changes the southbound defacto right turn lane to a free right turn lane.</p> <p><b>I-12</b> <i>Del Norte Boulevard &amp; Ventura Freeway NB Ramps:</i> The Project developer shall <del>implement</del> <u>pay applicable City and County traffic impact fees toward implementing</u> improvements to the Del Norte Boulevard &amp; Ventura Freeway NB Ramps intersection that adds a second</p>	

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	<p>northbound thru lane, adds a separate northbound left turn lane, adds a second southbound thru lane, adds a separate southbound right turn lane, and adds a separate westbound left turn lane.</p> <p><b>I-13</b> <i>Del Norte Boulevard &amp; Ventura Freeway SB Ramps:</i> The Project developer shall <del>implement</del> <u>pay applicable City and County traffic impact fees toward implementing</u> improvements to the Del Norte Boulevard &amp; Ventura Freeway SB Ramps intersection that adds a second northbound thru lane, adds a separate northbound free-right turn lane, adds a second southbound thru lane, adds a separate southbound left turn lane, and adds a separate eastbound left turn lane.</p> <p><b>I-14</b> <i>Oxnard Boulevard &amp; Vineyard Avenue:</i> The Project developer shall pay a <del>fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the Oxnard Boulevard &amp; Vineyard Avenue intersection that adds a third northbound thru lane.</p>	

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Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
	<p><i>Phase 3 (2020)</i></p> <p><b>I-15</b> <i>Oxnard Boulevard &amp; Vineyard Avenue:</i> The Project developer shall <del>implement</del> <u>pay applicable City and County traffic impact fees toward implementing</u> improvements to the Oxnard Boulevard &amp; Vineyard Avenue intersection that adds a fourth southbound thru lane.</p> <p><b>I-16</b> <i>Rose Avenue &amp; Gonzales Road:</i> The Project developer shall <del>implement</del> <u>pay applicable City and County traffic impact fees toward implementing</u> improvements to the Rose Avenue &amp; Gonzales Road intersection that adds a second westbound left turn lane.</p> <p><b>I-17</b> <i>Rose Avenue &amp; Fifth Street:</i> The Project developer shall <del>implement</del> <u>pay applicable City and County traffic impact fees toward implementing</u> improvements to the Rose Avenue &amp; Fifth Street intersection that adds a second westbound left turn lane.</p> <p><b>I-18</b> <i>Rice Avenue &amp; Fifth Street:</i> The Project developer shall pay a <del>fair share cost</del> <u>applicable City and County traffic impact fees toward</u></p>	

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Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
	<p>implementing improvements to the Rice Avenue &amp; Fifth Street intersection that completes the grade separation / bypass which will mitigate both Project and cumulative (2020 no Project) impacts.</p> <p><b>I-19</b> <i>Rice Avenue &amp; Wooley Road:</i> The Project developer shall <del>implement</del> <u>pay applicable City and County traffic impact fees toward implementing</u> improvements to the Rice Avenue &amp; Wooley Road intersection that adds a third northbound thru lane and a third southbound thru lane.</p> <p><b>I-20</b> <i>Ventura Road &amp; Wooley Road:</i> The Project developer shall pay a <del>fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the Ventura Road &amp; Wooley Road intersection that adds a second southbound left lane.</p> <p><b>I-21</b> <i>Rose Avenue &amp; Camino Del Sol:</i> The Project developer shall pay a <del>fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the Rose Avenue &amp; Camino Del Sol intersection that</p>	

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	<p>adds a second eastbound left lane and a second westbound left lane.</p> <p><b>I-22</b> <i>Del Norte Boulevard &amp; Fifth Street:</i> The Project developer shall pay a <del>fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the Del Norte Boulevard &amp; Fifth Street intersection that adds a second westbound thru lane.</p> <p><b>Phase 4 (2025)</b></p> <p><b>I-23</b> <i>Ventura Road &amp; Gonzales Road:</i> The Project developer shall pay a <del>fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the Ventura Road &amp; Gonzales Road intersection that adds a second northbound left turn lane and a third northbound thru lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p> <p><b>I-24</b> <i>Ventura Road &amp; Wooley Road:</i> The Project developer shall pay a <del>fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the Ventura Road &amp; Wooley Road intersection that adds a</p>	

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	<p>third eastbound thru lane and a third westbound thru lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p> <p><b>I-25</b> <i>Rose Avenue &amp; Camino Del Sol:</i> The Project developer shall pay <del>a fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the Rose Avenue &amp; Camino Del Sol intersection that removes the southbound free right turn lane, adds a third southbound thru lane and adds an eastbound right turn lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p> <p><b>I-26</b> <i>Rose Avenue &amp; Fifth Street:</i> The Project developer shall <del>implement</del> <u>pay applicable City and County traffic impact fees toward implementing</u> improvements to the Rose Avenue &amp; Fifth Street intersection that adds a southbound right turn lane or <del>contribute fair share towards</del> grade separation.</p> <p><b>I-27</b> <i>Rose Avenue &amp; Channel Islands Boulevard:</i> The Project developer shall <del>implement</del> <u>pay</u></p>	

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	<p><u>applicable City and County traffic impact fees toward implementing</u> improvements to the Rose Avenue &amp; Channel Islands Boulevard intersection that adds a third northbound thru lane.</p> <p><b>I-28</b> <i>Rose Avenue &amp; Bard Road:</i> The Project developer shall <del>implement</del> <u>pay applicable City and County traffic impact fees toward implementing</u> improvements to the Rose Avenue &amp; Bard Road intersection that adds a third northbound thru lane and a third southbound thru lane by removing the existing northbound and southbound right turn lanes.</p> <p><b>I-29</b> <i>Rice Avenue &amp; Camino Del Sol:</i> The Project developer shall pay a <del>fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the Rice Avenue &amp; Camino Del Sol intersection that adds a second eastbound left turn lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p> <p><b>I-30</b> <i>Rose Avenue &amp; Wooley Road:</i> The Project developer shall pay a <del>fair share cost</del> <u>applicable</u></p>	

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	<p><u>City and County traffic impact fees</u> toward implementing improvements to the Rose Avenue &amp; Wooley Road intersection that adds a third southbound thru lane.</p> <p><b>I-31</b> <i>Rose Avenue &amp; Pleasant Valley Road:</i> The Project developer shall pay <del>a fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the Rose Avenue &amp; Pleasant Valley Road intersection that adds a third northbound thru lane and a third southbound thru lane by removing existing northbound and southbound right turn lanes.</p> <p><b>I-32</b> <i>SR-1/Rice NB &amp; Pleasant Valley Road:</i> The Project developer shall pay <del>a fair share cost</del> <u>applicable City and County traffic impact fees</u> toward implementing improvements to the SR-1/Rice NB &amp; Pleasant Valley Road intersection that adds a westbound right turn lane.</p> <p><i>Year 2030</i></p> <p><b>I-33</b> <u><i>Rice Avenue &amp; Gonzales Road:</i></u> The Project developer shall pay <u>applicable City and County traffic impact fees</u> and dedicate additional land</p>	

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	<p align="center"><u>to accommodate improvements to the Rice Avenue &amp; Gonzales Road intersection to achieve LOS C, unless the City Council decides this mitigation is infeasible and accepts LOS D for this intersection with an accompanying Statement of Overriding Considerations.</u></p> <p><del><b>I-33a</b> <i>Rice Avenue &amp; Gonzales Road:</i> The Project developer shall pay a fair share cost and provide additional land to accommodate improvements to the Rice Avenue &amp; Gonzales Road intersection that adds a northbound thru lane.</del></p> <p align="center"><del>—OR—</del></p> <p><del><b>I-33b</b> The City Council shall make an exception to allow Rice Avenue &amp; Gonzales Road intersection to operate below LOS “C”. The City has initiated the Intelligent Transportation Systems (ITS) Master Plan project as a tool to strategically deploy ITS strategies to improve mobility and safety to the traveling public within the Oxnard region. The methodology used to calculate the LOS does not credit or take into account the City’s ITS Master Plan, which similar ITS programs such as the Automated Traffic Surveillance and Control system used in Los Angeles County have</del></p>	

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	<p><del>shown improved travel time and speed by 12% 16% and decreased delay by 32% 44% (ATSAC evaluation study, 1994).</del></p> <p><b>Ventura Freeway</b></p> <p><b>I-34</b> <u>101 (Ventura) Freeway: The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements that are, or are subsequently included, component(s) of the Oxnard Traffic Capital Improvement Program which: 1) extend and connect north- and south-bound Ventura Freeway exit and entrance ramps between Oxnard Blvd and Del Norte Blvd. and/or 2) extend Gonzales Road and/or Ventura Road to Central Avenue.</u></p> <p><del>Camarillo, JCT. RTE. 34, Lewis Road Interchange: The Project developer shall pay a fair share cost toward implementing improvements which add a fourth travel lane in both northbound and southbound to mitigate the Projects impact on the Ventura Freeway.</del></p>	
<b>Air Quality (see Section IV.J of this Draft EIR)</b>		
<p><b>Consistency with the 2007 AQMP</b></p> <p>As no residential uses are proposed, the Project would not cause the City’s population to exceed SCAG and,</p>	<p><b>Construction</b></p> <p><b>J-1</b> <u>This is an adaptive management mitigation measure. The Project developer shall</u></p>	<p>Project-level Air Quality planning, construction-related and operational impacts,</p>

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<p>therefore, 2007 AQMP, population projections. As such, the proposed Project would not conflict with the 1997 AQMP Revision and, as such, would not jeopardize attainment of State and national ambient air quality standards in Ventura County. This would be a less-than-significant impact regarding a conflict with or obstruction of implementation of the applicable air quality plan.</p> <p><b>Construction Period Emissions</b></p> <p>Mitigation Measure J-1 includes appropriate dust control measures recommended by the VCAPCD. According to the South Coast Air Quality Management District’s <i>CEQA Air Quality Handbook</i>, these types of measures would reduce by at least 50 percent the amount of fugitive dust generated by excavation and construction activities. Mitigation Measure J-2 would reduce the emissions generated by heavy-duty diesel-powered construction equipment operating at the project site. Therefore, construction-related air quality impacts would be reduced to a less than significant level. Mitigation Measure J-2 would also reduce the amount of GHG emissions that are generated by construction equipment and activities.</p> <p><b>Operational Emissions – Daily Emissions of ROC and NOx</b></p>	<p>implement fugitive dust control measures throughout all phases of construction. The Project developer shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. These measures, like all EIR mitigation measures, are binding on subsequent parties and developers. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> <li>• Minimize the area disturbed on a daily basis by clearing, grading, earthmoving, and/or excavation operations.</li> <li>• Pre-grading/excavation activities shall include watering the area to be graded or excavated before the commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during these activities.</li> <li>• All trucks shall be required to cover their loads as required by California Vehicle Code §23114.</li> <li>• All graded and excavated material, exposed soil areas, and active portions of</li> </ul>	<p>and greenhouse gas emissions would be reduced to less than significant impact with adaptive management implementation of Mitigation Measures J-1 to J-6.</p> <p>Cumulative impacts are significant for greenhouse gases emissions and continuing Basin air quality non-attainment.</p>

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<p>The proposed Project would generate a net increase in average daily emissions that exceeds the thresholds of significance recommended by the Ventura County Air Pollution Control District.</p> <p><b><i>Operational Emissions – Localized CO Concentrations</i></b></p> <p>Future 1-hour and 8-hour CO concentrations near the study intersections would not exceed their respective national or State ambient air quality standards (i.e., the national 1-hour CO ambient air quality standard is 35.0 ppm, and the State 1-hour CO ambient air quality standard is 20.0 ppm; the 8-hour national and State standards for localized CO concentrations are 9.0 ppm). Therefore, implementation of the proposed Project would not expose any sensitive receptors located in close proximity to these intersections to substantial pollutant concentrations. This would be a less than significant impact regarding the exposure sensitive receptors to substantial pollutant concentrations.</p> <p><b><i>Operational Emissions – Greenhouse Gas Emissions</i></b></p> <p>Based on the results of the URBEMIS 2007 model, the operational emissions associated with the proposed Project could result in the generation of approximately 103,204 tons of CO<sub>2</sub> annually (see Appendix I) assuming that the proposed Project creates all new</p>	<p>the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary.</p> <ul style="list-style-type: none"> <li>• Material stockpiles shall be enclosed, covered, stabilized, or otherwise treated, to prevent blowing fugitive dust offsite.</li> <li>• Graded and/or excavated inactive areas of the construction site shall be monitored by a City-designated monitor at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to</li> </ul>	

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Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
<p>drivers and vehicle trips.</p> <p>The Project would be consistent with all feasible and applicable strategies of the 2006 CAT Report and the recommended measures of ARB Scoping Plan to reduce greenhouse gas emissions in California. Therefore, the City, as Lead Agency, finds that the impact of the Project would be less than significant with regard to greenhouse gas emissions.</p>	<p>prevent excessive fugitive dust.</p> <ul style="list-style-type: none"> <li>• Signs shall be posted on-site limiting on-site traffic to 15 miles per hour or less.</li> <li>• During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off-site or on-site. The site superintendent/supervisor shall use his/her discretion in conjunction with the VCAPCD is determining when winds are excessive.</li> <li>• Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.</li> <li>• Personnel involved in grading operations, including contractors and subcontractors should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and</li> </ul>	

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**Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation**  
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	<p align="center">Health regulations.</p> <p><b>J-2</b> The Project developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project site throughout the Project construction phases. The Project developer shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> <li>• Maintain all construction equipment in good condition and in proper tune in accordance with manufacturer's specifications.</li> <li>• Limit truck and equipment idling time to five minutes or less.</li> <li>• Minimize the number of vehicles and equipment operating at the same time during the smog season (May through October).</li> <li>• Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG),</li> </ul>	

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	<p align="center">or electric, to the extent feasible.</p> <p>The following measures are recommended to reduce the potential emissions associated with operational activities to the maximum extent feasible:</p> <p><b><u>Operations</u></b></p> <p><b>J-3</b> <u>This is an adaptive management mitigation measure.</u> The Project developer shall include in construction and building management contracts <u>one or more of</u> the following requirements or <u>other</u> measures shown to be equally effective:</p> <ul style="list-style-type: none"> <li>• <del>All structures developed with the Project shall achieve a Tier 1 “green building” designation within the meaning of the California Green Building Code, Chapter 5, Section 503 by exceeding the 2007 California Energy Code requirements by 15 percent.</del></li> <li>• Use solar or low-emission water heaters in new buildings <u>where feasible and as in common practice in similar new construction in the Oxnard area.</u></li> <li>• Require that commercial landscapers providing services at the common areas of</li> </ul>	

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	<p>project site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).</p> <ul style="list-style-type: none"> <li>• Provide bus stops pull-out areas, and/or shelters at locations along and within the Project site. The number and location of bus stops shall be determined in consultation with Gold Coast Transit and the City Traffic Engineer. <u>Cumulative air quality impact fees (see Mitigation J-6) paid by the Project developer or subsequent interests may be used for some or all of these structures or as credits against the fee and/or to be funded from the fee fund consistent with the City's practice with other projects with similar</u></li> </ul>	

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	<p align="center"><u>transit-oriented mitigation requirements.</u></p> <p><b>J-4</b> <u>This is an adaptive management mitigation measure.</u> A Project-wide Transportation Demand Management (TDM) program shall be prepared by a qualified consultant for review by the Development Services Director within one year of the <del>adoption of the Project recordation of the first Final Tract Map and implemented on a phase by phase basis thereafter.</del> The TDM program shall incorporate best and commonly used trip-reduction incentives, programs, and practices found in TDMs of similar projects in terms of allowed uses, size, and transportation and transit service context. The TDM shall, to the maximum extent <u>financially feasible or practical</u>, be coordinated and consistent with Gold Coast Transit service planning, development and/or final adoption of a regional and/or Oxnard Sustainable Communities Strategy (under SB 375), and TDMs or similar efforts of surrounding businesses and organized business and commercial organizations, including but not limited to, the Camino Real Business Park;</p>	

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	<p>Proctor and Gamble; Riverpark (The Collections); The Esplanade; The Village; Oxnard Auto Center Dealers Associations; and the McGinnes Ranch, Northgate, and Seagate business parks. The TDM shall include an estimate of Project vehicular trips; a target reduction; a strategy and timeline to achieve the target; and one or more means of an independent sustainable funding program to administer, monitor, and routinely update the TDM program. At the discretion of the City Traffic Engineer based on applicable professional practice, documented and sustained TDM attributable trip reductions shall be incorporated into future Project-related traffic studies and/or analyses for purposes of calculating traffic fees and/or modifying traffic-related mitigations. <u>The TDM may be implemented on a phase-by-phase basis.</u></p> <p><b>J-5</b> <u>This is an adaptive management mitigation measure.</u> The Specific Plan shall include a requirement that all structures with a flat or nearly flat roof area of over 10,000 square feet shall be designed <del>to support the installation of solar panel and/or similar equipment</del> <u>with roof</u></p>	

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	<p><u>systems capable of supporting equipment that generates electricity from sunlight and/or wind if economically feasible and subject to review by the Fire Department. The owner/tenant of the building may elect to install such equipment</u> <del>The roof systems may be designed to service the building and/or enter into a commercially reasonable public or private utility agreement for purposes of generating energy or transmission, if requested by the City and economically feasible.</del></p> <p>Many of the measures that the VCAPCD currently recommends to reduce the significant operational impacts of proposed Project are features of the proposed Project. The only remaining measure recommended by the VCAPCD that would reduce the operational impacts of the proposed Project to less-than-significant levels is the contribution to a City-managed transportation demand management (TDM) fund. This fund is used by the City to implement trip reduction programs throughout the City.</p> <p><b>J-6</b> <u>This is an adaptive management mitigation measure.</u> The Project developer shall</p>	

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	<p>contribute an <del>estimated \$2,713,928.00</del> to a <u>cumulative impacts mitigation “buy-down” TDM fund managed by the City based on the Ventura County Air Pollution Control District fee schedule effective at the time a building permit is issued.</u> <del>to</del> <u>The fee contribution shall be assessed and paid incrementally as individual buildings are developed. The TDM fee is allocated based on each development’s share of average daily trips (ADT) for the Project buildout. The ADT shall be recalculated annually by the City Traffic Engineer or upon request of the Project developer with a payment of a fee determined by the City Traffic Engineer that covers actual time and material costs to the City. The City shall consider transit and traffic demand management improvements and programs suggested by the Project developer, in excess of those otherwise required, as credits against the fee and/or to be funded from the fee fund.</u></p>	
<b>Noise (see Section IV.K of this Draft EIR)</b>		
<p><i>Construction Noise</i></p> <p>The Project site is located in an industrial and agricultural area of the City and is not located in close proximity to any sensitive uses such as residences or</p>	<p><u>Construction Noise</u></p> <p>No mitigation measures are required.</p> <p><u>Operational Noise</u></p>	<p>Project-level construction and operation noise would be less than significant.</p>

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Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
<p>schools. The nearest residential uses are located north of the Project site, beyond the Ventura Freeway. Given their distance from the Project site and the existing noise levels generated along the freeway, the project’s construction noise levels would not result in substantial temporary or periodic noise levels at these receptors. Therefore, grading and construction activities associated with the Project would not conflict with the City Code requirements or expose sensitive receptors to substantial temporary or periodic noise levels. Impacts associated with construction noise would be less than significant.</p> <p><i>Construction Groundborne Vibration</i></p> <p>The nearest off-site industrial structure is located approximately 88 feet from the Project site. Based on this distance, the construction-related groundborne vibration levels that would occur at this structure would be approximately 0.01 PPV, which would not exceed any of the identified FTA criteria that would result in building damage. As the other off-site industrial structures are located even further away from the Project site, the vibration impacts associated with building damage resulting from project construction would be less than significant.</p> <p>In terms of human annoyance, vibration levels could exceed 75 VdB at the existing industrial uses located to</p>	<p>No mitigation measures are required.</p> <p><u>Cumulative Noise</u>  <u>No mitigation measures are feasible to reduce the cumulative roadway noise impacts along Gonzales Road between Rice Avenue and Rose Avenue.</u></p>	<p>No mitigation measures are feasible to reduce the cumulative roadway noise impacts along Gonzales Road between Rice Avenue and Rose Avenue. Therefore, the contribution of the proposed Project to this cumulative impact would continue to be significant.</p>

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<p>the south and east of the Project site. These uses, however, are not considered to be sensitive to groundborne vibration and the resulting levels would not exceed any adopted standards for these uses. Therefore, this vibration impact would be less than significant.</p> <p><i>Operational Noise – Locations on Site</i></p> <p>The Noise Element of the Oxnard 2020 General Plan shows that future noise levels in the northern part of the Project site would not exceed 75 dBA CNEL. As such, future noise levels at the Project site would not exceed City standards for industrial, office, and commercial uses. This would be a less than significant impact.</p> <p><i>Operational Noise – Locations Off Site</i></p> <p>The proposed Project would increase local noise levels by a maximum of 1.7 dBA CNEL, which is inaudible / imperceptible to most people and would not exceed the identified thresholds of significance. This would be a less-than-significant impact</p>		
<b>Population and Housing (see Section IV.L of this Draft EIR)</b>		
<p>The proposed project would induce residential population growth in an area, directly through housing, and indirectly through employee uses. However, the</p>	<p><b>L-1</b> If there is a housing component within the Project of over 10 units, <u>ten percent of the total units within each project or a percentage</u></p>	<p>Less than significant impact <u>with implementation of Mitigation Measure L-1 if</u></p>

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<p>population growth would not exceed the anticipated projections by the City through 2015 nor the VCOG forecasts. As such, the population growth associated with the proposed project residential and employee uses has already been anticipated and planned for by the City, SCAG, and VCOG. Therefore, impacts would be less than significant.</p> <p><i>Housing or Population Displacement</i></p> <p>The project site is currently an agricultural use, generally undeveloped and does not contain any housing or people. The implementation of the proposed project would not displace any housing or people, necessitating the construction of replacement housing elsewhere. Therefore, no impacts with respect to housing or population displacement would occur.</p>	<p><u>determined by an economic impact assessment that estimates the need for very low and low income housing created by actual and anticipated development with the Specific Plan, whichever percentage is higher but not to exceed 23 percent, would be developed as affordable housing in a manner consistent with the City's inclusionary housing program for qualified low and moderate income households, to be determined by an economic impact assessment that estimates the need for very low and low income housing created by the actual and anticipated development and the wages paid to their employees. This information shall also be reflected in the Specific Plan document under section 4.7, Affordable Housing.</u></p> <p><del>the affordable housing requirement shall be a minimum of 15 percent to a maximum of 21 percent, composed of equal portions for very low, low, and moderate income households. The affordability requirement shall be determined by a nexus study that estimates the incomes of current and projected employees within the Project compared to the availability of correspondingly affordable housing within the commute shed.</del></p>	<p><u>housing is proposed.</u></p>

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<b>Public Services (see Section IV.M of this Draft EIR)</b>		
<p><i>Fire</i></p> <p>Since the Project is on a 10-20 year buildout – construction impacts will be mitigated by the new Station No. 10. The station is being built on 1.5 acres dedicated by Sakioka Farms – in Phase 1 – per a Development Agreement to provide service to the Project and other areas.</p> <p>In addition, the Project area is an agricultural use, which has a very low human activity impact and no structures. Project construction would not be expected to tax fire fighting and emergency services to the extent that there would be a need for new or expanded fire facilities, in order to maintain acceptable service ratios, response times, or other performance objectives of the Oxnard Fire Department (OFD). Therefore, construction-related impacts to fire protection services would be less than significant.</p> <p>With the construction of the fire station within the Project site, the OFD would be able to service the project area and the eastern port of Oxnard with adequate response time and distance. The proposed Project would not involve any other activities during its</p>	<p><i>Fire</i></p> <p><u>M.1-1 The Specific Plan permits the development of 1.7 million square feet of development (approximately 20 percent of allowed development by the Specific Plan) prior to the completion of a fully operational fire station. The exact location of an approximately 1.5-acre site near Rice Avenue and the easterly extension of Gonzales Road and construction of the fire station are subject to a future agreement among City, Oxnard Fire Department (OFD) and Developer.</u></p>	<p><u>The Oxnard Fire Department has determined after reviewing its current service capacity, current demands for service, and anticipated increases in demands for service from other projects that 1.7 million square feet (20 percent of the Specific Plan) could be developed within the Specific Plan Area before the fire station is required.</u></p> <p>Less than significant impact following the implementation of Mitigation Measure M.1-1.</p>

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operational phase that could impede public access or travel upon public rights-of-way or would interfere with an emergency response or evacuation plan.		
<p><i>Police</i></p> <p>The Oxnard Police Department (OPD) has stated that wait times for non-emergency calls would increase while it would strive to maintain responses to emergency calls in five minutes or less. Oxnard has anticipated the need for additional officers in its OPD Five Year Staffing Plan and plans to add between 49 and 102 officers through June 2009. While current staffing ratios fall below the desired target, the increase in officers would allow the desired target to be met. In addition, response times would decrease with additional officers on patrol. Since Oxnard has planned for population and development increases with additional staffing, the Project’s future impacts to police service would be less than significant.</p>	<p><i>Police</i></p> <p>Construction</p> <p><b>M.2-1</b> During all construction activities, the Project or subsequent developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, be secured with temporary fences to prevent trespass.</p> <p>Operation</p> <p><b>M.2-2</b> The building and site design of subsequent developments under the Specific Plan program shall include crime deterrence and prevention features, building security systems, architectural design modifications, surveillance systems, and secure parking facilities. In addition, industrial businesses may be required to enroll into existing Oxnard Police crime prevention programs, depending on the nature of the business.</p>	<p>Less than significant impact to Police with implementation of Mitigation Measures M.2-1 and M.2-2.</p>
<p><i>Schools</i></p> <p>Although the addition of new students may cause a</p>	<p><i>Schools</i></p> <p><b>M.3-1</b> <u>This is an adaptive management mitigation</u></p>	<p>Less than significant impact.</p>

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<p>school to reach or exceed its design capacity, overcrowding by and of itself is a social problem and does not constitute an environmental impact. The provisions of SB 50 are deemed to provide full and complete mitigation of school facilities impacts. Therefore, with payment of impact fees, impacts related to schools would be less than significant. However, the City supports additional mitigation between the Project and the school districts if applicable.</p> <p>The OUHSD is already at 13% above capacity and planning on a seventh high school. With the addition of 118 students and no increase in school capacity, that number would raise to over 18% above capacity. Both the RSD and OUHSD would require additional busing service to Project students. The applicant would be required to pay required State-mandated school impact fees to OUHSD under the provisions of SB 50. Pursuant to Section 65995 (3) (h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), payment of these fees is deemed full and complete mitigation.</p>	<p><u>measure</u>. The subsequent developer(s) under the specific plan would be required to pay all applicable school fees to offset the impact of additional student enrollment at schools. No other mitigation measures are required <u>as part of the environmental review process unless State Law changes so as to allow subsequent environmental reviews to identify appropriate feasible mitigations to reduce a significant impact on schools to a level below the significance threshold.</u></p>	
<p><i>Parks</i></p> <p>Although the proposed Project would provide 3 acres of open space, under the Housing Alternative the net project population increase would generate additional demand for community-level recreation and park</p>	<p><i>Parks</i></p> <p>No mitigation measures required.</p>	<p>Less than significant impact.</p>

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<b>Environmental Impact</b>	<b>Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<p>services when the Project is complete. Applying the City standard of three acres of parkland per 1,000 residents, the additional residents created by the Project under this alternative would demand an equivalent of 10.5 acres of recreational space and uses.</p> <p>However, with the inclusion of a 3 acre (5 acre under the Housing alternative) neighborhood park and payment of Quimby fees, potential impacts to parks as a result of proposed Project would be reduced to a less than significant level.</p>		
<p><i>Library</i></p> <p>The Project without residential uses would not create a demand on library services. Therefore, impacts to library services under this development scenario would be less than significant.</p> <p>The impacts of the Project with residential uses would be considered potentially significant. Payment of the Growth Development Fee would be put toward building the new recommended facility to reduce the potentially significant impact to less than significant levels.</p>	<p><i>Library</i></p> <p>No mitigation measures required.</p>	<p>Less than significant impact.</p>
<b>Utilities (see Section IV.N of this Draft EIR)</b>		
<p><i>Water</i></p>	<p>N-1 The on-site domestic water system shall</p>	<p>Less than significant impact on water with</p>

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<p>The proposed Project water consumption would be up to 1,030 AFY with residential uses or 1,025 AFY without residential uses. With potential demand reduced with recycled water and transferred allocation supply, the net demand would be 329 AFY with residential uses or 330 AFY without residential.</p> <p>In addition, development of the Sakioka Farms Business Park Specific Plan is part of the overall planned water demand increase for Oxnard. The projected water demand for Oxnard in 2030 with complete buildout of Sakioka Farms, as well as other future projects, and ambient growth is approximately 40,980 AFY (an increase of 13,965 or 33% above existing demand (2007)). Thus, the project’s 1,030 AFY represents 2.5 % of the projected demand and 7.4% of the projected increase from 2007 to 2030</p>	<p>include the following:</p> <ul style="list-style-type: none"> <li>• A public pipeline systems which feed into separate water meters for each ownership. In addition, there shall be separate water meters for each multi-family unit townhouses, but not apartment units. The high-rise residential towers may be master-metered.</li> <li>• A separate water meter (1) for the common landscape areas that would be connected to the future recycled water system.</li> <li>• All domestic water pipelines shall adhere to Division of Occupational Health and Safety (DOHS) requirements for separation between water and recycled water/wastewater pipelines.</li> <li>• The <u>Project</u> developer shall be responsible for payment of capital improvement/connection fees, including all related “installation fees.”</li> <li>• <u>The Project</u> developer shall provide the City any approvals necessary to dedicate to the City all FCGMA allocation associated with the Project site, <u>on a phase-by-phase basis and upon the conversion of land from</u></li> </ul>	<p>adaptive management implementation of Mitigation Measures N-1 to N-13.</p>

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	<p><del>agricultural to urban uses. whether such allocation is associated with the conversion of agricultural to urban uses, or otherwise.</del></p> <ul style="list-style-type: none"> <li><del>• Developer shall provide to the City addition water rights, water supplies, or water offsets in the form of recycled water facilities, conservation retrofits, financial contributions towards City programs which generate in City water conservation, or participation in other similar programs with cumulatively result in a total water supply contribution, taken together with other water rights or FCGMA allocation provided to the City, which offset the entire estimated water demand associated with the Project.</del></li> </ul> <p><b>N-2</b> <u>This is an adaptive management mitigation measure.</u> The <u>Project</u> developer shall provide a recycled water system that serves all practical irrigated areas and which is: (1) separated from the domestic water system, (2) constructed per the City’s Recycled Water Construction Standards (being developed), (3) irrigated at night, and (4) properly signed once the system is fully operational.</p> <ul style="list-style-type: none"> <li>• The portion of the irrigation intended for</li> </ul>	

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	<p>the future recycled water system shall be separately metered from that portion of the system that will not be connected to the future recycled water system, if any.</p> <ul style="list-style-type: none"> <li>• Until the recycled water system is operational, the common area irrigation system shall be connected to the domestic system. Once recycled water is available, and connection to the recycled water system is made, the <u>Project</u> developer shall remove the connection to the domestic water system. No domestic water back-up is needed, since the City will provide such back-up including an appropriate air gap facility as part of the City's system.</li> <li>• Prior to the availability of recycled water, the <u>Project</u> developer shall be responsible for payment of the Recycled Water Connection Fee or the water connection fee, whichever is greater for facilities constructed.</li> <li>• At such time as recycled water is available, the <u>Project</u> developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled</li> </ul>	

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	<p>water system, including appropriate signage. Credits for connection fees shall be given by the City based on the size of the meter(s). Under no circumstance will there be a refund of water connection fees already paid.</p> <ul style="list-style-type: none"> <li>• The <u>Project</u> developer shall be responsible for appropriate Sakioka Farms Specific Plan Covenants, Conditions and Restrictions (CC&amp;Rs) covering the use of recycled water and for proper disclosures.</li> <li>• <del>Prior to submittal of subdivision improvement plans, the developer shall review with the City the potential for dual plumbing, whereby toilet facilities would be served by the recycled water system. No determination has yet been made regarding whether the City will desire to proceed with this plan. However, should the City decide that it is desired, all costs associated with the dual plumbing shall be borne by the developer.</del></li> </ul> <p><b>N-3</b> <u>This is an adaptive management mitigation measure.</u> The <u>Project</u> developer shall, <u>to the extent feasible</u>, incorporate exterior water conservation features, as recommended by the</p>	

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	<p>State Department of Water Resources <u>at the time of adoption or in common practice in the future</u>, into the Project. These shall include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Landscaping of common areas with low water-using plants,</li> <li>• Minimizing the use of turf by limiting it to lawn dependent uses, and</li> <li>• Wherever turf is used, installing warm season grasses.</li> </ul> <p><b>N-4</b> <u>This is an adaptive management mitigation measure.</u> The <u>Project</u> developer shall, to the extent feasible, use reclaimed water for irrigation of landscaping and other uses if or when such water is available at the project site.</p> <p><b>N-5</b> The <u>Project</u> developer shall predominantly use vegetation that requires minimal irrigation (i.e., drought tolerant plant species) in all site landscaping where feasible for new plantings.</p> <p><b>N-6</b> The future water system shall be designed in a loop configuration with connections to the existing 16-inch water line on Del Norte Boulevard.</p>	

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	<p><b>N-7</b> The use of a 14-inch line would be feasible and should only be connected to mainlines of 14-inches or larger.</p> <p><b>N-8</b> Rice Avenue is planned to become a state highway; therefore, no new utilities shall be installed along this roadway.</p> <p><b>N-9</b> The Project developer shall ensure that the landscape irrigation system be designed, installed, and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.</p> <p><b>N-10</b> The Project developer shall, <u>to the extent feasible</u>, install a “smart sprinkler” system to provide irrigation for the landscaped areas. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be automatically adjusted by a state-of-the-art system that relies on local weather forecasts.</p> <p><b>N-11</b> The project developer shall install low-flush water toilets in all new construction at the project site. Low-flow faucet aerators shall be installed on all new sink faucets.</p>	

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 (showing changes from the Draft EIR as new or deleted)

Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
	<p><b>N-12</b> <u>This is an adaptive management mitigation measure. The Project’s annual water supply deficit of 330 acre feet was estimated using 2010 water use estimates for the theoretical buildout of the entire project. Actual water demand over the buildout of the Project is likely to change as actual development and uses occur and changing water consumption. Subsequent water demand/supply analyses required by subsequent CEQA review may change water supply needs relative to the City’s future water supply. The Draft 2010 Urban Water Management Plan (UWMP) incorporates the Project’s water demand as proposed. Should subsequent project development incur water demand in excess of that anticipated by the adopted 2010 UWMP and/or the City’s water supplies are reduced below those anticipated by the adopted 2010 UWMP, the Project developer shall, to the extent feasible, implement one or more, but not limited to, the following adaptive measures to remain water neutral to the City’s available and projected supply at the time of subsequent project approvals that involve a Negative Declaration, Mitigated Negative Declaration, or Subsequent EIR:</u></p>	

**Table I-1**  
**Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation**  
 (showing changes from the Draft EIR as new or ~~deleted~~)

Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
	<p><u>N-12.1</u> The Project developer shall provide to the City additional water rights of at least the shortage amount.</p> <p><u>N-12.2</u> The Project developer shall provide to the City water supplies equal to the shortage amount until City supply is adequate.</p> <p><u>N-12.3</u> The Project developer shall provide to the City permanent quantified water offsets in the form of recycled water.</p> <p><u>N-12.4</u> The Project developer shall provide to the City financial contributions towards City programs which generate in-City water conservation or recycled water capacity or conveyance.</p> <p><u>N-12.5</u> The Project developer shall participation in other similar programs with cumulatively result in an adequate water supply contribution.</p> <p><del>In order to negate the Project's projected annual water supply deficit of 330 acre feet and achieve the water neutral policy</del></p>	

**Table I-1**  
**Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation**  
 (showing changes from the Draft EIR as new or deleted)

Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
	<p><del>established by the City Council, the Developer shall participate in the financing of an approximately 4.5 mile recycled water supply branch pipeline commencing at the intersection of Ventura Road and Fifth Street, going east along Fifth Street to Oxnard Boulevard, north on Oxnard Boulevard to Camino del Sol, east on Camino del Sol to Rose Avenue, and north on Rose Avenue to Gonzales Road, then from there into the Project's recycled internal pipelines required by mitigation N 2. The pipeline varies in width from 16 to 12 inches and a more feasible and/or less expensive alternative route may be substituted by the Director of Public Works. The Project's estimated share of the total expense is approximately 55 percent, or \$3,930,720 which includes a 20 percent contingency. This Project's obligation may be proportionately reduced and/or refunded should other recycled water users buy into the water line under a cost-sharing program to be developed by the Director of Public Works. This pipeline is required to be in place and operational when, and if, the cumulative actual and projected potable water demands of subsequent</del></p>	

**Table I-1**  
**Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation**  
 (showing changes from the Draft EIR as new or ~~deleted~~)

Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
	<p><del>development exceed the transferred ground water credits transferred to the City.</del></p> <p><b>N-13</b> <u>The Project developer shall, in a manner as agreed to in the development agreement, participate in an assessment district or similar financing instrument for the construction of a recycled water supply pipeline that will connect into the Project’s recycled internal pipelines required by mitigation, or pay applicable connection fees to connect to the City’s recycled water line when requested.</u></p> <p><del>The Project shall construct an 18-inch potable water pipeline approximately 900 feet in length from the intersection of Solar Drive and Gonzales Road eastward and connecting to the Project’s internal potable pipeline system at Rice Avenue. The estimated cost is \$370,000 which includes a 20 percent contingency. This pipeline connector and related equipment shall be completed and operable prior to completion of any structure in Planning Areas 1, 2, or 3 or as determined by the Director of Public Works.</del></p>	
<p><i>Wastewater</i></p> <p>The proposed Project is estimated to generate a total of</p>	<p><i>Wastewater</i></p> <p>No mitigation measures are required.</p>	<p>Less than significant impact.</p>

**Table I-1**  
**Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation**  
 (showing changes from the Draft EIR as new or deleted)

Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
<p>approximately 860 AFY of wastewater with residential uses or 850 AFY without residential uses. This translates to 767,759 gpd or 758,831 gpd. New sewer facilities constructed onsite will have to be connected to both the Rice Avenue and Del Norte Boulevard existing sewer lines. The eventual development of the Project site was anticipated when the Northeast Industrial Area infrastructure was planned.</p>		
<p><i>Solid Waste</i></p> <p>Over the long term, the proposed Project would be expected to generate approximately 146,970 pounds per day or 141,264 pounds per day (with residential uses or without residential uses, respectively).</p> <p>Using a diversion average of 69 percent, the proposed Project would generate approximately 45,561 pounds (23 tons) or 43,792 pounds (22 tons) of solid waste per day (with residential uses or without residential uses, respectively) that would be disposed in local landfills.</p>	<p><i>Solid Waste</i></p> <p>No mitigation measures are required.</p>	<p>Less than significant impact.</p>
<p><i>Energy</i></p> <p>The proposed Project is estimated to consume a total of 776,082 or 742,334 (with residential uses or without residential uses, respectively) cubic feet (cf) of natural gas per day. The proposed Project would result in an increase in natural gas consumption. However, SoCal Gas would be able to provide the increase in its portion</p>	<p><i>Energy</i></p> <p>No mitigation measures are required.</p>	<p>Less than significant impact.</p>

**Table I-1**  
**Executive Summary of Project Impacts, Mitigation Measures, and Impacts after Mitigation**  
 (showing changes from the Draft EIR as new or deleted)

Environmental Impact	Mitigation Measures	Level of Significance After Mitigation
<p>of the volume of natural gas anticipated from development of the proposed Project. Therefore, there would be a less than significant impact on natural gas supply systems.</p> <p>The proposed Project is estimated to consume a total of 253,691 or 264,999 (With residential uses and without residential uses, respectively) kilowatt-hours (kWh) of electricity per day. SCE has states that the electrical loads of the Project are within parameters of projected load growth which SCE is planning to meet in the area. The total system demand for electricity increases annually and this Project would contribute to that growth. However, the SCE has plans for new distribution resources that would give SCE the ability to serve all customers' loads in accordance with its rules and tariffs adequately through <u>the decade of the 2010's 2010</u>. Furthermore, the proposed Project would be required to comply with Title 24, which establishes energy conservation standards for new construction. Therefore, there would be a less than significant impact on electrical supply systems.</p>		

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## III. RESPONSES TO COMMENTS

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### 1. INTRODUCTION

The City of Oxnard, Development Services Department, Planning Division received comments on the Draft Sakioka Farms Specific Plan EIR from a total of 23 individuals and agencies in the form of emails and letters and verbal comments at the October 7, 2010 Planning Commission meeting. This section contains written responses to each of the comments arranged by: 1) Responses to Public Agency Comments; and 2) Responses to Public Comments. The comment letters and the pertinent portions of the Minutes from the City Of Oxnard Planning Commission Meeting held on October 7, 2010 are included in Appendix A in alphabetical order. Each letter is identified by the last name of the commenter, and each comment is delineated and numbered. The text of each individual comment is included below and is followed by a response. Staff and comment-generated corrections and additions are presented in Section II, Corrections and Additions.

Written comments made during the public review for the Draft EIR intermixed points and opinions relevant to project approval/disapproval with those relevant to the environmental review. The responses acknowledge comments addressing points and opinions relevant to consideration for project approval, and discuss as necessary the points relevant to the environmental review. Such points are usually statements of opinion or preference regarding a project's design or its presence as opposed to points within the purview of an EIR: i.e. environmental impact and mitigation. However, as these points are relevant for consideration by the decision makers in the subsequent project approval process, they are included.

The following organizations/persons provided written and oral comments on the Draft Sakioka Farms Specific Plan EIR during the public review period of September 7, 2010 through October 22, 2010:

#### **Commenters:**

##### **California State Officials & Agencies**

1. Sandy Hesnard  
Aviation Environmental Specialist  
California Department of Transportation, Division of Aeronautics  
1120 N Street, MS #40  
Sacramento, CA 94273-0001
  
2. Rosa Munoz, PE  
Senior Utilities Engineer  
California Public Utilities Commission, Rail Crossings Engineering Section,  
Consumer Protection & Safety Division  
320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013

3. Edmund J. Pert, Regional Manager  
California Department of Fish & Game  
South Coast Region  
4949 Viewridge Avenue  
San Diego, CA 92123
4. Katy Sanchez  
Program Analyst  
Native American Heritage Commission  
915 Capitol Mall, Room 364  
Sacramento, CA 95814
5. John Shamma  
Manager, Environmental Planning Team  
Metropolitan Water District of Southern California  
P.O. Box 54143  
Los Angeles, CA 90054-0153
6. Dianna Watson, IGR/CEQA Branch Chief  
California Department of Transportation  
District 7, Regional Planning  
IGR/CEQA Branch  
100 South Main Street, MS #16  
Los Angeles, CA 90012-3606

#### **Ventura County Officials & Agencies**

7. Steve DeGeorge  
Planning and Technology Director  
Ventura County Transportation Commission  
950 County Square Drive, Suite 207  
Ventura, CA 93003
8. Behnam Emami, Engineering Manager II  
Transportation Department - Traffic, Advance Planning & Permits Division  
County of Ventura, Public Works Agency  
800 S. Victoria Avenue  
Ventura, CA 93009-1620
9. Rita Graham  
Agricultural Land Use Planner  
County of Ventura, Office of Agricultural Commissioner  
669 County Square Drive  
Ventura, CA 93003
10. Tricia Maier, Manager  
Program Administration Section  
County of Ventura  
Resource Management Agency, Planning Division  
800 South Victoria Avenue, L# 1740  
Ventura, CA 93009

11. Todd McNamee, AAE  
Director of Airports  
County of Ventura, Department of Airports  
555 Airport Way  
Camarillo, CA 93010
12. Alicia Stratton, AQ Specialist  
Planning and Evaluation Division  
Ventura County Air Pollution Control District  
669 County Square Drive, Second Floor  
Ventura, CA 93003
13. Tom Wolfington, PE  
Permit Manager  
Planning and Regulatory Division, Permit Section  
Ventura County Watershed Protection District  
800 S. Victoria Avenue  
Ventura, CA 93009-2001

**City of Oxnard**

14. Paul J. Wendt  
Supervising Civil Engineer  
City of Oxnard Service Center, Development Services Department  
214 South C Street  
Oxnard, CA 93030
15. City of Oxnard Planning Commission  
Minutes of the Meeting of October 7, 2010

**Other Agencies & Groups**

16. Eric Bergh  
Manager of Resources  
Calleguas Municipal Water District  
2100 Olsen Road  
Thousand Oaks, CA 91360-6800
17. Helene Buchman  
Acting Director of Planning and Marketing  
GoldCoast Transit  
301 E. Third Street  
Oxnard, CA 93030-6048
18. Robert W. Burrow, AICP  
Director, Department of Community Development  
City of Camarillo  
601 Carmen Drive  
Camarillo, CA 93010

19. Sherianne Cotterell  
Superintendent  
Rio School District  
2500 E. Vineyard Avenue  
Oxnard, CA 93036

**Individuals**

20. Jan Baskin-Smith  
811 Joliet Place  
Oxnard, CA 93030-4790
21. Les Card  
Chief Executive Officer  
LSA Associates, Inc.  
20 Executive Park, Suite 200  
Irvine, CA 92614
22. Larry Godwin  
No Address Provided  
(oral comments, refer to Planning Commission Minutes)
23. Shirley Godwin  
No Address Provided  
(oral comments, refer to Planning Commission Minutes)
24. Cynthia M. Wolcott, Esq.  
Palmieri, Tyler, Wiener, Wilhelm & Waldron LLP  
2603 Main Street  
East Tower – Suite 1300  
Irvine, CA 92614-4281

## 2. RESPONSES TO COMMENTS ON THE DRAFT EIR

### RESPONSES TO PUBLIC AGENCY COMMENTS

#### LETTER NO. HESNARD

Sandy Hesnard  
Aviation Environmental Specialist  
Department of Transportation, Division of Aeronautics – M.S. #40  
1120 N Street  
Sacramento, CA 94273-0001

October 13, 2010

#### Comment No. Hesnard-1

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

#### Response to Comment No. Hesnard-1

This comment states that the Caltrans Division of Aeronautics (Division) has reviewed the Draft EIR and states that the Division has technical expertise in the areas of airport operations safety, noise and airport land use compatibility, but the comment does not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

#### Comment No. Hesnard-2

The proposal is for the Sakioka Farms Business Park Specific Plan on 430 acres in the northeastern portion of the City of Oxnard. The Specific Plan is divided into seven planning areas. According to the Draft Environmental Impact Report (DEIR), "up to 900 residential units with a park and neighborhood retail are an optional use in the center/west area." Planning Areas 2, 3 and 4 all show residential uses as an option.

The project site is located approximately 7,000 feet west of the approach end to Camarillo Airport's Runway 8. Camarillo is an active airport with approximately 600 based-aircraft and over 157,000 annual

operations. The project will be subject to aircraft overflights and subsequent aircraft-related noise and safety impacts.

### **Response to Comment No. Hesnard-2**

This comment restates a portion of the proposed project description and further states that the project will be subject to aircraft overflights and subsequent aircraft-related noise and safety impacts, but the comment does not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA.

### **Comment No. Hesnard-3**

Protecting people and property on the ground from the potential consequences of near-airport aircraft accidents is a fundamental land use compatibility-planning objective. While the chance of an aircraft injuring someone on the ground is historically quite low, an aircraft accident is a high consequence event. The potential severity of an off-airport aircraft accident is highly dependent upon the nature of the land use at the accident site. To protect people and property on the ground from the risks of near-airport aircraft accidents, some forms of restrictions on land use are essential.

As we stated in our February 16, 2006 response to the Notice of Preparation, a portion of the project site appears to be within Safety Zones 4 and 6 as defined in the Caltrans Airport Land Use Planning Handbook (Handbook). Safety Zone 4 or Outer Approach/Departure Zone is situated along the extended runway centerline with approaching aircraft usually at less than traffic pattern altitude. The Handbook generally recommends that residential be limited to "low densities" if "not deemed unacceptable because of noise."

### **Response to Comment No. Hesnard-3**

Section IV.G. Hazards and Hazardous Materials, page IV.G-12 acknowledges that the Project site is located within the planning area and protection zones for Camarillo Airport. The eastern-most area of the site is located within the Extended Traffic Pattern Zone (ETPZ) for Camarillo Airport as designated in the Airport Comprehensive Land Use Plan (ACLUP) for Ventura County. Most business, research, office, commercial, and light industrial uses are compatible within the ETPZ according to the compatibility standards listed in the ACLUP with a recommended maximum structural coverage of no more than 50 percent. No residential units would be located within the ETPZ boundary under any of the alternatives. Therefore, Project implementation is not expected to result in any abnormal or significant safety hazard for the employees of the Project site. In addition, the Project site is not located in the vicinity of any other airstrips that have operations over the site on a regular basis.

Refer also to Response to Comment McNamee-2.

**Comment No. Hesnard-4**

That part of the project site which extends approximately 1,500 feet east and west of Del Norte Boulevard is located within the Extended Traffic Pattern Zone (ETPZ) as designated in the Ventura County Airport Comprehensive Land Use Plan (ACLUP). According to the ACLUP, some uses are conditionally "Acceptable" within the ETPZ. Table 6B states that for residential, public/institutional, hotels and motels, and resorts and camps, "an avigation easement is recommended and a fair disclosure agreement and covenant shall be recorded by the owner and developer of the property." According to the DEIR, page 1-23, "no residential units would be located within the ETPZ boundary." Planning Area 4 is within the ETPZ. If Planning Area 4 includes the residential option, residential uses would be located within the ETPZ. The proposal should be submitted to the Ventura County Airport Land Use Commission (ALUC) for a consistency determination.

The proposal should also be coordinated with Camarillo Airport to ensure that the proposal will be compatible with future as well as existing airport operations.

**Response to Comment No. Hesnard-4**

Refer to Responses to Comments Hesnard-3 and McNamee-2.

**Comment No. Hesnard-5**

California Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353 address buyer notification requirements for lands around airports and are available on-line at <http://www.leginfo.ca.gov/ca law.html>. Any person who intends to offer subdivided lands, common interest developments and residential properties for sale or lease within an airport influence area is required to disclose that fact to the person buying the property.

**Response to Comment No. Hesnard-5**

This comment states that there are state disclosures requirements regarding airport operations safety, noise and airport land use compatibility, but the comment do not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR. The following response is provided for the record.

Real estate transactions (sale or lease) within the Specific Plan Area are subject to compliance with California Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353 and all appropriate legal disclosure and notifications would occur, as required.

**Comment No. Hesnard-6**

California Public Utilities Code Section 21659 prohibits structural hazards near airports. Depending on structural heights of future buildings and in accordance with Federal Aviation Regulation, Part 77 "Objects Affecting Navigable Airspace" a Notice of Proposed Construction or Alteration (Form 7460-1)

may be required by the Federal Aviation Administration (FAA). Form 7460-1 is available on-line at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> and should be submitted electronically to the FAA.

**Response to Comment No. Hesnard-6**

This comment states that there are state mandated building height limits near airports subject to California Public Utilities Code Section 21659. The comment is acknowledged and the following response is provided for the record:

Proposed Project building heights are routinely reviewed to ensure compliance with California Public Utilities Code Section 21659 at the time specific building projects are presented to the City of Oxnard for planning and/or building permit review. This required review is considered part of the Project description along with other Code-required reviews and conditions of approval.

**Comment No. Hesnard-7**

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

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

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314 or by email at [sandy.hesnard@dot.ca.gov](mailto:sandy.hesnard@dot.ca.gov).

**Response to Comment No. Hesnard-7**

The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Refer also to Responses to Comments Hesnard-3, Hesnard-5 and Hesnard-6.

**LETTER NO. MUNOZ**

Rosa Munoz, PE  
Senior Utilities Engineer  
Public Utilities Commission, Rail Crossings Engineering Section,  
Consumer Protection & Safety Division  
320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013

October 18, 2010

**Comment No. Munoz-1**

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

The Commission's Rail Crossings Engineering Section (RCES) is in receipt of the Notice of Completion & Environmental Document Transmittal-Draft EIR document from the State Clearinghouse for the Sakioka Farms Specific Plan located at Rice Avenue and 101 Freeway. RCES sent comments to the project's Notice of Preparation on February 17, 2006.

Some of the Transportation/Traffic mitigation measures propose improvements at Rice Avenue and Fifth Street intersection with safety enhancements at the intersection with lane additions to the ultimate construction of a grade separation over the Union Pacific Railroad Company's (UPRR) Coast main line tracks. UPRR operates freight trains and Amtrak passenger trains over this mainline. Any proposed alterations at or near the Rice Avenue (Commission 00IE-406.25, DOT Number 745855 1-1) crossing requires authorization from the Commission.

City should arrange a meeting with RCES and UPRR to discuss relevant safety issues and requirements for authority to alter a crossing. Any modifications to an existing crossing including adding lanes over a crossing are within the scope of Commission General Order (GO) 88-B: "Rules for Altering Public Highway-Rail Crossings." More information can be found at:

<http://WWW.cpuc.ca.gov/PUC/transportation/crossings/Filing+Procedures/>

If you have any questions, please contact Sergio Licon, Utilities Engineer at 213-576-7085, [sal@cpuc.ca.gov](mailto:sal@cpuc.ca.gov), or me at [rxm@cpuc.ca.gov](mailto:rxm@cpuc.ca.gov), 213-576-7078.

**Response to Comment No. Munoz-1**

It is the opinion of the City Traffic Engineer that conducting meetings at this time would be premature as there are no proposed designs or pending construction for any traffic crossings. The decisions on how

and when to construct required mitigations will involve Caltrans because the proposed grade separation will cross over a Caltrans facility (SR-34) and Rice Avenue is scheduled to become a Caltrans highway in the future (SR-1). It may also involve the County of Ventura because currently the south side of the Rice Avenue intersection is within the unincorporated County. Meetings with Caltrans, the California Public Utilities Commission (CPUC), the County of Ventura, the Ventura County Transportation Commission (VCTC) and the Union Pacific Railroad (UPRR) Company will be scheduled as part of the project planning, design, and approval process.

**LETTER NO. PERT**

Edmund J. Pert  
Regional Manager  
California Natural Resources Agency  
Department of Fish and Game, South Coast Region  
4949 Viewridge Avenue  
San Diego, CA 92123

October 21, 2010

**Comment No. Pert-1**

The Department of Fish and Game (Department) has reviewed the Draft Environmental Impact Report (DEIR) for the Sakioka Farms Specific Plan. The plan envisions the phased development of a 424.6 acre master planned industrial/business park. The development concept would convert agricultural land to industrial/business park uses in phases over an extended period of time.

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

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

**Response to Comment No. Pert-1**

This comment states that the Department of Fish and Game has reviewed the Draft EIR and restates the proposed project description, but the comment does not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA.

**Comment No. Pert-2**

The Department concurs with the biological mitigation measures E-1 thru E-5 with recommendations.

The Department recommends that biological mitigation measure E-1 be edited to include the bird nest buffer distance of 300 feet (500 feet for raptors) instead of the proposed 100 feet (200 feet for raptors). If nests are observed and lesser buffer distances are desired, the Department recommends that the biological monitor confer with Department staff to determine an appropriate buffer distance based on species specific requirements.

The Department recommends that biological mitigation measure E-4 be edited to state that if riparian habitat mitigation is necessary under the Lake and Stream Alteration Agreement, that the mitigation measures will be determined at that time. The current language states that riparian habitat impacts will be mitigated at a 1: 1 ratio. Until the Department jurisdictional area is determined and the impacts are evaluated, the specific mitigation measures cannot be determined.

### **Response to Comment No. Pert-2**

At the request of the Department, Mitigation Measure E-1 has been revised as follows:

E-1 This is an adaptive management mitigation measure. In order to avoid adverse impacts to nesting birds, including nesting migratory birds known to exist in the trees (if any) on the Project site, during construction activities, ground vegetation removal activities must take place outside of the nesting season (~~15 February — 1 September~~), although these dates are somewhat arbitrary recognized by the California Department of Fish and Game for that species in this area. If vegetation removal activities occur during the nesting season, a qualified ecologist/biologist must be present to monitor the removal activities to ensure that no active nests will be impacted. If nests are found, a ~~100-foot~~ 300 foot (500 feet for raptors) buffer radius shall be established until the young have fledged. If nests are observed and lesser buffer distances are desired, the biological monitor shall confer with Planning and Fish and Game staff to determine an appropriate buffer distance based on species specific requirements. This measure does not apply to agricultural row crops.

At the request of the Department, Mitigation Measure E-4 has been revised as follows:

E-4 This is an adaptive management mitigation measure. The project applicant will place under conservation easement in a manner acceptable to the Corps and the California Department of Fish and Game an area of riparian habitat that will accommodate constructed replacement at a ~~4:1 ratio~~ ratio to be determined during the formulation of a Lake and Stream Alteration Agreement (i.e. a number of acres of constructed riparian habitat). This conserved riparian habitat must be of the same quality as the habitat that is to be removed as a result of the project, which is low. Or, the project applicant will purchase the requisite number of credits from a nearby conservation bank. The project applicant can only purchase credits from those banks that sell credits covering the riparian species to be affected by the proposed project.

**Comment No. Pert-3**

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

**Response to Comment No. Pert-3**

This comment provides contact information for the Department of Fish and Game, but the comment does not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA.

**LETTER NO. SANCHEZ**

Katy Sanchez  
Program Analyst  
Native American Heritage Commission  
915 Capitol Mall, Room 364  
Sacramento, CA 95814

September 27, 2010

**Comment No. Sanchez-1**

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project related impacts to archaeological resources, the NAHC recommends the following actions:

**Response to Comment No. Sanchez-1**

This comment restates CEQA Guidelines but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA.

**Comment No. Sanchez-2**

Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:

- If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded on or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

**Response to Comment No. Sanchez-2**

As discussed on page IV.A-2 of the Draft EIR, a records search was conducted in February 2006 for the Project site by the South Central Coastal Information Center (SCCIC). The records search included a review of all recorded archeological sites within a 1/2 mile radius of the Project as well as a review of

cultural resource reports on file. The records search revealed one archaeological site within a 1/2 mile radius of the Project and one isolate located within the Project site.

The Project site has been in agricultural cultivation for a number of decades. With the exception of the isolate, there are no known prehistoric archeological resources within the Project site. It is likely that any surface and subsurface archeological remains that might have once occurred on the Project site would have long since been eliminated by past agricultural activities. However, there is a remote possibility that archeological resources still exist below the surface, and that these remains could be encountered during site preparation generally below two feet in depth. While no further evaluation of this issue was required as part of the Draft EIR, periodic monitoring during construction will be required, consistent with City's standard conditions of approval to identify any previously unidentified archeological resources uncovered during project grading activity. This standard condition of approval ensures that project impacts would remain less than significant.

### **Comment No. Sanchez-3**

If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
- The final written report should be submitted within three months after work has been completed to the appropriate regional archaeological Information Center.

### **Response to Comment No. Sanchez-3**

As required by Mitigation Measures A-1 and A-2 in the Draft EIR, qualified archeological and Native American monitors would be present during subsurface grading, trenching or construction activities in excess of three feet. In the event that any historic or prehistoric cultural resources are discovered, they will be evaluated in accordance with the procedures set forth in CEQA Section 15064.5.

The Native American monitor is to provide a monthly report to the Planning Division summarizing the activities during the reporting period. A copy of the contract for these services shall be submitted to the planning division manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the planning division prior to approval of final building permit signature. Implementation of these mitigations would ensure that project impacts would remain less than significant.

### **Comment No. Sanchez-4**

Contact the Native American Heritage Commission for:

- A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
- A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.

#### **Response to Comment No. Sanchez-4**

As previously discussed, per Mitigation Measure A-2, a Native American monitor would be present during subsurface grading, trenching or construction activities in excess of three feet.

#### **Comment No. Sanchez-5**

Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground disturbing activities.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
- Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

#### **Response to Comment No. Sanchez-5**

There are no known archeological resources on the proposed project site and as discussed in Response to Comment Sanchez-2, the potential for their discovery is considered remote. However, it is acknowledged in the Draft EIR that the proposed project could result in adverse impacts to archeological resources that were previously unknown due to earth moving activities. Implementation of Mitigation Measure A-1 and A-2 would ensure that project impacts would remain less than significant.

Further, no human remains, including those interred outside formal cemeteries, are known or suspected to exist on or adjacent to the proposed project site. Notwithstanding, the proposed project would be subject to compliance with Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98, in the event human remains are accidentally discovered and impacts of the proposed project would be less than significant.

**LETTER NO. SHAMMA**

John Shamma  
Manager, Environmental Planning Team  
Metropolitan Water District of Southern California  
P.O. Box 54143  
Los Angeles, CA 90054-0153

October 18, 2010

**Comment No. Shamma-1**

Thank you for your letter dated August 31, 2010, and a map showing the location of your proposed project at 2190 and 1400 N. Rice Avenue in the city of Oxnard.

We reviewed the notice and documentation and determined the proposed Project is not regionally significant to The Metropolitan Water District of Southern California (Metropolitan). However, we support increased water conservation efforts and encourage projects to include water conservation measure, such as using water efficient fixtures, drought-tolerant landscaping, and use of recycled water to offset increases in water use. Additional information on water conservation measures is available on Metropolitan's website at [www.bewaterwise.com](http://www.bewaterwise.com).

Should there be a change in the scope of the Project, we would appreciate the opportunity to review and comment at that time. If we can be of further assistance, please contact Mrs. Rebecca De Leon at (213) 217-6337.

**Response to Comment No. Shamma-1**

The comment states that the Metropolitan has reviewed the proposed project and determined that it is not regionally significant and further, does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA.

**LETTER NO. WATSON**

Dianna Watson, IGR/CEQA Branch Chief  
California Department of Transportation  
District 7, Regional Planning  
IGR/CEQA Branch  
100 South Main Street, MS #16  
Los Angeles, CA 90012-3606

October 21, 2010

**Comment No. Watson-1**

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project is to develop office, commercial and industrial uses of up to 8.5 million square feet, up to 900 residential units with a park and neighborhood retail.

**Response to Comment No. Watson-1**

This comment states that Caltrans has reviewed the Draft EIR and briefly restates the proposed project description, but the comment does not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA.

**Comment No. Watson-2**

On Page IV.I-12 of the Draft Environmental Impact Report (EIR), Table IV.I-5 Estimate Project Traffic Generation, there are going to be 8,370/8,738 AM/PM peak hour trips and 70,750 Average Daily Traffic (ADT) over a 15 to 20-year time frame in four phases. Currently, US-101 in the project vicinity is operating at LOS E during the peak hours. Given the magnitude of the development and the existing LOS, the project traffic would potentially exceed the freeway capacity anytime during the project development.

Caltrans would like to request a complete freeway and ramp analysis to identify the project impact on the State facilities. In the spirit of mutual cooperation, we would like to invite the lead agency and the consultant to the Caltrans office to discuss project generated traffic impacts on the State facilities and mitigation measures that could alleviate traffic congestion in the future. On the phone conversation with Mr. Williamson on October 21, 2010, the City is looking forward to meet with Caltrans to resolve any traffic issues as a result of this development. Please contact this office at your earliest convenience to schedule a meeting.

If you have any questions, please feel free to contact me at (213) 897-9140 or Alan Lin, the project coordinator, at (213) 897-8391 and refer to IGR/CEQA No. 100937AL.

### **Response to Comment No. Watson-2**

The Draft EIR finds that the existing Rice Avenue/101 Freeway and Del Norte Boulevard/101 Freeway interchanges will be impacted by this project. The Rice Avenue/101 Freeway interchange is currently under construction based on plans and future traffic flows that include the subject development. The Del Norte Boulevard/101 Freeway interchange ramps are currently stop sign controlled and the traffic study includes interim mitigations for this interchange and when they would be required based on actual need as traffic volume increases due to Project development. An EIR and Project Study Report for the future Del Norte Boulevard/101 Freeway interchange was approved by Caltrans incorporating essentially the same level of development for the subject property. The City has programmed the reconstruction of the U.S. Highway 101/Del Norte interchange as a long-range circulation improvement. Improvements include widening the U.S. Highway 101 overcrossing to provide additional capacity at the ramp intersections, widening of the ramps, and installation of traffic signals at the northbound and southbound ramp intersections. Until this reconstruction occurs the impact of the complete build out of the proposed project would be significant. Initial phases of project development along Rice Avenue would have a negligible impact on the 101/Del Norte interchange until Gonzales Road is extended to connect to Del Norte Boulevard.

The City's Public Works Director, Traffic Engineer, and other staff attended a meeting with the Caltrans District 7 Director, Michael Miles, on November 24, 2010. Staff and Caltrans officials discussed the status of the Rice Avenue/101 Freeway intersection construction, the Del Norte Boulevard/101 Freeway interchange, and other issues involving both the City and Caltrans. It was agreed that the City would include within its next Capital Improvement Program, based on an adopted 2030 General Plan, 1) continued extension and connection of north- and south-bound Ventura Freeway exit and entrance ramps between Oxnard Blvd and Del Norte Blvd. and, 2) extending Gonzales Road and/or Ventura Road to at least Central Avenue as mitigations for traffic volumes on the 101 Freeway through the City. As the Project develops, developers would pay applicable City and County traffic impact fees of which a portion would be allocated toward implementing these improvements (Mitigation I-34). Air Quality Mitigations J-4 (Traffic Demand Management) and J-6 (Cumulative Air Quality impact buy-down fee program) are intended to reduce overall trips, including those on the 101 Freeway.

**LETTER NO. DEGEORGE**

Steve DeGeorge  
Planning and Technology Director  
Ventura County Transportation Commission  
950 County Square Drive, Suite 207  
Ventura, CA 93003

October 20, 2010

**Comment No. DeGeorge-1**

Thank you for the opportunity to comment on the City of Oxnard's Draft Environmental Impact Report, Sakioka Farms Specific Plan. The Ventura County Transportation Commission (VCTC) and the VCTC acting as the Ventura County Airport Land Use Commission (ALUC) offer the following comments for consideration:

**Response to Comment No. DeGeorge-1**

This comment states that the VCTC and the ALUC have reviewed the Draft EIR and offers comments, but the comment does not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA.

**Comment No. DeGeorge-2**

ALUC

1. The Specific Plan DEIR should acknowledge the required consistency with the Airport Comprehensive Land Use Plan for Ventura County (CLUP) and review by the ALUC. The eastern edge of the Specific Plan Area lies approximately 5100 feet west of Camarillo Airport's runway. All or portions of Specific Plan planning areas 1,3,4,5,6 and 7 fall within the Extended Traffic Pattern Zone (ETPZ) for Camarillo Airport and are subject to the CLUP and review by the ALUC. Table 6B, Page 6-6 of the CLUP identifies a number of land uses, especially residential uses permitted in planning areas 3 and 4, that while acceptable, are recommended to have navigation easements and fair disclosure agreements and covenants shall be recorded by the developer and owner of the properties.

**Response to Comment No. DeGeorge-2**

Section IV.G. Hazards and Hazardous Materials, page IV.G-12 acknowledges that the Project site is located within the planning area and protection zones for Camarillo Airport. The eastern-most area of the site is located with the Extended Traffic Pattern Zone (ETPZ) for Camarillo Airport as designated in the Airport Comprehensive Land Use Plan (ACLUP) for Ventura County. Most business research, office, commercial, and light industrial uses area compatible within the ETPZ according to the compatibility

standards listed in the ACLUP with a recommended maximum structural coverage of no more than 50 percent. No residential units would be located within the ETPZ boundary. Therefore, Project implementation is not expected to result in any abnormal or significant safety hazard for the employees of the Project site. In addition, the Project site is not located in the vicinity of any other airstrips that have operations over the site on a regular basis. Further, no residential uses are proposed under Alternatives 2 and/or 3, no significant impacts related to this issue under the proposed Project would occur.

Refer also to Response to Comment McNamee-2.

### **Comment No. DeGeorge-3**

VCTC

1. While the Transportation/Traffic analysis of the DEIR provides adequate analysis of the immediate project area it fails to discuss traffic impacts in a regional context. The DEIR correctly recognizes the need for a Congestion Management Plan (CMP) traffic impact analysis; page IV.I-11, if a project will add 150 or more trips to a freeway or other CMP segment in either direction during either the AM or PM weekday peak hour. Figure 3-2, Project Distribution, clearly indicates that significant numbers of project generated trips will travel beyond the immediate boundaries of the proposed project and on the CMP network but does not include any discussion of impacts beyond the project boundaries. At a minimum the DEIR should broaden its traffic study area to include a full discussion of impacts, both direct and indirect and mitigation measures if required, for freeway segments east and west of the Specific Plan area as well CMP intersections north and east of the Specific Plan area.

### **Response to Comment No. DeGeorge-3**

The comment states that the DEIR should broaden its traffic study area to include a full discussion of impacts, both direct and indirect and mitigation measures if required, for freeway segments east and west of the Specific Plan area as well CMP intersections north and east of the Specific Plan area. Within the Draft Project EIR, Section IV.I. Transportation/Traffic, Table IV.I-19 (page IV.I-51) and the first paragraph on Page IV.I-50 fully discuss and disclose the potential impacts on the freeway both north(west) and south(east) of the project based on the recommendations of the traffic consultants and in response to replies to the Notice of Preparation. As to long-term cumulative impacts on the 101 Freeway, the land uses proposed for the project are consistent with the 2020 General Plan and Draft 2030 General Plan land use and zoning designations. Analysis of General Plan buildout is provided in conjunction with the City's 2030 General Plan Infrastructure and Community Services chapter, the City's Circulation System Improvement Fund (CSIF) traffic mitigation fee program, and the 2030 General Plan Program EIR. The proposed project would contribute a proportional share towards the cost of future improvements via the required payment to the City's CSIF traffic mitigation fee program.

**Comment No. DeGeorge-4**

2. Related to Comment 1 above, the DEIR incorrectly states, page IV. I-50, Freeway, Roadway capacity, that the Ventura Freeway has one deficient segment east of the Project Site. The 2008 Congestion Management Plan indicates that there are two deficient segments on the Ventura Freeway in the proposed project's vicinity. The first as indicated in the DEIR, from the proposed project Site east to the Lewis Road Interchange and the second segment extends from Del Norte Avenue west to the Highway 126. As stated in Comment 1 above the DEIR should include a full discussion of both direct and indirect impacts and mitigation measures, if required, on these freeway segments and associated ramps.

**Response to Comment No. DeGeorge-4**

The comment states that the 2008 Congestion Management Plan (CMP) indicates that there are two deficient segments on the Ventura Freeway in the proposed project's vicinity rather than just one listed in the DEIR. The Draft EIR used freeway volume data from 2006 which documented, at the time, the one deficient segment. The 2009 Update to CMP used 2008 data which added the second deficient segment noted in the comment and relied on future land uses included within the Project. The 2009 Updated CMP requested that Caltrans initiate a Corridor System Management Plan (CSMP) as soon as possible for US 101 between Rice Avenue and the LA County Line where the 101 is operating at LOS F during commute periods. The CSMP would present an analysis of existing and future traffic conditions from all jurisdictions and would propose traffic management strategies and transportation improvements to maintain and enhance mobility. The VCTC Updated CMP proposed that the requested CSMP serve as the Deficiency Plan.

**Comment No. DeGeorge-5**

3. It is important to note that in accordance with the CMP, local jurisdictions through which a CMP roadway segment passes are responsible for the preparation and adoption of a deficiency plans should LOS standards not be maintained even if other agencies are responsible for that roadway. It is possible that a deficient road segment will be identified that crosses several jurisdictions such as a freeway segment. In this Instance, all of the local Jurisdictions in which the segment lies are jointly given lead responsibilities for the preparation and adoption of a deficiency plan.

**Response to Comment No. DeGeorge-5**

This comment states that it is possible that multiple jurisdictions may be involved in the preparation and adoption of a deficiency plan. Refer to the Watson-2 response for a description of the City's mitigations that address the 101 Freeway and traffic volume. And, refer to DeGeorge-4 wherein VCTC has already requested a Deficiency Plan for the listed segments related to the Project and cumulative traffic.

**Comment No. DeGeorge-6**

4. As described in Table I-1, Executive Summary of Project Impacts, and Mitigation Measures, and Impacts after Mitigation as well as on page IV. I-57 of the Transportation/Traffic section, Mitigation Measure I-34 only deals with the freeway segment east of the proposed project and not the freeway segment west of the proposed project and is therefore not sufficient to mitigate impacts to the Ventura Freeway.

**Response to Comment No. DeGeorge-6**

Refer to Response to Comment DeGeorge-4

**Comment No. DeGeorge-7**

5. The discussion of Alternative Transportation found on page IV. I-52 lacks specificity and should also be considered in a regional context. Although it is understood that the proposed project is a Specific Plan which cannot identify the ultimate development that will occur within the Specific Plan area, it may condition that future development to conform to policies and desires that the City may hold at this time.

**Response to Comment No. DeGeorge-7**

This comment provides opinions about the need to expand Alternative Transportation discussions in the Draft EIR and the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Refer also to Response to Comment Buchman-1.

**Comment No. DeGeorge-8**

A full discussion of transit services currently available should be included in the DEIR along with anticipated demand on Gold Coast Transit or other providers should they serve the proposed project, as assumed in the DEIR. The proposed project should be conditioned to ensure it is "transit- ready" with building orientation, pedestrian walkways and parking lots designed to facilitate transit use. Roadway design should be conditioned to consider bus movements as well as passenger access to buses.

**Response to Comment No. DeGeorge-8**

This comment provides opinions about the need for a full discussion of transit service and is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. Transit design policies are already in place at the City of Oxnard and per City policy, Gold Coast Transit will be consulted with the implementation of each phase of the Specific Plan.

Refer also to Response to Comment Buchman-1.

**Comment No. DeGeorge-9**

The discussion of bicycles should include much more than consistency with the Oxnard Bicycle Master Plan. The DEIR should consider coordination with the City of Camarillo's Bicycle Master Plan to ensure regional connectivity, the provision of bicycle amenities such as racks and lockers and integration with transit stops to facilitate bike/bus trips.

**Response to Comment No. DeGeorge-9**

This comment provides opinions about the need to expand discussion of the Oxnard Bicycle Master Plan in the Draft EIR. The Oxnard Bicycle Plan is in the process of being updated and fully incorporates the proposed Project and regional connectivity. The commenter is encouraged to review this updated plan when it is released for public comment. The Specific Plan includes Air Quality Mitigation J-4 that creates an adaptive management Transportation Management Plan (TMP) that will incorporate best and common practices such as bicycle racks, lockers, and encouragement of transit usage. Mitigation J-6 (Cumulative Air Quality impact buy-down fee program) provides funding that may be used in the Project area to enhance bicycle use.

Refer also to Response to Comment Buchman-1.

**Comment No. DeGeorge-10**

Again thank you for this opportunity to review and comment on the City of Oxnard's Draft Environmental Impact Report, Sakioka Farms Specific Plan. If you have questions concerning the VCTC's or the ALUC's comments please feel free to contact me at (805) 642-1591 (ext. 103) or by email at, sdeqgeorge@goventura.org.

**Response to Comment No. DeGeorge-10**

The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. EMAMI**

Behnam Emami, Engineering Manager II  
Transportation Department - Traffic, Advance Planning & Permits Division  
County of Ventura, Public Works Agency  
800 S. Victoria Avenue  
Ventura, CA 93009-1620

October 22, 2010

**Comment No. Emami-1**

Pursuant to your request, the Public Works Agency - Transportation Department has reviewed the DEIR for the Sakioka Farms Specific Plan.

The proposed Sakioka Farms Specific Plan would amend the Oxnard 2020 General Plan and provide the framework, guidelines, standards, and regulations for orderly, phased, market-responsive development of master planned business research, office, commercial, and industrial uses of up to 8.5 million square feet. Up to 900 residential units with a park and neighborhood retail are an optional use in the center/west area. A fire station, streets, utilities, and other customary supporting development and landscaping would be developed under appropriate current and future regulations and subsequent environmental review. The intensity and types of development may shift from one Planning Area to another and the overall Specific Plan development would be regulated by a trip generation budget that maintains Level of Service "C" at all intersections unless otherwise specifically accepted by the Oxnard City Council. The Sakioka Development will occur over 15 years in four phases. The four parcel 430-acre rectangular area is divided into seven planning areas located immediately south of Highway 101 between Rice Avenue to approximately 700 feet east of Del Norte Boulevard. The project address is 2190 and 1400 N. Rice Avenue, Oxnard.

**Response to Comment No. Emami-1**

This comment states that the Public Works Agency - Transportation Department has reviewed the Draft EIR and restates the proposed project description, but the comment does not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA.

**Comment No. Emami-2**

The following comments mentioned in our memorandum dated August 6, 2002 with the addition of one road and intersection are still valid:

1. This project may have site-specific impacts on the County's Regional Road Network. The Environmental Impact Report should show if traffic generated by this development would have a

significant impact on the County's transportation system and roadway network in the unincorporated area, namely in the Del Norte, Nyeland Acres, and El Rio Areas north and east of Highway 101. The DEIR did not specifically address site-specific impacts in the unincorporated areas. If the project will have a significant impact on the County's Regional Road Network, the Transportation Department will require the applicant to mitigate the impacts to less than significant levels.

- a) The EIR as a minimum should address the impacts of this project at the intersections of Sturgis Road at Pleasant Valley Road, Santa Clara Avenue at Eucalyptus Road, Santa Clara Avenue at Friedrich Road, and Santa Clara Avenue at Central Avenue. The impacts at these intersections need to be analyzed and mitigated, if necessary.
- b) The EIR as a minimum should address the impacts of this project on roads in the unincorporated area, namely Sturgis Road, Santa Clara Avenue, Central Avenue, and Rose Avenue. The impacts need to be mitigated where more than 20 peak hour trips are to be added to existing traffic.

### **Response to Comment No. Emami-2**

This comment states that the project may have site-specific impacts on specific intersections in the County's Regional Road Network listed and responded to below using 2008 traffic counts:

Santa Clara Avenue at Eucalyptus Road and at Friedrich Road are minor intersections that can be evaluated on a corridor basis rather than as individual intersections. The current Average Daily Traffic (ADT) on Santa Clara Avenue north of Friedrich Road is 12,100 vehicle trips per day. The Sakioka Specific Plan, when fully developed, will add approximately 3,500 daily trips for a total of 15,600 vehicle trips per day. This equates to a Level of Service (LOS) D for a two lane road.

Sturgis Road near Pleasant Valley Road currently has an ADT of 3,600 vehicle trips per day. The Sakioka Specific Plan, when fully developed, will add approximately 1,000 vehicle trips per day. The result would be a LOS B.

Pleasant Valley Road near Fifth Street currently has an ADT of 14,100 vehicle trips per day. The Sakioka Specific Plan, when fully developed, will add approximately 1,000 vehicle trips per day. The result would be a LOS D.

Rose Avenue south of Central Avenue currently has an ADT of 10,300 vehicle trips per day. The Sakioka Specific Plan, when fully developed, will add approximately 2,200 vehicle trips per day resulting in a LOS D.

As the Project develops, developers will pay applicable County traffic impact fees of which a portion would be allocated toward whatever improvements are identified by the County for the above intersections and road segments (Mitigation I-34). Air Quality Mitigations J-4 (Traffic Demand

Management) and J-6 (Cumulative Air Quality impact buy-down fee program) are intended to reduce overall trip on the County system.

### **Comment No. Emami-3**

2. Page IV.I-13 of Section IV.I. Transportation/Traffic in the September 2010 DEIR states that the proposed project at full buildout would generate an additional 70,750 average daily trips, 8,370 a.m. peak-hour trips (6,705 in and 1,665 out), and 8,738 p.m. peak-hour trips (2,220 in and 6,518 out). 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. The condition for paying the County Traffic Impact Mitigation Fee (TIMF) to address the cumulative impacts of this project on the County Regional Road Network should be included in the EIR. Based on the information in DEIR, and the Reciprocal Agreement between the City of Oxnard and the County of Ventura, the fee due to the County would be:

$$70,750 \text{ ADT} \times \$30.58/\text{ADT} = \$2,163,535$$

The above estimated fee may be subject to adjustment at the time of deposit due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record Construction Cost Index. The above fee is an estimate only based on information provided by the applicant. If the project cumulative impacts are not mitigated by payment of a TIMF, current General Plan policy will require County opposition to this project.

### **Response to Comment No. Emami-3**

The County (and City) traffic impact fees are assessed and collected at the issuance of building permits. As such, they are adaptive management mitigation as the traffic fees are based on maintaining acceptable Levels of Service on County (and City) roads proportional to the expected trip generation. The Sakioka Specific Plan project developer and subsequent owners and parties of interest are required to pay the County Traffic Impact Fee in effect at the time of actual development as part of the project description (see page IV-I-52).

### **Comment No. Emami-4**

3. The last sentence of Paragraph 3 on Page IV.I-2 of IV.I. Transportation/Traffic in the September 2010 DEIR incorrectly states that "LOS E is the minimum Ventura County Standard." This sentence should state that "LOS D is the minimum Ventura County Standard for all County thoroughfares and federal highways and state highways in the unincorporated area" in accordance with the Ventura County General Plan Policy 4.2.2.3(a).

### **Response to Comment No. Emami-4**

The last sentence of Paragraph 3 on Page IV.I-2 of IV.I. Transportation/Traffic has been changed to read:

According to the *Guidelines for CMP Traffic Impact Analysis Reports in Ventura County* and City criteria, level of service C is considered the minimum acceptable level of service (LOS) for an intersection in Oxnard. ~~LOS E is the minimum Ventura County standard.~~ The Ventura County Transportation Commission (VCTC) and County of Ventura government are two separate and independent agencies. Level of Service (LOS) E is the minimum acceptable LOS for the VCTC Congestion Management Program (CMP). LOS D is the minimum acceptable LOS for the Ventura County General Plan.

**Comment No. Emami-5**

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

Please contact me at 654-2087 if you have questions.

**Response to Comment No. Emami-5**

The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. GRAHAM**

Rita Graham  
Agricultural Land Use Planner  
County of Ventura, Office of Agricultural Commissioner  
669 County Square Drive  
Ventura, CA 93003

October 29, 2010

**Comment No. Graham-1**

Thank you for the opportunity to comment on the content of the Environmental Impact Report for the Sakioka Farms Specific Plan.

**Project Description:** The project is an amendment to the Oxnard 2020 Plan including the framework, guidelines, standards and regulations for orderly, phased, and market responsive development of a master planned business research, office, commercial, and industrial development of up to 8.5 million square feet, and an option for up to 900 residential units with a park and neighborhood retail in the center/west of the development (Planning Areas 2, 3, and 4). Residential units are not contemplated for Planning Areas 6 or 7, areas that will have a permanent interface with off-site agricultural land in the unincorporated area. Planning Areas 6 and 7 are expected to have a combination of light industrial and research and development uses and office and convenience commercial uses. While the EIR states that the intensity and types of development could shift among the planning areas, this evaluation assumes that no new residential uses will be developed adjacent to off-site agricultural land in the unincorporated area (Planning Areas 6 and 7).

**Location:** The project area is entirely within the incorporated area of the City of Oxnard. The site is a 4 parcel, 424.6-acre rectangular area immediately south of US 101 between Rice Avenue to approximately 700 feet east of Del Norte Blvd, extending south approximately 3,500 feet to the north boundary of the Procter and Gamble facility. Except for a portion of the project site along the northeast corner, the eastern boundary of the project site is coterminous with the city limit boundary, city SOAR boundary, sphere of influence boundary, and Oxnard-Camarillo Greenbelt boundary. The proposed Specific Plan was described in the City of Oxnard 2020 General Plan Land Use Element. The project area is currently used for row crop agriculture but has been pre-zoned for the proposed uses.

The adjacent farmland along most of the eastern boundary of the project site is in the unincorporated area where urbanization is restricted by the provisions of the county's S.O.A.R. ordinance.

**Response to Comment No. Graham-1**

This comment states that the County of Ventura, Office of Agricultural Commissioner has reviewed and wishes to make comment on the Draft EIR and restates the proposed project description. A response is not required pursuant to CEQA.

**Comment No. Graham-2**

**Comments:** The Ventura County Agricultural Commissioner's staff comments on Agricultural Resources - Land Use Incompatibility. In July 2010, the Board of Supervisors directed the Ventura County Planning Division to evaluate and comment on the loss of Agricultural Soils. Please see the separate comment letter from the Ventura County Planning Division related to the loss of 427.4 acres of Prime and Statewide Importance Farmland, as mapped on the California Importance Farmland Inventory Map (2008, Ventura County).

Please note: Page IV.C-7 of the EIR states that the project site is classified as farmland of Statewide Importance. However, Page IV.C-4 states that the project site is classified as Prime Farmland as well as Statewide Importance.

**Evaluation of Land Use Incompatibility with Adjacent Farmland.**

The local CEQA guidelines used by the Agricultural Commissioner's staff are viewable at: [www.ventura.org/agcommissioner](http://www.ventura.org/agcommissioner) at the Land Use page. Land Use Incompatibility is Topic 5b.

The evaluation pertains to the applicability of buffers or extended setbacks for the benefit of off-site farmland. Farmlands include those lands classified as Prime, Statewide Importance, Unique, or Local Importance on the California Important Farmland Inventory Map (Ventura County, 2008).

Statewide Importance Farmland occurs off-site at the eastern edge of the property. However, it is noted that at the northeast corner off-site, development has covered a portion of the soils.

Ventura County's local CEQA threshold for land use incompatibility is a distance of 300 feet (or 150 feet with a vegetative barrier) between adjacent off-site farmland and new non-agricultural projects, including industrial and commercial uses such as those described for Planning Areas 6 and 7. Although the final project plans may not be known at the time the Specific Plan is approved, it is believed that extended setbacks are unlikely to be included in final project plans. In fact, the EIR states: *"It should be noted that this policy [Ventura County Agricultural/Urban Buffer Policy] is a recommendation of the APAC and the Ventura County Agricultural Commissioner and, although it is recommended for all agricultural/urban interfaces, it is not required by the County of Ventura or City of Oxnard."* This statement is taken to justify not requiring extended setbacks for off-site agriculture on the site.

It should be noted that on July 27, 2010, the Ventura County Board of Supervisors adopted distance and vegetative buffer thresholds as part of the revised local CEQA thresholds for agricultural land use incompatibility.

Therefore, as of July 2010, evaluation which may require buffers for agricultural land use incompatibility is required by the County of Ventura for projects within the unincorporated area. Certainly, the Agricultural Commissioner's Office respects that the lead agency, City of Oxnard, may have different local CEQA thresholds for this resource topic.

As of July 2010, within the County of Ventura, the environmental determination would be "potentially significant" for a new commercial and industrial project if the project is adjacent to off-site farmland and does not include an on-site buffer of 300 feet (or 150 feet with a vegetative barrier) as mitigation.

However, the county's local CEQA guidelines also contain waiver and deviation criteria for scenarios where extended setbacks may be inappropriate. Criterion "J" provides a waiver or deviation to the distance setbacks when: *The non-agricultural use can easily be temporarily closed to allow scheduled Restricted Materials applications by an off-site adjacent farmer.*

If the project includes mitigation measures which ensure either 1) closure of the buildings during periods when restricted materials will be used on the adjacent farmland parcels or 2) creation of a reasonable plan that notifies the industrial and commercial occupants that normal farming activities will occur nearby from time to time which can include noise, mild dust, and odors; that inert and non-toxic substances are frequently used by farmers which should be of no concern to people nearby, and that actual chemical spray drift from farms is very rare and should not be misperceived.

Many farmers willingly cooperate to schedule the application of restricted materials when adjacent structures are scheduled to be closed and will provide information about the many times that they spray water or use other inert materials. If this cannot be accomplished, a cooperative notification plan for the industrial and commercial users is considered acceptable.

With the incorporation of these measures, the topic of Agricultural Resources, E, on the state CEQA Guidelines Appendix G, should qualify as Potentially Significant/Mitigation Incorporated.

Other potential effects that are part of the Agricultural Commissioner's Office's evaluation, such as excessive use of agricultural water, contaminated drainage upon adjacent farmland, solar access upon adjacent farmland, and ongoing dust concerns are not anticipated to be potentially significant.

### **Response to Comment No. Graham-2**

The on page IV.C-7 the first sentence of subsection *Conversion of Farmland of Statewide Importance* is revised to read:

As discussed previously in this EIR section, ~~the Project site is classified as farmland of statewide importance,~~ approximately 99.7 acres of the Project site are classified as Prime Farmland and the remaining 323.7 acres are classified as Farmland of Statewide Importance.

At the request of the County of Ventura, Office of Agricultural Commissioner on page IV.C-9 the following Mitigation Measure is added:

The following mitigation measure reduces the potential for employees of or visitors to commercial properties adjacent to agricultural property to be overly concerned or anxious regarding the use of agricultural chemicals on adjacent properties.

C-3 This is an adaptive management mitigation measure. In order to buffer on- or off-site agricultural land uses and on-site non-agricultural uses either of the following measures may be undertaken to allow scheduled Restricted Materials applications by an on- or off-site farmer; 1) closure of the buildings during periods when restricted materials will be used on the adjacent farmland parcels or 2) notification, consistent with common-practice in Ventura County, of building occupants and/or building managers that normal farming activities will occur nearby from time to time which can include noise, mild dust, and odors; that inert and non-toxic substances are frequently used by farmers which should be of no concern to people nearby, and that actual chemical spray drift from farms is rare and should not be misperceived.

Following the implementation of this measure, impacts to Land Use Incompatibility would be less than significant.

### **Comment No. Graham-3**

This letter has been reviewed by Susan Johnson, Chief Deputy Agricultural Commissioner.

If you have any questions about this letter, please contact me at the telephone number or email address below.

### **Response to Comment No. Graham-3**

The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. MAIER**

Tricia Maier, Manager  
Program Administration Section  
County of Ventura  
Resource Management Agency, Planning Division  
800 South Victoria Avenue, L# 1740  
Ventura, CA 93009

October 22, 2010

**Comment No. Maier-1**

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

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

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

**Response to Comment No. Maier-1**

The comment states that comments from other county agencies/departments are attached, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Note that comments received from the other county agencies/departments have been responded to separately.

**LETTER NO. MCNAMEE**

Todd McNamee, AAE  
Director of Airports  
County of Ventura, Department of Airports  
555 Airport Way  
Camarillo, CA 93010

September 27, 2010

**Comment No. McNamee-1**

Thank you for the opportunity to review the Sakioka Farms Specific Plan EIR No. 06-01. It appears that the specific plan is consistent with the land use plan but I do not believe it is properly documented in the EIR.

**Response to Comment No. McNamee-1**

This comment states that the Department of Airports has reviewed the Draft EIR and feels that specific plan is consistent with the land use plan, but that consistency is not properly documented. Please refer to the next Comment and the proposed text amendment.

**Comment No. McNamee-2**

Figure 111-2 Land Use Area Map shows residential use in Area 4. The eastern portion in Area 4 appears to be within the Extended Traffic Pattern Zone (ETPZ) for the Camarillo Airport. Areas 1, 5, 6, 7 all show commercial/industrial uses. All these uses are consistent, but WITH MITIGATION. The land use plan states commercial/industrial development is not to exceed 50% structural coverage and residential development is not to exceed 25% structural coverage. Additionally, the Land Use Plan recommends aviation easements be granted to the County of Ventura in the areas to be developed within the ETPZ. I respectfully request that these items be placed as mitigation measures and ultimately be made a condition of permit approval.

The text should be amended in the following sections to reflect the above:

Page I-22 and 23, Table I-I

Table IV. B-3, discussion on "Policy 41"

Page IV.G-13, Aircraft Hazards

Page VI-15, Hazards and Hazardous Materials

Thanks again for the opportunity to review this DEIR.

### **Response to Comment No. McNamee-2**

The commenter requests that an additional Mitigation Measure be added to ensure that the proposed project remains consistent with the requirements of the ETPZ, therefore the Mitigation Measure G-8 is added:

- G-8 This is an adaptive management mitigation measure. Consistent with the Airport Comprehensive Land Use Plan for Ventura County (ACLUP) and the Sakioka Farms Specific Plan, commercial/industrial development is permitted within the Extended Traffic Pattern Zone and residential development, should it be incorporated into future plans, is permitted within the Extended Traffic Pattern Zone subject to avigation easements and appropriate recorded disclosures.

**Page I-22, Table I-I, and Page IV.G-15 Operational Impacts, Aircraft Hazards** are changed to include this Mitigation Measure.

**Page IV.B-11, Land Use and Planning, Table IV. B-3** is changed to read as follows:

Although the eastern portion of the Specific Plan site is located within the protected zone for the Camarillo Airport, the proposed uses would be compatible with the recommended restrictions following the implementation of Mitigation Measure G-8 and Project implementation is not expected to result in any abnormal or significant safety hazard for the employees, residents, or patrons of the project site.

### **Page IV.G-13 Hazards and Hazardous Materials**

The first paragraph of subsection **Aircraft Hazards** is revised to read:

The Project site is located within the planning area and protection zones for Camarillo Airport. The eastern-most area of the site is located with the Extended Traffic Pattern Zone (ETPZ) for Camarillo Airport as designated in the Airport Comprehensive Land Use Plan (ACLUP) for Ventura County. Most business research, office, commercial, and light industrial uses area compatible within the ETPZ according to the compatibility standards listed in the ACLUP with a recommended maximum structural coverage of no more than 50 percent. While no ~~NO~~ residential units would be located are currently proposed within the ETPZ boundary, should any residential uses be proposed at a future time, residential development is not to exceed 25% structural coverage. Although the ETPZ zone restrictions would limit the amount of building area that could be provided at the project site, these restrictions would not reduce the 8.5 million square feet of building space envisioned under the Specific Plan. Therefore, Project implementation is not expected to result in any abnormal or significant safety hazard for the

employees of the Project site. In addition, the Project site is not located in the vicinity of any other airstrips that have operations over the site on a regular basis.

## **LETTER NO. STRATTON**

Alicia Stratton, AQ Specialist  
Planning and Evaluation Division  
Ventura County Air Pollution Control District  
669 County Square Drive, Second Floor  
Ventura, CA 93003

October 19, 2010

### **Comment No. Stratton-1**

Air Pollution Control District staff has reviewed the subject DEIR, which is a proposal to amend the Oxnard 2020 General Plan and provide the framework, guidelines, standards, and regulations for orderly, phased, market-responsive development of master planned business research, office, commercial, and industrial uses of up to 8.5 million sq. ft. Up to 900 residential units with a park and neighborhood retail are an optional use in the center/west area. A fire station, streets, utilities, and other customary supporting development and landscaping would be developed under appropriate current and future regulations and subsequent environmental review. The intensity and types of development may shift from one Planning Area to another and the overall Specific Plan development would be regulated by a trip generation budget that maintains Level of Service "C" at all intersections unless otherwise specifically excepted by the Oxnard City Council. The project location is 2190 and 1400 North Rice Avenue, comprised of a four parcel 430-acre rectangular area immediately south of Highway 101 between Rice Avenue to 700 ft. east of Del Norte Boulevard, extending south approximately 3,500 ft. to the north boundary of the Proctor and Gamble facility in the City of Oxnard.

### **Response to Comment No. Stratton-1**

This comment states that the Air Pollution Control District staff has reviewed and wishes to make comment on the Draft EIR and restates the proposed project description, but the comment does not state a specific concern or question. Therefore, a response is not required pursuant to CEQA.

### **Comment No. Stratton-2**

Section J of the DEIR addresses air quality and Appendix I contains documentation of the air quality discussion. We concur with the findings of the air quality analysis that significant air quality impacts will result from both short-term (construction) emissions and long-term (operational) emissions. We note that the original project description stated that the residential component of the Specific Plan had been removed, and that the DEIR addresses the residential component as an optional use in one alternative. Because of this, the residential component is not included in the Appendix I calculations, nor is it

addressed in the DEIR discussion on Project Consistency with the Ventura County Air Quality Management Plan (Page IV.J-14).

Further, our February 13, 2006 letter to the City discussing the project's Notice for Preparation for an Environmental Impact Report indicated that the heavy equipment used for grading and construction of the project has the potential to expose sensitive populations in the vicinity to elevated levels of diesel exhaust. We requested that this potential impact be analyzed and discussed in the DEIR. This information is not in the DEIR, therefore we request that this topic be analyzed and, if toxic air impacts are identified, mitigation measures be identified as well.

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

### **Response to Comment No. Stratton-2**

#### AQMP Consistency

The commenter is correct in stating that the Draft EIR does not evaluate consistency of the residential option with the Air Quality Management Plan (AQMP). This was a mistake and the text on page IV.J-14 of the Draft EIR shall be revised as follows:

The 2007 AQMP, discussed previously, was prepared to reduce the high levels of pollutants within Ventura County, return clean air to the region, and minimize the impact on the economy. Projects that are considered to be consistent with the AQMP would not interfere with attainment because they were included in the projections utilized in the formulation of the AQMP.

The projections in the 2007 AQMP are based on residential population growth within the various growth and non-growth areas of the County. ~~Without residential uses~~ As residential uses are not proposed, the proposed Project would not result in the direct growth of population within the Oxnard Growth Area. With the potential residential uses, Section IV.L, Population and Housing predicts that up to about 3,382 residents could be accommodated within the Specific Plan area. These housing units are envisioned to serve the growth of employment opportunities in the northeastern part of Oxnard.

The 2007 AQMP uses Southern California Association of Governments (SCAG) population forecasts incorporated into the Regional Transportation Improvements (RTIP) as the basis of its population projections. SCAG forecasts a City population of 265,752 in the year 2030, while the City (in the Draft 2030 General Plan and as adopted by the Ventura County Council of Governments) projects a population of 250,608. The addition of 3,382 residents within the Specific Plan area ~~As no residential uses are proposed, the Project~~ would not cause the City's population to exceed SCAG and, therefore, 2007 AQMP, population projections. As such, the proposed Project would not conflict with the 1997 AQMP Revision and, as such, would not jeopardize attainment of State and national ambient air quality standards in Ventura County. This

would be a less-than-significant impact regarding a conflict with or obstruction of implementation of the applicable air quality plan.

### Operational Emissions

The URBEMIS 2007 model sheets for the “With Residential Uses” scenario are included near the end of the Appendix I materials, but the results of these calculations were presented in the Air Quality Section of the Draft EIR. Therefore, Table IV.J-4 from the Draft EIR shall be replaced with the following:

**Table IV.J-4  
Estimated Daily Operational Emissions – Net Increase of Proposed Project**

Emissions Source	Emissions in Pounds per Day						
	ROC	NOx	CO	SOx	PM <sub>10</sub>	PM <sub>2.5</sub>	CO <sub>2</sub>
<b>Without Residential Uses</b>							
Area Source Emissions	50.60	5.02	10.33	0.00	0.03	0.03	5,944
Motor Vehicles	227.72	147.59	1,984.58	4.83	841.75	159.17	492,852
Total Net Increase	278.32	152.61	1,994.91	4.83	841.78	159.20	498,796
VCAPCD Thresholds	25.00	25.00	NT	NT	NT	NT	NT
Significant Impact?	Yes	Yes	No	No	No	No	No
<b>With Residential Uses</b>							
Area Source Emissions	95.66	11.76	14.74	0.00	0.05	0.05	14,515
Motor Vehicles	232.30	151.33	2,037.02	4.96	863.69	163.32	505,770
Total Net Increase	327.96	163.09	2,051.76	4.96	863.74	163.37	520,285
VCAPCD Thresholds	25.00	25.00	NT	NT	NT	NT	NT
Significant Impact?	Yes	Yes	No	No	No	No	No
<i>Notes: Subtotals may not appear to add correctly due to rounding in the URBEMIS 2007 model. NT – No threshold of significance.</i>							
<i>Source: Christopher A. Joseph &amp; Associates, 2010. Calculation sheets are provided in Appendix I.</i>							

The EIR team has found a mistake in the first URBEMIS 2007 printouts that are provided in Appendix I (pages 71 through 79) and should be deleted from the appendix. The other URBEMIS 2007 sheets provided in Appendix I (pages 81 through 87) are correct and are reflected in the revised Table IV.J-4, above.

### Operational Mitigation Measures

Since the estimated operational emissions for the Project have been revised in Table IV.J-4, the associated mitigation measure for operational impacts also needs to be revised.

Therefore, mitigation measure J-6 on page **IV.J-30** shall be revised as follows:

- J-6 This is an adaptive management mitigation measure. The Project developer shall contribute an estimated \$2,713,928.00 to a cumulative impacts mitigation “buy-down” TDM fund managed by the City based on the Ventura County Air Pollution Control District fee schedule effective at the time a building permit is issued. ~~to~~ The fee contribution shall be assessed and paid incrementally as individual buildings are developed. The TDM fee is allocated based on each development’s share of average daily trips (ADT) for the Project buildout. The ADT shall be recalculated annually by the City Traffic Engineer or upon request of the Project developer with a payment of a fee determined by the City Traffic Engineer that covers actual time and material costs to the City. The City shall consider transit and traffic demand management improvements and programs suggested by the Project developer, in excess of those otherwise required, as credits against the fee and/or to be funded from the fee fund.

#### Construction-Related Diesel Emissions

Project development would require the use of heavy equipment for site grading, excavation, and building construction. During each stage of development, there would be a different mix of equipment operating and emission levels would vary based on the amount of equipment in operation. However, the Project site is relatively flat and would not require substantial alteration (i.e., grading) to accommodate the proposed land uses.

The Project site is located in an industrial and agricultural area of the City and is not located in close proximity to any sensitive uses such as residences or schools. The nearest residential uses are located north of the Project site, beyond the Ventura Freeway. Given their distance from the Project site and a prevailing westerly wind pattern the emissions generated by the Project construction equipment would not result in a substantial increase in toxic air emissions at these receptors. Mitigation Measure J-2 would reduce the emissions generated by heavy-duty diesel-powered construction equipment operating at the Project site to less than significant.

**LETTER NO. WOLFINGTON**

Tom Wolfington, PE  
Permit Manager  
Planning and Regulatory Division, Permit Section  
Ventura County Watershed Protection District  
800 S. Victoria Avenue  
Ventura, CA 93009-2001

September 21, 2010

**Comment No. Wolfington-1****PROJECT LOCATION:**

Project Location: 2190 and 1400 N. Rice Avenue. A four-parcel 430-acre rectangular area immediately south of Highway 101 (Ventura Freeway) between Rice Avenue to approximately 700 feet east of Del Norte Boulevard, extending south approximately 3,500 feet to the north boundary of the Procter and Gamble facility.

**PROJECT DESCRIPTION:**

Project Description: The proposed Sakioka Farms Specific Plan would amend the Oxnard 2020 General Plan and provide the framework, guidelines, standards, and regulations for orderly, phased, market-responsive development of master planned business research, office, commercial, and industrial uses of up to 8.5 million square feet. Up to 900 residential units with a park and neighborhood retail are an optional use in the center/west area. A fire station, streets, utilities, and other customary supporting development and landscaping would be developed under appropriate current and future regulations and subsequent environmental review. The intensity and types of development may shift from one Planning Area to another and the overall Specific Plan development would be regulated by a trip generation budget that maintains Level of Service 'C' at all intersections unless otherwise specifically excepted by the Oxnard City Council.

**Response to Comment No. Wolfington-1**

This comment restates information concerning the project location and the proposed project description, but the comment does not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA.

**Comment No. Wolfington-2**

## VENTURA COUNTY WATERSHED PROTECTION DISTRICT COMMENTS

The drainage pattern is generally southerly and southeasterly. The executive summary for the DEIR states that the construction of detention basins would reduce flows from the Project site to not exceed existing levels.

No comments are offered for the DEIR due to the distance to the nearest District jurisdictional red line channels. Rice Road Drain is located approximately 6,000 feet southwesterly, Mugu Drain is located approximately 9,000 feet southeasterly, and Beardsley Channel is located approximately 1,300 feet easterly of the site.

Any activity in, on, over, under or across any jurisdictional red line channel will require a permit from the District. In addition, a project can not impair, divert, impede or alter the characteristics of the flow of water running in any jurisdictional red line channel.

End of Text

**Response to Comment No. Wolfington-2**

The comment indicates that the Ventura County Watershed Protection District has reviewed the proposed project and determined that it has no comments due to the distance to the nearest District jurisdictional red line channels. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. WENDT**

Paul J. Wendt  
Supervising Civil Engineer  
City of Oxnard Service Center, Development Services Department  
214 South C Street  
Oxnard, CA 93030

October 19, 2010

**Comment No. Wendt-1**

I have reviewed "Section IV.H - Hydrology and Water Quality" and have the following comments:

- 1) The Specific Plan and EIR are mixing and matching multiple stormwater discharge limitations that are not equivalent. Page IV.H-5 of the EIR in the first full paragraph states that "Criteria from the City, sets the allowable runoff at 1 cfs/acre for the downstream drain in the 10-year event" and in the third full paragraph states that "Proposed storm water detention facilities shall be located within the site to limit developed flow to pre-development levels." These are two different levels of detention with "pre-development levels" being a standard Watershed Protection District requirement and the more stringent control. The Specific plan actually lists 3 different standards. Page 47, right-hand column, first paragraph states "effectively limit storm water discharges from the site to 1 cfs/acre (without specifying the event)" then says "discharges in excess of 1 cfs/acre, or the difference between a 10-year and 100-year storm as such flows develop will be detained on site" and later in the same paragraph says "storm water detention facilities shall be located within the site to limit developed flows to pre-development levels." These are not equivalent statements and the more stringent standard required by the Watershed Protection District should be used throughout the document unless the District has provided a waiver of this standard requirement.

**Response to Comment No. Wendt-1**

This comment cites information within both the Draft EIR and the Sakioka Farms Specific Plan and points out inconsistencies of language within the Specific Plan. Since these documents were prepared, the Final Ventura County Municipal Separate Storm Sewer (MS4) Permit (Order No. R4-2010-0108) was adopted on July 8, 2010 and supersedes previously-referenced permits and runoff estimates or standards for wet weather and non-storm discharges from municipal separate storm sewer systems throughout Ventura County. The Project is required by definition to comply with the Ventura County MS4 permit.

Further, all modeling for the stormwater detention facilities was performed using the Ventura County Watershed Protection District Modified Rational Method Hydrology Program (VCRat v2.S). Refer to Appendix G. Conceptual Hydrology Drainage Study of the Draft EIR.

**Comment No. Wendt-2**

- 2) I did not see anywhere within the document where there is a discussion of the storm water from this project being conveyed to Calleguas Creek. It is my understanding that Calleguas Creek is a 303d listed creek for various pollutants. Does the EIR need to specifically discuss this issue?

**Response to Comment No. Wendt-2**

As discussed in section IV.H. Hydrology and Water Quality on page IV.H-6, the City requires all new development to incorporate stormwater quality control measures into the proposed improvement plans as part of the County Storm Water Quality Urban Impact Mitigation Management Plan (SQUIMP) and to obtain the applicable City municipal separate stormwater sewer system permit (MS4 permit). The SQUIMP program establishes comprehensive storm water quality programs to manage urban storm water and minimize pollution of the environment to the maximum extent practicable. The SQUIMP program requires new development projects to implement BMPs to reduce pollutants in urban storm water discharge to the maximum extent practicable. Drainage from the proposed Project would be subject to this requirement. In compliance with the local development requirements, each subdivision or parcel within the Specific Plan as it develops will be responsible for treating storm water runoff either through bio-filtration, infiltration, detention filtration devices, or any other approach of the Ventura County's *Technical Guidance Manual for Stormwater Control Measures*. With the compliance with all applicable Federal, State, and local regulations, Code requirements, and permit provisions, including SQUIMP, the proposed Project would not violate water quality standards or waste discharge requirements and, therefore, water quality impacts would be less than significant.

Comments received from Tom Wolfington, PE, Permit Manager of the Planning and Regulatory Division, Permit Section, Ventura County Watershed Protection District state that he has reviewed the Draft EIR and that confirm that the drainage pattern is generally southerly and southeasterly. The executive summary for the Draft EIR states that the construction of detention basins would reduce flows from the Project site to not exceed existing levels.

Mr. Wolfington offered no comments on the DEIR due to the distance to the nearest District jurisdictional red line channels. Rice Road Drain is located approximately 6,000 feet southwesterly, Mugu Drain is located approximately 9,000 feet southeasterly, and Beardsley Channel is located approximately 1,300 feet easterly of the site.

The Calleguas Creek Watershed is outside of the jurisdictional boundary of the City of Oxnard.<sup>1</sup> Further, no part of the proposed project is proposed in, on, over, under or across any jurisdictional red line channel. As previously discussed, with the implementation of stormwater quality control measures required by the SQUIMP, impacts to stormwater quality would be less than significant. No discussion of impacts on Calleguas Creek is warranted or required.

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<sup>1</sup> *Calleguas Creek Watershed Management Plan, Phase I Report, November 10, 2004, [http://www.calleguas.com/ccbrochure/IRMWP\\_vol1.pdf](http://www.calleguas.com/ccbrochure/IRMWP_vol1.pdf), accessed November 23, 2010.*

CITY OF OXNARD PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING OF OCTOBER 7, 2010

**Comment No. OPC-1**

A request that the Planning Commission receive comments on the Draft Environmental Impact Report (DEIR) No. 06-01 for the Sakioka Farms Specific Plan. The Sakioka Farms Specific Plan encompasses 430 acres immediately south of Highway 101 (Ventura Freeway) between Rice Avenue to approximately 700 feet east of Del Norte Boulevard, and extends approximately 3,500 feet to the south. The area is currently in agricultural production, but planned and zoned for business park and limited manufacturing development. The proposed Specific Plan would provide the framework, guidelines, standards, and regulations for orderly, phased, market-responsive development of master planned business research, office, commercial, and industrial uses of up to 8.5 million square feet. Up to 900 residential units with a park and neighborhood retail are an optional use in the center/west area. A fire station, streets, utilities, and other customary supporting development and landscaping would be developed under appropriate current and future regulations and subsequent environmental review. The intensity and types of development may shift from one Planning Area to another, and the overall Specific Plan development would be regulated by a trip generation budget that maintains Level of Service 'C' at all intersections, unless otherwise specifically excepted by the Oxnard City Council. The DEIR was released for a 46-day public review period, beginning September 7, 2010 and ending October 22, 2010.

PROJECT PLANNER: Chris Williamson

Principal Planner Williamson indicated the hearing was to take comments on the draft EIR for the Sakioka Farms Specific Plan. He gave an overview of the DEIR including location; existing conditions; proposed Specific Plan; environmental issues and mitigations; referenced the 2030 General Plan and GREAT Program; and noted the draft EIR findings. He stated the project would become a significant part of future employment in the City, as one of the last undeveloped areas in the City limits; no development is proposed in the near future; displayed a summary of the proposed planning uses within the Specific Plan area; indicated residential was an optional use; displayed the conceptual circulation plan; Rice Avenue is slated to be turned over to CalTrans to become State Highway Route 1, which would free up Oxnard Boulevard to be a City owned street; comment period ends on October 22, 2010; next steps in the process; indicated the EIR issues that were investigated; range of EIR alternatives to the proposed project; review of the Executive Summary indicating impacts that were found, and whether mitigations were required; and unlike previous EIR's, this EIR is tiered, as it follows and incorporates the 2030 General Plan EIR and the GREAT Program by reference.

Chairman Dean opened the public testimony.

**Response to Comment No. OPC-1**

The comment is a summary of the staff report providing procedural context and restating the project description.

**Comment No. OPC-2**

Mr. Jorge Rubio, County of Ventura Airports, stated that the Department of Airports had submitted written comments, and indicated that Camarillo Airport was near the proposed project, with some of the property falling below the traffic pattern zone for the airport.

**Response to Comment No. OPC-2**

The comment states that the County of Ventura Department of Airports has submitted written comments, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. A comment letter was received from Todd McNamee, AAE, Director of Airports, County of Ventura, Department of Airports. Responses to Comment McNamee-1 and McNamee-2 are provided separately.

**Comment No. OPC-3**

Ms. Shirley Godwin suggested that the Sakioka property should be used for industrial uses that support the Port of Hueneme, rather than the area south of Hueneme Road; there should be a truck stop on this route from the port, as the City currently doesn't have a truck stop; housing is not a good fit for this project; and all developers who lose agricultural land should pay into a mitigation fund to preserve the most important agricultural land in the City, such as the property south of Hueneme Road, which would buffer the wetlands and allow for gradual migration of the wetlands inland.

**Response to Comment No. OPC-3**

The commenter raises several topics: 1) Rice Avenue is the preferred truck route to and from the Port of Hueneme and the Sakioka Specific Plan could accommodate port-related uses and could consider a truck stop along Rice Avenue, although eventually Caltrans will control Rice Avenue and that agency would probably have to participate in approving a truck-stop project. 2) The comment on housing not being a good 'fit' is noted. 3) The suggestion of a mitigation fund for loss of agricultural land is noted. The comments are acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. OPC-4**

Mr. Larry Godwin stated that the EIR should include with the loss of agricultural land, there must be a way to preserve it by setting aside agricultural land that would never be built on, with a conservation easement that developers would be required to pay into.

**Response to Comment No. OPC-4**

The analysis in the Draft EIR finds that the cumulative permanent conversion of 400+ acres to non-agricultural uses is an unavoidable significant impact even with the implementation of the recommended mitigation measures. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. OPC-5**

Chairman Dean closed the public testimony.

Principal Planner Williamson stated that the property was within the City limits and within the CURB, and was not subject to voter review. He explained that the specific plan sets out standards for long term development.

Mr. Jeffrey Littell, Chief Operating Officer for Sakioka Farms, stated that the litigation regarding condemnation valuation on the Rice/101 Interchange was closed.

Traffic Engineer Samonte indicated that the City was negotiating with CalTrans on relinquishment of Oxnard Boulevard, and designation of Rice Avenue as Highway 1. As a part of the MOU, CalTrans long term intention for Rice Avenue was to have it as a freeway standard, by removing all traffic signals, and have interchanges at all the intersecting streets. To accommodate traffic flow on Gonzales Road, an overpass would be required.

Planning Manager Martin recommended that the Planning Commission close the public hearing; written comments on the draft EIR will be accepted until 5:00 p.m. on October 22, 2010; and the final EIR will come before the Planning Commission at a subsequent date for consideration of certification.

**Response to Comment No. OPC-5**

The comment provides further procedural context, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR.

**LETTER NO. BERGH**

Eric Bergh  
Manager of Resources  
Calleguas Municipal Water District  
2100 Olsen Road  
Thousand Oaks, CA 91360-6800

October 18, 2010

**Comment No. Bergh-1**

Thank you for providing Calleguas Municipal Water District (Calleguas) with a copy of the Sakioka Farms Specific Plan Draft Environmental Impact Report (DEIR). Calleguas' comments are general in nature and limited to water supplies imported by Calleguas through the Metropolitan Water District of Southern California (Metropolitan). They primarily concern references to dated water supply planning documents and the fact that over the last couple years the water supply outlook for Southern California has become somewhat less certain in the near term.

As you are aware, in February of 2008, Metropolitan adopted a Water Supply Allocation Plan (WSAP), which augments its Water Surplus and Drought Management Plan by establishing a formula for allocation of water in the event of shortages. Metropolitan's Board of Directors implemented the WSAP in April of 2009, declaring a Level 2 shortage that required reductions in water deliveries by 15% within Metropolitan's service area beginning in July of 2009. Calleguas complied by imposing similar allocations on its member purveyors, including the city of Oxnard. In the spring of 2010, given continuing supply concerns, application of the WSAP was extended through June 2011.

Furthermore, on October 12<sup>th</sup>, 2010, Metropolitan's Board adopted an update to its Integrated Water Resources Plan (IRP). First adopted in 1996, the IRP is a strategic plan designed to ensure long-term water supply reliability for southern California. Through the adoption of the update, Metropolitan's Board has restated the district's supply reliability goal that, through the implementation of the IRP, Metropolitan and its member agencies will have the full capability to meet full-service demands at the retail level under all foreseeable hydrologic conditions through 2035. However, it is important to emphasize that while the foregoing constitutes a fundamental goal of Metropolitan, it is not a guarantee of 100 percent reliable water service under all circumstances.

Calleguas recommends that a new and updated references to the WSAP and 2010 IRP be made in the DEIR to more accurately portray current water supply conditions. Enclosed for your consideration are copies of both documents.

Lastly, in light of the southland's water resource challenges, Calleguas commends the City for its efforts to diversify its water resource portfolio and enhance water efficiency within its service area. The City's

progressive efforts in both areas are indeed critical to ensure future water supply reliability and the economic vitality of the region.

If you have any questions or concerns on this matter, please feel free to call either Cy Johnson at 805-579-7129 or me at 805-579-7128.

### **Response to Comment No. Bergh-1**

This comment requests that new and updated references be added to the Draft EIR, but the comment does not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Further, per CEQA Guidelines section 15125 (a) an “EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published...”. The original notice of preparation for the Sakioka Farms Business Park Specific Plan was published on July 12, 2002, due to changes in the proposed project, a second notice of preparation was published on January 25, 2006. A Draft Water Supply Assessment and Verification (WSA+V) dated August 2008 was prepared by Kennedy/Jenks Consultants and a Memorandum discussing the City of Oxnard 2010 to 2030 Projections of Water Supply and Demand dated November 18, 2009 was prepared by Ken Ortega, City of Oxnard Public Works Director. The WSA+V and the subsequent Memorandum were used as the basis for the analysis and conclusions found in section IV.N.Utilities.1 Water Supply of the Draft EIR, the full WSA+V and Memorandum were included as Appendix K to the Draft EIR. Analysis in the Draft EIR concluded that the potential water supply impacts of the proposed Project would be less than significant after implementation of Mitigation Measures N-1 through N-13.

In addition, a letter received from John Shamma, Manager of the Environmental Planning Team of the Metropolitan Water District of Southern California dated October 18, 2010, and included in this Final EIR, states that his team has reviewed the notice and documentation and determined the proposed Project is not regionally significant to the Metropolitan Water District of Southern California.

It should also be noted that the Oxnard GREAT program, which is critical to the City's plans for long-term water supply, is about 70% constructed as of May 2011, recycled water pipelines are being installed along Ventura Road, and the plant is schedule to produce recycled water by November 2011.

Finally, Mitigation Measures N-1 to N-13 are restated and/or augmented as shown below:

N-1 The on-site domestic water system shall include the following:

- A public pipeline systems which feed into separate water meters for each ownership. In addition, there shall be separate water meters for each multi-family unit townhouses, but not apartment units. The high-rise residential towers may be master-metered.
- A separate water meter (1) for the common landscape areas that would be connected to the future recycled water system.

- All domestic water pipelines shall adhere to Division of Occupational Health and Safety (DOHS) requirements for separation between water and recycled water/wastewater pipelines.
- The Project developer shall be responsible for payment of capital improvement/connection fees, including all related “installation fees.”
- The Project developer shall provide the City any approvals necessary to dedicate to the City all FCGMA allocation associated with the Project site, on a phase-by-phase basis and upon the conversion of land from agricultural to urban uses. ~~whether such allocation is associated with the conversion of agricultural to urban uses, or otherwise.~~
- ~~Developer shall provide to the City addition water rights, water supplies, or water offsets in the form of recycled water facilities, conservation retrofits, financial contributions towards City programs which generate in City water conservation, or participation in other similar programs with cumulatively result in a total water supply contribution, taken together with other water rights or FCGMA allocation provided to the City, which offset the entire estimated water demand associated with the Project.~~

**N-2** This is an adaptive management mitigation measure. The Project developer shall provide a recycled water system that serves all practical irrigated areas and which is: (1) separated from the domestic water system, (2) constructed per the City’s Recycled Water Construction Standards (being developed), (3) irrigated at night, and (4) properly signed once the system is fully operational.

- The portion of the irrigation intended for the future recycled water system shall be separately metered from that portion of the system that will not be connected to the future recycled water system, if any.
- Until the recycled water system is operational, the common area irrigation system shall be connected to the domestic system. Once recycled water is available, and connection to the recycled water system is made, the Project developer shall remove the connection to the domestic water system. No domestic water back-up is needed, since the City will provide such back-up including an appropriate air gap facility as part of the City’s system.
- Prior to the availability of recycled water, the Project developer shall be responsible for payment of the Recycled Water Connection Fee or the water connection fee, whichever is greater for facilities constructed.
- At such time as recycled water is available, the Project developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled water system, including appropriate signage. Credits for connection fees shall be given by the City based on the size of the meter(s). Under no circumstance will there be a refund of water connection fees already paid.
- The Project developer shall be responsible for appropriate Sakioka Farms Specific Plan Covenants, Conditions and Restrictions (CC&Rs) covering the use of recycled water and for proper disclosures.
- ~~Prior to submittal of subdivision improvement plans, the Project developer shall review with the City the potential for dual plumbing, whereby toilet facilities would be served by the~~

~~recycled water system. No determination has yet been made regarding whether the City will desire to proceed with this plan. However, should the City decide that it is desired, all costs associated with the dual plumbing shall be borne by the developer.~~

- N-3** This is an adaptive management mitigation measure. The Project developer shall incorporate exterior water conservation features, as recommended by the State Department of Water Resources at the time of adoption or in common practice in the future, into the Project. These shall include, but are not limited to:
- Landscaping of common areas with low water-using plants,
  - Minimizing the use of turf by limiting it to lawn dependent uses, and
  - Wherever turf is used, installing warm season grasses.
- N-4** This is an adaptive management mitigation measure. The Project developer shall, to the extent feasible, use reclaimed water for irrigation of landscaping and other uses if or when such water is available at the project site.
- N-5** The Project developer shall predominantly use vegetation that requires minimal irrigation (i.e., drought tolerant plant species) in all site landscaping where feasible for new plantings.
- N-6** The future water system shall be designed in a loop configuration with connections to the existing 16-inch water line on Del Norte Boulevard.
- N-7** The use of a 14-inch line would be feasible and should only be connected to mainlines of 14-inches or larger.
- N-8** Rice Avenue is planned to become a state highway; therefore, no new utilities shall be installed along this roadway.
- N-9** The Project developer shall ensure that the landscape irrigation system be designed, installed, and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.
- N-10** The Project developer shall, to the extent feasible, install a “smart sprinkler” system to provide irrigation for the landscaped areas. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be automatically adjusted by a state-of-the-art system that relies on local weather forecasts.
- N-11** The project developer shall install low-flush water toilets in all new construction at the project site. Low-flow faucet aerators shall be installed on all new sink faucets.
- N-12** This is an adaptive management mitigation measure. The Project’s annual water supply deficit of 330 acre feet was estimated using 2010 water use estimates for the theoretical buildout of the entire project. Actual water demand over the buildout of the Project is likely to change as actual development and uses occur and changing water consumption. Subsequent water demand/supply analyses required by subsequent CEQA review may change water supply needs relative to the City’s future water supply. The Draft 2010 Urban Water Management Plan (UWMP) incorporates the Project’s water demand as proposed. Should subsequent project development incur water demand in excess of that anticipated by the adopted 2010 UWMP and/or the City’s

water supplies are reduced below those anticipated by the adopted 2010 UWMP, the Project developer shall, to the extent feasible, implement one or more, but not limited to, the following adaptive measures to remain water neutral to the City's available and projected supply at the time of subsequent project approvals that involve a Negative Declaration, Mitigated Negative Declaration, or Subsequent EIR:

N-12.1 The Project developer shall provide to the City additional water rights of at least the shortage amount.

N-12.2 The Project developer shall provide to the City water supplies equal to the shortage amount until City supply is adequate.

N-12.3 The Project developer shall provide to the City permanent quantified water offsets in the form of recycled water.

N-12.4 The Project developer shall provide to the City financial contributions towards City programs which generate in-City water conservation or recycled water capacity or conveyance.

N-12.5 The Project developer shall participation in other similar programs with cumulatively result in an adequate water supply contribution.

~~In order to negate the Project's projected annual water supply deficit of 330 acre feet and achieve the water neutral policy established by the City Council, the Developer shall participate in the financing of an approximately 4.5 mile recycled water supply branch pipeline commencing at the intersection of Ventura Road and Fifth Street, going east along Fifth Street to Oxnard Boulevard, north on Oxnard Boulevard to Camino del Sol, east on Camino del Sol to Rose Avenue, and north on Rose Avenue to Gonzales Road, then from there into the Project's recycled internal pipelines required by mitigation N-2. The pipeline varies in width from 16 to 12 inches and a more feasible and/or less expensive alternative route may be substituted by the Director of Public Works. The Project's estimated share of the total expense is approximately 55 percent, or \$3,930,720 which includes a 20 percent contingency. This Project's obligation may be proportionately reduced and/or refunded should other recycled water users buy into the water line under a cost sharing program to be developed by the Director of Public Works. This pipeline is required to be in place and operational when, and if, the cumulative actual and projected potable water demands of subsequent development exceed the transferred ground water credits transferred to the City.~~

**N-13** The Project developer shall, in a manner as agreed to in the development agreement, participate in an assessment district or similar financing instrument for the construction of a recycled water supply pipeline that will connect into the Project's recycled internal pipelines required by mitigation, or pay applicable connection fees to connect to the City's recycled water line when requested.

~~The Project shall construct an 18 inch potable water pipeline approximately 900 feet in length from the intersection of Solar Drive and Gonzales Road eastward and connecting to the Project's internal potable pipeline system at Rice Avenue. The estimated cost is \$370,000 which includes a 20 percent contingency. This pipeline connector and related equipment shall be completed and operable prior to completion of any structure in Planning Areas 1, 2, or 3 or as determined~~

**LETTER NO. BUCHMAN**

Helene Buchman  
Acting Director of Planning and Marketing  
Gold Coast Transit  
301 E. Third Street  
Oxnard, CA 93030-6048

October 22, 2010

**Comment No. Buchman-1**

Thank you for the opportunity to comment on the Sakioka Farms Specific Plan Draft Environmental Impact Report.

Supporting documentation contains discussions regarding traffic impact fees that will be calculated based on the mitigations identified in the accompanying traffic study. Section 4.4.7 of the Master Plan document contains one small section suggesting that trip reduction measures be incorporated into the on-site developments. We believe the specific plan and DEIR should be much more thorough in considering the integration of on- and off-street facilities for alternative modes. To that end, I have attached a copy of GCT's adopted land use design concepts that suggests a number of ways to make this site more pedestrian and transit oriented. These can be helpful to incorporate more illustrative discussion, and they can become the basis of what ultimately will be encompassed in the design of the site's infrastructure, overall orientation and individual land uses.

In the past year, Gold Coast Transit (GCT) has adopted a plan to restructure our current route configuration and plan for new bus routes within our service area. As part of this planning process, we intend to extend a bus route easterly on Gonzales Road to Rice Avenue at a time when funding is available. While we have not yet designated a time for this route to be implemented, we will be looking for a viable location for a terminus/turnaround for this route. Given the proposed configuration of the Sakioka Farms Specific Plan Master Plan concept, we would welcome the opportunity to work with the developer to incorporate the route and its terminus into this development.

In addition to incorporating transit facilities into the overall site as well as the design of individual developments, we strongly urge that these facilities be supplemented with pedestrian and bicycle paths, bicycle storage and on- and off-street wayfinding.

In summary, GCT would recommend including an expanded discussion of public transportation in the DEIR, with consideration given to integrating bus transportation into and through the site.

Should you have any question or require additional clarification regarding GCT's comments on the Sakioka Farms Specific Plan Draft Environmental Impact Report, please don't hesitate to contact me.

(attachments)

**Response to Comment No. Buchman-1**

This comment states that GCT has reviewed the Draft EIR and provides opinions about the need to expand certain discussions in the Draft EIR, but the comment does not state a specific concern or question regarding the adequacy of the information or analysis contained in the Draft EIR for the purpose of determining a significant impact and/or mitigation. The Specific Plan is still speculative in regards to what business or development will be built at specific locations within the Specific Plan Area. As projects are approved and make their way through the City's review process, issues such as pedestrian connectivity, bicycle facilities and transit stops are fully studied and conditioned. The City will continue to work closely with Gold Coast Transit as actual development is proposed and bus stops and related transit needs arise.

**LETTER NO. BURROW**

Robert W. Burrow, AICP  
Director, Department of Community Development  
City of Camarillo  
601 Carmen Drive  
Camarillo, CA 93010

October 22, 2010

**Comment No. Burrow-1**

The City of Camarillo is in receipt of the notice of availability for the Sakioka Farms Specific Plan Draft Environmental Impact Report. Following a summary review of the draft document, the City of Camarillo would offer the following comments with regard to the draft EIR:

**Response to Comment No. Burrow-1**

The comment states that the City of Camarillo has reviewed the Draft EIR, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR.

**Comment No. Burrow-2****1. Airport Land Use Compatibility**

The specific plan proposes the inclusion of residential development within a portion of the specific plan area as a component. The property is due west of the Camarillo Airport and therefore is in the take-off pattern, and occasionally the approach pattern, to the Camarillo Airport. Further analysis should be included within the draft EIR for this component with regard to its relationship to the airport under the Airport Land Use Compatibility Plan. Specifically, the proposal may require the approval of the Ventura County Transportation Commission as a modification to the land uses which would incorporate more sensitive land use patterns within the influence area of the airport. Additionally, measures to comply with the Airport Land Use Compatibility Plan should also be reviewed. These would include, as a minimum, airport easements and lot coverage ratios.

**Response to Comment No. Burrow-2**

Section IV.G. Hazards and Hazardous Materials, page IV.G-12 acknowledges that the Project site is located within the planning area and protection zones for Camarillo Airport. The eastern-most area of the site is located within the Extended Traffic Pattern Zone (ETPZ) for Camarillo Airport as designated in the Airport Comprehensive Land Use Plan (ACLUP) for Ventura County. Most business research, office, commercial, and light industrial uses are compatible within the ETPZ according to the compatibility standards listed in the ACLUP with a recommended maximum structural coverage of no more than 50 percent. No residential units would be located within the ETPZ boundary. Therefore, Project

implementation is not expected to result in any abnormal or significant safety hazard for the employees of the Project site. In addition, the Project site is not located in the vicinity of any other airstrips that have operations over the site on a regular basis. Further, no residential uses are proposed under Alternatives 2 and/or 3, no significant impacts related to this issue under the proposed Project would occur.

Refer also to Responses to Comments Hesnard-3 and McNamee-2.

### **Comment No. Burrow-3**

#### **2. Traffic**

In reviewing the EIR for the proposed 10.8 million square feet of development, clearly an impact on transportation would result. The EIR does detail specific measures and impacts on streets and intersections within the City of Oxnard. The traffic generated from this significant development, however, would not be solely impacting street and intersections within the city. Therefore, the traffic review and analysis of impact needs to be extended to include county roadways; such as, Central Avenue, Sturgis Road, Fifth Street and Pleasant Valley Road and intersections that would receive traffic from the proposed development. Additionally, the impact of the development on the Central Avenue interchange would need to be analyzed with appropriate mitigation measures since the development would have impacts upon that interchange both individually and cumulatively. That interchange would be impacted from the Sakioka project.

Certain exhibits within the EIR show an extension of Gonzales Road further to the east of the Oxnard city limits. The Gonzales Road extensions need to be removed from any exhibit within the document or a complete analysis be accomplished to address the policy implications; and impacts of that extension needs to be done with regard to the City of Camarillo and the County of Ventura. In addition, a specific analysis on the impact of the extension of those roads on agricultural operations and other growth-inducing impacts.

Lastly, the EIR has a mitigation measure for the possible future contribution of a fair share for the 101/Ventura Freeway corridor. However, discussion of that lacks specificity and does not address the intervening impact of the added 10.8 million square feet of development on the freeway until such time as the last growth period of the EIR analysis.

### **Response to Comment No. Burrow-3**

The following information is provided using 2008 traffic counts regarding potential traffic impacts:

Sturgis Road near Pleasant Valley Road currently has an ADT of 3,600. Sakioka will add approximately 1,000 trips per day. The result would be LOS B.

Pleasant Valley Road near Fifth Street currently has an ADT of 14,100. Sakioka will add approximately 1,000 trips per day. The result would be LOS D.

Rose Avenue south of Central Avenue currently has an ADT of 10,300. Sakioka will add approximately 2,200 trips per day resulting in LOS D Fifth Street east of Del Norte Boulevard currently has an ADT of 11,000 Sakioka will add approximately 1,000 trips per day resulting in LOS D.

No mitigations are required at these locations using the County's criteria.

The extension of Gonzales Road was included after discussions with Caltrans regarding this project and is included within the Oxnard 2030 General Plan as a result. Currently there are no reasonable alternate routes to Route 101 for short local and emergency trips between the northeast area of Oxnard at Camino Avenue and the west end of Camarillo at Ventura Blvd at Central Avenue, a distance of about one mile. The two roads are currently connected by a private farm road. The extension of either Gonzales Road (and/or Del Norte. Road on the northside) would offer an alternative detour route if the freeway is shut down for some reason. The Sakioka Farms Specific Plan project, at build out, would contribute approximately 5,000 trips a day on the Gonzales Road extension. While one (or both extensions) would result in the loss of a relatively small amount of agricultural land, the loss would occur adjacent to the 101 Freeway and County zoning and/or the Oxnard/Camarillo Greenbelt would preclude development on adjacent farmland.

With regards to improvements to the 101 Freeway corridor and intervening impacts, several cities, the County, and Caltrans at a minimum would need to be involved in planning improvements which would have to be considered in light of the still-evolving SB-375 planning that may introduce alternative strategies that are unknown at this time. All development within the Sakioka Specific Plan would pay Oxnard and County traffic impact fees that, in part, are collecting funds for future 101 Freeway and intersection improvements.

It is noted that the comment seems to assume that the development will create a significant impact on the Central Avenue/101 Freeway Interchange. However, review of the project's trip distribution and assignment do not necessarily support that conclusion. A review of the existing lane geometry reveals it to be a simple diamond interchange with stop control on the off-ramps (both northbound and southbound). The bridge over the 101 Freeway is limited to two lanes, one in each direction with no separate left turn storage lanes at the two freeway on-ramps. The two on-ramps are separated by a distance of only about 500 feet.

Examination of existing 2003 peak hour turning movement counts (the latest available, refer to Appendix B of this Final EIR) indicates the AM and PM volume to be about the same with 1,700± vph at the northbound ramps and 1,300± vph at the southbound ramps. A review of ADT counts on Central Avenue indicate a range of 11,400 to 13,500 ADT during the period 2003 – 2006 with 12,900 ADT in 2003, the year the turning movements counts were obtained. The main traffic flow is the through traffic over the freeway bridge which amounts to about 1,100 vph during both the AM and PM peak periods with highly directional flows (900 vph southbound in AM and 600 vph northbound in the PM).

The Project is not expected to contribute any significant amount of new traffic to the Central Avenue ramps. The traffic on the 101 Freeway itself is forecast to increase by 13,000 ADT but this increase will

have only a minor impact, if any at all, to the Central Avenue on and off ramps. Some project trips would use Gonzales Road (if extended to the east) to access the Central Avenue freeway ramps but this traffic is expected to be negligible since both the Del Norte Avenue and Rice Avenue interchanges are more conveniently situated with respect to site access, and would be fully reconstructed by that time. A total of about 5,000 ADT is anticipated to utilize Gonzales Road – extended, if or when it is constructed, but this traffic is locally oriented and is not expected to use the Central Avenue Interchange.

Finally, the existing roadway capacity restraint at the Central Avenue interchange is a result of the existing stop control. The existing level of service could be substantially improved through signalization to replace the stop control on the off-ramps and protect left turn arrows at the on-ramps. However, this is an existing condition which is not expected to be substantially impacted by increased project trips on the freeway itself.

#### **Comment No. Burrow-4**

##### **3. Jobs/Housing Balance**

In the analysis for jobs/housing balance, the population projections show a discrepancy in the VCOG population and the population through 2030. The analysis should be expanded under this section and air quality to determine whether or not the population projections are consistent with the Air Quality Maintenance Plan. Additionally, the analysis should include the job forecast using the SCAG forecast through 2030 for comparison and how that falls in line with the numbers included within the document, both for this project and from a cumulative standpoint for other projects and growth areas within the Oxnard General Plan. The jobs/housing balance references existing and future job and housing balance numbers within the City of Oxnard; however, prior county jobs/housing balance numbers also consider sub-regional and regional projections as a further determination of jobs/housing balance within the region.

#### **Response to Comment No. Burrow-4**

With regards to project consistency with the Air Quality Management Plan please refer to Response to Comment Stratton-2.

With regards to jobs-housing balance, the Ventura Council of Government adopted forecasts to the year 2040 on May 8, 2008 compiled in cooperation with the Southern California Association of Governments and serve as the most recent and best information regarding growth within each city and the county. Table 19, page 14, presents population, housing, and jobs projections for 2035 based on the General Plan capacities of each city and the county. The table is copied below. Overall, the County's jobs/housing ratio or balance (JHB) is expected to be 1.45, meaning 1.45 jobs for each household. Oxnard's JHB is projected at 1.16 which is relatively low in housing and implies a need for additional jobs even after including the expected job generation from the complete buildout of the project. Camarillo's 2040 JHB is 1.57, a bit high in jobs compared to housing. Looking at Camarillo, Port Hueneme, Oxnard, and Ventura (city) as the west-county subregion, the 2030 JHB is 1.40, which is close to the overall County JHB of

1.45. The project's projected employment of about 15,000 jobs at buildout is included in these projections, consistent with the adopted VCOG projections, and play a major role in increasing jobs/housing balance within the west county subregion.

Jurisdiction	Population	Housing	Jobs	Persons per Unit	Jobs/Hg Ratio
Camarillo	79,391	30,377	47,720	2.61	1.57
Fillmore	23,522	6,668	5,131	3.53	.77
Moorpark	45,206	12,892	16,924	3.51	1.31
Ojai	10,901	4,549	5,568	2.40	1.22
Oxnard	250,608	71,602	83,328	3.50	1.16
Port Hueneme	24,788	8,971	11,408	2.76	1.27
Santa Paula	44,650	12,448	12,885	3.59	1.04
Simi Valley	135,708	44,922	71,415	3.02	1.59
Thousand Oaks	132,356	46,849	86,765	2.86	1.85
Ventura	137,600	53,447	88,608	2.57	1.66
Unincorporated County	110,645	36,518	47,253	3.22	1.29
<b>TOTAL</b>	<b>995,375</b>	<b>329,243</b>	<b>477,005</b>	<b>3.04</b>	<b>1.45</b>

#### **Comment No. Burrow-5**

We appreciate the opportunity to provide input into the draft EIR. If you have any questions, please feel free to contact me at 805.388.5361 at your convenience.

#### **Response to Comment No. Burrow-5**

The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. COTTERELL**

Sherianne Cotterell  
Superintendent  
Rio School District  
2500 E. Vineyard Avenue  
Oxnard, CA 93036

October 21, 2010

**Comment No. Cotterell-1**

The Rio School District submits these comments on the Draft Environmental Impact Report (EIR) for the Sakioka Farms Specific Plan project. This project is located within this school district, which provides public school services for grades Kindergarten through eight.

**Response to Comment No. Cotterell-1**

The comment states that the Rio School District has reviewed the proposed project and is providing comments.

**Comment No. Cotterell-2**

Our comments address the proposed 890 apartments allowed by the Specific Plan. As we commented in our letter of January 6, 2010 there are significant issues raised by a large residential development in this particular location. The Draft EIR did not address all of our earlier comments. We will restate our concerns and illustrate deficiencies in the Draft EIR that deserve to be corrected. Because this document will be used by subsequent CEQA studies it is important that this project's EIR be accurate. We ask that two new Mitigation Measures be added to address concerns discussed below.

**Response to Comment No. Cotterell-2**

The comment expresses concern about the potential addition of 890 apartments should either Alternative 2 (Housing Substitution) or Alternative 3 (Reduced Density with Housing) be approved by the City in place of the proposed project and requests that mitigations be added relative to the topics raised in the following comments.

**Comment No. Cotterell-3****1. The Specific Plan Allows Residential Development**

The Specific Plan changes existing land use designations to allow up to 890 multi-family dwellings in an area now limited to industrial uses. Labeling the residential uses as "optional" or an "Alternative" does

not change the fact that housing will be permitted if this project is approved. It is not an Alternative; it is at the core of the plan. In fact, the Development Concept on page 19 of the Specific Plan says:

The plan has its roots in the land use designations of the General Plan, and incorporates a recognition that ultimate development will likely be a blend of both traditional light industrial, business research facilities and residential. (emphasis added).

### **Response to Comment No. Cotterell-3**

The comment asserts that the addition of 890 apartments is neither “optional” nor an “Alternative” in place of the proposed project and that housing is “at the core of the plan.” This assertion is erroneous in that the primary objective of the proposed project (as stated in section III. Project (Plan) Description, page III-1 of the Draft EIR) is to develop a Business Park by providing the framework and guidelines for a phased well-planned business park development, to provide flexible business options – including a mix of business research, professional office, light industrial, and commercial – appropriate for regional freeway-adjacent uses and responsive to market conditions and to enhance the existing job base in the City of Oxnard through the creation of a broad range of employment and career opportunities. The following objective for housing simply states that it *may* be allowed as an option in order to develop affordable workforce housing in close proximity to employment centers. To state with certainty that this would occur at this juncture, given current economic conditions for housing development, calls for speculation; per *CEQA Guidelines* Section 15145 an EIR need not engage in "sheer speculation" as to future environmental consequences. In any event, if housing were proposed at some future time, it would require discretionary review, additional CEQA review, and opportunities for the Rio School District to comment and propose conditions and mitigations appropriate to the expected student enrollments by the amount and type(s) of proposed housing and then existing school capacity data.

### **Comment No. Cotterell-4**

#### **2. Isolated Residential Development**

If developed, these 890 apartments will be the only significant residential development east of Rice Avenue and south of the 101 freeway. The individuals and families living east of Rice will be isolated from shopping, parks, schools, and other services. Land to the east is affected by the Camarillo Airport and is unlikely to be used for housing.

### **Response to Comment No. Cotterell-4**

The comment notes that should the proposed project develop up to 890 apartments, the units would be somewhat isolated from shopping, parks, schools, and other services. This is a valid comment shared by many and recognized by the lead agency. The reason for the housing option is to consider the pros and cons of locating housing close to jobs with the goal of reducing and eliminating vehicular trips and related emissions. Any proposed housing development would require CEQA review and these issues would be considered in light of the actual location and nature of the proposed housing since some types of

specialized workforce housing may be appropriate and/or the housing proposal may be of adequate size to support new on-site amenities that do satisfy these concerns. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

### **Comment No. Cotterell-5**

#### **3. Street Connection to schools will not be pedestrian or bike friendly**

Rice Avenue will be developed into the new Highway 1 and is proposed by CalTrans to become a freeway-like truck route with few if any stoplights or intersections with local streets. Discussion at the October 7, 2010 Planning Commission meeting disclosed that eventually at-grade intersections will be eliminated or converted to overpasses to permit free-flow of through traffic. Eventually the Rice / Gonzales intersection will have six or eight lanes in each direction. These very wide streets can be dangerous for pedestrians and bicyclists. The EIR is silent on how safe crossings will be provided.

### **Response to Comment No. Cotterell-5**

If housing were requested as a project, subject to subsequent CEQA review, pedestrian and cyclist facilities would be addressed and conditioned by the City of Oxnard Traffic Engineering Division. At this point, all projects are still speculative and pedestrian and cyclist issues cannot be fully addressed.

Refer also to Response to Comment Cotterell-3 regarding speculation of project impacts.

### **Comment No. Cotterell-6**

#### **4. Impacts on Schools**

The Draft EIR focuses solely on the availability of school facilities as the only CEQA impact on schools. It then relies on Government Code section 65996 (informally labeled by the Draft EIR as "SB 50") to state that payment of fees authorized in state law is the only mitigation possible and fully mitigate all impacts on schools. We respectfully disagree.

- a) The Draft EIR's reliance on GC 65996 is inadequate as there is no assurance today's law will be operative or feasible in the future when building permits are issued. Government Code section 65997(c) lists reasonably foreseeable conditions under which section 65996 will become inoperative and therefore unable to provide any mitigation.

We ask that the Final EIR expand its analysis of impacts on affected schools and provide assurance in the form of a new Mitigation Measure that school facilities will be provided if "SB 50" becomes inoperative, which appears possible if not likely before this project is fully developed. Such Mitigation Measure would be preempted while state law is in effect, and will protect the Oxnard community if current state law becomes inoperative in the future.

**Response to Comment No. Cotterell-6**

The comment expresses an opinion that the Draft EIR's reliance on GC 65996 is inadequate as there is no assurance today's law will be operative or feasible in the future when building permits are issued, but does not provide data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comment. Pursuant to *CEQA Guidelines* Section 15064, an effect shall not be considered significant in the absence of substantial evidence. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration. If California CG 65996 (also known as SB 50) were no longer operative in the future and a housing project were proposed, the City would still be obligated under a subsequent CEQA review to mitigate significant adverse impacts on schools with feasible mitigations in consultation with the Rio School District. The possible future absence of SB50 does not remove this requirement.

It should also be noted that Government Code section 65997(b) states that:

“A public agency may not, pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code or Division 2 (commencing with Section 66410) of this code, deny approval of a project on the basis of the adequacy of school facilities.”

**Comment No. Cotterell-7**

- b) Table IV.M-6 contains a significant math error in that the table multiplies the number of units in all proposed and active residential developments by the student generation factor for multi-family units. At least some of those projects are single family detached or dwelling types other than multi-family. This table needs to be corrected in the Final EIR.

Second, Table IV.M-6 lumps together all the housing in the City irrespective of the elementary district affected. What is the cumulative effect of approved and pending residential projects on the two school districts affected by this project? Such information is material and should be presented for use by decision makers and the public.

**Response to Comment No. Cotterell-7**

Table IV.M-6 is corrected and displayed below. The housing projects were divided between the Oxnard School District (OSD) and the Rio School District (RIO), then student generation rates applied by housing type from the RIO 2010 School Facility Needs Analysis (p. 6), the OSD 2010 School Facility Needs Analysis (p. 7) and the Oxnard Union High School District (OUHSD) rates used in the Ormond Beach Specific Plan Draft EIR. The total projected cumulative enrollment of 2,657 is higher than the 1,498 reported in the Draft EIR. However, nearly all of the expected cumulative student generation in the Rio district comes from the Riverpark projects that have already mitigated their collective impacts as part of the Riverpark Specific Plan. Also note that the proposed cumulative housing projects are from 2008 and several have either been completed or the permit has been abandoned due to the economy. However,

this list is used for internal consistency within the EIR. As a result, this table overestimates school enrollments in the OSD and OUHSD.

Mitigation M.3-1 is modified as shown below:

**M.3-1 This is an adaptive management mitigation measure.** The subsequent developer(s) under the specific plan would be required to pay all applicable school fees to offset the impact of additional student enrollment at schools. No other mitigation measures are required as part of the environmental review process unless State Law changes so as to allow subsequent environmental reviews to identify appropriate feasible mitigations to reduce a significant impact on schools to a level below the significance threshold.

REVISED TABLE IV.M-6								
No.	Land Use	Size (du)	Type of Unit	OSD or RSD	K-6	7-8	9-12	Totals
5	Colonial House Mixed Use	40	MF	OSD	12	6	2	20
10	Reardon Apartments	8	MF	OSD	2	1	0	4
14	Sixth Street Apartments	8	MF	OSD	2	1	0	4
22	Press Courier Lofts	52	MF	OSD	16	7	3	25
24	Gateway Walk	190	MF	OSD	57	27	10	93
29	Cervantes Condo Complex	3	MF	OSD	1	0	0	1
31	Artisan Apartments	272	MF	OSD	82	38	14	133
48	Orbela	105	MF	OSD	32	15	5	51
49	North Shore	192	MF	OSD	58	27	10	94
58	Unnamed	159	MF	OSD	48	22	8	78
7	Arbor View (Mira Loma)	291	MF	OSD	87	41	15	143
4	Victoria/Hemlock	116	MF	OSD	35	16	6	57
11	Ventura/Vineyard	201	MF	OSD	60	28	10	98
12	Rose/Pleasant Valley	99	MF	OSD	30	14	5	49
20	Paseo De Luz	43	MF	OSD	13	6	2	21
26	Las Cortes	501	MFA	OSD	150	70	25	245
28	DaL-Villa San Lorenzo	16	MFA	OSD	5	2	1	8
59	Sycamore Senior Village b	0	MFA	OSD	0	0	0	0
21	Duplex	2	SFA	OSD	0	0	0	1
65	Dunes Duplex	2	SFA	OSD	0	0	0	1
8	Paseo Nuevo	60	SFD	OSD	15	7	11	34
13	Single Family Residence	1	SFD	OSD	0	0	0	1
15	Casa De Rosas	5	SFD	OSD	1	1	1	3
16	Mackay Residence	2	SFD	OSD	1	0	0	1
17	Duplex	2	SFD	OSD	1	0	0	1
18	Kelly Residence	1	SFD	OSD	0	0	0	1
19	Morton Condominiums	7	SFD	OSD	2	1	1	4
23	Mendoza Units	1	SFD	OSD	0	0	0	1
25	Westwinds II	40	SFD	OSD	10	5	8	22
27	Sampson Project	1	SFD	OSD	0	0	0	1
30	Smith Residence	1	SFD	OSD	0	0	0	1
35	Wallin SFD	1	SFD	OSD	0	0	0	1
39	Pickett Residence	1	SFD	OSD	0	0	0	1
41	Unnamed	1	SFD	OSD	0	0	0	1
46	Herzoff SFD	1	SFD	OSD	0	0	0	1
47	Sandefer SFD	1	SFD	OSD	0	0	0	1
50	Beachfront Dwelling	1	SFD	OSD	0	0	0	1
51	Beretta SFD	1	SFD	OSD	0	0	0	1
52	Tesoro Residence	1	SFD	OSD	0	0	0	1
53	White Duplex	1	SFD	OSD	0	0	0	1
54	Whitecap II	1	SFD	OSD	0	0	0	1
55	Unnamed	1	SFD	OSD	0	0	0	1
56	Unnamed	1	SFD	OSD	0	0	0	1
61	Casas de la Playa	9	SFD	OSD	2	1	2	5
64	Seabridge	708	SFD	OSD	177	85	135	396
34	RiverPark Apartments	400	MF	RIO	56	20	20	96
60	RiverPark Cabrillo	140	MFA	RIO	34	14	7	55
32	Riverpark - Promenade	111	SFA	RIO	24	11	14	50
36	RiverPark-Luminaria	187	SFA	RIO	41	19	24	84
40	RiverPark-The Avenue	24	SFA	RIO	5	2	3	11
43	RiverPark-Collage	76	SFA	RIO	17	8	10	34
44	RiverPark-Meridian	159	SFA	RIO	35	16	21	72
45	RiverPark-Waypointe	182	SFA	RIO	40	18	24	82
57	RiverPark-The Landing	78	SFA	RIO	17	8	10	35
63	RiverPark-The Avenue	60	SFA	RIO	13	6	8	27
1	RiverPark-Morning View	113	SFD	RIO	43	14	21	78
2	RiverPark-Veranda	95	SFD	RIO	36	11	18	66
3	Kenney Duplex conversion	2	SFD	RIO	1	0	0	1
6	RiverPark-Tradewinds II	91	SFD	RIO	35	11	17	63
9	Unnamed	1	SFD	RIO	0	0	0	1
33	Riverpark -The Market	133	SFD	RIO	51	16	25	92
37	RiverPark Destination	116	SFD	RIO	44	14	22	80
42	RiverPark-Pacific Crossing	104	SFD	RIO	40	12	20	72
62	RiverPark-Westerly II	83	SFD	RIO	32	10	16	57
Subtotal OSD					902	424	277	1,602
Subtotal RIO					563	210	281	1,054
Related Projects Total					1,465	634	558	2,657
MF = Multifamily (apartments)			SFD	RIO	0.38	0.12	0.19	OUHSD
MFA = MF all affordable units			SFA	RIO	0.22	0.10	0.13	OUHSD
SFD = single family detached			MF	RIO	0.14	0.05	0.05	OUHSD
SFA = single family attached			MFA	RIO	0.24	0.10	0.05	OUHSD
			SFD	OSD	0.25	0.12	0.19	OUHSD
Student generation rates are shown at the right.			SFA	OSD	0.10	0.03	0.13	OUHSD
			MF	OSD	0.30	0.14	0.05	OUHSD
			MFA	OSD	0.30	0.14	0.05	OUHSD

**Comment No. Cotterell-8**

- c) Page IV.M-18 of the Draft EIR states the analysis is based in part on the City's 1995 "Thresholds Guidelines". These guidelines predate SB 50 (passed in 1998) and should not be used to analyze school issues.

**Response to Comment No. Cotterell-8**

This comment asserts that the City of Oxnard's adopted CEQA "Thresholds Guidelines" (Guidelines) should not be used to analyze school issues since the Guidelines pre-date the passage of SB 50. The Guidelines include a statement that a school district may negotiate a mitigation agreement beyond payment of SB50 fees for a legislative act such as adoption of a specific plan, as is the present case; and as the Guidelines match those currently found in Appendix G of the state CEQA Guidelines.

**Comment No. Cotterell-9**

- d) We ask that the statement on page IV.M-18 that "...overcrowding by and of itself is a social problem and does not constitute an environmental impact" be deleted. This unsupported statement violates not only the spirit of CEQA but the letter of the Guidelines. Overcrowding causes physical effects that may or may not affect the environment, but deserve analysis rather than dismissal. Extra school bus miles driven have an environmental effect. Adding new classrooms to an existing campus has an effect. More traffic around a school in another neighborhood is a physical effect. Building new pedestrian walkways and signals is a physical effect. When these physical effects are directly attributable to a specific project they cannot be dismissed or passed off to the agency that will be required to cope with the impacts.

**Response to Comment No. Cotterell-9**

According to Section 15002(a) of the CEQA Guidelines, one of the basic purposes of CEQA is to inform governmental decision makers and the public about potential significant environmental effects of proposed activities. CEQA Section 21060.5 defines "environment" as "the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance." In addition, Section 15131(a) of the CEQA Guidelines specifically excludes economic and/or social effects from being considered significant effects on the environment unless there are indirect physical impacts clearly associated with the socio-economic impacts.

Overcrowding within Rio District elementary schools is a situation that has only recently begun to improve due to the leveling off of enrollments and construction of several new schools. Several secondary schools continue to have attendance above their original design capacity. The statement that "overcrowding by and of itself is a social problem and does not constitute an environmental impact" is inaccurate in that possible additional or longer bus or vehicle trips to a school with capacity and/or loss of

outdoor areas for classrooms are traffic, air quality, and land use impacts that warrant discussion in their respective sections of the EIR.

If housing were proposed within the Sakioka Specific Plan, a subsequent CEQA review would determine environmental impacts based on the project size and characteristics and the then-existing school enrollments and capacities. If, as a result of a subsequently-approved housing project it is reasonably foreseeable that the Rio School District needs to construct new facilities and/or classrooms and/or transport students, then the analysis of any potential impacts and feasible mitigations to the physical environment as a result of the school construction and/or operation would be required within that CEQA documentation.

### **Comment No. Cotterell-10**

#### **5. Proposed Development Agreement between City and Project**

The proposed Development Agreement states the City will not support any future obligations upon the project.

6.8 Other Governmental Permits and Fees. The City shall use reasonable efforts to work with other governmental and quasi-governmental agencies so as to limit to the maximum extent possible the imposition of additional fees, dedications or exactions by or through such agencies, provided that the City shall not be required to bear any expense in connection with said efforts.

### **Response to Comment No. Cotterell-10**

It is unclear what the commenter's concern is with this comment but in the context of the comment letter, it is assumed the concern is that the City would not support (commenter's term) the Rio School District if the district seeks other mitigation(s) from the project in the event housing is proposed that creates a significant impact on the Rio School District. CEQA requires that the City impose feasible mitigations for significant impacts and the City has an established record of negotiating additional mitigations with impacted school districts for residential projects, which the stated section 6.8 does not prohibit. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration of the Development Agreement, which will be considered at a later time.

### **Comment No. Cotterell-11**

#### **6. Additional Mitigation Measures**

We ask the City to add two Mitigation Measures in the Final EIR. The first Mitigation Measure applies only if residential uses are proposed, and requires the City and other affected agencies to meet and find reasonable solutions to serve the future residents of the project. The second Mitigation Measure will have no effect unless the current state fee system ends, and then will require the residential developer and schools to negotiate a reasonable solution in the absence of a state system.

**Proposed Mitigation Measure 1:**

In the event any subdivision or parcel map or other form of approval for any residential development is proposed within the Specific Plan, the City will promptly convene a working group including the elementary school district, the high school district, public transit operator, and applicable City departments to ensure safe pedestrian, bicycle, transit and school bus facilities are included in the residential project. Recommendations of the working group shall be reported to the Planning Commission and City Council prior to approval of the residential development.

**Proposed Mitigation Measure 2:**

This Mitigation Measure shall apply in the event Government Code section 65996 or successor statute is inoperative at the time building permits are issued for any residential units within the Specific Plan. The builder shall negotiate in good faith with the elementary school district and the high school district and provide reasonable mitigation for any impacts on the schools from the proposed residential project.

**Response to Comment No. Cotterell-11**

As these measures would not directly mitigate any demonstrable physical impacts of the proposed project, it is the opinion of the City that these stipulations are more appropriately incorporated into the Specific Plan by amending Section 4.7, "Affordable Housing" which shall be re-titled, "Affordable Housing and Schools" The proposed statements will be added verbatim on page 55.1 of the May 1, 2009 version of the Sakioka Farms Specific Plan except that the term "Mitigation Measure" shall be replaced with "School Planning and Funding Requirement."

Refer also to Response to Comments Cotterell-5 and Cotterell-6.

**Comment No. Cotterell-12**

Thank you for the opportunity to comment on this project. Please contact me at (805) 485-3111 if you have any questions.

**Response to Comment No. Cotterell-12**

The comment provides contact information for the commenter, a response is not required pursuant to CEQA.

**LETTER NO. BASKIN-SMITH**

Jan Baskin-Smith  
811 Joliet Place  
Oxnard, CA 93030-4790

October 17, 2010

**Comment No. Baskin-Smith-1**

This letter is in response to the Sakioka Farm Business Park plan for development between Rice Avenue and Del Norte Blvd.

This project is another example of urban sprawl in the City of Oxnard. Our intention as voters was to protect agriculture and also the greenbelt between the cities of Oxnard and Camarillo. BOTH cities have been eroding the greenbelt simultaneously. The City of Camarillo has developed almost all the way to Central Avenue. Meanwhile the City of Oxnard is developing all the way to Del Norte.

Instead of urban sprawl, the city of Oxnard should be addressing urban decay. The City has failed to address the stalled Wagon Wheel development, the Victoria strip mall which is also on hold, the abandoned Levitz site, and Carriage Square redesign is not happening quickly enough.

As a "gateway" to Oxnard we are not sure a business park is adequate. Even if the City of Oxnard attempts to create a "gateway" to Oxnard on Rice Avenue, the "gateway" still will be encumbered with the unattractive Proctor and Gamble plant spewing out steam from its three stacks. That is not the image of Oxnard we want to project. And, as you exit Rice Avenue onto Highway 101, there is a blighted area consisting of a trailer park. In fact, when motorists drive down the 101 freeway and they see the urban decay between Rice and Del Norte and then the defunct Wagon Wheel area, their impression of Oxnard must be that it is a very low class neighborhood.

**Response to Comment No. Baskin-Smith-1**

The comment expresses opinions and opposition to the proposed project, but does not provide data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to CEQA Guidelines Section 15064, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. Baskin-Smith-2**

This project affects Local agriculture: It is very disappointing that the City of Oxnard is taking another 430 acres of agriculture out of production. This is in addition to the Oxnard Union High School District which also wants to build a high school on 130 acres at Channel Islands and Rice Avenue for a grand total of 560 acres.

**Response to Comment No. Baskin-Smith-2**

With respect to agricultural resources impacts, refer to Draft EIR section IV.C, Agricultural Resources. The Draft EIR finds that impacts to agricultural resources would be significant and unavoidable even with the implementation of the recommended mitigation measures. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. Baskin-Smith-3**

Traffic: This project is projected to incur another 78,000 car trips per day which will affect congested traffic between Oxnard and Camarillo.

**Response to Comment No. Baskin-Smith-3**

With respect to potential traffic impacts, refer to Draft EIR section IV.I. Transportation/Traffic. The Draft EIR finds that impacts to transportation and traffic would be reduced to a less than significant level with the implementation of the recommended mitigation measures. The comment expresses opinions regarding traffic and the proposed project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. Therefore, a response is not required pursuant to CEQA. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**Comment No. Baskin-Smith-4**

As to a residential option for the Sakioka Farms project, the location of these homes should be considered. Located between the 101 freeway and the Proctor and Gamble plant would not be a desirable location for homebuyers. I can not conceive of a location which would be less desirable. The only homeowners who might be interested in this area might be ultra-low or low-income homeowners.

**Response to Comment No. Baskin-Smith-4**

The comment expresses opinions regarding potential housing options should either Alternative 2 or Alternative 3 be adopted as the preferred project, but does not state a specific concern or question regarding the adequacy of the analysis contained in the Draft EIR. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

**LETTER NO. CARD**

Les Card  
Chief Executive Officer  
LSA Associates, Inc.  
20 Executive Park, Suite 200  
Irvine, CA 92614

October 1, 2010

**Comment No. Card-1**

LSA Associates, Inc. (LSA) reviewed the Sakioka Farms Specific Plan Draft Environmental Impact Report (DEIR, dated September 2010), specifically as it related to the Transportation/Traffic EIR section and the Traffic Study prepared by Austin-Foust Associates, Inc. (February 2010), LSA's comments are provided below.

**Response to Comment No. Card-1**

The comment states that LSA has reviewed the Draft EIR and is providing comments.

**Comment No. Card-2****1. Intersection Level of Service Threshold and Performance Criteria**

A. The City of Oxnard 2030 General Plan (Final Draft, dated December 2009) identifies the goal to maintain level of service (LOS) C for intersections within the City. However, the City Council has allowed an exception to this for five locations within the City and the study area for the project:

- Oxnard Boulevard and Vineyard (LOS D)
- Oxnard Boulevard and Gonzales Road (LOS D)
- Gonzales Road and Rice Avenue (LOS D)
- Gonzales Road and Rose Avenue (LOS D)
- Five Points (Oxnard Boulevard/Saviers Road/Wooley Road) (LOS F)

The Sakioka Farms Specific Plan DEIR traffic section acknowledges that LOS D (and LOS F at Five Points) is acceptable at these five intersections. However, deficiencies and impacts are reported in the DEIR and Traffic Study at these locations even though the LOS is forecast to operate at LOS D or better with implementation of the project. Therefore, the DEIR section should be revised to eliminate all deficiencies and impacts associated with these intersections if they are within LOS D (or LOS F at Five Points) or better.

**Response to Comment No. Card-2**

The comment states that the Draft EIR should be revised to eliminate all deficiencies and impacts associated with the listed intersections if they are within LOS D (or LOS F at Five Points) or better. In November 2009, the City recirculated five sections of the Draft 2030 General Plan PEIR that included Section 2.1 Circulation, Traffic, and Transportation. The recirculation was required to reflect updated results of the citywide Oxnard Traffic Model using more recent traffic counts compared to the traffic study in the 2030 General Plan Draft PEIR. The following statement is on page 2.1-14 of the Recirculated Draft PEIR, "The Rice Avenue/Gonzales Road intersection is anticipated to be mitigated to LOS C as part of the adoption of the Sakioka Farms Specific Plan either through additional design changes or by a trip generation cap placed on the Sakioka Farms Specific Plan. The five intersections below LOS C include the following:

- C Street and Wooley Road (PM LOS D)
- "Five Points" Oxnard Blvd/Saviers Rd (AM LOS D and PM LOS E)
- Rose Avenue & Gonzales Road (AM LOS D)
- Oxnard Boulevard & Gonzales Road (PM LOS D)
- Vineyard Avenue and Oxnard Boulevard (PM LOS D)"

The 2030 General Plan PEIR with the Five Recirculated Sections was determined to be adequate by the City Council on February 2, 2010 and the content above supersedes the content found on page 4-5 of the December 2009 Final Draft PEIR referenced in the comment. Specifically, the Rice / Gonzales intersection was removed from the list of intersections where lower than LOS 'C' would be acceptable with a statement of overriding considerations.

With respect to significant traffic impacts at below LOS 'C' intersections, the following excerpt from City Council Resolution 10,453, adopted September 8, 1992, establishes a 0.02 threshold as a negative impact on intersections at LOS C, D, E, and F.

"6. Traffic studies shall include a list of intersections where the project will worsen the Intersection Capacity Utilization (ICU) numeric value of Level of Service (LOS) by 0.02 or more. This ICU List shall include intersections projected to be at LOS C with background traffic (existing, plus approved, plus pending projects), and LOS D, E or F with background traffic plus project-generated traffic (see Section 2(A) (2)). The City shall also prepare for each intersection on the ICU List a list of improvements necessary to mitigate the identified project impacts, and the developer shall prepare a cost estimate for each improvement, based on unit costs provided by the City."

Based on Resolution 10,453, projects that have a greater than 0.02 impact on intersections already at or projected to be at LOS C, D, E, and F are considered to have an impact subject to feasible mitigation measures.

**Comment No. Card-3**

B. The City's performance criteria states that "at intersections operating at LOS C or worse, if a change in Intersection Capacity Utilization (ICU) of 0.02 or greater is created by the project, the impact is considered significant and construction of future improvements needed to mitigate the impact is required." This criteria is misinterpreted from the City Council resolution establishing requirements for traffic and transportation studies and mitigation procedures (Resolution No. 10,418). The DEIR suggests significant impacts when a project simply increases the ICU by 0.02 within the LOS C range (0.71-0.80) and the City's LOS C standard is not being exceeded.

For example, the ICU at Rose Avenue/Camino Del Sol increases from 0.74 (LOS C) to 0.76(LOS C) in the p.m. peak hour under 2010 Phase 1 conditions. This 0.02 change to LOS C is considered a significant project impact, although the intersection meets the City's LOS C standard. The table below illustrates this misinterpretation of the LOS criteria.

<b>Pre-Project ICU</b>	<b>With Project ICU</b>	<b>Significant Impact</b>
0.74 (LOS C)	0.76 (LOS C)	Yes
0.56 (LOS A)	0.74 (LOS C)	No

ICU = Intersection Capacity Utilization

LOS – levels of service

There is no technical foundation for determining that a 0.02 increase in ICU at an LOS C intersection is a significant impact; therefore, the DEIR should be revised accordingly.

**Response to Comment No. Card-3**

The comment states that the Draft EIR should not determine a 0.02 increase in ICU as an impact. The determination by the City Council that the 0.02 increase in ICU at an LOS C intersection is a significant impact is within the discretionary authority of the City Council in establishing CEQA thresholds of significance that may differ from other jurisdictions. Refer to the reply to comment Card-2. The 0.02 threshold was established by City Council Resolution 10,453 and the City is using a consistent interpretation thereof and applying it to this project.

**Comment No. Card-4****2. U.S. Highway 101 (US-101) Analysis**

Per the DEIR Freeway and Roadway Capacity Thresholds (page IV-I.11), a substantial change in freeway conditions is defined as an increase or decrease of 0.10 in the demand-to-capacity ratio and a change in LOS. However, according to the 2009 Ventura County Congestion Management Program (CMP), LOS E is the minimum standard for CMP facilities. US-101 is a CMP facility.

A peak-hour volume-to-capacity (v/c) analysis was prepared for US-101 in the Existing, Existing plus Phase Project (Phase 1), and Existing plus Project (Specific Plan build-out) conditions (Table IV.I-19). Based on the analysis, project impacts to US-101 are identified in the northbound and southbound directions under Existing with Project (build-out) conditions at the following locations:

- Northbound -- South of Project Site (Camarillo, JCT. RTE. 34, Lewis Road Interchange): a.m. peak hour (0.69 v/c ratio [LOS B] to 0.84 v/c ratio [LOS D])
- Southbound -- South of Project Site (Camarillo, JCT. RTE. 34, Lewis Road Interchange): a.m. peak hour (0.82 v/c ratio [LOS D] to 0.87 v/c ratio [LOS D])
- Northbound -- North of Project Site (Ventura, Victoria Avenue Interchange): p.m. peak hour (0.72 v/c ratio [LOS C] to 0.90 v/c ratio [LOS D])
- Southbound -- North of Project Site (Ventura, Victoria Avenue Interchange): a.m. peak hour (0.65 v/c ratio [LOS B] to 0.82 v/c ratio [LOS D])

However, based on the performance criterion in the DEIR (as stated above), the southbound freeway segment (south of the project site) would not be impacted by the project (i.e., an increase of 0.82 to 0.87 v/c ratio does not exceed 0.10).

Furthermore, a significant project impact would not occur in the northbound or southbound freeway directions, as US-101 will not exceed the LOS E standard for CMP facilities. Therefore, the DEIR section should be revised to incorporate the CMP thresholds of significance and eliminate all deficiencies and impacts associated with freeway segments operating at LOS E or better.

The DEIR section reports that the addition of a fourth travel lane in both the northbound and southbound directions would mitigate the alleged project's impact on US-101. It does not identify what the project's responsibility (i.e., fair share) to these improvements would be.

#### **Response to Comment No. Card-4**

The comment states that the Draft EIR should be revised to eliminate all deficiencies and impacts associated with freeway segments operating at LOS E or better. The City of Oxnard 1995 Threshold Guidelines do not establish a significance threshold for impacts on the 101 freeway, a State-owned and operated facility. The 2030 General Plan PEIR's citywide traffic study and the resulting 2030 General Plan traffic mitigations address freeway impacts with five measures under the jurisdiction and complete or partial control of the City that cumulatively reduce traffic on the 101 freeway. They are:

1. Development of the Oxnard Intelligent Transportation System (ITS) to move Oxnard traffic more efficiently away from freeway intersections, thereby reducing the likelihood of exiting traffic stacking up into the freeway lanes. The ITS is funded, installation is in progress, and initial operation is anticipated by 2012.
2. Interchange reconstructions of Rice/Santa Clara Avenue and Del Norte Boulevard incorporate extensions of entrance and exit lanes (auxiliary lanes) to effectively connect and create a fourth

lane in both north and southbound directions through Oxnard. The Rice/Santa Clara Avenue interchange is under construction and the Del Norte interchange has completed CEQA and NEPA reviews. With the eventual construction of the Del Norte interchange the 101 freeway would effectively have four travel lanes in both directions through Oxnard.

3. New projects are conditioned to encourage transit ridership and the City works with Gold Coast Transit to identify and fund routes that reduce the need for east-west short local trips along the 101 freeway.
4. Oxnard utilizes the cumulative air quality impact “buy down” fee program to construct facilities and fund programs that enhance public and private Traffic Demand Management programs designed to reduce trips in throughout the city and on the 101 freeway.
5. The 2030 General Plan includes a policy to work with the County of Ventura and City of Camarillo to construct eastward connecting extensions of Gonzales Road and/or Ventura Boulevard to parallel the 101 freeway and provide emergency bypass and additional capacity.

These five projects and policies are, to the extent feasible, included in the City’s traffic Capital Improvement Program funded by traffic fees or funded, in part, by the cumulative air quality impact “buy down” fee program, both fees of which are paid incrementally by the project applicant or subsequent parties of interest in proportion to actual development. Mitigation Measures I-34. Payment of City and County traffic impact fees, J-4 (adoption of the TDM program), and J-6 (payment of cumulative air quality impact “buy down” fees) mitigate the project’s impact on the 101 freeway intersections and segments. With these mitigations, the project is contributing throughout its buildout to the City’s mitigation of traffic impacts on the 101 freeway to the maximum extent feasible. The 2030 General Plan PEIR did not find that cumulative traffic to the year 2030, including this project as proposed and assumed to be completed by 2030, had a significant unmitigated impact on the 101 freeway. Therefore, the project also does not have a significant adverse impact on the 101 freeway.

### **Comment No. Card-5**

#### 3. Project Impact Analysis

A comparison of Existing and Existing with Project LOS was provided in the DEIR and Traffic Study. Based on this, all intersections operate at acceptable LOS during the a.m. and p.m. peak hours with the addition of the project except for 11 locations. The DEIR (page IV.I-20) states “Implementation of a portion of the City’s TMP/Capital Improvement Program improvements for these locations is forecast to bring these locations back to an acceptable LOS, except at the Five Points intersection.” However, there was no analysis included in the DEIR that identified the specific mitigation improvements to offset these project impacts. The DEIR and Traffic Study should be revised to identify the specific improvements necessary to mitigate the significant project impacts in the Existing with Project condition.

As a similar example, the recently approved Ormond Beach Traffic Impact Analysis and EIR included an evaluation of “Forecast Existing plus Pending Projects (with and without the project).” In short, this is an “Existing plus Project” impact analysis identifying direct project impacts. Specific mitigation measures

in accordance with City standards were identified to eliminate the significant impacts for this existing condition.

#### **Response to Comment No. Card-5**

The comment requests that the DEIR and Traffic Study should be revised to identify the specific improvements necessary to mitigate the significant project impacts in the Existing with Project condition. The specific improvements necessary to mitigate the significant project impacts in the Existing with Project condition are identified in the 2030 General Plan PEIR traffic study that was included by reference as stated on page iii of the project Draft EIR.

#### **Comment No. Card-6**

##### 4. Project Phasing Analysis

The purpose of the phasing analysis is to identify the general time period (in 5-year increments) when specific General Plan circulation improvements are warranted. These are not direct project impacts and should not be reported as such. It is suggested that the DEIR be revised to identify specific project impacts and mitigation based on the Existing with Project (Specific Plan build-out) condition and not the incremental phasing analysis. The phasing analysis cannot be used to identify direct project mitigation measures because additional no-project background traffic growth has been included, which also contributed to the mitigation requirements.

The improvements identified within the phasing analysis should not be considered mitigation measures to offset a project impact. Per the "Executive Summary of Project Impacts, Mitigation Measures and Impacts after Mitigation" in the DEIR Table 1-1), the common text for mitigation in each phase is "the developer shall implement improvements ..." There is no discussion of whether these improvements are satisfied through payment of the Traffic Impact Fee, nor is there discussion that these improvements are included in the 2008 Traffic Mitigation Plan. The DEIR should be revised accordingly. Again, these improvements cannot be directly attributed to the project since additional background traffic has also been included.

The DEIR states (on page IV.I-30), "should project development vary markedly from the currently proposed phasing plan, the City would employ an adaptive management strategy whereby each new development phase of the project would be subject to sequential analysis, requiring a new developer-paid traffic study, to determine which of the adopted mitigation measures would be required to mitigate the impacts of the revised project phase."

LSA agrees with this procedure, but not with the identification of specific mitigation measures as a result of the phasing analysis. As an alternative, a trip ceiling that identifies the maximum trips allowed before triggering a mitigation measure (similar to the Ormond Beach Traffic Impact Analysis) could be applied.

**Response to Comment No. Card-6**

The comment suggests that the number of trips be used to determine when and what phased mitigations are needed instead of the phased mitigations shown in the Draft EIR. The need for flexibility is recognized for this type of large specific plan with a long buildout scenario. Instead of a trip methodology, the following has been added to the traffic mitigation establishing all traffic improvements as part of an adaptive management mitigation program that requires and/or allows the City and/or subsequent developers to recalculate traffic counts, impacts, and mitigations throughout the buildout of the project.

**The following measures are part of an adaptive management mitigation program. The traffic improvements listed below as I-1 through I-34, inclusive, are intended to maintain Level of Service C with the development of the Project unless excepted by the City Council based upon the traffic modeling completed in February 2010 for the Draft EIR. Subsequent traffic studies required by the Specific Plan may change the number and type of improvements based upon phasing of development, traffic counts and future travel behavior. Adaptive management will allow consideration of such subsequent traffic studies in the implementation of the Transportation/Traffic mitigation measures. The February 2010 traffic modeling does not take into account the City's Intelligent Transportation Systems (ITS) project under construction in 2011. Similar ITS projects have improved travel time and speed by 12%-16% and decreased delay by 32%-44% (ATSAC evaluation study, 1994). As part of the adaptive management of the Transportation/Traffic mitigation measures, the implementation of such mitigation measures shall take into account when feasible the ITS, future traffic counts and updated trip generation data which may reduce, change or make unnecessary the mitigation measures while still achieving the City's adopted Level of Service, unless modified by City Council. The Developer's payment of applicable City and County traffic impact fees in the amount agreed to by the City, County and Developer or, if there is no agreement, in the amount in effect at the time of issuance of a building permit, satisfies in full the action required by Developer in connection with the implementation of the Transportation/Traffic mitigation measures. Developer may also contribute additional funds towards the traffic improvements subject to reimbursement from the City in the form of credits against future City traffic impact fees or repayment by the City.**

Details regarding the City's CSIF traffic fee program are provided below:

Per City Council Resolution 10,453, adopted September 8, 1992;

“6. Traffic studies shall include a list of intersections where the project will worsen the Intersection Capacity Utilization (ICU) numeric value of Level of Service (LOS) by 0.02 or more. This ICU List shall include intersections projected to be at LOS C with background traffic (existing, plus approved, plus pending projects), and LOS D, E or F with background traffic plus project-generated traffic (see Section 2(A) (2)). The City shall also prepare for each intersection on the ICU List a list of improvements necessary to mitigate the identified project impacts, and the developer shall prepare a cost estimate for each improvement, based on unit costs provided by the City.

7. The developer shall mitigate the project's impacts to the circulation system by:

(A) Construction of all master planned facilities within the project area, consisting of half the master planned roadways abutting the project area, plus one lane. 'Roadways' includes related improvements, such as sidewalks, curb, gutters and drainage facilities. 'Project area' means the area shown on the approved plans for the project.

(B) Construction of all improvements necessary to mitigate impacts to intersections that the ICU List shows will be worsened by 0.04 or more.

(C) Compliance with conditions imposed on the project, requiring:

1. Participation in assessment districts;

2. Acquisition of right of way for and construction of off-site driveways providing access to or from the project; and,

3. Construction of median openings and deceleration lanes providing access to or from the project.

8. The developer shall provide the mitigation measures required by Section 7 regardless of the cost thereof. In addition, when a project worsens the ICU at one or more intersections on the ICU List by 0.04 or more, and the combined cost estimate for the mitigation measures required by subsections (A) and (B) of Section 7 does not equal or exceed the mitigation limit, the City shall prepare an Impact List of additional off-site traffic mitigation measures for the project, listed in order of priority, with emphasis on improvement contained in the City's master plan of traffic circulation. 'The mitigation limit' means an amount equal to two times the project's traffic impact fee.

(A) If the combined cost estimate for subsections (A) and (B) of Section 7 is less than the mitigation limit, the developer shall construct additional mitigation measures or pay the cost thereof, whichever is determined by the Public Works Director, up to the mitigation limit. If additional mitigation measures must be constructed, the developer may select from the Impact List the mitigation measures the developer wishes to construct. However, the developer must select as least one mitigation measure from among the first three measures on the Impact List (unless the Public Works Director approves in writing the substitution of other mitigation measures) and must select additional mitigation measures, the combined estimated cost of which equals as nearly as possible, but does not exceed, the mitigation limit.

(B) If the selected mitigation measures do not exhaust the Impact List, and the combined cost of estimate for subsections (A) and (B) of Section 7, plus the selected mitigation measures, is less than the mitigation limit, and the estimated cost of each mitigation measure remaining on the Impact List exceeds the mitigation limit when added to the estimated cost of selected mitigation measures, and the City determines that it is not feasible for the developer to construct only a portion of a mitigation measure

remaining on the Impact List, the developer shall pay to the City the Difference between the estimated cost of the selected measures and the mitigation limit.

(C) If the combined cost estimate for subsections (A) and (B) of Section 7, plus all mitigation measures on the Impact List, is less than the mitigation limit but more than the traffic fee for the project, the developer shall construct all the mitigation measures on the Impact List, but shall not be required to pay to the City the difference between the estimated cost of the mitigation measures and the mitigation limit.

(D) If the combined cost estimate for subsections (A) and (B) of Section 7, plus all mitigation measures on the Impact List, is less than the mitigation limit and less than the traffic fee for the project, the developer shall construct all the mitigation measures on the Impact List and pay to the City the difference between the estimated cost of the mitigation measures and the traffic fee.

(E) If the estimated cost of the least expensive mitigation measure on the Impact List is more than the mitigation limit less the combined cost estimate for subsections (A) and (B) of Section 7, the developer will pay the balance of the mitigation limit to the City."

Basically, the project will construct mitigation measures until the 'Mitigation Limit' is exhausted. 'Mitigation Limit' means an amount equal to two times the project's traffic impact fee (see article 8).

### **Comment No. Card-7**

#### 5. Mitigation Measures/Traffic Impact Fee

A. As stated on page IV.I-52 of the DEIR, "for off-site impacted intersection improvements, the Project shall be responsible for a fair-share cost of the mitigation which, unless specifically excepted herein, is satisfied by payment of applicable City and County traffic impact fees." The mitigation measures in the Phasing Analysis are consistent with the General Plan; however, these improvements cannot be specifically identified in the City's Traffic Impact Fee program (Adjustment to Planned Traffic Circulation Facilities Fees [June 2007]). The current version of the fee program only provides an update (based on inflation) of the fees established in 1992 (see attached table). The fees cover the costs for several roadways; however, it is unclear what the roadway limits are (i.e., start and end points for each proposed roadway widening) and whether or not specific intersection turn-lane improvements, such as those identified in the mitigation measures, are included. The City should confirm in the DEIR that payment of the \$730/trip fee will mitigate the project impacts associated with this project, or provide detailed descriptions and cost calculations for each improvement covered by the traffic impact fee program.

The "Executive Summary of Project Impacts, Mitigation Measures and Impacts after Mitigation" in the DEIR (Table 1-I) describes the project's specific responsibility toward the impacts identified. The specific improvements listed state whether the project shall implement an improvement, pay a fair share, or provide a signal. This is not consistent with the typical condition that if the developer pays

the City and County's fee, which includes improvements at these specific locations, then this would adequately mitigate their project impacts.

In summary, the following text should be inserted in the Mitigation Measure column of Table 1-I (similar to the text included on page IV.I-52): "The project's responsibility for the mitigation measures is satisfied by payment of applicable City and County traffic fees."

Attachment: Traffic Impact Fees (page 000 159 of June 19, 2007, report)

### **Response to Comment No. Card-7**

The comment requests that the following text should be inserted in the Mitigation Measure column of Table 1-I (similar to the text included on page IV.I-52): "The project's responsibility for the mitigation measures is satisfied by payment of applicable City and County traffic fees." This request is made and the text change, "~~a fair share cost~~ applicable City and County traffic impact fees in the amount agreed to by the City and developer," is inserted in mitigations I-1 to I-34. Note, however, that the City's CSIF traffic fee program is governed by Resolution 10,453 as outlined in the response to the Card-6 comment, Sections 7 and 8.

### **Comment No. Card-8**

B. Rice Avenue/Gonzales Road is not currently approved as one of the intersections allowing an exception to the LOS C policy. Two alternative mitigation measures have been proposed in the DEIR section: (1) providing an additional northbound through lane, or (2) having the City Council make an exception to allow the intersection to operate below LOS C. Further widening the intersection of Rice Avenue/Gonzales Road to accommodate a total of 15 lanes across the intersection (north/south) would make using the intersection more difficult for pedestrians and bicyclists. Changing the acceptable LOS to LOS D at this location should be recommended for the mitigation measure for this intersection.

### **Response to Comment No. Card-8**

The comment requests changing the acceptable LOS to LOS D at the Rice Ave./Gonzales Road intersection should be recommended as the improvements needed to maintain LOS C would result in a very wide street that is undesirable for pedestrians and bicyclists. The rationale in the 2030 General Plan and adopted 2008 Traffic Mitigation Plan for making exceptions to the LOS C criteria is to avoid condemnation and displacement of residences and businesses to widen roads to achieve LOS C. These issues are not present at Rice Ave./Gonzales Road where there are no existing uses. However, the width of the intersection needed to achieve LOS C is also a safety concern for pedestrians attempting to cross the intersection. The Draft EIR must present all options so the elected officials can make the best decision regarding this intersection.

**LETTER NO. WOLCOTT**

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October 20, 2010

**Comment No. Wolcott-1**

This letter contains the comments of Sakioka Farms (the "Applicant" or "Developer") and its consultants based upon their review of the Draft Environmental Impact Report (the "DEIR") for Sakioka Farms Business Park Specific Plan (the "Specific Plan"), dated September, 2010, prepared by Christopher A. Joseph & Associates. Enclosed with this letter are comments provided by LSA Associates, Inc., dated October 1, 2010 (the "LSA Memorandum"). This letter is organized by section of the DEIR and the page numbers and paragraph references correspond to the same in the DEIR.

**Response to Comment No. Wolcott-1**

The comment states that comments from Sakioka Farms and its consultants are attached, a response is not required pursuant to CEQA.

**Comment No. Wolcott-2**

An overriding theme of the Applicant's comments is the inclusion in the DEIR of mitigation measures which primarily address existing City conditions and/or future City conditions which address growth and development outside the Project and not merely the impacts caused by the Project. The Project intends to address fully all mitigation measures directly related to the avoidable environmental impacts of the development of the Project. However, the Project should not be expected to address deferred or delayed municipal projects and/or community demands beyond the scope of the Project, and such City-wide projects should not be considered mitigation measures within the environmental impact report for the Project.

The City's authority to impose mitigation measures is governed by Public Resources Code section 21004 which states: "In mitigating or avoiding a significant effect of a project on the environment, a public agency may exercise only those express or implied powers provided by law other than this division [CEQA]." Under *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987), there must be an essential nexus between the mitigation measures and a legitimate governmental interest. Under *Dolan v. City of Tigard* (1994) 512 U.S. 374 and *Ehrlich v. City of Culver City* (1996) 12 Cal. 4th 854, the City may not impose mitigation measures that are not roughly proportional to the impacts caused solely by the project.

As further discussed below, there are mitigation measures for Transportation/Traffic, Fire and Water Supply which address City-wide issues and not impacts caused by the Project. To the extent that the City wants Developer to contribute to or participate in some way in City-wide projects, such contribution is a more appropriate subject for the Development Agreement. The inclusion of such mitigation measures in the Final EIR is misplaced and in conflict with California and Federal laws.

### **Response to Comment No. Wolcott-2**

The comment refers to the practice of many city and county governments to require a developer to install growth-required and necessary improvements at the developer's initial expense that contain supplemental size, capacity, number, or length for the benefit of properties and users now within the project itself and that these improvements may be dedicated to the public (GC 66485). A proportional share of the improvements is then reimbursed to the developer through a reimbursement agreement which is often contained within a development agreement or set by ordinance. Improvements are generally defined as street work and utilities, but also may include "...other specific improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, by any other entity approved by the local agency, or by a combination thereof, is necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan" GC 66419(b). Furthermore, rough proportionality or nexus does not apply to fees or other mitigation requirements that are adopted legislatively as regulations of general applicability (San Remo Hotel, L.P. v. City and County of San Francisco (9th Cir. 2004) 364 F.3d 1088). Therefore, the mitigation measures for Transportation/Traffic, Fire and Water Supply are legislative actions of general applicability and required in order to maintain consistency with the 2020 General Plan and its implementing Capital Improvement Plan, as amended.

### **Comment No. Wolcott-3**

#### I. Environmental Setting.

On Page II-4, please correct the APN references to the following: 216-030- 145,075, 155,105.

### **Response to Comment No. Wolcott-3**

The first paragraph of page II-4 **Description of the Project Site and Existing Land Uses**, is changed to read:

The project site consists of four parcels totaling 424.6 acres of land. The four Sakioka Farms-owned parcels (~~216-003-007/010/014/015~~) (216-030- 145,075, 155,105) total 422.56 acres in the City's GIS system, but does not include the publically-owned Del Norte Boulevard and Camino Street ROWs of approximately 8 acres for a combined total of approximately 430 acres.

### **Comment No. Wolcott-4**

#### II. Project (Plan) Description.

Page III-1: Please supplement the Proposed Objectives for the Project with the following objectives:

Project Objectives (Specific Plan)

- To establish a planning concept, design theme, development regulations and administrative procedures necessary to achieve an orderly and compatible development of the project area.
- To establish the general type, location, parameters and character of all development within the sites boundaries, while allowing for creative design ideas on individual projects consistent with an overall concept.
- To establish the alignment and design of a circulation system, and all public facilities and infrastructure necessary to implement a master planned business park.

**Response to Comment No. Wolcott-4**

Subsection **Objectives** on page III-1 is changed to read as follows:

The objectives of the Project, which is the adoption of a Specific Plan but referred to as a “project” for CEQA purposes, are set forth by the applicant as follows:

- Implement the goals and policies of the 2020 Oxnard General Plan by defining the physical development of the Sakioka Farms Business Park site, or the 2030 General Plan if adopted prior to action on the Project.
- Provide the framework and guidelines for a phased well-planned business park development and achieve a high level of quality design.
- Provide flexible business options – including a mix of business research, professional office, light industrial, and commercial – appropriate for regional freeway-adjacent uses and responsive to market conditions.
- Enhance the existing job base in the City of Oxnard through the creation of a broad range of employment and career opportunities.
- Allow the option of affordable housing and workforce housing to be developed in close proximity to employment centers.
- Allow continued agricultural cultivation throughout the buildout of the project.
- Other objectives listed in the Draft Specific Plan.
- To establish a planning concept, design theme, development regulations and administrative procedures necessary to achieve an orderly and compatible development of the project area.
- To establish the general type, location, parameters and character of all development within the sites boundaries, while allowing for creative design ideas on individual projects consistent with an overall concept.
- To establish the alignment and design of a circulation system, and all public facilities and infrastructure necessary to implement a master planned business park.

**Comment No. Wolcott-5**

Page III-13: Correct typo in line 2 of "Housing and Childcare" to read ten percent.

**Response to Comment No. Wolcott-5**

The City has an inclusionary affordable housing program that requires ten percent of new housing to be affordable. However, the rationale for possibly including housing in the project is to reduce vehicle miles travelled, traffic congestion, greenhouse gas emissions, contribute to improving jobs-housing balance, and provide affordable housing for at least some portion of the project's workforce. For this alternative to work, the affordability of the housing and the types of jobs created in the project should be roughly comparable. Therefore, the City's ten percent inclusionary requirement is a minimum that may be increased to better match the actual job profiles created by the project. If the project develops mostly low and moderate income jobs, then the affordable housing requirement should be proportionately higher so that the nearby local housing is affordable to some of the local workforce generated by the project and indirect physical impacts related to commuting are reduced. The maximum affordable housing requirement matches that provided by the Riverpark Specific Plan at 23%, some of which could be moderate income units. As the economic profile of future jobs created by the project is unknown, the affordable housing requirement must be flexible and determined on the best information available if/when housing is actually proposed. To allow for that adaptive management mitigation, the first sentence of the first paragraph under the heading Housing and Childcare on page III-13 has been revised to read as follows:

Optional residential uses would be permitted within Planning Areas 2, 3, and 4 in place of light industrial uses. Affordable housing would be addressed within each residential project. A minimum of Ten percent of the total units within each project or a percentage determined by an economic impact assessment that estimates the need for very low and low income housing created by actual and anticipated development with the Specific Plan, whichever percentage is higher but not to exceed 23 percent, would be ~~set aside~~ developed as affordable housing in a manner consistent with the City's inclusionary housing program for qualified low and moderate income households, to be determined by an economic impact assessment that estimates the need for very low and low income housing created by the actual and anticipated development and the wages paid to their employees. The intent is that an appropriate portion of the demand for affordable housing created by the Project may need to be partly satisfied within the Project if the City or region are not providing enough affordable housing. Low income households are between 60 and 80 percent of the Ventura County median income and moderate is between 80 and 120 percent. An additional ten percent of the total units would be made available as workforce housing for households with incomes between 120 and 150 percent of the County's median income.

Population and Housing mitigation measure L-1 is restated as follows:

**L-1** If there is a housing component within the Project of over 10 units, ten percent of the total units within each project or a percentage determined by an economic impact assessment that estimates

the need for very low and low income housing created by actual and anticipated development with the Specific Plan, whichever percentage is higher but not to exceed 23 percent, would be developed as affordable housing in a manner consistent with the City's inclusionary housing program for qualified low and moderate income households, to be determined by an economic impact assessment that estimates the need for very low and low income housing created by the actual and anticipated development and the wages paid to their employees. This information shall also be reflected in the Specific Plan document under section 4.7, Affordable Housing. ~~the affordable housing requirement shall be a minimum of 15 percent to a maximum of 21 percent, composed of equal portions for very low, low, and moderate income households. The affordability requirement shall be determined by a nexus study that estimates the incomes of current and projected employees within the Project compared to the availability of correspondingly affordable housing within the commute shed.~~

### **Comment No. Wolcott-6**

III: Environmental Impact Analysis.

I. Transportation/Traffic.

Please refer to the detailed comments of LSA Associates, Inc. in the LSA Memorandum enclosed with this letter which are summarized as follows:

### **Response to Comment No. Wolcott-6**

The comment states that detailed comments from LSA Associates are attached. Comments received from the LSA Associates have been responded to separately as Comments Card-1 through Card-8.

### **Comment No. Wolcott-7**

1. The DEIR should be revised to eliminate all deficiencies and impacts associated with the five intersections that are LOS D (or LOS F at Five Points) or better.

### **Response to Comment No. Wolcott-7**

Refer to Response to Comment Card-2.

### **Comment No. Wolcott-8**

2. There is no technical foundation for determining that a 0.02 increase in ICU at an LOS C intersection is a significant impact, and the DEIR should be revised to eliminate the characterization of such increase as a significant impact.

### **Response to Comment No. Wolcott-8**

Refer to Response to Comment Card-3.

**Comment No. Wolcott-9**

3. With respect to the US-101 Analysis:
  - a. Based upon the performance criteria in the DEIR, the southbound freeway segment (south of the Project) is not impacted by the Project by an increase of 0.82 to 0.87.
  - b. A significant Project impact does not occur in the northbound or southbound freeway directions, because US-101 will not exceed the LOS E standard for CMP facilities. Therefore, the DEIR should be revised to incorporate the CMP thresholds of significance and eliminate all deficiencies and impacts associated with freeway segments operating at LOS E or better.
  - c. The DEIR states that the addition of a fourth lane in both the northbound and southbound directions will mitigate the Project's alleged impact on US-101 but does not identify the Project's fair share of such improvements..

**Response to Comment No. Wolcott-9**

Refer to Response to Comment Card-4.

**Comment No. Wolcott-10**

4. The DEIR and related Traffic Study should be revised to identify the specific improvements necessary to mitigate the significant Project impacts in the "Existing With Project" condition.

**Response to Comment No. Wolcott-10**

Refer to Response to Comment Card-5.

**Comment No. Wolcott-11**

5. The identification of specific mitigation measures should not be tied to the phasing plan. As an alternative, a trip ceiling that identifies the maximum trips allowed before triggering a mitigation measure (similar to the Ormond Beach Traffic Impact Analysis) could be applied.

**Response to Comment No. Wolcott-11**

Refer to Response to Comment Card-6.

**Comment No. Wolcott-12**

6. The following text should be inserted in the Mitigation Measures of the Transportation/Traffic Section: "The Project's responsibility for the Transportation/Traffic mitigation measures is satisfied in full by payment of applicable City and County traffic fees."

**Response to Comment No. Wolcott-12**

Refer to Response to Comment Card-7.

**Comment No. Wolcott-13**

7. The acceptable LOS for the Rice Avenue and Gonzales Road intersection should be LOS D.

**Response to Comment No. Wolcott-13**

Refer to Response to Comment Card-8.

**Comment No. Wolcott-14**

The following are additional comments on the Transportation/Traffic section of the DEIR.

Page IV.I-30: The DEIR states that if the "Project development vary markedly from the currently proposed phasing plan" each new development phase would require a new traffic study. As noted in the LSA Memorandum, the phasing of the Project is not relevant to the identification of mitigation measures. The DEIR is required to address the impacts of the Project at its full buildout. In addition, the DEIR states that new traffic studies will be required for a building exceeding 250,000 gsf or at the discretion of the Public Works Director or City Traffic Engineer. The impacts of the Project upon traffic/transportation will be addressed by trip generation counts in accordance with the Specific Plan and not based upon the size of individual buildings or future traffic studies.

**Response to Comment No. Wolcott-14**

Refer to Response to Comment Card-6.

**Comment No. Wolcott-15**

Pages IV, I-54 to I-57: Mitigation Measures I-1 through I-34 are a substantial and lengthy list of circulation/traffic improvements. Developer is either required to construct the improvements or pay its fair share of the costs of such improvements. The DEIR lacks critical information to support its imposition of such mitigation measures:

1. The nature of the improvements is not sufficiently described. Without such information, it is not possible to estimate its costs.
2. The DEIR does not contain any estimate of the cost of the improvements.
3. The DEIR does not define the Project's "fair share" of the cost of the improvements and therefore does not satisfy the requirement that the mitigation measures be roughly proportional to the impacts of the Project.

4. The DEIR does not identify which traffic improvements will be funded (and thereby satisfied) by Developer's payment of traffic fees. As noted in the LSA Memorandum, Developer's payment of traffic fees imposed by the City and County should satisfy Developer's responsibility for such mitigation measures.
5. Since the DEIR does not contain any analysis as to how much Developer must pay toward the improvements, the DEIR cannot determine with any reasonable accuracy if Developer's payment of traffic impact fees will be sufficient to pay for such improvements and if not from what source the balance of the funds would be obtained.
6. As noted in the LSA Memorandum, the mitigation measures improperly take into account the impacts of growth outside the Project and thus are not limited to the impacts of the Project. See in particular Mitigation Measure I-33A regarding the intersection at Rice and Gonzales.

Without the foregoing information and analysis the DEIR does not meet the requirements of CEQA.

**Response to Comment No. Wolcott-15**

Refer to Response to Comment Card-7 and Wolcott-12.

**Comment No. Wolcott-16**

J. Air Quality.

Page IV.J-28: Mitigation Measure J-3 requires that all structures be designed to exceed the energy efficiency requirements of Title 24 by at least fifteen (15) percent. However, there is no justification or legal basis to require the Project to exceed existing standards. Reference to an additional 15% compliance mayor may not make sense depending upon whether the requirement can be expressed as a numerical formula. Suppose the requirements (sic) refers to a type of building material. How does the 15% apply to building materials?

**Response to Comment No. Wolcott-16**

As shown in Table IV.J-4, as revised in the Response to Comment No. Stratton-2, the operational emissions of the proposed Project would greatly exceed the thresholds of significance recommended by the Ventura County APCD and would, therefore, be considered significant. Included in these numbers are the emissions associated with energy use within the buildings at the Project site. These numbers also assume that the buildings would comply with all applicable current building codes and standards. The now adopted California Green Building Code requires and encourages new construction to achieve more than a 15 percent reduction in energy usage when compared to the State's mandatory energy efficiency standards. The fifteen percent requirement is therefore removed from mitigation measure J-3 as shown below:

**J-3** This is an adaptive management mitigation measure. The Project developer shall include in construction and building management contracts one or more of the following requirements or other measures shown to be equally effective:

- ~~• All structures developed with the Project shall achieve a Tier 1 “green building” designation within the meaning of the California Green Building Code, Chapter 5, Section 503 by exceeding the 2007 California Energy Code requirements by 15 percent.~~
- Use solar or low-emission water heaters in new buildings where feasible and as in common practice in similar new construction in the Oxnard area.
- Require that commercial landscapers providing services at the common areas of project site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).
- Provide bus stops pull-out areas, and/or shelters at locations along and within the Project site. The number and location of bus stops shall be determined in consultation with Gold Coast Transit and the City Traffic Engineer. Cumulative air quality impact fees (see Mitigation J-6) paid by the Project developer or subsequent interests may be used for some or all of these structures or as credits against the fee and/or to be funded from the fee fund consistent with the City’s practice with other projects with similar transit-oriented mitigation requirements.

#### **Comment No. Wolcott-17**

Page IV.J-29: Mitigation Measure J-4 requires the preparation of a Project-wide TDM program within one year of the adoption of the Project. Considering the size and scope of the Project the timing of the preparation of the TDM program appears to be slightly premature. The TDM program should be developed over time as buildings are occupied on the Project site. Guidelines for the implementation of the TDM should be addressed in the Specific Plan and/or Development Agreement. The TDM requirements applicable to the Project should be comparable to other TDM programs in the City, not just new development. Further, the Development Services Director should not be given discretion whether to apply trip reductions to traffic fees and/or modifying traffic-related mitigation. The reduction of traffic fees and modification of traffic-related mitigation measures should be mandatory, not at the discretion of the Development Services Director.

#### **Response to Comment No. Wolcott-17**

The comment states that TDM requirements applicable to the Project should be comparable to other TDM programs in the City. As discussed in the previous response, the operational emissions of the proposed Project would greatly exceed the thresholds of significance recommended by the Ventura County APCD and would, therefore, be considered significant. The great majority of these emissions would be generated by motor vehicles. Mitigation measure J-4 is a direct effort to reduce the number of vehicles

traveling to and from the Project site by site employees. Given the size and scale of the Project along with the long-term timeframe of development, it is the City's opinion that it would be best to start the TDM process early in the development of the project so that the TDM effort is incrementally implemented and updated as warranted on a consistent basis. The initial effort may simply involve the noticing of future owners and tenants that a TDM applies to their project and that they would be involved in developing TDM measures to meet specific reduction or avoidance targets. The plan may be less effective if early tenants to the site are asked at a later date to participate in a TDM program if they have not had to do so earlier in their operation. This noticing is routinely applied by the City to discretionary projects as a condition of approval. The applicant may choose to address the guidelines for implementation of the TDM program in the Specific Plan and/or the Development Agreement, but since that has not occurred at this time, the requirement for the TDM program shall be listed as an adaptive management mitigation measure for the Project.

### **Comment No. Wolcott-18**

#### M. Public Services.

##### 1. Fire

Page IV.M. M-5: Developer has agreed to provide 1.5 acres of land for the new fire station site if and only if the City approves the Development Agreement. The dedication of the land for the fire station site only occurs if the Development Agreement is approved and only at such time as the City and Developer mutually agree. The responsibility for the construction of the fire station is an open issue. A fire station was intended to be built as part of the Northeast Community Specific Plan, adopted December 1993 ("NECSP"). The Mitigation Monitoring Program of the NECSP includes a mitigation measure to construct a fire station in the vicinity of Rice Road and Highway 101 before 50% of the Specific Plan is implemented. Since the fire station was never built, the City seeks to impose the NECSP mitigation measure entirely on the Sakioka Project. The implication in the DEIR that the construction of the fire station in the first phase of the Project is necessary to mitigate the impacts of the Project is erroneous and misleading. The requirement of a new fire station is not roughly proportional to the fire services required by the Project.

### **Response to Comment No. Wolcott-18**

The comment states that the requirement of a new fire station is not roughly proportional to the fire services required by the Project. The Oxnard Fire Department has determined after reviewing its current service capacity, current demands for service, and anticipated increases in demands for service from other projects that 1.7 million square feet (20 percent of the Specific Plan) could be developed within the Specific Plan before the fire station is required. As completion and commissioning of the fire station would be expected to take two years from start of its construction, the Applicant would want to time construction to coincide with the issuance of building permits beyond 1.7 million square feet. Given the size and scale of the Project along with the extended timeframe of development, it is the City's opinion that it would be in the best interest of the safety of future developments within the Sakioka Farms

Business Park Specific Plan Area to have a functioning fire station in close proximity to the new structures; details regarding the development of this station and associated costs would be stipulated to under the Development Agreement.

Mitigation measure M.1-1 is added as follows:

M.1-1 The Specific Plan permits the development of 1.7 million square feet of development (approximately 20 percent of allowed development by the Specific Plan) prior to the completion of a fully operational fire station. The exact location of an approximately 1.5-acre site near Rice Avenue and the easterly extension of Gonzales Road and construction of the fire station are subject to a future agreement among City, Oxnard Fire Department (OFD) and Developer.

### **Comment No. Wolcott-19**

#### N. Utilities

##### 1. Water Supply

In addition to requiring that development of the Project be water neutral (which in and of itself mitigates the impact of the Project on water usage), Mitigation Measure N-12 requires Developer to contribute nearly \$4 million to a 4.5 mile recycled water supply pipeline commencing at the intersection of Ventura Blvd. and Fifth Street. The imposition of this mitigation measure is flawed in many respects:

- a. The DEIR contains no discussion regarding how the \$4 million contribution addresses the impacts of the Project upon the City's recycled water system.
- b. The DEIR does not contain any analysis as to whether Mitigation Measure N-12 satisfies some or all of the Project's requirement to be water neutral.
- c. Mitigation Measure N-2 requires the Project to provide its own recycled water system that serves all practical irrigated areas.
- d. There is no description of the actual route of the recycled line.
- e. The DEIR contains no technical support for its conclusion that the Project's estimated share is 55%.
- f. The possibility that other recycled water users may "buy into the water line under a cost sharing program to be developed by the Director of Public Works" does not provide any assurances that Developer will not bear the entire cost of the pipeline.

**Response to Comment No. Wolcott-19**

The comment states that Mitigation Measure N-12 is flawed in the listed manner. The mitigation is restated as shown below:

**N-12** This is an adaptive management mitigation measure. The Project's annual water supply deficit of 330 acre feet was estimated using 2010 water use estimates for the theoretical buildout of the entire project. Actual water demand over the buildout of the Project is likely to change as actual development and uses occur and changing water consumption. Subsequent water demand/supply analyses required by subsequent CEQA review may change water supply needs relative to the City's future water supply. The Draft 2010 Urban Water Management Plan (UWMP) incorporates the Project's water demand as proposed. Should subsequent project development incur water demand in excess of that anticipated by the adopted 2010 UWMP and/or the City's water supplies are reduced below those anticipated by the adopted 2010 UWMP, the Project developer shall, to the extent feasible, implement one or more, but not limited to, the following adaptive measures to remain water neutral to the City's available and projected supply at the time of subsequent project approvals that involve a Negative Declaration, Mitigated Negative Declaration, or Subsequent EIR:

**N-12.1** The Project developer shall provide to the City additional water rights of at least the shortage amount.

**N-12.2** The Project developer shall provide to the City water supplies equal to the shortage amount until City supply is adequate.

**N-12.3** The Project developer shall provide to the City permanent quantified water offsets in the form of recycled water.

**N-12.4** The Project developer shall provide to the City financial contributions towards City programs which generate in-City water conservation or recycled water capacity or conveyance.

**N-12.5** The Project developer shall participation in other similar programs with cumulatively result in an adequate water supply contribution.

~~In order to negate the Project's projected annual water supply deficit of 330 acre feet and achieve the water neutral policy established by the City Council, the Developer shall participate in the financing of an approximately 4.5 mile recycled water supply branch pipeline commencing at the intersection of Ventura Road and Fifth Street, going east along Fifth Street to Oxnard Boulevard, north on Oxnard Boulevard to Camino del Sol, east on Camino del Sol to Rose Avenue, and north on Rose Avenue to Gonzales Road, then from there into the Project's recycled internal pipelines required by mitigation N-2. The pipeline varies in width from 16 to 12 inches and a more feasible and/or less expensive alternative route may be substituted by the Director of Public Works. The Project's estimated share of the total expense is approximately 55 percent, or \$3,930,720 which includes a 20 percent contingency. This Project's obligation may be proportionately reduced and/or refunded should other recycled water users buy into the water line under a cost sharing program to be developed by the Director of Public Works. This pipeline is required to be in place and operational when, and if, the cumulative actual and~~

~~projected potable water demands of subsequent development exceed the transferred ground water credits transferred to the City.~~

### **Comment No. Wolcott-20**

Page IV.N-35 Mitigation Measure N-13 requires Developer to construct an 18-inch 900 foot long potable water pipeline from the intersection of Solar Drive and Gonzales Road eastward and connecting to the Project's potable pipeline. Developer's contribution to NIAD satisfied Developer's obligation to mitigate the impacts of the Project upon potable water supply.

The City's prior granting of capacity to other developers should not require the Project to make up any deficit.

### **Response to Comment No. Wolcott-20**

The comment states that mitigation N-13 was satisfied by the developer's contribution to the Northeast Industrial Assessment District. Mitigation N-13 is restated below which removes the reference to the 18-inch 900 foot long potable water pipeline from the intersection of Solar Drive and Gonzales Road as a requirement for the project. The 18-inch 900 foot long potable water pipeline is considered within the scope of the City's water distribution capital improvement program that is funded by enterprise funds.

Mitigation N-13 now refers to the project being required to pay applicable connection fees and/or participate in a assessment district related to the construction of a recycled water supply pipeline that will connect into the Project's recycled internal pipelines, when and if such a project is undertaken.

**N-13** The Project developer shall, in a manner as agreed to in the development agreement, participate in an assessment district or similar financing instrument for the construction of a recycled water supply pipeline that will connect into the Project's recycled internal pipelines required by mitigation, or pay applicable connection fees to connect to the City's recycled water line when requested.

~~The Project shall construct an 18-inch potable water pipeline approximately 900 feet in length from the intersection of Solar Drive and Gonzales Road eastward and connecting to the Project's internal potable pipeline system at Rice Avenue. The estimated cost is \$370,000 which includes a 20 percent contingency. This pipeline connector and related equipment shall be completed and operable prior to completion of any structure in Planning Areas 1, 2, or 3 or as determined by the Director of Public Works.~~

### **Comment No. Wolcott-21**

#### 2. Waster (sic) Water

Page IV.N-14 Mitigation Measure N-38: Page IV.N-38 states that "prior to recordation of the final map, the developer/project applicant shall enter into an agreement with the City which specifies the funding mechanism for all wastewater conveyance facilities." This requirement to enter into a future

agreement without any specified terms or conditions is not appropriate in the context of the DEIR and should be deleted in its entirety.

#### **Response to Comment No. Wolcott-21**

Page IV.N-14 is a discussion of the City's water supply and climate change effects. There is no mitigation measure N-38 in the Draft EIR, neither are there any mitigation measures associated with waste water as the Draft EIR states on page IV.N-44 that "The impact of the proposed project on sewer services would be less than significant." No further response is required.

#### **Comment No. Wolcott-22**

Most importantly, the City may not use the DEIR as a vehicle to impose obligations upon the Developer which are intended to address existing and future City-wide problems. The City desires to use the Sakioka Farms DEIR to create a source of funding for existing and future City-wide deficiencies in traffic circulation, fire service and recycled water facilities far in excess of the impacts of the Project. These include the obligation of Developer to contribute \$3 Million for the construction of a fire station (in addition to the dedication to the City of a 1.5 acre site), \$4 Million for the construction of a recycled water supply pipeline and other off-site master planned facilities and a \$300,000 annual contribution to a Maintenance Community Facilities District for City landscaping, parks and other recreational facilities. By labeling such contributions as mitigation measures, the City incorrectly implies that the mitigation measures are necessary to mitigate environmental impacts of the Project. The City must eliminate from the DEIR any mitigation measure which is not in fact addressing the impacts of the Project, including, without limitation, the foregoing obligations, which may be discussed in the context of the Development Agreement.

#### **Response to Comment No. Wolcott-22**

The comment states that the City must eliminate from the DEIR any mitigation measure which is not in fact addressing the impacts of the Project, listed in the comment. Refer to Response to Comment Wolcott-2.

#### **Comment No. Wolcott-23**

Sakioka Farms and its consultants reserve the right to make further comments to the DEIR and any changes to the DEIR. We are available to meet and discuss any of the foregoing comments.

#### **Response to Comment No. Wolcott-23**

This comment states that Sakioka Farms and its consultants reserve the right to make further comments to the DEIR and any changes to the DEIR. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

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## **IV. ADAPTIVE MANAGEMENT MITIGATION MONITORING AND REPORTING PROGRAM**

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### **Exhibit A**

#### **Adaptive Management Mitigation Monitoring and Reporting Program for the Sakioka Farms Business Park Specific Plan Incorporating Mitigation Measures from the Sakioka Farms Business Park Specific Plan Final EIR**

Adaptive Management shall be applicable to any Mitigation Measure which states that it is an Adaptive Management Mitigation Measure. Adaptive Management allows for the continuing consideration of mitigation measures based an evaluation of environmental conditions at the actual time of their proposed implementation, and their effectiveness in achieving the adopted objectives of the Final EIR which are an impact level of less than significant, unless otherwise stated. Adaptive management would not require exceeding the level or extent of stated mitigation measures as specified in the Final EIR unless established by subsequent CEQA review.

Mitigation Measure	Action Required	Timing	Enforcement Agency
<b>CULTURAL RESOURCES</b>			
<p><b>A-1</b> This is an adaptive management mitigation measure. The Project developer and/or subsequent responsible parties shall contract with a qualified archaeologist to monitor initial grading and excavation in excess of three feet. In the event that any historic or prehistoric cultural resources are discovered, they will be evaluated in accordance with the procedures set forth in CEQA Section 15064.5. If the evaluation determines that such resources are either unique or significant archaeological, paleontological, or historic resources and that the Project would result in significant effects on those resources, then further mitigation would be required. In cases where the resources are unique, then avoidance, capping, or other measures, including data recovery, would be appropriate mitigation. If the resources are not unique, then recovery, without further mitigation, would be appropriate.</p>	<p>Project developers shall provide a copy of a contract for services to the City for review and approval as part of each planning and/or building permit application unless an active contract is on file. Developers shall provide reports to the City for review in the event that any historic or prehistoric cultural resources are discovered during periods of actual grading and/or trenching deeper than three feet.</p>	<p>Contract provided or on file as part of the determination of a complete application. Reports provided as warranted during site grading activities and finalized prior to approval of final building certificate(s) of occupancy signature.</p>	<p>City of Oxnard Planning Division and Engineering Services Division.</p>
<p><b>A-2</b> This is an adaptive management mitigation measure. The Project developer and/or subsequent responsible parties shall contract with a Native American monitor to be present during all subsurface grading, trenching, or construction activities in excess of three feet on the Project site. The monitor shall provide a monthly report to the Planning Division summarizing the activities during the reporting period. If any qualifying</p>	<p>Project developers shall provide a copy of a contract for services to the City for review and approval as part of each planning and/or building permit application unless an active contract is on file. Developers shall provide reports to the City</p>	<p>Contract provided or on file as part of the determination of a complete application. Reports provided as warranted during site grading activities and finalized prior to approval of final</p>	<p>City of Oxnard Planning Division and Engineering Services Division.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>cultural materials are encountered during this phase of project construction, construction activities on the project site shall be halted immediately, and the Project developer shall notify the City. If any find were determined to be significant by the Native American monitor, the City and the Native American monitor would meet to determine the appropriate course of action. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. A final monitoring report(s) shall be provided to the Planning Division prior to approval of final building certificate(s) of occupancy signature.</p>	<p>for review in the event that cultural materials or human remains are discovered during grading and/or trenching deeper than three feet. If materials are encountered, construction activities shall be halted immediately so as to not disturb the remains and the Developer shall notify the City for further consultation.</p>	<p>building certificate(s) of occupancy signature.</p>	
<b>LAND USE AND PLANNING</b>			
<p><b>B-1</b> If the Oxnard 2030 General Plan is adopted before the Final Sakioka Farms EIR is certified or the Development Services Director determines that the Sakioka Farms Specific Plan final adoption actions are likely to occur after adoption of the Oxnard 2030 General Plan, a 2030 General Plan consistency analysis shall be completed by the City and reimbursed by the Applicant. The 2030 General Plan consistency analysis shall, at a minimum, be prepared as an Addendum to the Draft or Final Sakioka Farms EIR, whichever is applicable. If the 2030 General Plan consistency analysis identifies significant impacts and/or new or modified mitigations, the appropriate CEQA required actions shall be taken, the costs of which</p>	<p>If determined to be required, a 2030 General Plan consistency analysis shall be completed by the City and reimbursed by the Project applicant.</p>	<p>Prior to adoption of the Project Specific Plan and Final EIR.</p>	<p>City of Oxnard Planning Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
are to be reimbursed by the Applicant consistent with the City’s CEQA review policies and practices.			
<b>AGRICULTURAL RESOURCES</b>			
The Project together with other pending urban development projects in the City, even after application of the following mitigation measures, will result in a cumulative effect on agricultural resources that is considered significant and unavoidable. Accordingly, a Statement of Overriding Considerations was prepared in accordance with CEQA and included within the resolution approving the Specific Plan.			
<b>C-1</b> This is an adaptive management mitigation measure. The Project developer shall offer, at cost, the top 12 inches of the Prime Farmland soils (at 100 acres) for relocation to a farm site or farm sites that have lower quality soils. The cost will include the suitable replacement soil, if needed for site improvements. This mitigation may occur in phases as the areas with Prime Farmland are incrementally developed.	The Project developer shall provide a copy of the published advertisement offering, at cost, the top 12 inches of the Prime Farmland soils for relocation to a farm site or farm sites that have lower quality soils to the City.	At least 30 days prior to issuance of grading permits for the area subject to the mitigation.	City of Oxnard Planning Division
<b>C-2</b> This is an adaptive management mitigation measure. The Project developer shall install a fence or wall with a minimum height of eight (8) feet along the eastern perimeter of the project site that abuts the unincorporated portion of Ventura County when developed is proposed east of Del Norte Boulevard. Fencing may be required between developed phases of the Project and continuing agricultural operations on the remaining Project site based on subsequent entitlement actions.	Project developer shall provide a copy of the building plans that show the specifications and location for the perimeter wall or other buffer fencing as needed during phased development.	Prior to approval of grading permits	City of Oxnard Planning Division, Engineering Services, or Public Works depending on the type of permit.
<b>C-3</b> This is an adaptive management mitigation	The Project developer shall	Pamphlet prepared	City of Oxnard Planning

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>measure. In order to buffer on- or off-site agricultural land uses and on-site non-agricultural uses either of the following measures may be undertaken to allow scheduled Restricted Materials applications by an on- or off-site farmer; 1) closure of the buildings during periods when restricted materials will be used on the adjacent farmland parcels or 2) notification, consistent with common-practice in Ventura County, of building occupants and/or building managers that normal farming activities will occur nearby from time to time which can include noise, mild dust, and odors; that inert and non-toxic substances are frequently used by farmers which should be of no concern to people nearby, and that actual chemical spray drift from farms is rare and should not be misperceived.</p>	<p>prepare a pamphlet regarding the potential of nearby farming activities to impact Sakioka Farms development and distribute it to purchasers and/or developers of individual building sites and to new building occupants within the proposed project area whose parcels could be impacted by this activity. The Sakioka Farms Specific Plan Covenants, Conditions and Restrictions (CC&amp;Rs) shall require the Project developer provide the pamphlet to subsequent buyers and occupants of buildings on those parcels.</p>	<p>prior to final approval of the first subdivision tract map and available to all subsequent property owners, developers, and agents.</p>	<p>Division with the invited review by the Office of the Ventura County Agricultural Commissioner.</p>
<b>BIOLOGICAL RESOURCES</b>			
<p><b>E-1</b> This is an adaptive management mitigation measure. In order to avoid adverse impacts to nesting birds, including nesting migratory birds known to exist in the trees (if any) on the Project site, during construction activities, ground vegetation removal activities must take place outside of the nesting season recognized by the California Department of Fish and Game for species in this area. If vegetation removal activities</p>	<p>The Project developer shall limit site grading activities to September 1st through February 14th or as recognized by the California Department of Fish and Game for species in this area. This mitigation measure shall be printed on</p>	<p>Prior to issuance of grading permits unless the entire grading area was in active agriculture production within the previous 30 days.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>occur during the nesting season, a qualified ecologist/biologist must be present to monitor the removal activities to ensure that no active nests will be impacted. If nests are found, a 300 foot (500 feet for raptors) buffer radius shall be established until the young have fledged. If nests are observed and lesser buffer distances are desired, the biological monitor shall confer with Planning and Fish and Game staff to determine an appropriate buffer distance based on species specific requirements. This measure does not apply to agricultural row crops.</p>	<p>project grading plans. Developer shall provide a copy of a survey report from a recognized biologist monitor if non-agricultural vegetation removal occurs during the specified period .</p>		
<p><b>E-2</b> This is an adaptive management mitigation measure. Prior to processing the initial tract map for a planning area that could lead to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, prepare and submit to the Corps for verification a “Preliminary Delineation Report for Waters of the U.S.” and a Streambed Alteration Notification package to CDFG for the irrigation drainage features. If these agencies determine that the feature is not regulated under their jurisdiction, then no further mitigation is necessary. However, if the Corps considers the feature to be jurisdictional through a “significant nexus” test per recent Corps and EPA guidance,<sup>1</sup> then a Clean</p>	<p>The Project developer shall provide a copy of the Preliminary Delineation Report for Waters of the U.S. and either verification by the U.S. Army Corps of Engineers and the CDFG that the drainage feature is not regulated or a copy of the Clean Water Act Section 404 permit and the Streambed Alteration Agreement to the Planning Division to keep with the project files.</p>	<p>Prior to processing the initial tract map for a planning area containing potentially jurisdictional irrigation drainage features, or, as an alternative, a verification document for the entire Specific Plan area acceptable to the Director of Public Works.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>

<sup>1</sup> U.S. Environmental Protection Agency and U.S. Department of the Army. 2007. *Clean Water Act Jurisdiction Following the U.S. Supreme Court’s Decision in Rapanos v. United States & Carabell v. United States. June 5, 2007.*

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>Water Act Section 404 permit shall be obtained from the Corps, and any permit conditions shall be agreed to, prior to the start of construction activities in the affected area. If CDFG determines that the drainage is a regulated “streambed”, then a Streambed Alteration Agreement shall be entered into with CDFG and any associated conditions shall be agreed to prior to the start of construction in the affected area.</p>			
<p><b>E-3</b> This is an adaptive management mitigation measure. In order to prevent unauthorized impacts to jurisdictional features, the following permits shall be issued and/or reports approved (or exemptions issued) by the respective resource agency, and any associated conditions of approval shall be agreed upon, prior to processing the initial tract map for a planning area that could lead to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, subsequent to adoption of the Project (i.e. Specific Plan):</p> <ul style="list-style-type: none"> <li>• Clean Water Act Section 404 Permit from the Corps,</li> <li>• Streambed Alteration Agreement under Section 1600 of the Fish and Game Code from CDFG,</li> <li>• Clean Water Act Section 401 Water Quality Certification or Waste Discharge Requirements from the RWQCB.</li> </ul>	<p>The Project developer shall provide a copy of the Preliminary Delineation Report for Waters of the U.S. and either verification by the U.S. Army Corps of Engineers and the CDFG that the drainage feature is not regulated or provision of the approved Mitigation Plan, the Clean Water Act Section 404 permit, the Clean Water Act Section 401 permit, the Streambed Alteration Agreement and the RWQCB Waste Discharge Requirements to the Planning Division submitted to the County along with copies to keep with the project files.</p>	<p>Prior to processing the initial tract map for a planning area containing potentially jurisdictional irrigation drainage features, or, as an alternative, a verification document for the entire Specific Plan area acceptable to the Director of Public Works.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>If the irrigation ditches are determined as jurisdictional by the Corps, it will be necessary to insure adequate compensation for adverse impacts to jurisdictional features from Project development. If applicable, a Mitigation Plan shall be prepared by a qualified biologist. The Mitigation Plan shall describe and justifying the (1) formal delineation; (2) proposed methods including timing, materials, and erosion control measures; (3) the proposed location for the replacement areas; and (4) habitat protection measures (including a mechanism for permanent preservation of the area supporting the replacement habitat). The Mitigation Plan shall be submitted to and approved by the County, Corps, CDFG, and RWQCB prior to initiation of construction activities.</p>			
<p><b>E-4</b> This is an adaptive management mitigation measure. If required to compensate for riparian habitat loss by the Corps, the project applicant will place under conservation easement in a manner acceptable to the Corps and the California Department of Fish and Game an area of riparian habitat that will accommodate constructed replacement at a ratio to be determined during the formulation of a Lake and Stream Alteration Agreement (i.e. a number of acres of constructed riparian habitat). This conserved riparian habitat must be of the same or higher quality as the habitat that is to be removed as a result of the Project.</p> <p>-- or --</p>	<p>If required, the Project developer shall provide a copy of the conservation easement or proof of the purchase of the requisite number of credits from a nearby qualified conservation bank to the Planning Division to keep with the project files.</p>	<p>Prior to processing the initial tract map for a planning area containing potentially jurisdictional irrigation drainage features, or, as an alternative, a verification document for the entire Specific Plan area acceptable to the Director of Public Works.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>The Project applicant will purchase the requisite number of credits from a qualified conservation bank. The Project applicant can only purchase credits from those banks that sell credits covering the riparian species to be affected by the proposed Project or as approved by the Corps or agency of jurisdiction.</p>			
<p><b>E-5</b> This is an adaptive management mitigation measure. Prior to construction of the Planning Area 1, located adjacent to the Ventura Freeway, a qualified ecologist/biologist shall determine the presence and extent/absence of monarch butterfly activity surrounding the proposed construction area if any mature windrow trees are present. If temporary aggregation activity is observed within this area, construction shall be halted until after the temporary aggregation season (September – December) or until the monarchs have left the vicinity.</p>	<p>The Project developer shall limit site grading activities in Planning Area 1 to January 1st through February 14th as specified in project grading plans; or provide a copy of the survey report and the contract for biologist monitor contract to the City for review and approval.</p>	<p>Prior to issuance of grading permits and/or planning permits, whichever occur first, within each planning area in Planning Area 1.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>
<b>GEOLOGY AND SOILS</b>			
<p><b>F-1</b> This is an adaptive management mitigation measure. <i>Conduct Geotechnical Investigations and Adhere to Recommendations:</i> Detailed design level geotechnical investigations shall be performed by qualified licensed professionals for each individual proposed project/phase of the Sakioka Farms Business Park Specific Plan project. These geotechnical investigations shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• identification of unsuitable soils including</li> </ul>	<p>The Project developer shall provide copies of the applicable geotechnical investigations incorporating the recommendations to the City for review and approval as part of the applicable planning, grading, and/or building permit application process.</p>	<p>Prior to issuance of grading, and/or building permits.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>expansive, corrosive, and collapsible soils,</p> <ul style="list-style-type: none"> <li>• identification presence and extent of liquefiable soils,</li> <li>• calculation of site-specific seismic design criteria,</li> <li>• a fault evaluation study to location confirm the presence or absence of the Springville and Camarillo segments of the Simi-Santa Rosa fault across the southern half of the Proposed Project site.</li> </ul> <p>Recommendations shall be provided in these reports for design of project structures and facilities and for mitigation of any unsuitable conditions encountered. These reports shall be provided to the City and other reviewing agencies for review. These recommendations shall be implemented, as deemed appropriate by the City and the Applicant’s engineering design consultant.</p>			
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
<p><b>G-1</b> All miscellaneous vehicles, maintenance equipment and materials, construction/irrigation materials, miscellaneous stockpiled debris, dumpsters, pesticide application equipment, ASTs, 55-gallon drums, and 5-gallon buckets should be removed offsite consistent with the phased development described within the Specific Plan, and properly disposed of. Once removed, a visual inspection of the areas beneath the removed materials should be performed. Any stained soils observed underneath the removed materials should</p>	<p>Project developer shall provide reports of site sampling following removal of debris to the City for review and any remediation efforts should they be required demonstrating that all hazardous materials have been appropriately abated.</p>	<p>Prior to issuance of grading and demolition permits and during demolition</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>be sampled. Results of the sampling would indicate the level of remediation efforts that may be required.</p>			
<p><b>G-2</b> A visual inspection of all storage structures shall be performed prior to demolition activities. In the event that hazardous materials are encountered, the materials shall be tested and properly disposed of pursuant to Local, State and Federal regulations.</p>	<p>Project developer shall provide reports of site sampling to the City for review and any remediation efforts should they be required demonstrating that all hazardous materials have been appropriately abated.</p>	<p>Prior to issuance of grading and demolition permits</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>G-3</b> Due to visible evidence of dark surface soil staining of oil/petroleum products located within Area 5, soil shall be excavated to determine the exact vertical extent of the contamination. If during soil removal, staining appears to continue below the ground surface, sampling shall be performed to identify the extent of contamination and appropriate remedial measures shall be taken.</p>	<p>Project developer shall provide reports of site sampling to the City for review and any remediation efforts should they be required demonstrating that all hazardous materials have been appropriately abated.</p>	<p>Prior to issuance of grading and demolition permits</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>G-4</b> Areas of exposed soil five feet from the expanded Caltrans Right-of-Way along the Ventura Freeway after completion of the Rice Avenue/101 Freeway interchange reconstruction, which will be disturbed during any excavation/grading activities, shall be sampled and tested for lead. In the</p>	<p>Project developer shall provide reports of site sampling to the City for review and any remediation efforts should they be required demonstrating that</p>	<p>Prior to issuance of grading and demolition permits</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
unlikely event that unacceptable levels of lead materials are encountered, the materials shall be disposed of pursuant to State and Federal regulations.	all hazardous materials have been appropriately abated.		
<b>G-5</b> This is an adaptive management mitigation measure. Soil sampling shall occur throughout the Project site concurrent with phased development, including the pesticide mixing areas within Areas 1 and 3. The sampling will determine if pesticide concentrations exceed established regulatory requirements and will identify proper handling procedures that may be required.	Project developer shall provide reports of site sampling to the City for review and any remediation efforts should they be required demonstrating that all hazardous materials have been appropriately abated.	Prior to issuance of grading and demolition permits	City of Oxnard Engineering Services Division
<b>G-6</b> Padre & Associates findings regarding residual soil contamination associated with the historical operation of oil/gas extraction wells should be reviewed and appropriate remedial recommendations (if any) should be administered. In addition to recommendations provided by Padre & Associates, the California Department of Oil, Gas and Geothermal Resources (DOGGR) well abandonment procedures shall be followed and formal verification of closure be received by DOGGR.	Project developer shall provide appropriate documentation to the City and the DOGGR demonstrating that the recommendations provided by Padre & Associates have been followed.	Prior to issuance of grading permits and approval of final building permits	City of Oxnard Engineering Services Division and the DOGGR
<b>G-7</b> A qualified lead-paint abatement consultant shall be employed to comply with applicable state and federal rules and regulations governing lead paint abatement if any remaining structures are suspected of containing lead-based paint.	Project developer shall provide a copy of the contract for services to the City for review and approval.	Prior to issuance of grading and demolition permits	City of Oxnard Engineering Services Division

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>G-8</b> This is an adaptive management mitigation measure. Consistent with the Airport Comprehensive Land Use Plan for Ventura County (ACLUP) and the Sakioka Farms Specific Plan, commercial/industrial development is permitted within the Extended Traffic Pattern Zone and residential development, should it be incorporated into future plans, is permitted within the Extended Traffic Pattern Zone subject to avigation easements and appropriate recorded disclosures.</p>	<p>Project developer shall provide copies of the applicable grading and construction plans demonstrating compliance with the ACLUP and evidence of appropriate avigation easements to the City for review and approval.</p>	<p>Prior to approval of planning permits or building permits if no planning permit is required.</p>	<p>City of Oxnard Planning Division</p>
<b>TRANSPORTATION/TRAFFIC</b>			
<p><b>The following Transportation/Traffic mitigation measures are part of an adaptive management mitigation program.</b> The traffic improvements listed below as I-1 through I-34, inclusive, are intended to maintain Level of Service C with the development of the Project unless excepted by the City Council based upon the traffic modeling completed in February 2010 for the Draft EIR. Subsequent traffic studies required by the Specific Plan may change the number and type of improvements based upon phasing of development, traffic counts and future travel behavior. Adaptive management will allow consideration of such subsequent traffic studies in the implementation of the Transportation/Traffic mitigation measures. The February 2010 traffic modeling does not take into account the City's Intelligent Transportation Systems (ITS) project under construction in 2011. Similar ITS projects have improved travel time and speed by 12%-16% and decreased delay by 32%-44% (ATSAC evaluation study, 1994). As part of the adaptive management of the Transportation/Traffic mitigation measures, the implementation of such mitigation measures shall take into account when feasible the ITS, future traffic counts and updated trip generation data which may reduce, change or make unnecessary the mitigation measures while still achieving the City's adopted Level of Service, unless modified by City Council. The Developer's payment of applicable City and County traffic impact fees in the amount agreed to by the City, County and Developer or, if there is no agreement, in the amount in effect at the time of issuance of a building permit, satisfies in full the action required by Developer in connection with the implementation of the Transportation/Traffic mitigation measures. Developer may also contribute additional funds towards the traffic improvements subject to reimbursement from the City in the form of credits against future City traffic impact fees or repayment by the City.</p>			

Mitigation Measure	Action Required	Timing	Enforcement Agency
<b>Phase 1 (2010)</b>			
<b>I-1</b> <i>Rose Avenue &amp; Gonzales Road:</i> The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing improvements to the Rose Avenue & Gonzales Road intersection that adds a fourth westbound thru lane which will mitigate both Project and cumulative (2010 no Project) impacts.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to recordation of the final map or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-2</b> <i>Rose Avenue &amp; Camino Del Sol:</i> The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing improvements to the Rose Avenue & Camino Del Sol intersection that adds a third northbound thru lane by removing the existing northbound right-turn lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to recordation of the final map or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-3</b> <i>Rice Avenue &amp; Fifth Street:</i> The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing improvements to the Rice Avenue & Fifth Street intersection that adds a third southbound thru lane by removing the existing southbound right turn lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to recordation of the final map or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-4</b> <i>Del Norte Boulevard &amp; Ventura Freeway NB Ramps:</i> The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards providing signalization.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to recordation of the final map or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-5</b> <i>Del Norte Boulevard &amp; Ventura Freeway SB</i>	The Project developer shall	Prior to issuance of	City of Oxnard Engineering

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><i>Ramps:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to signalize and add a northbound right turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.</p>	<p>pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>building permits or as otherwise agreed upon with the City</p>	<p>Services Division</p>
<p><b>Phase 2 (2015)</b></p>			
<p><b>I-6 Ventura Road &amp; Wooley Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Ventura Road &amp; Wooley Road intersection that adds a third northbound thru lane and a third southbound thru lane which will mitigate both Project and cumulative (2010 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-7 Oxnard Boulevard &amp; Gonzales Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward improvements adding a third eastbound thru lane at the Oxnard Boulevard &amp; Gonzales Road intersection</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-8 Rose Avenue &amp; Gonzales Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Gonzales Road intersection that adds a fourth southbound thru lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer..</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-9 Rose Avenue &amp; Fifth Street:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Fifth Street intersection that adds a second eastbound thru lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>I-10 Rice Avenue &amp; Fifth Street:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue &amp; Fifth Street intersection that adds a second westbound left turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-11 Rice Avenue &amp; Channel Islands Boulevard:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue &amp; Channel Islands Boulevard intersection that changes the southbound defacto right turn lane to a free right turn lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-12 Del Norte Boulevard &amp; Ventura Freeway NB Ramps:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Del Norte Boulevard &amp; Ventura Freeway NB Ramps intersection that adds a second northbound thru lane, adds a separate northbound left turn lane, adds a second southbound thru lane, adds a separate southbound right turn lane, and adds a separate westbound left turn lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-13 Del Norte Boulevard &amp; Ventura Freeway SB Ramps:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Del Norte Boulevard &amp; Ventura Freeway SB Ramps intersection that adds a second northbound thru lane, adds a separate northbound free-right turn lane, adds</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
a second southbound thru lane, adds a separate southbound left turn lane, and adds a separate eastbound left turn lane.			
<b>I-14</b> <i>Oxnard Boulevard &amp; Vineyard Avenue:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Oxnard Boulevard & Vineyard Avenue intersection that adds a third northbound thru lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>Phase 3 (2020)</b>			
<b>I-15</b> <i>Oxnard Boulevard &amp; Vineyard Avenue:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Oxnard Boulevard & Vineyard Avenue intersection that adds a fourth southbound thru lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-16</b> <i>Rose Avenue &amp; Gonzales Road:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Gonzales Road intersection that adds a second westbound left turn lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-17</b> <i>Rose Avenue &amp; Fifth Street:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Fifth Street intersection that adds a second westbound left turn lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-18</b> <i>Rice Avenue &amp; Fifth Street:</i> The Project	The Project developer shall	Prior to issuance of	City of Oxnard Engineering

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue &amp; Fifth Street intersection that completes the grade separation / bypass which will mitigate both Project and cumulative (2020 no Project) impacts.</p>	<p>pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>building permits or as otherwise agreed upon with the City</p>	<p>Services Division</p>
<p><b>I-19</b> <i>Rice Avenue &amp; Wooley Road:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue &amp; Wooley Road intersection that adds a third northbound thru lane and a third southbound thru lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-20</b> <i>Ventura Road &amp; Wooley Road:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Ventura Road &amp; Wooley Road intersection that adds a second southbound left lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-21</b> <i>Rose Avenue &amp; Camino Del Sol:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Camino Del Sol intersection that adds a second eastbound left lane and a second westbound left lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-22</b> <i>Del Norte Blvd &amp; Fifth Street:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Del Norte Blvd &amp; Fifth Street intersection that adds a second westbound thru lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City.</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<i>Phase 4 (2025)</i>			
<p><b>I-23</b> <i>Ventura Road &amp; Gonzales Road:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Ventura Road &amp; Gonzales Road intersection that adds a second northbound left turn lane and a third northbound thru lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-24</b> <i>Ventura Road &amp; Wooley Road:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Ventura Road &amp; Wooley Road intersection that adds a third eastbound thru lane and a third westbound thru lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-25</b> <i>Rose Avenue &amp; Camino Del Sol:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Camino Del Sol intersection that removes the southbound free right turn lane, adds a third southbound thru lane and adds an eastbound right turn lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-26</b> <i>Rose Avenue &amp; Fifth Street:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Fifth Street intersection that adds a southbound right turn lane or</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
grade separation.			
<b>I-27</b> <i>Rose Avenue &amp; Channel Islands Boulevard:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Channel Islands Boulevard intersection that adds a third northbound thru lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-28</b> <i>Rose Avenue &amp; Bard Road:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Bard Road intersection that adds a third northbound thru lane and a third southbound thru lane by removing the existing northbound and southbound right turn lanes.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-29</b> <i>Rice Avenue &amp; Camino Del Sol:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Camino Del Sol intersection that adds a second eastbound left turn lane which will mitigate both Project and cumulative (2025 no Project) impacts.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-30</b> <i>Rose Avenue &amp; Wooley Road:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Wooley Road intersection that adds a third southbound thru lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>I-31</b> <i>Rose Avenue &amp; Pleasant Valley Road:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Pleasant Valley Road intersection that adds a third northbound thru lane and a third southbound thru lane by removing existing northbound and southbound right turn lanes.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-32</b> <i>SR-1/Rice NB &amp; Pleasant Valley Road:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the SR- 1/Rice NB &amp; Pleasant Valley Road intersection that adds a westbound right turn lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>Year 2030</b></p>			
<p><b>I-33</b> <i>Rice Avenue &amp; Gonzales Road:</i> The Project developer shall pay applicable City and County traffic impact fees and dedicate additional land to accommodate improvements to the Rice Avenue &amp; Gonzales Road intersection to achieve LOS C, unless the City Council decides this mitigation is infeasible and accepts LOS D for this intersection with an accompanying Statement of Overriding Consideration.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>Ventura Freeway</b></p>			
<p><b>I-34</b> <i>101 (Ventura) Freeway:</i> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements that are, or are subsequently included, component(s) of the Oxnard Traffic Capital Improvement Program which:</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
1) extend and connect north- and south-bound Ventura Freeway exit and entrance ramps between Oxnard Blvd and Del Norte Blvd. and/or 2) extend Gonzales Road and/or Ventura Road to Central Avenue.			
<b>AIR QUALITY</b>			
The Project together with other pending urban development projects in the City which, even after application of the following mitigation measures, will result in a cumulative effect on greenhouse gas emissions and continuing Basin air quality non-attainment that is considered significant and unavoidable. Accordingly, a Statement of Overriding Considerations was prepared in accordance with CEQA and included within the resolution approving the Specific Plan.			
<b>Construction</b>			
<p><b>J-1</b> This is an adaptive management mitigation measure. The Project developer shall implement fugitive dust control measures throughout all phases of construction. The Project developer shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. These measures, like all EIR mitigation measures, are binding on subsequent parties and developers. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> <li>• Minimize the area disturbed on a daily basis by clearing, grading, earthmoving, and/or excavation operations.</li> <li>• Pre-grading/excavation activities shall include watering the area to be graded or excavated before the commencement of</li> </ul>	Measures shall be included in construction documents and implemented during grading and construction.	Prior to issuance of grading permits and during grading and construction	City of Oxnard Planning Division and Engineering Services Division (building inspectors)

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during these activities.</p> <ul style="list-style-type: none"> <li>• All trucks shall be required to cover their loads as required by California Vehicle Code §23114.</li> <li>• All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary.</li> <li>• Material stockpiles shall be enclosed, covered, stabilized, or otherwise treated, to prevent blowing fugitive dust offsite.</li> <li>• Graded and/or excavated inactive areas of the construction site shall be monitored by a City-designated monitor at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the</li> </ul>			

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.</p> <ul style="list-style-type: none"> <li>• Signs shall be posted on-site limiting on-site traffic to 15 miles per hour or less.</li> <li>• During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off-site or on-site. The site superintendent/supervisor shall use his/her discretion in conjunction with the VCAPCD in determining when winds are excessive.</li> <li>• Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.</li> <li>• Personnel involved in grading operations, including contractors and subcontractors should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.</li> </ul>			

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>J-2</b> The Project developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project site throughout the Project construction phases. The Project developer shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> <li>• Maintain all construction equipment in good condition and in proper tune in accordance with manufacturer’s specifications.</li> <li>• Limit truck and equipment idling time to five minutes or less.</li> <li>• Minimize the number of vehicles and equipment operating at the same time during the smog season (May through October).</li> <li>• Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, to the extent feasible.</li> </ul>	<p>Measures shall be included in construction documents and implemented during grading and construction.</p>	<p>Prior to issuance of grading permits and during grading and construction</p>	<p>City of Oxnard Planning Division and Engineering Services Division (building inspectors)</p>
<b>Operations</b>			
<p><b>J-3</b> This is an adaptive management mitigation measure. The Project developer shall include in construction and building management contracts one or more of the following requirements or other measures shown to be equally effective:</p> <ul style="list-style-type: none"> <li>• Use solar or low-emission water heaters in</li> </ul>	<p>The development review process will condition planning and/or discretionary building projects with these or similar requirements.</p>	<p>Prior to recording of Final Map of first subdivision action.</p>	<p>City of Oxnard Planning Division and Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>new buildings where feasible and as in common practice in similar new construction in the Oxnard area.</p> <ul style="list-style-type: none"> <li>• Require that commercial landscapers providing services at the common areas of project site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).</li> <li>• Provide bus stops pull-out areas, and/or shelters at locations along and within the Project site. The number and location of bus stops shall be determined in consultation with Gold Coast Transit and the City Traffic Engineer. Cumulative air quality impact fees (see Mitigation J-6) paid by the Project developer or subsequent interests may be used for some or all of these structures or as credits against the fee and/or to be funded from the fee fund consistent with the City's practice with other projects with similar transit-oriented mitigation requirements.</li> </ul>			

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>J-4</b> This is an adaptive management mitigation measure. A Project-wide Transportation Demand Management (TDM) program shall be prepared by a qualified consultant for review by the Development Services Director within one year of the recordation of the first Final Tract Map and implemented on a phase by phase basis thereafter. The TDM program shall incorporate best and commonly used trip-reduction incentives, programs, and practices found in TDMs of similar projects in terms of allowed uses, size, and transportation and transit service context. The TDM shall, to the maximum extent financially feasible or practical, be coordinated and consistent with Gold Coast Transit service planning, development and/or final adoption of a regional and/or Oxnard Sustainable Communities Strategy (under SB 375), and TDMs or similar efforts of surrounding businesses and organized business and commercial organizations, including but not limited to, the Camino Real Business Park; Proctor and Gamble; Riverpark (The Collections); The Esplanade; The Village; Oxnard Auto Center Dealers Associations; and the McGinnes Ranch, Northgate, and Seagate business parks. The TDM shall include an estimate of Project vehicular trips; a target reduction; a strategy and timeline to achieve the target; and one or more means of an independent sustainable funding program to administer, monitor, and routinely update the TDM program. At the discretion of the City Traffic</p>	<p>The Project developer will prepare a Project-wide TDM program document for City review and approval.</p>	<p>Within one year of the recordation of the first Final Tract Map and implemented on a phase by phase basis thereafter.</p>	<p>City of Oxnard Planning Division with invited cooperation by Gold Coast Transit.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>Engineer based on applicable professional practice, documented and sustained TDM-attributable trip reductions shall be incorporated into future Project-related traffic studies and/or analyses for purposes of calculating traffic fees and/or modifying traffic-related mitigations. The TDM may be implemented on a phase-by-phase basis.</p>			
<p><b>J-5</b> This is an adaptive management mitigation measure. The Specific Plan shall include a requirement that all structures with a flat or nearly flat roof area of over 10,000 square feet shall be designed with roof systems capable of supporting equipment that generates electricity from sunlight and/or wind if economically feasible and subject to review by the Fire Department. The roof systems may be designed to service the building and/or enter into a commercially reasonable public or private utility agreement for purposes of generating energy or transmission.</p>	<p>The Specific Plan will be amended with this or similar language in an appropriate section.</p>	<p>Prior to recording of Final Map of first subdivision action.</p>	<p>City of Oxnard Planning Division and Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>J-6</b> This is an adaptive management mitigation measure. The Project developer shall contribute to a cumulative impacts mitigation “buy-down” fund managed by the City based on the Ventura County Air Pollution Control District fee schedule effective at the time a building permit is issued. The fee contribution shall be assessed and paid incrementally as individual buildings are developed. The fee is allocated based on each development’s share of average daily trips (ADT) for the Project buildout. The ADT shall be recalculated annually by the City Traffic Engineer or upon request of the Project developer with a payment of a fee determined by the City Traffic Engineer that covers actual time and material costs to the City. The City shall consider transit and traffic demand management improvements and programs suggested by the Project developer, in excess of those otherwise required, as credits against the fee and/or to be funded from the fee fund.</p>	<p>The Project developer(s) shall provide payment as agreed between the developer(s) and the City.</p>	<p>Prior to issuance of applicable building permits to which the buy down mitigation applies</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>NOISE</b></p>			
<p>The Project together with other pending urban development projects in the City will result in cumulative roadway noise impacts along Gonzales Road between Rice Avenue and Rose Avenue for which no mitigation measures are feasible and that are considered significant and unavoidable. Accordingly, a Statement of Overriding Considerations was prepared in accordance with CEQA and included within the resolution approving the Specific Plan.</p>			

Mitigation Measure	Action Required	Timing	Enforcement Agency
<b>POPULATION AND HOUSING</b>			
<p><b>L-1</b> If there is a housing component within the Project of over 10 units, ten percent of the total units within each project or a percentage determined by an economic impact assessment that estimates the need for very low and low income housing created by actual and anticipated development with the Specific Plan, whichever percentage is higher but not to exceed 23 percent, would be developed as affordable housing in a manner consistent with the City's inclusionary housing program for qualified low and moderate income households, to be determined by an economic impact assessment that estimates the need for very low and low income housing created by the actual and anticipated development and the wages paid to their employees. This information shall also be reflected in the Specific Plan document under section 4.7, Affordable Housing.</p>	<p>The development review process for any housing will check for consistency with the Specific Plan and this mitigation.</p>	<p>Prior to approval of the applicable planning permit for housing.</p>	<p>City of Oxnard Planning Division in conjunction with the Oxnard Housing Department.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<b>PUBLIC SERVICES</b>			
<i>Fire – Fire Station</i>			
<p><b>M.1-1</b> The Specific Plan permits the development of 1.7 million square feet of development (approximately 20 percent of allowed development by the Specific Plan) prior to the completion of a fully operational fire station. The exact location of an approximately 1.5-acre site near Rice Avenue and the easterly extension of Gonzales Road and construction of the fire station are subject to a future agreement among City, Oxnard Fire Department (OFD) and Developer.</p>	<p>The Project developer shall provide an approximately 1.5-acre site for a new fire station within the Project site near Rice Avenue and the easterly extension of Gonzales Road and pay applicable City fees in the amount agreed to by the City, the OFD and Developer.</p>	<p>Prior to the issuance of building permits for projects that would exceed an aggregated total of 1.7 million square feet within the Specific Plan Area.</p>	<p>City of Oxnard Planning Division</p>
<i>Police – Construction</i>			
<p><b>M.2-1</b> During all construction activities, the Project or subsequent developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, be secured with temporary fences to prevent trespass.</p>	<p>Project developer shall obtain a temporary use permit and/or fence permit.</p>	<p>Prior to issuance of building permit</p>	<p>City of Oxnard Engineering Services Division or Public Works Department, depending on type of permit.</p>
<i>Police – Operation</i>			
<p><b>M.2-2</b> The building and site design of subsequent developments under the Specific Plan program shall include crime deterrence and prevention features, building security systems, architectural design modifications, surveillance systems, and secure parking facilities. In addition, industrial businesses may be required to enroll into existing Oxnard Police crime prevention programs,</p>	<p>The development review process incorporates these topics.</p>	<p>Prior to approval of building permits</p>	<p>City of Oxnard Planning Division and/or Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
depending on the nature of the business.			
<i>Schools</i>			
<p><b>M.3-1</b> This is an adaptive management mitigation measure. The subsequent developer(s) under the specific plan would be required to pay all applicable school fees to offset the impact of additional student enrollment at schools. No other mitigation measures are required as part of the environmental review process unless State Law changes so as to allow subsequent environmental reviews to identify appropriate feasible mitigations to reduce a significant impact on schools to a level below the significance threshold.</p>	<p>Project developer to provide CC&amp;Rs and other necessary legal language that binds future developers to this mitigation – to be reviewed by the City Attorney – prior to recording of first Final Map.</p>	<p>Prior to recording of first Final Map</p>	<p>City of Oxnard Planning Division</p>
<b>UTILITIES</b>			
<i>Water</i>			
<p><b>N-1</b> The on-site domestic water system shall include the following:</p> <ul style="list-style-type: none"> <li>• A public pipeline systems which feed into separate water meters for each ownership. In addition, there shall be separate water meters for each multi-family unit townhouses, but not apartment units. The high-rise residential towers may be master-metered.</li> <li>• A separate water meter (1) for the common landscape areas that would be connected to the future recycled water system.</li> <li>• All domestic water pipelines shall adhere to Division of Occupational Health and Safety (DOHS) requirements for separation between</li> </ul>	<p>Project developer to incorporate the required water features in the application and provide dedications, connection fees, and related documents and studies as required and requested.</p>	<p>Prior to issuance of building permits.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, and the Public Works Department</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>water and recycled water/wastewater pipelines.</p> <ul style="list-style-type: none"> <li>The Project developer shall be responsible for payment of capital improvement/connection fees, including all related “installation fees.”</li> <li>The Project developer shall provide the City any approvals necessary to dedicate to the City all FCGMA allocation associated with the Project site, on a phase-by-phase basis and upon the conversion of land from agricultural to urban uses.</li> </ul>			
<p><b>N-2</b> This is an adaptive management mitigation measure. The Project developer shall provide a recycled water system that serves all practical irrigated areas and which is: (1) separated from the domestic water system, (2) constructed per the City’s Recycled Water Construction Standards (being developed), (3) irrigated at night, and (4) properly signed once the system is fully operational.</p> <ul style="list-style-type: none"> <li>The portion of the irrigation intended for the future recycled water system shall be separately metered from that portion of the system that will not be connected to the future recycled water system, if any.</li> <li>Until the recycled water system is operational, the common area irrigation system shall be connected to the domestic system. Once recycled water is available,</li> </ul>	<p>Project developer to incorporate the required water features in the application and provide dedications, connection fees, and related documents and studies as required and requested.</p> <p>Project developer to provide CC&amp;Rs and other necessary legal language that binds future developers to this mitigation – to be reviewed by the City Attorney – prior to recording of first Final Map.</p>	<p>Prior to issuance of building permits.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, and the Public Works Department</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>and connection to the recycled water system is made, the Project developer shall remove the connection to the domestic water system. No domestic water back-up is needed, since the City will provide such back-up including an appropriate air gap facility as part of the City’s system.</p> <ul style="list-style-type: none"> <li>• Prior to the availability of recycled water, the Project developer shall be responsible for payment of the Recycled Water Connection Fee or the water connection fee, whichever is greater for facilities constructed.</li> <li>• At such time as recycled water is available, the Project developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled water system, including appropriate signage. Credits for connection fees shall be given by the City based on the size of the meter(s). Under no circumstance will there be a refund of water connection fees already paid.</li> <li>• The Project developer shall be responsible for appropriate Sakioka Farms Specific Plan Covenants, Conditions and Restrictions (CC&amp;Rs) covering the use of recycled water and for proper disclosures.</li> </ul>			
<p><b>N-3</b> This is an adaptive management mitigation measure. The Project developer shall, to the extent feasible, incorporate exterior water conservation</p>	<p>Project developer(s) shall provide landscape plans showing low-water-</p>	<p>Prior to issuance of final building permits and prior to certificates</p>	<p>City of Oxnard Planning Division and Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>features, as recommended by the State Department of Water Resources at the time of adoption or in common practice in the future, into the Project. These shall include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Landscaping of common areas with low water-using plants,</li> <li>• Minimizing the use of turf by limiting it to lawn dependent uses, and</li> <li>• Wherever turf is used, installing warm season grasses.</li> </ul>	<p>consuming plant varieties, minimization of turf areas and the appropriate selection of warm season grasses.</p>	<p>of occupancy</p>	
<p><b>N-4</b> This is an adaptive management mitigation measure. The Project developer shall, to the extent feasible, use reclaimed water for irrigation of landscaping and other uses if or when such water is available at the project site.</p>	<p>Project developer(s) shall provide construction plans showing recycled water landscape irrigation design, if and when applicable.</p>	<p>Prior to approval of final building permits.</p>	<p>City of Oxnard Planning Division and Engineering Services Division</p>
<p><b>N-5</b> The Project developer shall predominantly use vegetation that requires minimal irrigation (i.e., drought tolerant plant species) in all site landscaping where feasible for new plantings.</p>	<p>Project developer(s) shall provide landscape plans showing low-water-consuming plant varieties.</p>	<p>Prior to approval of final building permits and prior to certificates of occupancy</p>	<p>City of Oxnard Planning Division and Engineering Services Division</p>
<p><b>N-6</b> The future water system shall be designed in a loop configuration with connections to the existing 16-inch water line on Del Norte Boulevard.</p>	<p>Project developer(s) shall provide construction plans showing a loop-configuration water system.</p>	<p>Prior to issuance of building permits</p>	<p>City of Engineering Services Division</p>
<p><b>N-7</b> The use of a 14-inch line would be feasible and should only be connected to mainlines of 14-inches or larger.</p>	<p>Project developer(s) shall provide construction plans showing appropriate water system connections.</p>	<p>Prior to approval of final building permits</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>N-8</b> Rice Avenue is planned to become a state highway; therefore, no new utilities shall be</p>	<p>Project developer(s) construction plans will not</p>	<p>Prior to approval of final building permits</p>	<p>City of Oxnard Engineering</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
installed along this roadway.	show utilities installed in Rice Avenue.	that involve frontage along Rice Avenue	Services Division
<p><b>N-9</b> The Project developer shall ensure that the landscape irrigation system be designed, installed, and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.</p>	<p>The Project developer to provide CC&amp;Rs and other necessary legal language that binds future developers to this mitigation – to be reviewed by the City Attorney – prior to recording of first Final Map.</p> <p>The Project developer(s) shall provide construction plans showing the landscape irrigation design.</p>	<p>Prior to recording of first Final Map</p> <p>Prior to approval of final building permits and prior to certificates of occupancy</p>	<p>City of Oxnard Planning Division</p> <p>City of Oxnard Engineering Services Division</p>
<p><b>N-10</b> The Project developer shall, to the extent feasible, install a “smart sprinkler” system to provide irrigation for the landscaped areas. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be automatically adjusted by a state-of-the-art system that relies on local weather forecasts.</p>	<p>Project developer(s) shall provide construction plans showing the landscape irrigation design.</p>	<p>Prior to approval of building permits</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>N-11</b> The Project developer shall install low-flush water toilets in all new construction at the project site. Low-flow faucet aerators shall be installed on all new sink faucets.</p>	<p>Project developer(s) shall provide construction plans meeting the requirements for low-flush toilets and low-flow faucets.</p>	<p>Prior to approval of final building permits</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>N-12</b> This is an adaptive management mitigation measure. The Project’s annual water supply deficit of 330 acre feet was estimated using 2010 water use estimates for the theoretical buildout of the entire project. Actual water demand over the buildout of the Project is likely to change as actual development and uses occur and changing water consumption. Subsequent water demand/supply analyses required by subsequent CEQA review may change water supply needs relative to the City’s future water supply. The Draft 2010 Urban Water Management Plan (UWMP) incorporates the Project’s water demand as proposed. Should subsequent project development incur water demand in excess of that anticipated by the adopted 2010 UWMP and/or the City’s water supplies are reduced below those anticipated by the adopted 2010 UWMP, the Project shall, to the extent feasible, implement one or more, but not limited to, the following adaptive measures to remain water neutral to the City’s available and projected supply at the time of subsequent project approvals that involve a Negative Declaration, Mitigated Negative Declaration, or Subsequent EIR:</p> <p><b>N-12.1</b> The Project developer shall provide to the City additional water rights of at least the shortage amount.</p> <p><b>N-12.2</b> The Project developer shall provide to the City water supplies equal to the shortage amount until City supply is adequate.</p>	<p>Project developer shall work with the Public Works Department, Water Section, to review existing and anticipated water demand relative to the City’s existing and anticipated supply and choose, if necessary, one or more of the listed mitigations to eliminate a water supply shortage, if identified. This analysis and selection of mitigations, if needed, shall occur during reviews of the master subdivision maps of each Planning Area unless an alternative approach is agreed to in a Development Agreement.</p>	<p>Prior to recordation of the final map for each Planning Area or as otherwise agreed upon with the City</p>	<p>City of Oxnard Planning Division and Engineering Services Division with input from the Public Works Department, Water Section</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>N-12.3</b> The Project developer shall provide to the City permanent quantified water offsets in the form of recycled water facilities or conservation retrofits.</p> <p><b>N-12.4</b> The Project developer shall provide to the City financial contributions towards City programs which generate in-City water conservation or recycled water capacity or conveyance.</p> <p><b>N-12.5</b> The Project developer shall participation in other similar programs with cumulatively result in an adequate water supply contribution.</p>			
<p><b>N-13</b> The Project developer shall, in a manner as agreed to in the development agreement, participate in an assessment district or similar financing instrument for the construction of a recycled water supply pipeline that will connect into the Project’s recycled internal pipelines required by mitigation, or pay applicable connection fees to connect to the City’s recycled water line when requested.</p>	<p>Project developer shall in a manner as agreed to in the development agreement provide applicable payment and/or participate in an assessment district.</p>	<p>Prior to recordation of the final tract map or as otherwise required if an assessment district is formed.</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>Note:</b> The “Project developer” is defined in this Mitigation Monitoring and Reporting Program as Sakioka Farms, the Project applicant, as well as the eventual individual developers of each parcel within the project site.</p>			