

3.0 RESPONSES TO COMMENTS

This section provides written responses to all comments received on the Draft Environmental Impact Report (“Draft EIR”) during its public review period from November 4 through December 19, 2016. Some comments were received after the comment period closed. CEQA does not require Lead Agencies to respond to these comments; however, these are included with responses in this section. Comments were received in the form of letters and emails.

The City received 15 written comment letters and emails from state agencies, local agencies, private organizations, and the public, two of which were duplicate letters, making a total of 13 letters. A list of all letters and emails is provided in **Table 3.0-1: Comment Letters**.

Each comment within each comment letter or email has been numbered. Each response is also numbered to correspond to the relevant individual comment. The original letters and emails are provided after the complete set of responses.

**Table 3.0-1
Comment Letters**

Letter No.	Agency/Entity/Individual	Name of Commenter	Date of Comment
State Agencies			
1	Governor's Office of Planning and Research, State Clearinghouse and Planning Unit	Scott Morgan (Director)	December 20, 2016
2	California Department of Fish and Wildlife	Betty Courtney, Environmental Program Manager I	December 16, 2016
3	Governor's Office of Planning and Research, State Clearinghouse and Planning Unit	Scott Morgan (Director)	December 23, 2016
4	Department of Transportation	Dianna Watson, IGR/CEQA Branch Chief	December 20, 2016
Local Agencies			
5	County of Ventura Resource Management Agency	Tricia Maier, Manager	December 15, 2016
6	Ventura County Watershed Protection District	E. Zia Hosseinipour, Manager, Advanced Planning Section	December 6, 2016
7	County of Ventura Resource Management Agency	Whitney Wilkinson	December 15, 2016
8	Ventura County Air Pollution Control District	Alicia Stratton	December 6, 2016
9	Ventura Local Agency Formation Commission	Ventura Local Agency Formation Commission	N/A
10	Ventura Local Agency Formation Commission	Andrea Ozdy, Analyst	January 3, 2017
Other Organizations and Individuals			
11	Golden State Environmental Justice Alliance	Joe Bourgeois, Chairman of the Board	December 18, 2016
12	N/A	Joe Bourgeois	January 3, 2017
13	Julie Tumamait-Stenslie	Julie Tumamait-Stenslie	December 13, 2016

**RESPONSE TO COMMENTS RECEIVED ON THE DRAFT
ENVIRONMENTAL IMPACT REPORT**

State Agencies



EDMUND G. BROWN JR.
GOVERNOR

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



KEN ALEX
DIRECTOR

December 20, 2016

CITY OF SANTA PAULA

DEC 27 2016

RECEIVED

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

Subject: Santa Paula West Business Park Specific Plan
SCH#: 2014081104

Dear Janna Minsk:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on December 19, 2016, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

1-1

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

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

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

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

Document Details Report
State Clearinghouse Data Base

SCH# 2014081104
Project Title Santa Paula West Business Park Specific Plan
Lead Agency Santa Paula, City of

Type EIR Draft EIR
Description The specific plan would guide future land use development on approximately 53.81 acres of the city's 125-acre West Area 2 designation. West Area 2 was included as an expansion area in the city's general plan, which was approved by the city of Santa Paula in 1998. This designation allows for a variety of manufacturing, research and development, professional office, and limited commercial uses, with integrated vehicular circulation, pedestrian walkways, and infrastructure. The land uses envisioned within the specific plan would be a mix of low-intensity industrial (such as light manufacturing or research and development), professional offices, and supporting commercial businesses. These uses are allowed in the commercial/light industrial and light industrial zones.

Lead Agency Contact

Name Janna Minsk
Agency City of Santa Paula
Phone (805) 933-4214
email
Address 970 Ventura St
City Santa Paula
Fax
State CA **Zip** 93060

Project Location

County Ventura
City Santa Paula
Region
Lat / Long
Cross Streets Telegraph Road
Parcel No.
Township

Range **Section** **Base**

Proximity to:

Highways SR 126
Airports Santa Paula
Railways VCTC
Waterways Santa Clara River
Schools
Land Use Use of site includes ag. GP: Mixed use commercial/light industrial

Project Issues Landuse; Traffic/Circulation; Air Quality; Noise; Biological Resources; Geologic/Seismic; Water Quality; Toxic/Hazardous; Aesthetic/Visual; Archaeologic-Historic; Public Services; Other Issues; Agricultural Land; Drainage/Absorption; Flood Plain/Flooding; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Vegetation; Water Supply; Growth Inducing; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; Public Utilities Commission; Department of Housing and Community Development

Date Received 11/04/2016 **Start of Review** 11/04/2016 **End of Review** 12/19/2016

Letter No. 1

Scott Morgan, Director
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
Letter dated December 20, 2016

Response 1-1:

This comment does not address the information or analysis in the Draft EIR. No further response is required.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



December 16, 2016

Governor's Office of Planning & Research

DEC 16 2016

Mr. Stratis Perros
Deputy Planning Director
City of Santa Paula
P.O. Box 569
Santa Paula, CA 94061-0569
sperros@spcity.org

STATE CLEARINGHOUSE

Clear

12/19/16

Subject: Comments on the Draft Environmental Impact Report for the Santa Paula West Business Park Specific Plan, Ventura County, SCH#2014081104

Dear Mr. Perros:

The California Department of Fish and Wildlife (CDFW) received a Draft Environmental Impact Report from the City of Santa Paula for the West Business Park Specific Plan Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ CDFW previously submitted comments in response to the Notice of Preparation on September 26, 2014 to the City of Santa Paula (City).

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802, Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

2-1

Mr. Stratis Perros
Deputy Planning Director
City of Santa Paula
December 16, 2016
Page 2 of 3

may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

2-1

PROJECT DESCRIPTION SUMMARY

The proposed Specific Plan contains a comprehensive set of plans, exhibits, regulations, conditions, and programs for orderly development of the Santa Paula West Business Park, which is designed to contain a combination of professional office, manufacturing, research and development, and limited commercial uses on approximately 54 acres located along the western edge of the City of Santa Paula. In addition to regulating land use, the Specific Plan addresses vehicular circulation, landscaping, pedestrian walkways, and infrastructure. The proposed Specific Plan area is bounded to the north by Telegraph Road, to the east by existing industrial and commercial development within the existing Santa Paula City limits, to the south by agriculture, and to the west by Adams Barranca. The Adams Barranca, located along the western boundary of the business park, would be zoned Open Space/Passive. The Specific Plan area also contains frontage along State Route 126 and Telegraph Road, and is bisected by the Ventura County Transportation Commission railroad right-of-way.

2-2

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

Biological Mitigation Measures: The DEIR provides thorough evaluation of potential biological impacts and has developed biological mitigation measures BR-1 through BR-10 to reduce potential impacts. The following comments are made to help further clarify and specify actions within the measures.

1. Biological mitigation measures BR-3 and BR-4 are thoroughly developed to reduce potential impacts to native nesting birds. However, least Bell's vireo and southwestern willow flycatcher, both State and federally-listed species have the potential to occur in suitable habitat in Adams Barranca. CDFW recommends a biological mitigation measure be developed that requires protocol level surveys for least Bell's vireo (*Vireo bellii pusillus*) and southwestern willow flycatcher (*Empidonax trailii extimus*) within the suitable habitat along the Adams Barranca.

Survey protocol for least Bell's vireo can be found at:

<https://www.fws.gov/pacific/ecoservices/endangered/recovery/documents/LBVireo.2001.protocol.pdf>.

Survey protocol for southwestern willow flycatcher can be found at:

<https://www.fws.gov/pacific/ecoservices/endangered/recovery/documents/SWWFlycatcher.2000.protocol.pdf>.

2-3

Mr. Stratis Perros
Deputy Planning Director
City of Santa Paula
December 16, 2016
Page 3 of 3

2. Biological mitigation measure BR-10 specifies CDFW streambed jurisdiction mitigation ratios and options. CDFW concurs with the DEIR that a Lake and Streambed Alteration Agreement (LSA) Notification should be submitted to CDFW for the project. However, although the options outlined in BR-10 look feasible, CDFW recommends mitigation ratios and options for impacts be negotiated during the LSA process after a CDFW Environmental Scientist has reviewed the Project on site.

2-4

Minimum Setback Distance: The DEIR discusses the proposed Project along the open space zoning but does not clearly specify a recommended buffer area setback. CDFW submitted comments on the Notice of Preparation on September 26, 2014. As stated in the letter, CDFW concurs with the Open Space zoning and would like to again recommend a minimum setback of 100-150 feet between the edge of riparian habitat within the Adams Barranca and the Open Space adjacent to the barranca to facilitate stream habitat function and wildlife use.

2-5

Thank you again for the opportunity to comment on the referenced DEIR and for the City's thorough evaluation of potential biological impacts based on CDFW's NOP comment letter, and on other comment letters provided at the NOP stage. Questions regarding this letter and further coordination on these issues should be directed to Dan Blankenship, Senior Environmental Scientist (Specialist), at (661) 259-3750 or Daniel.Blankenship@wildlife.ca.gov.

Sincerely,



for
Betty J. Courtney
Environmental Program Manager I

ec: Christine Found-Jackson, CDFW, Westlake Village
Brock Warmuth, CDFW, Ventura
Scott Morgan (State Clearinghouse)

Letter No. 2

Betty J. Courtney, Environmental Program Manager I
California Department of Fish and Wildlife (CDFW)
Letter dated December 16, 2016

It should be noted that this letter was submitted directly to both the City and the State Clearinghouse. The letters are identical; to avoid confusion, only one copy of the letter has been included in this document.

Response 2-1:

This comment does not address the information or analysis in the Draft EIR. No further response is required.

Response 2-2:

This comment does not address the information or analysis in the Draft EIR. No further response is required.

Response 2-3:

In response to the potential for least Bell's vireo and southwest willow flycatcher to exist on or near the Project Site, a requirement to conduct protocol surveys for these species prior to construction has been added to mitigation measure **BR-3**. The Draft EIR has been revised accordingly and edits can be found in **Section 4: Revisions to the Draft EIR**.

Response 2-4:

The Project will comply with the requirements of CDFW and the Lake and Streambed Alteration (LSA) Program. Should the ratios and options identified in the EIR be revised as part of the process, they will be documented in the Streambed Alteration Agreement (SAA) that will result.

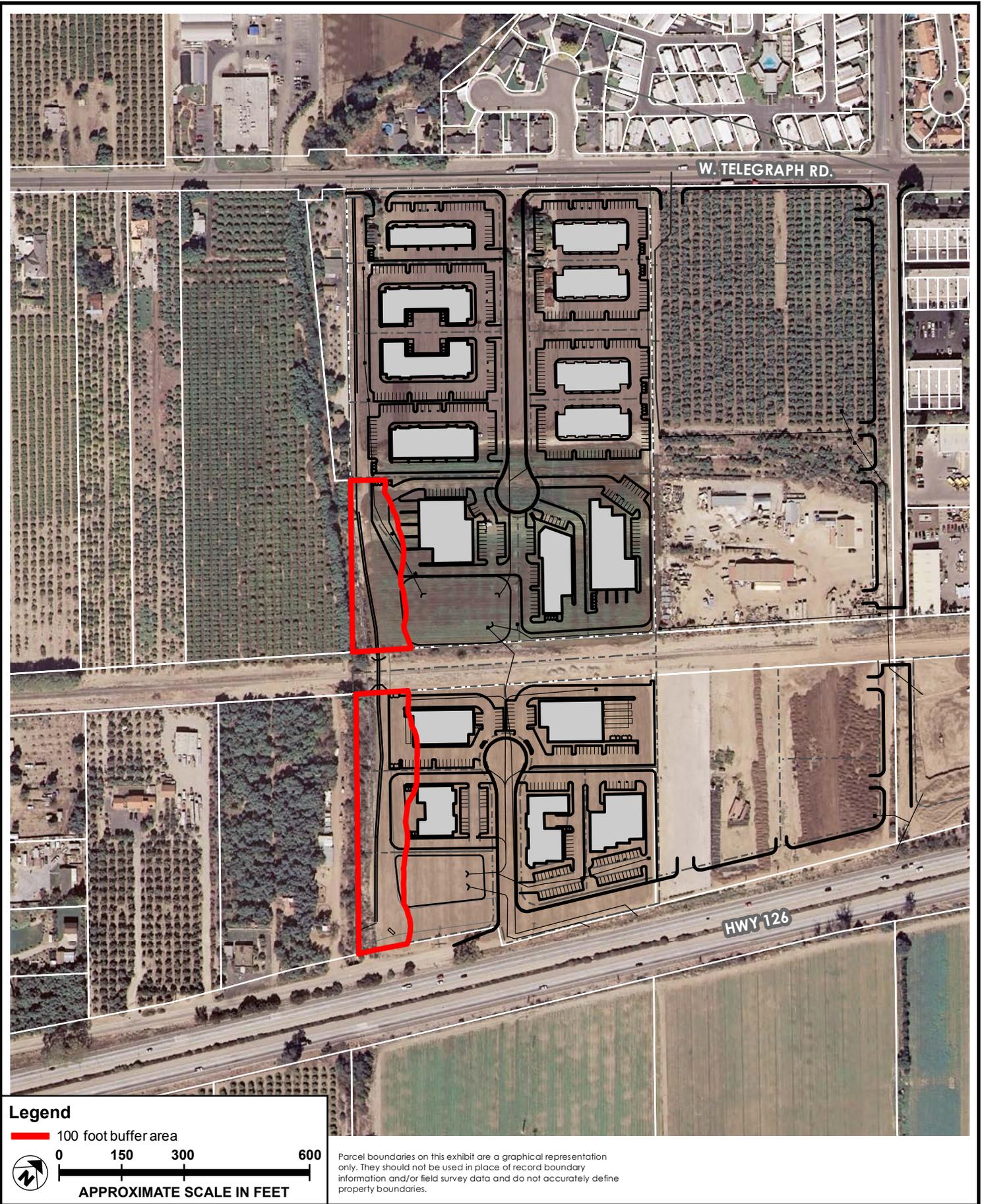
Response 2-5:

The proposed Specific Plan requires that all development be set back 100 feet from the upland edge of the riparian habitat in the Adams Barranca. As shown in **Figure 3.0-1: Proposed Riparian Habitat Buffer for Adams Barranca**, the buffer will be located along the southern portion of the Project Site and Assessor Parcel Numbers (APNs) 098-0-010-150 and 098-0-010-190. The buffer will not include the area adjacent to parcel APN 098-0-010-420 to the south because that parcel is developed and is located between the Project Site and the Adams Barranca.

The buffer area will be limited in use, and construction of the buildings outside the buffer and landscaping activities inside the buffer are required to be conducted to not degrade lakes, ponds, wetlands, or perennial watercourses in the Adams Barranca through filling, sedimentation, erosion, increased turbidity, or other contamination. Additionally, within the buffer area, permitted uses will include the following: passive recreation; educational uses; utility lines; pipelines; drainage and flood control of facilities; bridges and road approaches to bridges to cross a stream; and approved roads.

All permitted development in or adjacent to streams, wetlands, and other aquatic habitats must be designed and/or conditioned to prevent loss or disruption of the habitat, protect water quality, and maintain or enhance (when feasible) biological productivity. Design measures to be provided include but are not limited to:

- i. Flood control and other necessary instream work shall be implemented in a manner than minimizes disturbance of natural drainage courses and vegetation.
- ii. Drainage control methods shall be incorporated into projects in a manner that prevents erosion, sedimentation, and the discharge of harmful substances into aquatic habitats during and after construction.



SOURCE: Meridian Consultants - 2017

FIGURE 3.0-1



EDMUND G. BROWN JR.
GOVERNOR

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



KEN ALEX
DIRECTOR

December 23, 2016

CITY OF SANTA PAULA

JAN 03 2017

RECEIVED

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

Subject: Santa Paula West Business Park Specific Plan
SCH#: 2014081104

Dear Janna Minsk:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on December 19, 2016. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

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

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2014081104) when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

3-1

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

Letter No. 3

Scott Morgan, Director
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
Letter dated December 23, 2016

Response 3-1:

A response to the Department of Transportation (DOT) comments is provided as part of the responses to Letter No. 4.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7-OFFICE OF REGIONAL PLANNING
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE: (213) 897-6336
FAX (213) 897-1337
www.dot.ca.gov

SCH 2014 08 1104



‘Serious drought. Help save water.’

December 20, 2016

Governor's Office of Planning & Research

DEC 23 2016

STATE CLEARINGHOUSE

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

late
12/14/16 E

RE: Santa Paula West Business Park
Specific Plan
Vic. VN-126/ PM R9.72
GTS#07-VEN-2016-00019ME-DEIR

Dear Ms. Minsk:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced plan. The Specific Plan would guide future land use development on approximately 53.81 acres of the City's 125-acre West Area 2 designation. This designation allows for a variety of manufacturing, research and development, professional office, and limited commercial uses, with integrated vehicular circulation, pedestrian walkways, and infrastructure. The Specific Plan also serves to facilitate development within the Project Site as a master-planned business park that includes a variety of light industrial and commercial uses.

The nearest State facility to the proposed project is State Route-126. As stated in the Draft Environmental Impact Report, the traffic analysis indicated that the proposed project would cause or contribute to significant traffic impacts at the following intersections. Included below are also proposed mitigations at each location:

- **Peck Road & SR 126 EB on/off ramps/Acacia Way-**
This intersection could be mitigated to LOS C or better by installing a traffic signal.
- **Faulkner Road & SR 126 Westbound on/off ramps-**
This intersection could be mitigated to LOS C or better by reconfiguring the westbound approach. The westbound approach can be restriped to provide one share through/right-turn lane and two left-turn lanes. While the freeway on-ramp at this location currently provided two lanes, this improvement would require coordination with and approval by Caltrans

4-1

4-2

It is noted that because these are cumulative impacts, the Project applicant would only be responsible for their fair share contributions for these mitigation improvements. Caltrans is in agreement with the proposed mitigation and have no additional comments.

‘Provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability’

Ms. Minsk
December 20, 2016
Page 2

In the spirit of mutual cooperation, Caltrans staff is available to work with your planners and traffic engineers for this project, if needed. If you have any questions regarding these comments, please contact project coordinator Ms. Miya Edmonson, at (213) 897-6536 and refer to GTS# VEN-2016-00019ME.

Sincerely,



DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Letter No. 4

Dianna Watson, Branch Chief
California Department of Transportation (Caltrans)
Letter dated December 19, 2016

It should be noted that this letter was submitted directly to the City, as well as to the State Clearinghouse (see Letter No. 3). The letters are identical; to avoid confusion, only one copy of the letter has been included in this document.

Given the time since the original traffic study was conducted, the City of Santa Paula requested that a traffic baseline and growth forecast validation be conducted. This information is contained with **Appendix F: Baseline Traffic and Growth Validation** of this Final EIR. Based on this data and analysis, it was determined that the conclusions of the original traffic impact study remain valid and that no new significant impacts would occur that are not already identified in the original study.

Response 4-1:

The Draft EIR addresses mitigation for this intersection (Intersection 10) that is consistent with this recommendation, as shown in mitigation measure **TRA-2** in Section 4.13: Transportation and Traffic. As shown, this mitigation measure requires the installation of a traffic signal.

Response 4-2:

As shown in the Section 4.13: Transportation and Traffic of the Draft EIR, this mitigation measure requires the reconfiguration of the westbound approach by restriping to provide one shared through/right-turn lane and two left-turn lanes. While the freeway on-ramp at this location currently provides two lanes, this improvement would require coordination with and approval by Caltrans.

Local Agencies

RESOURCE MANAGEMENT AGENCY

Planning Division

Kimberly L. Prillhart
Director

county of ventura

December 15, 2016

City of Santa Paula
Planning Department
Attn: Janna Minsk, Planning Director
970 Ventura Street
Santa Paula, CA 93060

Subject: Comments on the NOA/NOC for the Santa Paula West Business Park Specific
Plan DEIR

Dear Ms. Minsk:

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

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Clay Downing, 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 Clay Downing at (805) 650-4047.

Sincerely,



Tricia Maier, Manager
Planning Programs Section

Attachment(s)

County RMA Reference Number 14-019-1

5-1

800 South Victoria Avenue, L# 1740, Ventura, CA 93009 (805) 654-2481 Fax (805) 654-2509



Printed on Recycled Paper



Letter No. 5

Tricia Maier, Manager
County of Ventura Resource Management Agency
Planning Division
Memorandum dated December 15, 2016

Response 5-1:

This comment does not address the information or analysis in the Draft EIR. No further response is required.

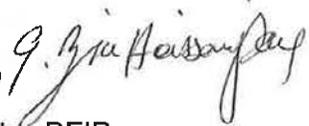


VENTURA COUNTY WATERSHED PROTECTION DISTRICT
WATERSHED PLANNING AND PERMITS DIVISION
800 South Victoria Avenue, Ventura, California 93009
Sergio Vargas, Deputy Director – (805) 650-4077

MEMORANDUM

DATE: December 6, 2016

TO: Janna Minsk, AICP, Planning Director
City of Santa Paula Planning Department
970 Ventura Street, Santa Paula, CA 93060
jminsk@spcity.org

FROM: E. Zia Hosseinipour, Manager, Advanced Planning Section 

SUBJECT: RMA14-019-1 Santa Paula West Business Park Specific Plan DEIR
City of Santa Paula
APNs: 098-0-010-150; -160; -180; -190; 098-0-020-040; 53.8 Acres
Adams Barranca, Santa Clara River Watershed, Zone 2
Watershed Protection District Project No. WC2016-0108

Pursuant to your request, this office has reviewed the Draft Environmental Impact Report for Santa Paula West Business Park Specific and offers the following comments.

PROJECT LOCATION:

The Project Site is a 53.81-acre area near the western boundary of the City of Santa Paula and currently lies within the unincorporated County of Ventura. The Project Site is bound to the north by Telegraph Road, to the south by SR 126, to the east by existing industrial and commercial developments in the existing City limits, and to the west by the Adams Barranca and agricultural operations. The Project Site is bisected by the Ventura County Transportation Commission (VCTC) railroad right-of-way.

PROJECT DESCRIPTION:

The Santa Paula West Business Park Specific Plan encompasses approximately 58 acres of land in unincorporated Ventura County west of the City of Santa Paula. The proposed Specific Plan would permit the development of a variety of manufacturing, research and development, professional office, and limited commercial uses.

WATERSHED PROTECTION DISTRICT COMMENTS:

December 6, 2016
RMA 14-019-1 – Santa Paula West Business Park
Specific Plan Draft EIR
Page 2 of 6

A. General Comments

1. Adams Barranca is a District jurisdictional redline channel that borders the west side of the project site. At the project site, the barranca has a catch basin area of 5,580 acres (8.7 square miles) and a 100-year peak discharge of 6,880 cubic feet per second (cfs) according to the official Santa Clara River Feasibility Study HSPF hydrologic study report. The barranca is mostly a natural earthen channel with occasional farm berms. Based on the Preliminary Drainage Report prepared for this project, all road crossing structures have inadequate capacities to pass the 100-year discharge, with the double culvert under Highway 126 having a capacity of 2,200 cfs. In the existing conditions, stormwater may break out of the barranca at the upstream and downstream of Telegraph Road and flood the agricultural lands on both side of the barranca. Some of the break-out stormwater may flow through the project site and join Todd Lane Drain before joining the Santa Clara River. 6-1
2. This project proposes to fill the project site and raise the ground elevation up to 6 feet to bring the site out of the 100-year floodplain. Please analyze the regional hydrologic impacts of the project due to loss of the natural storage and blockage of the flow path to Todd Lane Drain. Please evaluate mitigation measures if the impacts are found to be significant. 6-2
3. The hydraulic analysis indicates that around 2,637 cfs stormwater would break out of the barranca upstream of the Telegraph Road, overtop the road and join the proposed parallel channel on the project site under post-development conditions. Please explain how the breakout water would be collected and directed to the excavated channel. 6-3
4. Initial investigation shows that stormwater may breakout further upstream (upstream of Santa Paula Street) during a 100-year storm event and potentially impact the project site. Please extend the hydraulic model further upstream to fully evaluate the onsite flood risks for both the existing and proposed conditions. 6-4
5. Due to the close proximity of the proposed parallel channel with the barranca, please analyze the stability of the east bank of the barranca under the proposed conditions. 6-5
6. Please discuss the sediment management strategy for the proposed project. 6-6

December 6, 2016
RMA 14-019-1 – Santa Paula West Business Park
Specific Plan Draft EIR
Page 3 of 6

7. The Draft EIR does not discuss the potential impacts to the project from the District debris basin located upstream of Foothill Road. This basin traps the medium to coarse sediment generated in the upper watershed by smaller storms, but has the potential to fill with sediment and/or floodwaters in larger storms. Any potential impacts to the project should be discussed in the Final EIR and addressed during the final design phase of the project.
8. The drainage report and plans to be provided during the final design phase of the project will be reviewed to confirm that they have achieved the level of mitigation presented in the Draft EIR and that they meet the design criteria of the Ventura County Watershed Protection District and the City of Santa Paula.

6-7

6-8

B. Detailed Comments

On Santa Paula West Business Park Specific Plan EIR Report

9. On page 2.0-27, "*Grading over the Project Site includes an estimated 80,000 cubic yards of cut and 179,000 cubic yards of fill, requiring the import of approximately 99 cubic yards of soil*". Please replace "99 cubic yards" with "99,000 cubic yards" for the statement to read correctly.
10. On page 2.0-27, "*One acre of land within the Specific Plan boundary has been set aside for detention basins totaling approximately 6 acre-feet of volume*". If the volume of cut is 80,000 cubic yards (50 acre-feet) and the detention basins volume is 6 acre-feet, please explain where the remaining 44 acre-feet of cut is coming from.
11. On page 2.0-27, "*The basin along Adams Barranca will include debris catchment facilities to reduce debris from storm flows that have caused problems at the railroad culvert and the Caltrans culvert in this channel*". Please determine debris yield of Adams Barranca at the project site, design and discuss debris catchment facilities, and develop an operation and maintenance plan for the facilities.
12. On page 2.0-27, "*These detention basins will serve dual roles of flood protection and water quality enhancement*". On page 4.9-19, "*The detention basins will be sized to treat 10 percent of the 50-year storm event from the storm drain, consistent with the Ventura County SQUIMP guidelines*". "*The Peak flows would*

6-9

6-10

6-11

6-12

December 6, 2016
RMA 14-019-1 – Santa Paula West Business Park
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Page 4 of 6

not exceed existing conditions, so there would not be adverse effects downstream". In addition, these basins (or some of them) are designed to catch debris (see comment #9 above). Please analyze and explain how all these functions for the basins are achieved simultaneously.

6-12

13. On page 2.0-28, "*The new channel would join with the existing Adams Barranca at the railroad crossing and the SR 126 crossing*". The report indicates the split flows would not be able to re-join the barranca at the railroad crossing or at the SR 126 culvert under the existing conditions. No plans are included to show how the new channel would join the existing Adams Barranca at these locations. There is no impact analysis resulting from these modifications to the existing Adams Barranca. Please analyze and illustrate the proposed juncture with Adams Barranca.

6-13

On EIR Appendix 4.9: Adams Barranca Existing Condition Hydrology Study and Preliminary Hydrology Report for Santa Paula West Business Park

14. There are three sets of hydrology/drainage study reports included in this appendix: 1) Adams Barranca Existing Condition Hydrology Study, dated December 2011; 2) Santa Paula West Business Park Preliminary Drainage Report, dated February 2011; and 3) Santa Paula West Business Park Preliminary Drainage Report, dated November 2015. Some of the information contained in the previous reports is either obsolete or outdated. For example, the project boundary in the exhibit in Appendix A of the first report is obsolete, and the basin layouts on exhibits in the second report are outdated. To facilitate future reviews and for better documentation, please consolidate the analyses into one updated report. The District's review has been focused on the latest drainage report dated November 2015.

6-14

15. For regional hydrology, please use the Santa Clara River Feasibility Study HSPF results since it has been reviewed and approved by FEMA, USACE, and the District. This will facilitate future CLOMR/LOMR applications. It is acceptable to use the VCRAT program to evaluate onsite hydrology and project impacts. The VCRAT program incorporates more detailed subareas and routing reaches.

6-15

16. There is no discussion or explanation of how the proposed basins would function simultaneously as detention basins, water quality basins, and debris basins. There are no calculations to support the numbers in Table 2B – Santa Paula West Business Park Specific Plan Proposed Runoffs with Detention. Although

6-16

December 6, 2016
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Page 5 of 6

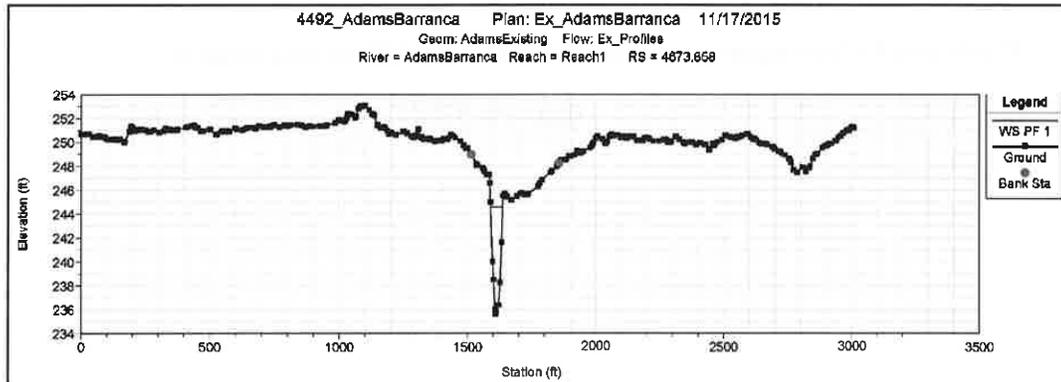
there are Pond Reports for detention basins in the second report, that report is outdated due to a change of basin layouts.

6-16

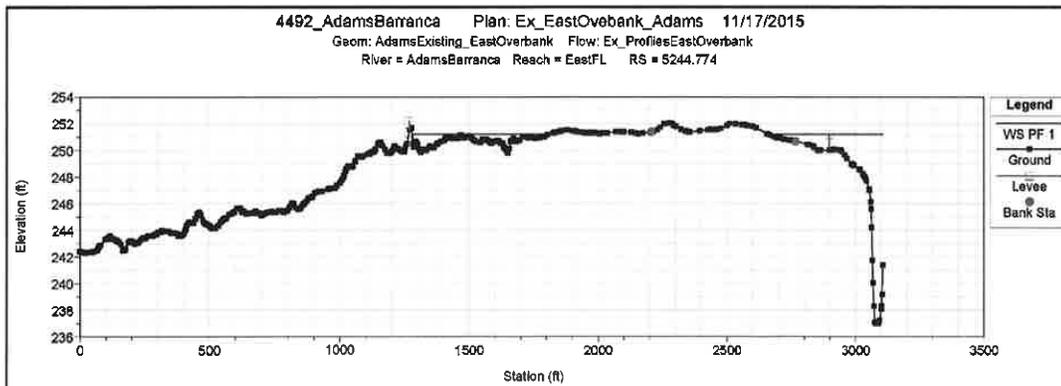
17. There appear to be critical errors in the existing conditions HEC-RAS model setup. One example is that the channel flow conveyance is utilized three times by the three different plans: the main channel plan - Ex_AdamsBarranca, the east overbank flow plan - Ex_EastOverbank_Adams, and the west overbank flow plan - Ex_WestOverbank_Adams (see figures below).

6-17

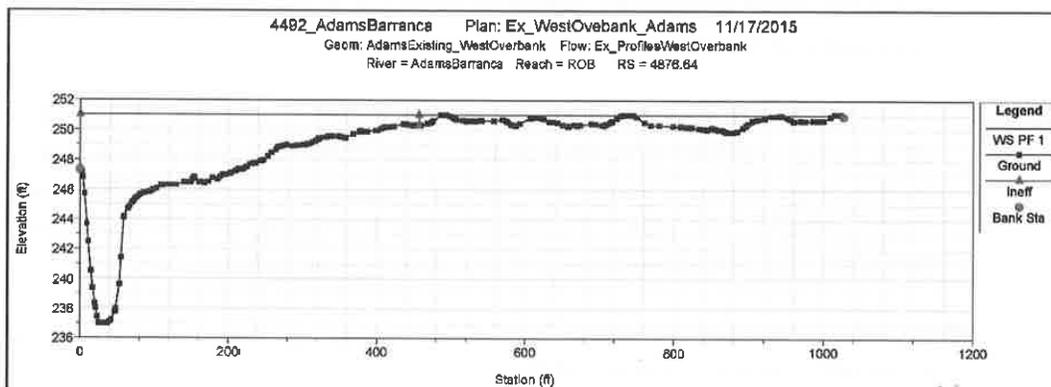
18. For the proposed condition HEC-RAS model, please show the complete proposed channel geometry (fill).



6-18



December 6, 2016
RMA 14-019-1 -- Santa Paula West Business Park
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Page 6 of 6



6-18

Thank you for the opportunity to review the Draft EIR for this project.

END OF TEXT

Letter No. 6

E. Zia Hosseinipour, Manager
Ventura County Watershed Protection District
Advanced Planning Section
Letter dated December 6, 2016

Response 6-1:

At the Project Site, Adams Barranca has catch basins areas of 5,580 acres and a 100-year peak discharge of 6,880 cubic feet per second (cfs), according to the Santa Clara River Feasibility Study Hydrologic Simulation Program–FORTRAN (HSPF) hydrological study report. Based on the *Santa Paula West Business Park Preliminary Drainage Report*, the roads crossing the structures have inadequate capacities to pass the 100-year discharge with the double culvert under Highway 126, which has a capacity of 2,200 cfs. As noted in the existing conditions discussion (Section 4.9.1 of the Draft EIR), stormwater may break out of the barranca at the upstream and downstream Telegraph Road and flood agricultural fields on both sides of the barranca.

As noted in Table 4.9-3: Existing Condition Flow Summary, in Section 4.9: Hydrology and Water Quality, of the Draft EIR, a small portion of the Santa Paula West Business Park Project Site drains west into Adams Barranca, and Adams Creek runs along the western edge of the proposed Project area. Adams Barranca is a raised channel; on average, the top of the channel is 2 feet higher than the adjacent grade on the Project Site. This portion of the property is subject to flooding during a 100-year storm event from Adams Barranca.

The SR 126 westerly culverts (Area B) currently accepts the flow from approximately 27 acres. Overflow from pipe inlet blockage travels easterly to two other culverts under SR 126 or further east to the inlet at the end of Faulkner Road into a 72-inch reinforced concrete pipe (RCP) leading to the Todd Lane drain. The SR 126 easterly culverts (Areas C and D) currently accept flows from approximately 31 acres. Overflow from pipe inlet blockage travels easterly to the inlet at the end of Faulkner Road into a 72-inch RCP leading to the Todd Lane drain.

As shown in Figure 4.9-2: Current FEMA Flood Insurance Map, in the Draft EIR, the western portion of the site is designated as Flood Zone A, an inaccurate determination of current existing conditions, resulting from Adams Creek overtopping its banks during a 100-year storm event. This flooding is caused by lack of capacity within the channel, lack of capacity at the SR 126 undercrossing, and debris issues at the railroad bridge.

Flood control structures in the vicinity are undersized. The proposed Project provides flood protection for the Project Site and removes proposed development areas from the flood plain without causing adverse effects on existing structures or properties.

As part of the Project, flood control structures would be redesigned and constructed to address the deficiencies by identifying a conservative breakout condition and incorporating into the Project design a safe route for potential overflow around or through the Project Site. As shown in Figure 4.9-3: Conceptual Grading & Drainage Plan, in the Draft EIR, storm drain facilities would be sized to meet City of Santa Paula standards and would accommodate the increased runoff generated by the increase in impervious surfaces. The storm drain system would collect on-site runoff and direct most of it to three separate detention basins prior to outletting into storm drains that connect to the existing culverts under SR 126. The existing SR 126 culverts are exposed, but once the site is elevated by fill, the pipes would be underground and integrated into the new storm drain system. Peak flows would not exceed existing conditions; thus, there would not be adverse effects downstream. Therefore, potential impacts are considered less than significant.

The Project will not increase the flood risk or contribute additional flows to the undersized facilities mentioned in the comment.

Response 6-2:

The proposed Project will replace or match existing storage such that the regional hydrological impacts of the loss of natural storage caused by fill placed on the Project Site would not affect other properties in the area beyond allowed limits. As proposed, the Project will not block the flow path to Todd Lane drain on the east edge of the site because flow areas to the drain would be replaced by new storm drain systems with normal design capacities and include overflow paths. The Project will accept and pass flows that might reach the upstream edge (breakout upstream) from Adams Barranca from existing conditions that affect the Project Site.

The Project will be designed to ensure that any fill within the existing flood is replaced with a comparable amount of storage for flood waters within the flood plain area remaining on the Project Site. The filling of the flood plain within the site will not, therefore, significantly affect off-site flood limits.

Response 6-3:

The development plan proposes an interceptor ditch along the south edge of Telegraph Road to collect water reaching the Project Site from any upstream breakout condition affecting this edge. Under current conditions, this potential overflow would occur as a wide surface flow that would crest over the centerline of Telegraph Road at the road's low points. As noted in the Draft EIR, the expected magnitude of flow

path of this water has been identified, and the ditch will collect the potential overflow water and divert it around edge of the Project Site.

Response 6-4:

The City disagrees that additional analysis is required. The flooding analysis for Adams Barranca extends for nearly 6,500 feet, 2,500 feet below the site extending to the Santa Clara River and 1,500 feet above the site. To establish these limits, the regional flow patterns were reviewed in relation to the proposed Project Site. The model provides a conservative assessment beginning with all potential flows in Adams Barranca. Predominant overland flow above Telegraph Road, as well as more pronounced flow above Santa Paula Street, is to the west toward Clow Road (Haines Barranca) or to the east and the existing City systems that drain to the Todd Lane drain.

Flow patterns above the area included in the model will be affected by Santa Paula Street, which is about 1,000 feet above the model limits and 2,500 feet above the Telegraph Road edge of the site. Santa Paula Street will likely direct any breakout that could affect the Project Site back to the Adams Barranca. Examination of the land above Santa Paula Street did not identify any indication of potential breakout and flow pattern that would change the model result to a more significant flood concern from the Adams Barranca watershed caused by the Project Site.

The model's conservative results used for the evaluation are likely the worst-case condition. The land above the area included in the model on the east side is higher than the west side; if water were to breakout to the west side of the Adams Barranca above Santa Paula Street, it would not return to Adams Barranca. Breakout to the east is unlikely because this side is higher. If this were to occur, it could potentially affect the Todd Lane drain. In considering these factors, the analysis boundary establishes a conservative model for the environmental review of the Project.

Response 6-5:

As proposed and described in the Draft EIR, the west side of the site at the flood protection edge (east edge of the Adams Barranca watershed) will safely convey the flow, considering velocity and scour potential. This edge protection may use rock, concrete, or other suitable material needed to meet flow velocity and scour potential. Final design of the improvement will be illustrated and presented to the City and, as necessary, to the Watershed Protection District, to show stable conditions prior to construction permitting.

Response 6-6:

Current sediment management for Adams Barranca will not be significantly affected by the Project. The Project will include on-site management of on-site sediment for both construction and permanent development through best management practices, vegetation, and low-impact development standards. The capacity of the bypass channel for Adams Barranca overflows will be designed to pass sediment flows and be maintained to remove sediment and debris that may be deposited.

Response 6-7:

The Adams Canyon debris basin is a publicly funded and maintained debris basin located approximately 6,500 feet upstream from the proposed Project and has a storage capacity of more than 84,000 cubic yards. The large ponding area and outlet structure control will provide storm flow attenuation during storm events; with proper maintenance, this basin will reduce the sediment that occurs in Adam Barranca. The debris basin will not affect the proposed Project, and no additional analysis is needed for this reason.

Response 6-8:

The comment is noted. Final design plans will be submitted to the District as requested.

Response 6-9:

The Final EIR has been revised to correct this typographic error, and the edit has been made to page 2.0-27.

Response 6-10:

Detention basin area (volume) and amount of Import are separate and unrelated quantities. Any earthen material required to raise grade above flood plain elevations, not available from on-site excavations, will be imported.

Response 6-11:

The capacity of the bypass channel for Adams Barranca overflows will be designed to pass sediment flows and be maintained to remove sediment and debris that may be deposited. The detailed design of this overflow path will address the debris expected to occur within this watershed. The required size of the facilities will be determined in the detailed final design.

Response 6-12:

On-site detention basins will be designed to mitigate on-site development impacts to the extent required by the MS-4 permit and as normal site development considerations. The detention basins will include storage to reduce post development flow to less than existing peak flows. The on-site basins will provide

infiltration volumes and/or on-site storage to capture the first flush per the MS-4 permit. Please see the *Santa Paula West Business Park Preliminary Drainage Report* (page 8), dated November 2015, for a complete description of the water treatment prior to discharge into the detention basins.

Response 6-13:

The onsite conveyance at the lower southwest corner of the site would combine with flow in Adams Barranca by removing and reconstructing much of the lower +/-250 feet of the east bank of the Barranca. This will allow the overflow to rejoin with the Adams Barranca flow as it reaches the existing SR 126 culvert. Additional ponding will be accommodated within the Project Site channel, and the lower corner of the site will be designed to replace flood plain storage from what currently exists. The storage on the Caltrans culvert is potentially undersized, so the comingled flows would be designed to pond to a depth equal to or near present condition before finding overland relief across the SR 126.

Response 6-14:

The applicable reports are the *Adams Barranca Existing Condition Hydrology Study* dated December 2011 and the *Santa Paula West Business Park Preliminary Drainage Report*. It appears the District has reviewed the appropriate reports.

Response 6-15:

The regional hydrology information from the reports identified in this comment was used in the hydrology study for the Project.

Response 6-16:

See **Response to Comment 6-12**.

The on-site stormwater quality and on-site basin final design will be reviewed by the City of Santa Paula.

Response 6-17:

The existing condition HEC-RAS model setup has a levee in place on the east overbank plan so that the flow conveyance of the channel is not included in the cross-sectional area for flow. The west overbank area has ineffective flow area where the main channel is located and, therefore, is not accounted for in the water surface elevations of the cross sections. The final Conditional Letter of Map Revision (CLOMR) application will show the existing and proposed conditions per Federal Emergency Management Agency (FEMA) requirements.

The model runs have been reviewed, and there are no errors.

Response 6-18:

The cross sections for the proposed condition in the HEC-RAS model shows the parallel channel and the proposed preliminary design. As the site moves forward in design, the HEC-RAS model will be updated accordingly and will meet the FEMA requirements for a CLOMR.



Memorandum

County of Ventura • Resource Management Agency • Planning Division
800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • ventura.org/rma/planning

DATE: December 15, 2016

TO: Janna Minsk, AICP, Planning Director

FROM: Whitney Wilkinson, Ventura County Planning Division

SUBJECT: Notice of Availability of a Draft Environmental Impact Report for the Santa Paula West Business Park Specific Plan (RMA 14-019-1)

The Ventura County Planning Division has reviewed the Draft Environmental Impact Report (DEIR) for the Santa Paula West Business Park Specific Plan, and have the following comments that the City of Santa Paula should consider with regard to the analysis of impacts to biological resources.

1. Wetlands and Waters

The DEIR provides for an area adjacent to Adams Barranca to serve as passive open space. However, the DEIR does not provide the buffer distance of this passive open space between the Adams Barranca and the boundary of proposed disturbance and/or development.

Adams Barranca is a Ventura County Red Line Channel that flows into the Santa Clara River. According to the DEIR, it supports “a mixed southern willow riparian woodland vegetation community with trees and shrubs within the banks and along the channel within the ordinary high water mark.” In addition, it has the potential to support special status wildlife species. Biological Resource Policy 1.5.2-4 in the Ventura County General Plan Goals Policies is as follows:

Discretionary development shall be sited a minimum of 100 feet from significant wetland habitats to mitigate the potential impacts on said habitats. Buffer areas may be increased or decreased upon evaluation and recommendation by a qualified biologist and approval by the decision-making body. Factors to be used in determining adjustment of the 100 foot buffer include soil type, slope stability, drainage patterns, presence or absence of endangered, threatened or rare plants or animals, and compatibility of the proposed development with the wildlife use of the wetland habitat area. The requirement of a buffer (setback) shall not preclude the use of replacement as a mitigation when there is no other feasible alternative to allowing a permitted use, and if the replacement results in no net loss of wetland habitat. Such replacement shall be "in kind" (i.e. same type and acreage), and provide wetland habitat of comparable biological value. On-site replacement shall

7-1

be preferred wherever possible. The replacement plan shall be developed in consultation with California Department of Fish and Game.

7-1

Based on the information in the DEIR, it would appear this drainage functions as a Significant Wetland Habitat. It is recommended the buffer distance between Adams Barranca and proposed development be at least 100 feet in order to establish consistency with this policy. In addition, clarification is needed as to what is proposed for this buffer area and what is meant by “passive open space”.

2. Federally Listed Species

The DEIR states that there is marginal habitat for southwestern willow flycatcher (*Empidonax trailii extimus*) (FE, SE) and least Bell’s vireo (*Vireo bellii pusillus*) (FE, SE). Disturbance to these nesting listed species could result in violation of the Migratory Bird Treaty Act, Department of Fish and Game Code, and Endangered Species Act. The pre-construction surveys for nesting birds described in Mitigation Measure BR-3 require weekly surveys, with the last survey conducted no more than 3 days prior to initiation of construction work. However, a survey immediately before land clearing and construction activity is recommended to mitigate any potentially significant impacts to least Bell’s vireo because this species tends to move around frequently during nesting and may be missed within a 3 day period. It is also recommended you contact the US Fish and Wildlife Service to determine how best to address these potential impacts in the Final EIR.

7-2

Thank you for the opportunity to comment on the DEIR. If you have questions regarding this submittal, please contact Whitney Wilkinson at 805-654-2462 or whitney.wilkinson@ventura.org.

Letter No. 7

Whitney Wilkinson
County of Ventura Resource Management Agency
Planning Division
Memorandum dated December 15, 2016

Response 7-1:

The proposed Specific Plan will require that all new development be set back 100 feet from the upland edge of the riparian habitat in the Adams Barranca. As shown in **Figure 3.0-1: Proposed Riparian Habitat Buffer for Adams Barranca**, the buffer will be located along the southern portion of the Project Site and APNs 098-0-010-150 and 098-0-010-190. The buffer will not include the area adjacent to parcel APN 098-0-010-420 to the south because that parcel is developed and is located between the Project Site and the Adams Barranca.

The buffer area will be limited in use, and construction of the buildings outside the buffer and landscaping activities inside the buffer shall be conducted to not degrade lakes, ponds, wetlands, or perennial watercourses in the Adams Barranca through filling, sedimentation, erosion, increased turbidity, or other contamination. Additionally, within the buffer area, permitted uses will include the following: passive recreation; educational uses; utility lines; pipelines; drainage and flood control facilities; bridges and road approaches to bridges to cross a stream; and approved roads.

All permitted development in or adjacent to streams, wetlands, and other aquatic habitats shall be designed and/or conditioned to prevent loss or disruption of the habitat, protect water quality, and maintain or enhance (when feasible) biological productivity. Design measures to be provided include but are not limited to:

- i. Flood control and other necessary instream work shall be implemented in a manner than minimizes disturbance of natural drainage courses and vegetation.
- ii. Drainage control methods shall be incorporated into projects in a manner that prevents erosion, sedimentation, and the discharge of harmful substances into aquatic habitats during and after construction.

Response 7-2:

Because of the potential for least Bell's vireo and southwestern willow flycatcher to occupy habitat along Adams Barranca, a requirement to conduct protocol surveys for these species prior to construction has been added to mitigation measure **BR-3**. The Final EIR (see page 4.4-44) has been revised accordingly.

Given that the protocol surveys for the southwest flycatcher require a certified biologist to make at least three visits during the third (or last) survey period (June 22 to July 17) because nesting southwestern willow flycatchers can be more difficult to detect once breeding efforts are well underway, and also given that the protocol surveys for least Bell's vireo will take place at least eight (8) times during the period from April 10 to July 31, there is no need for additional surveys within a 3-day period before the start of construction.¹

1 California Department of Fish and Wildlife, "Survey and Monitoring Protocols: Birds," accessed June 19, 2017, <https://www.wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds>.

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

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

DATE: December 6, 2016

FROM: Alicia Stratton

SUBJECT: Request for Review of Draft Environmental Impact Report for the Santa Paula West Business Park Specific Plan, City of Santa Paula (Reference No. 14-019-1)

Air Pollution Control District staff has reviewed the draft environmental impact report (DEIR), which is a proposal for a specific plan containing a comprehensive set of plans, exhibits, regulations, conditions and programs for orderly development of the Business Park. The Business Park would contain a combination of office, manufacturing, research and development, professional office, and limited commercial uses on approximately 54 acres of the City's 125-acre West Area 2 designation and would be developed over a ten-year period. The project location is unincorporated land west of the City of Santa Paula, south of Telegraph Road, and east of the Adams Barranca.

Section 4.3 of the DEIR addresses air quality issues. We concur with the findings of this discussion that significant operational, long-term and construction related, short-term air quality impacts would result from the project. Table 4.3-8, Page 4.3-21, *Operational Emissions*, indicates that 29.71 lbs/day reactive organic gases and 22.93 lbs/day oxides of nitrogen would be generated by the project. APCD has a 25 lbs/day threshold for reactive organic compounds and oxides of nitrogen as described in the Ventura County Air Quality Assessment Guidelines. Therefore reactive organic gases from the project would exceed the threshold and would need to be mitigated to a level less than significant. This is addressed below. Short-term, construction related emissions are presented in Table 4.3-6, *Construction Emissions* (Page 4.3-19) and in Table 3.4-7, Page 4.3-20, *Worst-Case Construction Emissions* (2020). These table indicates that for each year of construction APCD thresholds would be exceeded; however, the Ventura County Air Quality Assessment Guidelines do not count construction emissions toward thresholds of significance because they end when the project is constructed. These types of emissions must be mitigated to the greatest amount feasible.

8-1

Toxic air emissions are discussed on Page 4.3-23. This discussion indicates that diesel particulate carcinogenic risks from the project would be 0.87 cancers/million; the APCD

8-2

threshold for significance is 10/million. Therefore, impacts are less than significant because carcinogenic risks do not exceed the threshold.

8-2

Air impact mitigation is addressed in Section 4.3.6, Mitigation Measures (Page 4.3-28). This section presents mitigation of air impacts during grading, excavation and construction as well as mitigation of area source emissions and mobile source emissions during long-term operation of the project. Mitigation Measures AQ-1, AQ-2, AQ-3 and AQ-5, AQ-6, AQ-9, AQ-10 and AQ-11 will address short-term impacts from the activities; AQ-4 cites development of a Fugitive Dust Control Plan to be approved by APCD. We look forward to reviewing the Plan when it is developed.

8-3

Mitigation of operational emissions is presented in Measures AQ-12, AQ-13, and AQ-14. Measure AQ-13 refers to a Transportation Demand Management plan for approval by the City and APCD. The sixth element of this measure (Page 4.3-31) includes traffic light synchronization on streets impacted by project development. We recommend that the contributions are not to be used for traffic engineering projects, including signal synchronization, intersection improvements, and channelization, as the benefits from these projects are primarily traffic-related and not air quality-related.

8-4

Please note also that in the Existing Local Air Quality discussion (Page 4.3-7) the discussion on monitoring stations in Ventura County references a monitoring station on Anacapa Island. This station is no longer in use and the discussion should be revised to reflect this.

8-5

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

Letter No. 8

Alicia Stratton
Ventura County Air Pollution Control District
Memorandum dated December 6, 2016

Response 8-1:

The comment is noted. The EIR provides mitigation measures in Section 4.3.6: Mitigation Measures, that address Construction Emissions (mitigation measures **AQ-1** through **AQ-4**), Building Construction (mitigation measures **AQ-5**), and Operational Emissions (mitigation measures **AQ-6** through **AQ-14**). The EIR notes that even after the implementation of mitigation measures, emissions of ROG and NOx for both construction and operation would still exceed the regional construction emissions thresholds and impacts at both the Project level and cumulative level will remain significant and unavoidable after mitigation.

Response 8-2:

This comment does not address the information or analysis in the Draft EIR. No further response is required.

Response 8-3:

The comment is noted. As indicated in mitigation measure **AQ-4**, a Fugitive Dust Control Plan will be submitted to the Ventura County Air Pollution Control District (VCAPCD) for review and approval prior to the start of grading and excavation operations.

Response 8-4:

Areas of vehicle congestion have the potential to create carbon monoxide (CO) hotspots. While the mitigation is not directed at air quality improvements, signal synchronization helps coordinate traffic lights along major arterials and is used as a strategy to reduce vehicle congestion, thus indirectly potentially reducing air emissions. While this mitigation was included in the Draft EIR, no additional benefit was taken for any decrease in emissions resulting from the synchronization.

Response 8-5:

The discussion in the Draft EIR Section 4.3.1: Existing Conditions, (page 4.3-7), has been revised and includes the six monitoring stations throughout the County of Ventura: (1) El Rio; (2) Ojai; (3) Piru; (4) Simi Valley; (5) Simi Valley–Upper Air; and (6) Thousand Oaks.



VENTURA LOCAL AGENCY FORMATION COMMISSION

COUNTY GOVERNMENT CENTER • HALL OF ADMINISTRATION

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

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

WWW.VENTURA.LAFCO.CA.GOV

Dear Prospective LAFCo Applicant:

Local Agency Formation Commissions (LAFCos) are independent governmental agencies responsible for promoting orderly development through the logical formation and determination of local agency boundaries. LAFCos implement the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.), which grants them broad authority to review, consider, modify, condition, and approve or disapprove requests for changes of organization, including annexations.

In reviewing any request for a change of organization, LAFCos must consider numerous factors such as, but not limited to, land use; the need for organized community services; the effect on the cost and adequacy of services in the area and adjacent areas; the ability of the city or district to provide services; the availability of water supplies; consistency with regional transportation plans and city/county general and specific plans; and the effects on agricultural lands. In addition, LAFCos must comply with laws pertaining to environmental protection, land conservation, public records, open meetings and taxation. The Ventura LAFCo has also adopted local policies which must be given great weight as part of its consideration of proposals. These policies, along with LAFCo's operational rules and regulations, are set forth in the *Commissioner's Handbook*, which is available on the LAFCo website: www.ventura.lafco.ca.gov.

9-1

Regardless of your agency's level of familiarity or experience with the LAFCo application process, we strongly encourage all prospective applicants to consult with Ventura LAFCo staff prior to submitting an application. Although the LAFCo application requirements are generally the same for each boundary change proposal, there may be exceptions depending on the complexity, scope, and location. During the pre-application consultation, a detailed explanation of the application requirements and all information necessary to process the request will be provided. Meeting all of the requirements in the initial application submittal is the best way to minimize processing time and costs. Generally speaking, it takes between three and four months from the time an application is submitted to the time it can be recorded (for proposals that are approved). However, it can take significantly longer if the application does not include all of the required information.

Pre-application consultations are available free of charge in most cases unless multiple meetings are required. Optimally, the consultation process should occur before your agency initiates the environmental review process and well before a resolution to initiate a change of organization is adopted. Please take advantage of the LAFCo staff to help make your LAFCo experience as efficient and cost effective as possible.

Sincerely,
Ventura Local Agency Formation Commission

Letter No. 9

Ventura Local Agency Formation Commission (LAFCo)
Undated letter

Response 9-1:

Comment noted. The City will consult and coordinate with Ventura LAFCo staff on the annexation application for the site.



VENTURA LOCAL AGENCY FORMATION COMMISSION

COUNTY GOVERNMENT CENTER • HALL OF ADMINISTRATION

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

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January 3, 2017

Ms. Janna Minsk, Planning Director
City of Santa Paula
P.O. Box 569
Santa Paula, CA 94061-0569

SENT VIA E-MAIL

Subject: Notice of Availability of a Draft Environmental Impact Report (DEIR) for the Santa Paula West Business Park Specific Plan Project (SPWBPSP)

Dear Ms. Minsk:

Thank you for providing the Ventura Local Agency Formation Commission (LAFCo) with the opportunity to review the subject DEIR, and for providing us with additional time to review the document as a result of our office being short-staffed. As a responsible agency under the California Environmental Quality Act (CEQA), LAFCo is charged with ensuring that environmental documents prepared by lead agencies address the issues that relate to LAFCo's scope of authority. Please note that the Commission has not reviewed the DEIR, and these comments are solely those of the LAFCo staff.

Project Description

The City of Santa Paula is the lead agency for the project involving a specific plan that would allow for development of a business park (i.e., a combination of office, manufacturing, research and development, and other commercial uses) on an approximately 54-acre area located west of and contiguous to the City of Santa Paula. The territory is located within the "West Area 2" area planned for City expansion pursuant to the City's General Plan. The development within the proposed SPWBPSP area would receive City services, which requires that the territory be annexed to the City of Santa Paula. The majority of the project area is currently being used for agriculture, and the entire site has a County General Plan designation of Agricultural - Urban Reserve. The City's General Plan designates the project area as Mixed Use Commercial/Light Industrial.

10-1

LAFCo Law and Ventura LAFCo Policies

LAFCo's purposes are to (1) discourage urban sprawl, (2) preserve open space and prime agricultural land, (3) ensure efficient provision of government services, and (4) encourage the orderly formation and development of local agencies, such as cities (Government Code § 56301). The Ventura LAFCo has adopted local policies that it must consider when making

10-2

Ms. Janna Minsk
January 3, 2017
Page 2 of 6

decisions on reorganization proposals. Specifically, the policies found in Division 3 of the Ventura LAFCo Commissioner’s Handbook (Handbook) apply to the proposed project. The Handbook is available on the Ventura LAFCo website at www.ventura.lafco.ca.gov, and can be found under the “Policies” tab. To adequately address the subjects that are within LAFCo’s scope of authority (pursuant to Government Code § 56668), the project description and analysis in the EIR should include the following:

10-2

Request to LAFCo

Annexation of the proposal area to the City requires LAFCo approval of several changes of organization, collectively referred to as a reorganization. Therefore, the EIR should identify LAFCo as a responsible agency whose approval is required in conjunction with the development of the proposed project. The project description should include the following necessary components of the reorganization:

10-3

- Annexation to the City of Santa Paula
- Detachment from the Ventura County Resource Conservation District
- Detachment from County Service Area Nos. 32 and 33
- Detachment from the Ventura County Fire Protection District
- Detachment from the Gold Coast Transit District

Based on the project description and map exhibits included in the DEIR, the railroad (which bisects the project area) is not proposed as part of the SPWBSP or for annexation to the City. As mentioned in the comments provided by LAFCo staff to City staff on September 30, 2014, regarding the Notice of Preparation of the DEIR, exclusion of the railroad right-of-way from the proposed reorganization may be inconsistent with the Handbook policies regarding the proposed City boundary configuration [Handbook Sections 3.3.1.2(a) and 3.3.2.2(c)]. Furthermore, the contiguous segment of the railroad right-of-way should be included in the reorganization request because: (1) it appears that the project would involve realignment and/or modifications to a railroad crossing, (2) utility and drainage systems serving the project would intersect the railroad, and (3) other portions of the railroad right-of-way that are flanked on both the north and south sides by the City are located within the City’s boundaries.

10-4

The map exhibits contained in the DEIR suggest that the unincorporated portion of Telegraph Road that is contiguous to the project site and within the City’s sphere of influence is not proposed for annexation to the City. Pursuant to Handbook Section 3.2.1, roadway sections adjacent to territory proposed to be annexed shall be included in City annexation requests. Therefore, the reorganization request should include annexation of an approximately 200-foot long segment of Telegraph Road at the western edge of the project area.

10-5

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Agricultural Resources [Government Code § 56668(e)]

The DEIR's discussion of impacts to agricultural land is based on the State's Important Farmlands Inventory (IFI), and identifies 49.08 acres of farmland that would be converted to non-agricultural uses as a result of the proposed development. However, in making determinations regarding reorganization proposals, LAFCo is required to apply the definition of prime agricultural land found in Government Code § 56064, which differs from the IFI. Based on a preliminary review of the project area, it appears that the entire proposal area (i.e., approximately 54 acres) consists of prime agricultural land that would be converted to non-agricultural uses in order to accommodate the proposed development. Handbook Section 3.3.5 includes policies that apply to proposals involving the conversion of agricultural land to other uses. As the project site is located on land qualifying as prime agricultural land, in order for LAFCo to approve the reorganization, LAFCo must determine (among other things) that "insufficient non-prime agricultural or vacant land exists" within the City [Handbook Section 3.3.5.1(c)] and make findings pursuant to Section 3.3.5.2. The DEIR provides a discussion of the project pursuant to Section 3.3.5.1, but does not include an analysis of the project pursuant to Section 3.3.5.2 (Findings that Insufficient Non-Prime Agricultural or Vacant Land Exists). Although not necessarily a CEQA matter, if the EIR does not include this evaluation, LAFCo will require that it be submitted in order for the Commission to consider the reorganization request.

10-6

10-7

Despite the conclusion that impacts to agricultural land will be significant and unavoidable, the DEIR states that no mitigation measures are proposed because: (1) the City has designated the land for non-agricultural uses, (2) conservation easements do not mitigate the loss of agricultural land, (3) the City does not have a program for collection and use of agricultural mitigation fees, and (4) agricultural mitigation is not economically feasible.

10-8

CEQA does not require that feasible mitigation measures result in a less than significant impact, but instead that they "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact (CEQA Guidelines § 15370). Therefore, in order for the EIR to be in compliance with CEQA, LAFCo staff encourages City staff to incorporate into the project description and evaluate in the document mitigation measures that would reduce the potential impacts to agricultural resources. If after such evaluation no agricultural mitigation measures are proposed because they are not feasible, the analysis should provide information to support this conclusion.

10-9

In addition, LAFCo staff noted that Table ES-2 includes Mitigation Measure A-1, which requires that the conversion of prime farmland be partially mitigated through the recordation of a conservation covenant on other prime farmland, with the amount of farmland to be protected determined by the monetary value of the crops grown, not the acreage of the farmland. This mitigation measure does not appear to be discussed in the body of the DEIR and conflicts with the Agricultural Resources section of the DEIR that states no agricultural mitigation measures are proposed.

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Drainage and Flooding [Government Code §§ 56668(j)]

As discussed in the December 6, 2016, comments submitted to the City by the Ventura County Watershed Protection District (WPD), the DEIR has not adequately evaluated flooding impacts related to the development, with respect to both flooding of the project site and the drainage impacts of the development on surrounding land, uses, and drainage facilities. Handbook Section 3.3.1.2(h) discourages approval of a proposal that would accommodate new development within a hazardous area, unless the hazard can be adequately mitigated. Therefore, the EIR should include a more robust evaluation of flooding and drainage hazards as itemized in the WPD's comments.

10-10

Water Supply and Demand [Government Code §§ 56668(b), (k), and (l)]

Pursuant to the Urban Water Management Planning Act, urban purveyors with 3,000 or more connections are required to prepare (and update in years ending in 5 and 0) an Urban Water Management Plan (UWMP) in order to ensure that adequate water supplies are available to meet existing and future water demands (Water Code §§ 10617 and 10621). The analysis regarding water supply and demand contained in the DEIR comes from the City's 2010 UWMP, which is outdated. The Draft Santa Paula West Water Supply Assessment (WSA) (November 2016) states that the 5-year update for 2015 is anticipated in early 2017. According to the Water Code, 2015 UWMPs were to be updated and submitted to the Department of Water Resources by July 1, 2016. Thus, it appears that the City is not in compliance with the State Water Code. The discussion of water should be updated based on the contents of the updated UWMP.

10-11

The DEIR specifies that the project demand within the SPWBPSP will be 39.8 afy (the UWMP allocation for the entire West Area 2 Planning Area is 88.8 afy). LAFCo staff identified four instances where the estimated water demand differs from the 39.8 afy estimated elsewhere in the DEIR: (1) 39.4 afy on page 2.0-2 of the WSA, (2) 40.6 afy on page 3.0-24 of the WSA, (3) 108 afy in Figure 4 of the Domestic Water Technical Report (November 2015), and (4) 107.6 afy on page 31 of the SPWBPSP. The EIR should reconcile this data, and any erroneous information contained within the EIR and/or supporting studies should be corrected.

10-12

The WSA states that the SPWBPSP would cover approximately 43% of the 125-acre West Area 2 area. This equates to a nearly proportional amount of the water allocation for West Area 2 based on land area [approximately 45% (39.8 afy/88.8 afy)]. The EIR should clarify whether the remaining approximately 71 acres of West Area 2 is planned for development intensity similar to or less than that of the SPWBPSP such that the remaining water allotment will be sufficient for build-out of West Area 2.

10-13

The DEIR states that maximum development under the SPWBPSP at build-out would be approximately 1,264,982.4 square feet of commercial/light industrial uses and approximately 562,795.2 square feet of light industrial uses (totaling 1,827,777.6 square feet). The WSA,

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which relies on the 2010 UWMP, estimates 1,906,000 square feet of development on the entire 125-acre territory comprising West Area 2, which leaves only approximately 78,222.4 square feet of development potential on the remaining 71 acres of West Area 2. As the development appears to be greatly weighted toward the SPWBSP portion of West Area 2, the EIR should provide additional discussion regarding anticipated build-out of West Area 2.

10-13

The WSA also states that according to the City's Potable Water System Master Plan, the City plans to develop a recycled water system conveyance plan that will include a line in Telegraph Road, and that recycled water will be used within the SPWBSP project area for irrigation purposes. The City has not yet developed a recycled water master plan, recycled water infrastructure is not yet available, and the City will gradually develop a recycled water system. The project site is expected to have a recycled water demand of 17.9 afy. The EIR should include an evaluation of impacts related to the demand of 17.9 afy of potable water if recycled water does not become available for the project before development occurs.

10-14

The WSA states that long-term, gradual declines in water levels have been observed in many parts of the Santa Paula Groundwater Basin, which is the City's sole source of water supply. While the declines have been relatively minor, "they are indicative of changing hydrologic conditions in the basin that warrant further monitoring, and if the trend persists, the development of alternative basin management strategies." Further, the WSA discusses the City's proposed water demand reduction program for worst-case planning purposes related to water supply. The program includes an up to 50% decrease in water allocation based on a yearly average for metered services, with penalties charged to noncompliant users. As the SPWBSP will incorporate water conservation features and measures, the EIR should discuss whether a 50% reduction in water use will be possible for development within the SPWBSP if water supply conditions warrant such a reduction.

10-15

Affected Public Agencies [Government Code § 56668(j)]

It appears that Beckwith Road is proposed to be improved and extended across the railroad right-of-way that bisects the Specific Plan, in which case the California Public Utilities Commission (CPUC), which has the exclusive authority to approve and determine the design of new railroad crossings (Public Utilities Code § 1201), would be a responsible agency under CEQA. The CPUC generally discourages new at-grade crossings. The EIR should include an evaluation of the feasibility of any proposed railroad crossing and extension of utility systems within the railroad right-of-way.

10-16

Additional Comments

Section 6.5.1 of the draft SPWBSP states that the Planning Director would have the authority to approve certain modifications to the SPWBSP, such as "Minor expansions or reductions (10%) of the geographic area." Please note that expansion of the SPWBSP area beyond that

10-17

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provided in the currently proposed SPWBSP would likely require approval by LAFCo to amend the City's sphere of influence and annex the additional territory to the City.

The Ventura LAFCo encourages prospective applicants to meet with LAFCo staff early in the planning process (see the attached letter from the Commission). Such consultation and ongoing communication is helpful to clarify the nuances of LAFCo requirements and to avoid delays later in the process.

10-17

Again, thank you for the opportunity to review the DEIR. Please feel free to contact me if you have any questions.

Sincerely,



Andrea Ozdy
Analyst

Attachment

- c: Glenn Shephard, Ventura County Watershed Protection District
- Mauricio Guardado, Jr., United Water Conservation District
- Kim Prillhart, Ventura County Planning Division
- Darren Kettle, Ventura County Transportation Commission
- Yen Chiang, California Public Utilities Commission

Letter No. 10

Andrea Ozdy, Analyst
Ventura Local Agency Formation Commission (LAFCo)
Email dated January 3, 2017

Response 10-1:

This comment does not address the information or analysis in the Draft EIR. No further response is required.

Response 10-2:

This comment does not address the information or analysis in the Draft EIR. No further response is required.

Response 10-3:

The City recognizes these requirements and will submit an application with LAFCo requesting approval of these actions. Please note that as of July 8, 2018, the City of Santa Paula annexed into the Ventura County Fire Protection District and action item ‘Detachment from the Ventura County Fire Protection District’ is a no longer needed action item.

Response 10-4:

As shown in **Figure 3.0-2: Annexation Boundary**, the railroad right-of-way will be included as part of the proposed annexation. However, the California Public Utilities Commission (CPUC) has jurisdiction over some portions of the railway, and the application process will incorporate the CPUC accordingly.

Response 10-5:

As shown in **Figure 3.0-2**, the southern portion of Telegraph Road through the Project Site will be included as part of the proposed annexation. Additionally, all of Faulkner Road through the Project Site will be included as part of the annexation application.

Response 10-6:

The Project Site, excluding the railroad, is approximately 54 acres. As noted in the Section 4.2: Agricultural Resources, of the Draft EIR, the Farmland Mapping & Monitoring Program (FMMP) Important Farmland Map for Ventura County identifies a total of 44.22 acres of prime farmland and 4.88 acres of farmland of statewide importance on the site (total of 49.1 acres).

Government Code Section 56064 defines “Prime Agricultural Land” as “an area of land, whether a single parcel or contiguous parcels, that has **not been developed for a use other than an agricultural use** (emphasis added) and that meets any of the following qualifications:

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

Approximately 4.71 acres of land located near Beckwith Road contains a farmworker housing unit and, therefore, has been developed for uses other than agriculture. Further, this area of land does not meet any of the criteria identified in the Government Code Section 56064. Therefore, 49.1 acres (53.81 acres – 4.71 acres) of the Project Site would be considered Prime Agricultural Land under Government Code Section 56064.

Response 10-7:

The Ventura LAFCo Commissioner’s Handbook includes a number of policies that apply to reorganizations. The consistency of the Project with several of these policies was assessed in Section 4.10, Land Use, of the Draft EIR. The analysis of policies as presented in the Draft EIR is expanded below.

SECTION 3.3.1 GENERAL STANDARDS FOR ANNEXATION TO CITIES AND DISTRICTS

3.3.1.1 Factors Favorable to Approval:

- a. *The proposal would eliminate islands, corridors, or other distortion of existing boundaries.*

The proposed Project would extend the existing City boundary and would not create any islands of unincorporated territory or distort the existing boundary of the City.

- b. *The affected territory is urban in character or urban development is imminent, requiring municipal or urban-type services.*

The Project Site is located within the City's Sphere of Influence (SOI) and has been identified as an expansion area within the City's General Plan since 1998 to meet the need for additional light industrial and business park land in the City. Because the area is currently undeveloped, future development would require the extension of urban services.

- c. *The affected territory can be provided all urban services by the city or district as shown by the city's or district's service plans and the proposal would enhance the efficient provision of urban services.*

Extensions of municipal services are needed to support the range and intensities of land uses envisioned for this area by the City's General Plan, and the City of Santa Paula will provide services.

The Santa Paula Water Master Plan plans for the expansion of West Area 2, stating:

The water demands of West Area 2 are not expected to be significant, and are not expected to affect the overall infrastructure requirements for the system. However, fire flow needs could be substantial, depending on the size and types of building that may be proposed for this commercial area. To supply the required fire flows, a pipeline that crosses the freeway will likely be needed of significant size (12 or 16-inch). When the plans for the development are available, and water and firefighting needs are better defined, a detailed water system analysis is recommended.²

The Santa Paula Wastewater Master Plan also provides for wastewater service for West Area 2 to meet a projected wastewater average dry weather flow of 0.1088 million gallons per day (mgd).³

- d. *The proposal is consistent with state law, adopted spheres of influence, applicable general and specific plans, and these policies.*

The Project Site is located within the City's SOI and is identified as an expansion area the City's General Plan. The proposed Project would be consistent with the City of Santa Paula General Plan and Municipal Code.

2 Boyle Engineering Corporation, *City of Santa Paula Potable Water System Master Plan* (Final; October 2005), 127–128, <http://www.ci.santa-paula.ca.us/PubWorks/PotableWaterMasterPlanOct2005.pdf>.

3 Boyle Engineering Corporation, *City of Santa Paula Wastewater System Master Plan* (September 2005), Table 3-2, <http://ci.santa-paula.ca.us/PubWorks/WASTEWATERMASTERPLANSEPTEMBER2005.pdf>.

- e. *The proposal is for the annexation of city or district owned property, used or to be used for public purposes.*

The Project does not include City- or district-owned property.

As shown, the proposed Project is consistent with factors (a) through (d), and factor (e) does not apply to the proposed Project.

3.3.1.2 Factors Unfavorable to Approval:

- a. *The proposal would create or result in corridors, peninsulas, or flags of city or district area or would otherwise cause or further the distortion of existing boundaries.*

The proposed Project would extend existing City boundaries and would not create islands of unincorporated territory.

- b. *The proposal would result in a premature intrusion of urbanization into a predominantly agricultural or rural area.*

The Project Site is located within the City's SOI and has been identified as an expansion area in the City's General Plan since 1998 to meet the need for light industrial and business park land in the City and, for this reason, annexation of the Project Site at this time would not result in the premature urbanization of a predominantly agricultural or rural area.

- c. *The proposal is inconsistent with state law, adopted spheres of influence, adopted general or specific plans, adopted habitat conservation and/or restoration plans, other applicable plans adopted by any governmental agency, or these policies.*

The Project Site is located within the City's SOI and is identified as an expansion area the City's General Plan. The proposed Project would be consistent with the City of Santa Paula General Plan and Municipal Code. There are no habitat conservation plans or other applicable plans adopted by other governmental agencies the Project is inconsistent with.

- d. *For reasons of topography, distance, natural boundaries, or like considerations, the extension of services would be financially infeasible, or another means of supplying services by acceptable alternatives is preferable.*

The proposed Project is adjacent to existing uses within the City that currently utilize services. Services can be extended cost effectively to the proposed Project Site from adjacent developed areas in the City of Santa Paula in accordance with the City's utility master plans in

- e. *Annexation would encourage a type of development in an area that due to terrain, isolation, or other economic or social reason, is not in the public interest.*

The Project Site is relatively flat and borders developed portions of the City of Santa Paula to the east. The Project Site is located within the City's SOI and has been identified as an expansion area in the City's General Plan since 1998. Annexation of the site would be in the public interest.

- f. *The proposal appears to be motivated by inter-agency rivalry or other motives not in the public interest.*

The Project would be consistent with the Guidelines for Orderly Development that provide for development to occur within the cities and not within the unincorporated County. The Project proposes to annex land that has been identified within the City's General Plan and SOI and is proposed for expansion within the General Plan.

- g. *The proposed boundaries do not include logical service areas or are otherwise improperly drawn.*

The proposed Project would not create distorted boundaries and would extend existing boundaries as provided for in the SOI. Infrastructure improvements and extension of public services would be extended in an efficient manner.

- h. *The proposal area would accommodate new development and includes a tsunami inundation zone, wildfire hazard zone, FEMA designated floodway or floodplain, or other hazardous area designated by federal, state or local public agencies, unless the Commission determines that the hazard or hazards can be adequately mitigated.*

The proposed Project would not be located in a tsunami inundation zone, wildfire hazard zone, or other hazardous area designated by federal, state or local public agencies. As indicated in the Draft EIR, the western portion of the Specific Plan site located adjacent to Adams Creek is currently located within a FEMA-designated 100-year floodplain area. However, based on a review of historic flooding, existing contours, and site features, the site is not subject to flooding, and a CLOMR will be processed.

- i. *The proposal will result in an unacceptable significant adverse impact(s) to the environment as determined by the Commission.*

Mitigation is identified in the Final EIR for all significant impacts identified for the Project including Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation and Traffic, and Utilities.

As shown, the proposed Project would not result in any conditions that would be unfavorable as outlined in the factors (a) through (i).

SECTION 3.3.2 GENERAL BOUNDARY CRITERIA

3.3.2.1 LAFCo Favors Applications with Boundaries that do the Following:

- a. *Create logical boundaries that coincide with existing and planned service areas and, where possible, eliminate previously existing islands.*

The proposed Project would create logical municipal service boundaries within the City's established SOI. The Project Site is within an area where the City has planned for the provision of urban services.

- b. *Follow natural and man-made features, such as ridge lines drainage areas, watercourses, and edges of right-of-way, provided they coincide with lines of assessment or ownership, or are described by metes and bounds legal descriptions which can easily be used for mapping lines of assessment or ownership.*

The Project extends to a natural boundary on the west, the Adams Barranca, and coincides with existing rights-of-way and parcel boundaries.

- c. *Include adjacent urbanized areas which are receiving or which may require urban services such as public water and/or sewer services.*

The Project Site is currently undeveloped land within the City's SOI and is not adjacent to any existing unincorporated areas receiving or requiring urban services.

As shown, the proposed Project is consistent with factors (a) and (b), and factor (c) does not apply.

3.3.2.2 LAFCo Discourages Applications with Boundaries that:

- a. *Split neighborhoods or divide an existing identifiable community, commercial district, or other area having a social and economic identity.*

The proposed Project would not split or divide any existing communities, commercial districts, or other areas having a social and economic identity.

- b. *Create areas where it is difficult to provide services.*

The proposed Project would create logical municipal service boundaries within the City's established SOI.

- c. *Create boundaries which result in islands, peninsulas, flags, "pinpoint contiguity," "cherry stems," or cause, or further, the distortion of existing boundaries.*

The proposed Project would extend existing City boundaries and would not create boundaries which result in islands, peninsulas, flags, "pinpoint contiguity," "cherry stems," or cause, or further, the distortion of existing boundaries.

- d. *Are drawn for the primary purpose of encompassing revenue-producing territories.*

The Project would be consistent with the City's existing General Plan that identifies this area for urban expansion to accommodate City growth through 2020. The General Plan identifies this area for industrial and research and development uses.

As shown, the proposed Project would not result in any conditions that would be discouraged by LAFCo as outlined in factors (a) through (d).

SECTION 3.3.5 AGRICULTURE AND OPEN SPACE PRESERVATION

3.3.5.1 Findings and Criteria for Prime Agricultural and Existing Open Space Land Conversion

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

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

The Project Site is adjacent to urbanized land within the City of Santa Paula to the east. Additionally, to the north of the Project Site, beyond Telegraph Road, are additional areas containing urban uses.

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

The Project Site has been designated in the City's General Plan as an expansion area since 1998. With approval of the proposed Project, the site will be pre-zoned for nonagricultural use.

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

The City completed an inventory of vacant land within the City limits for the City's 2013-2021 Housing Element Update. This inventory identified approximately 60 acres of vacant, residentially zoned land, including several small vacant commercial properties, within the current city limits. Those vacant sites are not contiguous and are dispersed throughout the City.

In addition to these 60 acres of vacant land, the City has adopted Specific Plans for the East Area 1 and East Gateway Specific Plan Areas on the eastern edge of the City. Each of these Specific Plans designates small areas for business park uses. The East Gateway Specific Plan area is, however, primarily planned for development with community level retail commercial uses.

The small amount of vacant land available inside the City limits and available for development with light industrial and business park uses is not sufficient to meet the objectives in the City's General Plan. The West Area Expansion Area is the primary area for additional light industrial uses identified in the City's General Plan. There is insufficient non-prime agricultural or vacant land within the City's existing boundaries that is planned and developable for the same

general type of use. As the parcel of vacant land are dispersed and not contiguous, they do not provide sufficient site area to enable orderly, efficient and planned development of the commercial and light industrial uses envisioned for the Project area in the Santa Paula General Plan.

Other undeveloped land is available within the City's Sphere of Influence, which includes other expansion areas identified in the Santa Paula General Plan. They include Adams and Fagan Canyons located well north of SR 126 and have limited access. Because of the existing characteristics of these expansion areas, the Santa Paula General Plan limits development in Adams Canyon to single-family homes, a destination resort hotel, and a golf course, along with public facilities. Development permitted in Fagan Canyon by the General Plan includes single-family residences with supporting public facilities and a limited amount of neighborhood commercial uses. As such, these areas do not have the locational characteristics required for light industrial uses, or are not large enough to accommodate these uses.

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

The affected territory is not subject to voter approval for the extension of services or for the proposed minor changes in existing City General Plan land use designations. The proposed Specific Plan would include the annexation of land located within the City Urban Restriction Boundary (CURB). Measure L6 is not triggered by the proposed Project.

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

The Project will be adjacent to other existing agricultural or open space lands for which the Project has been designed to address compatibility, including a buffer along the Adams Barranca to the west, and does not include uses such as residential, schools, and other sensitive receptors immediately adjacent to agricultural operations.

As shown, the proposed Project is consistent with factors (a) through (e).

3.3.5.2 Findings that Insufficient Non-Prime Agricultural or Vacant Land Exists

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

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

The proposed Project would develop approximately 54 acres of agricultural land. As discussed in Section 4.10: Land Use, of the Draft EIR, there is insufficient non-prime agricultural or vacant land within the City’s existing boundaries that is planned and developable for the same general type of use.

The City conducted an inventory of vacant land conducted for the City’s 2013–2021 Housing Element Update identified approximately 60 acres of vacant, properties within the current City limits, not including land in the City’s East Area 1 and East Gateway Specific Plan areas. Those vacant sites are dispersed throughout the City, include sites zoned for residential uses, and do not provide sufficient contiguous land to allow for the orderly, efficient, and planned development of the commercial and light industrial uses envisioned for the Project area in the Santa Paula General Plan.

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

The City completed an inventory of vacant land within the City limits for the City’s 2013-2021 Housing Element Update. This inventory identified approximately 60 acres of vacant, residentially zoned land, including several small vacant commercial properties, within the current city limits. Those vacant sites are not contiguous, are dispersed throughout the City, and are not suitable for development with the type of light industrial and business park uses that would be accommodated by this proposed Project.

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

As discussed above, the City does not have sufficient land available within its current City limits to accommodate the light industrial uses this Project would allow. Four expansion areas, Adams Canyon, Fagan Canyon, West Area 2, and one planning area, East Area 2, are identified in the City’s General Plan to accommodate needed growth. This proposed Project is located in the West Area 2 Expansion Area, which is the primary area planned to meet the City’s need for additional light industrial land.

As shown, the proposed Project is consistent with factors (a) through (c).

3.3.5.3 Impacts on Adjoining Prime Agricultural or Existing Open Space Lands

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

- a. *The prime agricultural and open space significance of the territory and adjacent areas relative to other agricultural and existing open space lands in the region.*

Approximately 49 acres of the 54-acre Project Site are currently under agricultural cultivation

The Project Site includes 49.1 acres of land meeting the definition of prime agricultural land in Government Code Section 56064.

The Project Site contains approximately 44.20 acres of prime farmland, 4.88 acres of farmland of Statewide importance, and 4.48 acres of urban and built-up land as designated on the current State Important Farmland Map.

As of 2016, Ventura County had approximately 118,508 acres of important farmland, which included 40,976 acres of prime farmland and 32,992 acres of farmland of Statewide importance.⁴ The 44.20 acres of prime farmland and 4.88 acres of farmland of Statewide importance currently under agricultural cultivation within the Project Site account for 0.1 percent of the total prime farmland in Ventura County and 0.01 percent of the total of farmland of Statewide importance within the County.

Additionally, the land directly west of the Project Site is part of the Ventura-Santa Paula Greenbelt and will not be annexed or developed. Annexation and development of the Project Site in accordance with the proposed Specific Plan, which includes a buffer to ensure compatibility with agricultural land around the site, will not affect the large amount of remaining high quality agricultural land in the County.

b. The economic viability of the prime agricultural lands to be converted.

The Project Site is currently farmed by two organizations: Bender Farms and McGrath Farms. Bender Farms grows avocados on approximately 9.2 acres of land and herbs on approximately 12.3 acres. McGrath Farms grows a variety of row crops on approximately 27.5 acres of land. The proposed Project contains 44 acres of prime agricultural land that would be converted. The County of Ventura has determined that prime agricultural lands in the County are highly productive and are capable of supporting commercially viable agricultural operations on parcels as small as 9 acres.⁵ At 44 acres, continued agricultural operations are economically viable.

c. The health and well-being of any urban residents adjacent to the prime agricultural lands to be converted.

The health and well-being of urban residents adjacent to the proposal area are unlikely to be impacted as a result of the conversion of the agricultural land within the proposed SOI amendment. The existing residential development to the north is separated by Telegraph Road, which has a width of approximately 50 feet, from the Project Site. The proposed light industrial and business park uses would be developed in accordance with the development and design standards in the proposed Specific Plan, will be compatible with the nearest residential uses, and will not affect the health or well-being of the residents of this neighborhood

4 California Department of Conservation, "Farmland Mapping and Monitoring Program, Ventura County, Land Use Conversion Table," available at <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Ventura.aspx>.

5 Ventura County Board of Supervisors, *Ventura County Land Conservation Act Guidelines*, (adopted November 22, 2011; December 8, 2015, ed.), <https://docs.vcrma.org/images/pdf/planning/programs/lca/LCA-Guidelines.pdf>.

d. The use of the territory and the adjacent areas.

Residential and agricultural uses surround the Project Site. To the north of the Project Site and Telegraph Road are primarily single-family residences accessed from Country View Court, as well as a mobile home park accessed from Valencia Way. The southern portion of the Project Site is bound by SR 126; just beyond the freeway exist agricultural uses that grow various row crops, avocados, and citrus, and contain a limited number of single-family residential units within some of the properties. To the east of the Project Site, along Beckwith Road, are light industrial uses to the east, including offices, warehouse buildings, construction equipment storage, and maintenance facilities. The Adams Barranca is located adjacent to the western boundary of the Project Site; agricultural uses and limited single-family residences, consisting of orchards and a limited number of livestock, are located immediately west of the Adams Barranca.

Similar industrial uses currently exist to the east of the Project boundary. Additionally, man-made or natural boundaries would separate uses from the north, south, and west portions of the Project Site. The proposed light industrial and business park uses would be developed in accordance with the development and design standards in the proposed Specific Plan, will be compatible with the surrounding uses.

e. Whether public facilities related to the proposal would be sized or situated so as to facilitate the conversion of prime agricultural or existing open space land outside of the agency's sphere of influence, or will be extended through prime agricultural or existing open space lands outside the agency's sphere of influence.

The City has sewer and water master plans designed to serve uses allowed by the City's General Plan, including the uses in the West Area 2 Expansion Area, which includes the Project Site. Sewer and water facilities would be provided to serve the site consistent with these master plans and would not be sized to accommodate additional growth. The Project would also not involve any road improvements that could induce growth of adjacent agricultural or open space land.

f. Whether natural or man-made barriers serve to buffer prime agricultural or existing open space lands outside of the agency's sphere of influence from the effects of the proposal.

The west portion of the Project Site will have a buffer between the Adams Barranca and the proposed Project, which will create a buffer between the existing prime agriculture to the west and the proposed Project Site. Additionally, Faulkner Road, and the 126 Freeway, places a buffer between the proposed Project and the agricultural land to the south of the Project Site.

g. Applicable provisions of local general plans, applicable ordinances that require voter approval prior to the extension of urban services or changes to general plan designations, Greenbelt Agreements, applicable growth-management policies, and statutory provisions designed to protect agriculture or existing open space.

The affected territory is not subject to voter approval for the extension of services or for the proposed minor changes in existing City General Plan land use designations. The proposed

Specific Plan would include the annexation of land located within the City's voter approved CURB. Measure L6 is not triggered by the proposed Project.

h. Comments and recommendations by the Ventura County Agricultural Commissioner.

No comments or recommendations directly involving the Project were received from the Agricultural Commissioner. In addition, the Project is consistent with the Agricultural Policy Advisory Committee's Agricultural/Urban Buffer Policy, which requires new dwellings, nonagricultural work sites, and ongoing outdoor public activities that may potentially conflict with agricultural operations to include a buffer/setback and fencing. The proposed Project will provide a buffer zone adjacent to the Adams Barranca to the west and is separated from adjacent lands by existing roadways (Faulkner Road to the south, Beckwith Road to the east, and Telegraph Road to the north).

As shown, the proposed Project does not conflict with factors (a) thru (h).

3.3.5.4 Territory Subject to a Land Conservation Act (Williamson Act) Contract

LAFCo will not approve a proposal which includes the annexation of territory subject to an active Land Conservation Act contract to a city or special district that provides or would provide facilities and/or services other than those that support the land uses that are allowed under the contract. For purposes of this section, an active Land Conservation Act contract includes a contract for which a notice of non-renewal has been filed.

The proposed Project is consistent with Policy 3.3.5.4. The proposed Project does not contain any parcels subject to a Williamson Act contract.

Response 10-8:

Under Government Code Section 56064, 49.1 acres of the Project Site would be considered Prime Agricultural Land. As discussed above, implementation of the proposed Project would convert 44.20 acres of Prime Farmland and 4.88 acres of Farmland of Statewide Importance to urbanized land uses.

Mitigation considered by the City to mitigate the impact of the Project on agricultural land is discussed below

Various measures have been developed by the California Department of Conservation (DOC),⁶ as well as by other federal and State entities nationwide, to protect farmland and support the economic viability of agriculture. These measures were considered by the City. The DOC encourages agricultural districts, conservation easements, differential assessment, purchase of agricultural conservation easements (PACE), right-to-farm laws, use of the Land Evaluation and Site Assessment (LESA) model, transfer of development rights (TDR), and the Farmland Protection Policy Act (FPPA). Additionally, to combat the

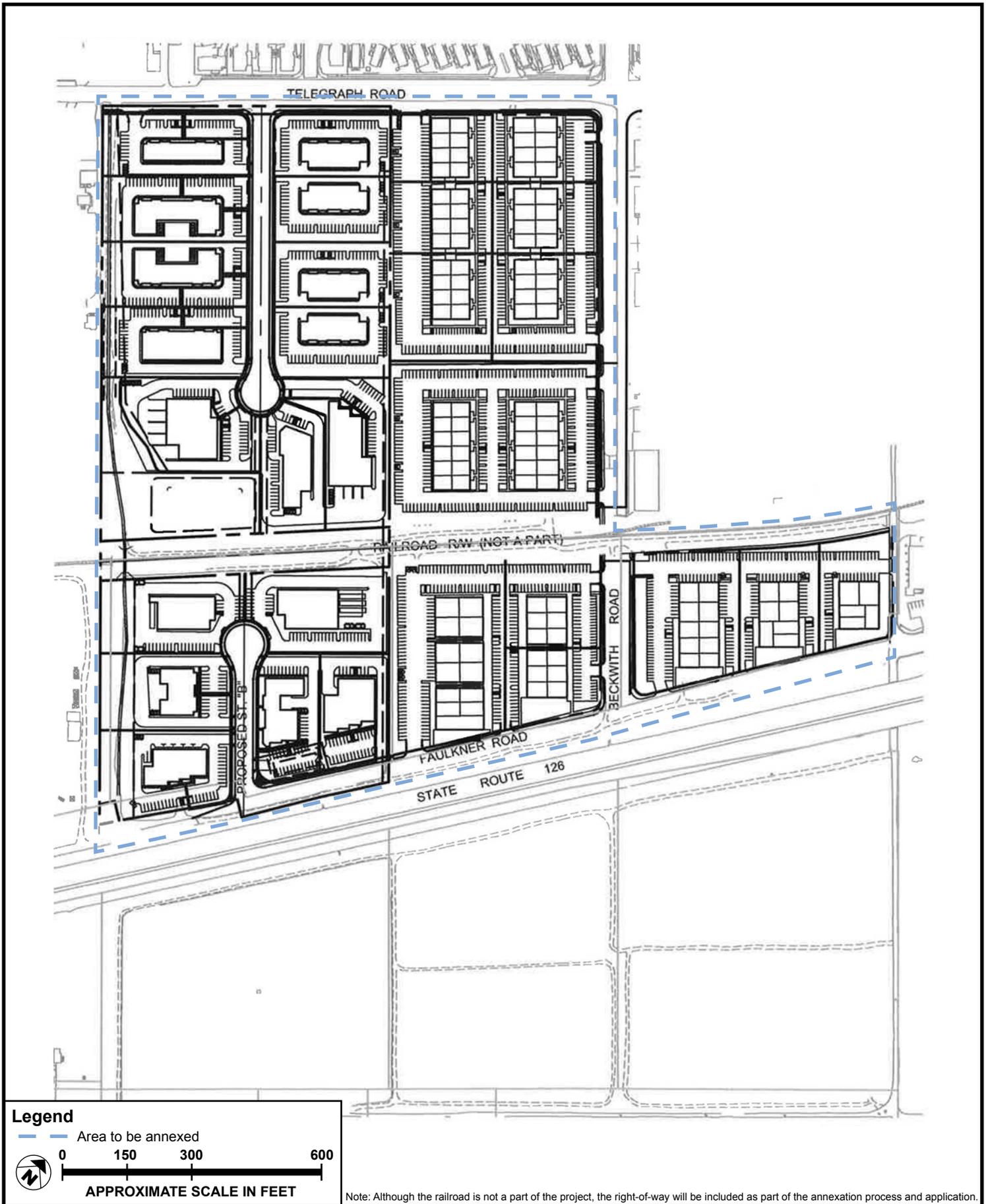
6 California Department of Conservation, "Welcome to the Division of Land Resource Protection," <http://www.conservation.ca.gov/dlrp/>.

development of residential and commercial uses adjacent to existing agricultural land, the DOC suggests that measures such as setbacks, berms, greenbelts, and open space areas, be developed between urbanized uses and existing agricultural land.

Some of the techniques developed have resulted in programs that are enacted and administered at the State level, while other are used primarily by local governments. These measures are described in **Table 3.0-2: Farmland Protection Tool Box**, and are taken from the Farmland Information Center (FIC),⁷ a clearinghouse for information about farmland protection and stewardship.

As shown in **Table 3.0-2**, the City has considered and evaluated the feasibility of a variety of farmland protection measures to mitigate the impacts of the Project on agricultural land.

7 The Farmland Information Center is a public/private partnership between the US Department of Agriculture's Natural Resources Conservation Service and the American Farmland Trust.



SOURCE: Jensen Design and Survey – May 2014

FIGURE 3.0-2

**Table 3.0-2
Farmland Protection Tool Box**

Tool or Technique	Description	Applicability
Agricultural District Programs	Allows farmers to form special areas where commercial agriculture is encouraged and protected. Programs are authorized by state legislatures and implemented at the local level. Enrollment in agricultural districts is voluntary. In exchange for enrollment, farmers receive a package of benefits, which varies from state to state. Agricultural district programs help create a more secure climate for agriculture by preventing local governments from passing laws that restrict farm practices and by enhancing protection from private nuisance lawsuits. California enacted the California Land Conservation Act (also known as the Williamson Act) in 1965. It allows landowners within locally designated “agricultural preserves” to sign renewable 10-year contracts with local governments. Landowners agree to restrict use of property within preserves to agriculture or open space for the term of the contract. In return, the land is assessed at its agricultural use value, providing participants with significant property tax relief.	The Williamson Act is available in the State. The Project does not involve the development of any land subject to the Williamson Act; therefore, that this tool is not applicable.
Agricultural Protection Zoning (APZ)	Refers to county and municipal zoning ordinances that support and protect farming by stabilizing the agricultural land base. APZ designates areas where farming is the primary land use and discourages other land uses in those areas. APZ limits the activities permitted in agricultural zones. The most restrictive regulations prohibit any uses that might be incompatible with commercial farming.	Available in the County of Ventura through the Greenbelt Program, which (1) protects open space and agricultural lands; and (2) reassures property owners located within these areas that lands will not be prematurely converted to agriculturally incompatible uses. There are greenbelts either side of Santa Paula: The Santa Paula–Fillmore Greenbelt located east of Santa Paula and the Ventura–Santa Paula Greenbelt, which is located directly west of the proposed Project Site. The Project Site is outside these greenbelts and in an expansion area as defined in the City’s General Plan. This tool is not applicable.
Conservation Easements	Deed restrictions that landowners voluntarily place on their land to protect important resources. Conservation easements are used by landowners to authorize a qualified conservation organization or public agency to monitor and enforce the restrictions set forth in the agreement. These easements are designed to keep land available for agriculture. Grantors retain the right to use their land for farming, ranching, and other purposes that do not interfere with or reduce agricultural viability; hold title to their properties; and may restrict public access, sell, give, or transfer their property as they	Potentially applicable tool.

Tool or Technique	Description	Applicability
	desire. Producers also remain eligible for any state or federal farm program for which they are qualified before entering into the conservation agreement.	
Cluster Zoning	A form of zoning that allows or requires houses to be grouped together at densities that exceed the usual requirements. By clustering houses on a small portion of a larger parcel, cluster zoning can be used to protect open space. This technique is also called cluster or conservation development. In the context of farmland protection, cluster zoning can allow or require new houses to be sited in wooded areas or on less-productive soils while keeping more-productive land available for agriculture. However, some question the effectiveness of cluster zoning as a farmland protection tool because the use of remaining open space may be limited. Rather than relying on cluster zoning to keep land available for agriculture, some communities use this form of zoning between urban and rural areas.	Not offered in the County of Ventura and not applicable because this tool addresses housing and the proposed Project is industrial.
Growth Management Laws	Designed to control timing and phasing of urban growth and to determine the types of land use that would be permitted at the local and regional levels. Growth management laws take a comprehensive approach to regulating the pattern and rate of development, and set policies to ensure that most new construction is concentrated within designated urban growth areas or boundaries (UGBs). These laws direct local governments to identify lands with high natural resource, economic, and environmental value, and protect them from development. Some growth management laws require that public services—such as water and sewer lines, roads, and schools—be in place before new development is approved. Others direct local governments to make decisions in accordance with comprehensive plans that are consistent with plans for adjoining areas.	The County of Ventura and the City of Santa Paula implement urban growth boundaries via voter-approved urban growth boundaries, including the Save Open Space and Agricultural Resources (SOAR) program. Additionally, agricultural boundaries are protected via the Greenbelt Program as discussed above under Agricultural Protection Zoning. The Project is consistent with these programs because the Project Site is inside the City's voter approved CURB. This tool is applicable.
Right-to-Farm Regulations	State right-to-farm regulations are intended to protect farmers and ranchers from nuisance lawsuits. Some statutes protect farms and ranches from lawsuits filed by neighbors who moved in after the agricultural operation was established. Others protect farmers who use generally accepted agricultural and management practices and comply with federal and state laws. Many right-to-farm laws also prohibit local governments from enacting ordinances that would impose unreasonable restrictions on agriculture. A growing number of counties and municipalities are passing their own right-to-farm legislation to supplement the protection provided by state law.	The County of Ventura has implemented various Right-to-Farm regulations to help ensure farming can continue even with urban neighbors. This tool is applicable.
Transfer of Development Rights (TDR)	Enable the transfer of development potential from one parcel of land to another. TDR programs are typically established by local zoning ordinances. In the context of farmland protection, TDR is often used to shift development from agricultural land to designated growth zones located closer to municipal services. TDR is also known as transfer of development credits and transferrable development units.	Not applicable because a TDR program is not available in the City of Santa Paula.

Tool or Technique	Description	Applicability
Farmland Protection Policy Act (FPPA)	Congress enacted the FPPA as a subtitle to the 1981 Farm Bill. The FPPA is intended to minimize the extent to which federal activities contribute to the unnecessary and irreversible conversion of agricultural land to nonagricultural uses. It also seeks to ensure that federal policies are administered in a manner that would be compatible with state, local, and private policies that protect farmland. Some benefits of the FPPA include (a) an increase in national awareness about farmland protection; and (b) the ability of a federal agency to withhold financial assistance from private parties and state and local governments undertaking projects that would convert farmland.	Does not apply to the proposed Project as the Project does not involve any federal activities. This tool is not applicable.
Farm and Ranch Lands Protection Program (FRPP)	A voluntary federal conservation program that provides matching funds to eligible entities to buy permanent conservation easements on farm and ranch land. The US Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) manages the program.	This particular federal program is not available in the County of Ventura. However, a similar conservation easement tool is available. Mitigation measure AG-1 offers two options for the Applicant, one of which includes securing a conservation easement in perpetuity on land designated as Prime Farmland or Important Farmland within the State of California. The other option would allow the Applicant to contribute funds to a local, regional, or Statewide organization whose purpose is to acquire agricultural conservation easements for Prime Farmland and Important Farmland and has demonstrated a successful track record in doing so, over at least 5 years.
Subdivision Ordinances	Subdivision ordinances govern the division of larger parcels of land and give local officials the authority to review and make decisions about proposed subdivisions. In the context of farmland protection, subdivision ordinances can require review of potential impacts on agricultural resources; establish design standards, including setbacks and buffers and clustering of new houses; and authorize local officials to suggest alternatives or mitigation measures or to deny projects based on the impact to agriculture.	Implemented by the Lead Agency and part of the environmental review process. The City's General Plan requires preparation of Specific Plans for expansion areas to ensure comprehensive planning to make certain that land use is compatible. This is done concurrently with review of the proposed subdivision. This tool is applicable.
Land Evaluation and Site Assessment (LESA)	LESA is a numeric rating system created by the USDA NRCS to evaluate a parcel's relative agricultural importance. It is usually based on land capability classes, Important Farmland classes, soil productivity ratings, and/or soil potential ratings. The California Department of Conservation has employed the LESA model as a tool to determine impacts associated with converting agricultural land to urbanized land.	Available and allowed by CEQA as an alternative method for analyzing agriculture. The City utilizes LESA to determine the relative agricultural importance of agricultural land when appropriate. Given that the Project Site is identified as State Important Farmland and meets the Prime Agricultural Land Definition in the Government Code, the City determined that

Tool or Technique	Description	Applicability
		preparation of LESA analysis was not warranted. This tool is not applicable to the Project.
<p>The California Land Conservation Act of 1965 (Williamson Act)</p>	<p>The California Land Conservation Act of 1965—commonly referred to as the Williamson Act—enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.</p> <p>State funding was provided in 1971 by the Open Space Subvention Act, which created a formula for allocating annual payments to local governments based on acreage enrolled in the Williamson Act Program. Subvention payments were made through FY 2009 but have been suspended in more recent years due to revenue shortfalls.</p>	<p>Available in the County of Ventura. The Project Site does not include any land subject to an active Williamson Act contract. Therefore, this tool is not applicable.</p>

Source: Farmland Information Center, a partnership between the USDA NRCS and American Farmland Trust, <http://www.farmlandinfo.org>. Accessed June 2017.

Several of the farmland protection tools identified in **Table 3.0-2**—including agricultural district programs, agricultural protection zoning (APZ), cluster zoning, transfer development rights, and implementation of the FPPA and the Farm and Ranch Lands Protection Program—were not analyzed for the reasons listed above. In summary, the majority of these tools are not available or applicable in the County of Ventura or the City of Santa Paula, and many of tools do not apply to the proposed Project.

Therefore, the following farmland protection and preservation measures were considered by the City of Santa Paula and reviewed to determine their feasibility in reducing impacts due to the loss of Important Farmland on the Project Site:

Conservation easements;

Growth management laws;

Right-to-Farm laws;

Subdivision ordinances;

Land evaluation and site assessment; and

The California Land Conservation Act of 1965 (Williamson Act).

Conservation Easements

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

In June 2017, local farmers near the Project Site were sent survey letters, as shown in **Appendix B: Agricultural Survey Letter**, to evaluate the feasibility of obtaining agricultural conservation easements. The survey was sent to local landowners regarding the landowners' possible interest in entering into agricultural conservation easements. The five (5) landowners, representing approximately 310 acres of agricultural land, who returned the survey responded that they would not be interested in providing agricultural conservation easements.

This survey indicates that agricultural landowners are reluctant to place their agricultural land into conservation easements due to (1) the ever-changing economic conditions in the agricultural business, and (2) the limitations on the parcel of land's only being permitted to one type of business (agricultural business) for perpetuity. The placement of a permanent development restriction on agricultural land could cause a future burden to the landowner because continued agricultural production is dependent on

economic and social factors that play a role in where and how long the landowner continues to stay in business. Typically, when agricultural business is not profitable, the landowner ceases agricultural production, and either sells the parcel or uses it for a more viable economic use.

Mitigation measure **AG-1** has been included in the Final EIR to reduce or minimize impacts to farmland. This mitigation measure includes two options for the Applicant, one of which includes securing a conservation easement in perpetuity on land designated as Prime Farmland or Important Farmland within the State of California. The other option in mitigation measure **AG-1** would allow the Applicant to contribute funds to a local, regional or Statewide organization, the purpose of which is to acquire agricultural conservation easements for Prime Farmland and Important Farmland, and that has demonstrated a successful track record in doing so for at least 5 years. While impacts to regional farmland would still be considered significant and unavoidable, a conservation easement would mitigate this impact to the extent feasible, consistent with CEQA.

Growth Management Laws

The City of Santa Paula has a voter-approved urban-growth boundary to manage growth. In addition, the City has participated in establishing agricultural greenbelts on both the east and west sides of the City to further limit growth.

The proposed Specific Plan would include the annexation of land located within the City Urban Restriction Boundaries (CURB), which was voted on in November 2016 and continues through December 31, 2050.⁸ The Project Site is not subject to voter approval for the extension of services or for the proposed minor changes in the existing City General Plan land use designations. Measure L6 is not triggered by the proposed Project.

Right-to-Farm Ordinances

As noted, agricultural uses exist on the west and south sides of the property. To the west side of the property, between the Project Site and the agricultural uses, is the Adams Barranca, which acts as a vegetative screen between the properties.

Within the County of Ventura, agricultural uses are protected from future development that may occur adjacent to them. The Ventura County Board of Supervisors adopted a "Right to Farm Ordinance"⁹

8 Save Open Space and Agricultural Resources, "An Initiative Ordinance Amending Existing Limitations on Urban Development and Extending Those Limitations Until December 31, 2050," <http://www.soarvc.org/wp-content/uploads/2014/09/Santa-Paula-Initiatives.pdf>.

9 Ventura County Board of Supervisors, Ordinance 4151, Protect Commercial Agriculture from Nuisance Claims, to Require Notification of such Protection, and to Provide for Mediation of Disputes (adopted October 7, 1997), http://vcportal.ventura.org/AgComm/docs/Right_to_Farm_Ordinance.pdf.

intended to protect the farming community from developments that would inhibit its ability to continue agricultural production. Such things as agricultural wind machines, odors, dust, and noise are often the subject of nuisance complaints by adjoining property owners.

These laws do not particularly seek to save agricultural lands; however, the laws' intent is to provide a cohesive existence between agricultural operations and urban development. The Right to Farm Ordinance protects agricultural operations by limiting the circumstances under which a properly conducted agricultural operation may be considered a nuisance.

The proposed Project would not develop residential uses; therefore, the Right to Farm Ordinance would not apply. The Agricultural Policy Advisory Committee (APAC) Ag/Urban Buffer Policy states that where applicable, urban developments or nonagricultural uses shall be conditioned to provide and maintain a 300-foot setback and chain-link fence on the nonagricultural property between the urban use and the agriculture, or a 150-foot buffer/setback if a vegetative screen is used.

The proposed Project would incorporate an additional 100-foot buffer from the Adams Barranca, creating, at minimum, a 150-foot buffer between the agricultural uses and the proposed Project. To the south of the Project Site, between the agricultural uses, is Faulkner Road, followed by SR 126, which helps to create an approximately 200-foot buffer between the two uses.

Subdivision Ordinances

In the context of farmland protection, subdivision ordinances can require review of potential impacts on agricultural resources; establish design standards, including setbacks and buffers and clustering of new houses; and authorize local officials to suggest alternatives or mitigation measures, or to deny projects based on the impact to agriculture. The Project does not include residential units; therefore, clustering houses would not apply.

The review of potential impacts on agricultural resources and the establishment of design standards, including setbacks and buffers, was completed through the environmental review process the City conducted for this proposed Project and incorporated into the proposed Specific Plan.

Land Evaluation and Site Assessment

California's LESA model evaluates agricultural characteristics of specific sites, as indicated in the CEQA Guidelines. Impacts on agricultural resources may be both quantified and qualified by the use of established thresholds of significance. The LESA model was developed to provide lead agencies with an optional methodology to ensure that potentially significant effects on the environment caused by

agricultural land conversions are quantitatively and consistently considered in the environmental review process.¹⁰

The LESA model is specifically used for evaluating farmland designations. The farmland designations on the Project Site are not under question or consideration for reclassification; therefore, the LESA model was not used by the City to determine the relative value of the agricultural value of the Project Site.

The California Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act of 1965—commonly referred to as the Williamson Act—enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based on farming and open space uses, as opposed to full market value.

Although less restrictive than an easement, a Williamson Act contract would result in similar issues with respect to compatibility and mandating a particular business, whether profitable or not. A Williamson Act contract would establish a commitment to retain farmland for agricultural use. The length of time that this land would remain in agricultural use would be dependent on the terms of the conservation easement or Williamson Act contract, as well as on the economic feasibility of continued agricultural operations. However, a Williamson Act contract would only reduce the potential that the land would be converted to nonagricultural use. The individual and cumulative loss of agricultural land caused by the proposed Project would still occur, however, resulting in a net loss of Important Farmland that could not be recovered.

No properties within the Project Site are subject to active Williamson Act contracts.

Summary

As discussed above, a number of mitigation measures (or farmland protection tools) were considered by the City to determine if any could feasibly reduce impacts associated with the conversion of the agricultural land. While a variety of mitigation measures have been identified by the DOC and other parties, the majority are not applicable or available within the City of Santa Paula.

Conservation easements and payments to organizations that acquire agricultural easements were considered by the City to mitigate the impact of converting agricultural land to nonagricultural use and determined to be a potentially feasible mitigation measure. Mitigation measure **AG-1** defines options for obtaining conservation easements to offset the loss of agricultural land that would occur as a result of the

10 California Department of Conservation, “Land Evaluation & Site Assessment Model (LESA),” accessed July 2015, http://www.conservation.ca.gov/dlrp/Pages/qh_lesa.aspx.

Project. While impacts to agricultural resources would still be considered significant and unavoidable, a conservation easement would reduce this impact.

General Plan Objectives, Goals and Policies Regarding Agricultural Land

In addition to farmland protection tools, the City’s General Plan includes a Conservation and Open Space Element that contains objectives, goals, and policies regarding the protection of agricultural land. These address the conversion of farmland. The proposed Project would comply with the applicable General Plan policies.

The Conservation and Open Space Element¹¹ notes that agriculture has historically been important to the economy of Santa Paula, and this importance continues today. As the area urbanizes, commercial agriculture is very slowly being replaced by other land uses. The presence of prime agricultural soils in the planning area is a natural resource that must be conserved to provide opportunities for ongoing and expanded agricultural operations.

The following goals, objectives, and policies are applicable to agricultural lands within the City and may be applicable to the Project as noted.

Agriculture and Soils

Goals

Goal 3.1 Preserve and protect viable agricultural lands and operations within the City and the expansion areas.

Analysis: The Specific Plan is located within the City of Santa Paula’s SOI and is proposed for expansion with the General Plan, for industrial land uses. Approval and implementation of the Specific Plan would implement the General Plan. Man-made and natural buffers and setbacks would be incorporated between the agricultural uses to the west and south of the Project Site to further protect surround agricultural lands.

The Land Use Element designates the areas west of Peck Road and north of Telegraph Road, and north of South Mountain Road (Lemon Road) within the South Mountain Planning Area for agricultural use. These lands are intended for crops, limited livestock production, limited agriculture, incidental and supportive agricultural uses, structures, and storage on parcels of no less than 20 acres in size.

11 City of Santa Paula, *General Plan*, “Conservation and Open Space Element,” p. CO-45.

Goal 3.2 Development should be compatible with and have minimal adverse impacts upon agriculture and natural resources and should not be wasteful of scarce land.

Analysis: The Specific Plan development would not allow any uses that would be incompatible with adjacent uses. Additionally, man-made and natural buffers and setbacks would be incorporated between the agricultural uses to the west and south of the Project Site to have minimal impacts on existing agriculture and natural resources. This buffer area would also help to preserve the existing Adams Barranca.

Goal 3.3 Urban expansion should be directed away from the most productive agricultural areas.

Analysis: The Specific Plan is within the City of Santa Paula’s West Area 2 expansion area. Buffers and setbacks would be established so that urban sprawl into the agricultural lands to the west would be less likely to occur.

Objectives

Objective 3(a) Encourage low-intensity land uses and/or barriers near agricultural lands.

Analysis: Agricultural land exists to the west and south of the Project Site. To the west side of the property, between the Project Site and the agricultural uses, is the Adams Barranca, which acts as a vegetative screen between the properties.

The proposed Project would incorporate an additional 100-foot buffer from the Adams Barranca, thus creating, at minimum, a 150-foot buffer between the agricultural uses and the proposed Project. To the south of the Project Site, between the agricultural uses, is Faulkner Road, followed by SR 126, which helps create an approximately 200-foot buffer between the two uses.

Objective 3(b) Encourage the use of land for agricultural operations.

Objective 3(c) Include areas for agriculture in the City’s land use plan.

Analysis: The City of Santa Paula’s General Plan Land Use map designates land for agricultural use in the City’s Planning Area. Additionally, the City has created large agricultural Greenbelts west and east of the City which protect open space and agricultural lands and reassures property owners located within these areas that lands will not be prematurely converted to agriculturally incompatible uses. Also, the City has established City Urban Restriction Boundary (CURB) areas that require a vote from Save Open Space and Agricultural Resources (SOAR) before allowing urban development beyond the restriction areas.

Policies

Policy 3.a.a Preserve viable agriculture and prime agricultural lands as a greenbelt and buffer around the City.

Analysis: Greenbelts are voluntary agreements between the Ventura County Board of Supervisors and one or more City Councils regarding development of agricultural and/or open space areas beyond city limits. Greenbelts protect open space and agricultural lands and serve to reassure property owners located within these areas that lands will not be prematurely converted to agriculturally incompatible uses.

Cities commit to not annex any property within a greenbelt, while the Board agrees to restrict development to uses consistent with existing zoning. City- and Ventura County–elected officials were pioneers in designing and adopting greenbelts. The first greenbelt, between the cities of Ventura and Santa Paula, was adopted by the County in 1967. A total of seven greenbelts now exist in the County. These are:¹²

- Ventura–Santa Paula Greenbelt
Approximately 27,884 acres of unincorporated County territory between the cities of Ventura and Santa Paula.
- Santa Paula–Fillmore Greenbelt
Approximately 32,000 acres of unincorporated County territory between the cities of Fillmore and Santa Paula

Other Greenbelts:

- Camarillo-Oxnard Greenbelt
- Santa Rosa Valley Greenbelt
- Tierra Rejada Greenbelt
- Ventura-Oxnard Greenbelt
- Fillmore-Piru Greenbelt

The Ventura–Santa Paula Greenbelt is the nearest greenbelt to the southern portion of the City. The proposed Project is not located within any established greenbelt.

Policy 3.b.b Erosion of soils should be controlled and prevented during agricultural use, during storms and especially during the construction phase of new development.

Analysis: As stated in Section 4.6: Geology and Soils of the Draft EIR (see page 4.6-25), construction activities for the proposed Project would comply

¹² County of Ventura, Resource Management Agency, “Greenbelt Program,” accessed September 25, 2018, <https://vcrma.org/greenbelt-program>.

with erosion control requirements, including grading and dust control measures, imposed by the City pursuant to grading permit regulations. Each construction project permitted under the Specific Plan would be required to obtain and comply with the City’s necessary permits, plans, plan checks, and inspections to reduce the effects of sedimentation and erosion.

Additionally, the Project would be required to have a Storm Water Pollution Prevention Plan (SWPPP) pursuant to the National Pollutant Discharge Elimination System (NPDES) permit requirements. As part of the SWPPP, best management practices (BMPs) would be implemented during construction to reduce soil erosion and pollutant levels to the maximum extent possible.

After construction, the Project may result in a limited degree of soil erosion affects from vegetated areas. However, in accordance with NPDES requirements, the Project would be required to have a Standard Urban Stormwater Mitigation Plan—which would include BMPs that would reduce on-site erosion from vegetated areas and basins on the Project Site—in place during the operational life of each development within the Specific Plan.

Policy 3.c.c

Develop a transfer of development rights program that provides for easements for the preservation of agricultural land areas within the City’s Area of Interest.

Analysis:

As discussed above, **MM AG-1** includes two options for the Applicant, one of which includes securing a conservation easement in perpetuity on land designated as Prime Farmland or Important Farmland within the State of California. The other option in **MM AG-1** would allow the Applicant to contribute funds to a local, regional or statewide organization whose purpose is to acquire agricultural conservation easements for Prime Farmland and Important Farmland and has demonstrated a successful track record in doing so, over at least 5 years.

Response 10-9:

The Draft EIR Agricultural Resources section has been updated to include mitigation measure **AG-1**, which was also updated in the Executive Summary.

Response 10-10:

Responses have been provided to the Ventura County Watershed Protection District. Potential flooding impacts have been adequately assessed, and the Project has been designed in a manner that will avoid flooding impacts on and off the site. See responses to comments for Letter No. 6.

Response 10-11:

The City of Santa Paula released its 2016 Draft Urban Wastewater Management Plan (UWMP) for public review on June 30, 2017 and adopted the Final 2016 UWMP on September 5, 2017. As shown in **Appendix D: Final Water Supply Assessment**, the Final EIR and Water Supply Assessment (WSA) have been revised to reflect information from the Final 2016 UWMP.

The Water Supply Reliability section of the Final 2016 UWMP was calculated by the City, and the water supply for a normal year, single dry year, and multiple dry years is shown in **Table 3.0-3: Projected Supply and Demand Comparison for Normal Water Year for 2020–2040**.

Table 3.0-3
Projected Supply and Demand Comparison for Normal Water Year for 2020–2040

Supply vs Demand	2020	2025	2030	2035	2040
Supply Totals	6,908	7,755	8,603	9,450	10,295
Demand Totals	4,608	5,311	6,012	6,714	7,416
Difference	2,300	2,444	2,591	2,736	2,879

Source: City of Santa Paula, Final 2016 UWMP Update (August 2017).

Note: afy = acre-feet per year.

It should be noted that due to conservation efforts, the water supply estimates in the 2016 UWMP are expected to yield more water or other uses than the previous estimates. Additionally, unlike for the 2010 UWMP, the Water Supply Reliability section of the 2016 UWMP indicates that the Santa Paula Water Basin will remain a consistent source of water supply for the City of Santa Paula; therefore, the 2016 UWMP did not adjust supply or demand from an average year to dry years.

Table 3.0-4: Project Supply and Demand Comparison—Average Year (afy), based on the 2016 UWMP, shows the proposed Project water demand as a percent of total supply throughout various milestones in the build-out schedule. By 2027 (build-out), the Project is estimated to demand 39.7 afy of water. Water demand from the Project represents 0.61 percent of the City's total projected urban water demand in 2017, decreasing to 0.41 percent in 2037.

The Water Supply Reliability section of the 2016 UWMP projects total water demands for the Santa Paula Business Park through 2040 and demonstrates that supplies are sufficient to meet demands.

Table 3.0-4
Project Supply and Demand Comparison—Average Year (afy)

	2015	2017	2020	2025	2027	2030	2035	2037	2040
Total City supply ^a	6,637 ^b	6,462 ^c	6,908	7,755	8,094	8,603	9,450	9,788 ^d	10,295
West Area 2 allocation ^e	87.7	87.7	87.7	87.7	87.7	87.7	87.7	87.7	87.7
Existing agricultural use ^f	281.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Project demand ^g	0	39.7	39.7	39.7	39.7	39.7	39.7	39.7	39.7
Percent of City's total supply	0%	0.61%	0.57%	0.51%	0.49%	0.46%	0.42%	0.41%	0.39%
Net change from agricultural use	0	(241.4)	(241.4)	(241.4)	(241.4)	(241.4)	(241.4)	(241.4)	(241.4)
Available recycled water	0	0	400	800	960	1,200	1,600	1,760	2,000
Project demand for recycled water (Part of Total Project Demand)	0	0	17.8	17.8	17.8	17.8	17.8	17.8	17.8
Percent of available recycled water	0.00%	0.00%	4.45%	2.23%	1.85%	1.48%	1.11%	1.10%	0.89%

Note: afy = acre-feet per year.

^a City of Santa Paula, Final 2016 UWMP Update (August 2017), Table 4-4, p. 69.

^b 2015 Data taken from Final 2010 UWMP (June 2011).

^c Value extrapolated from 2015 and 2020 data.

^d Value extrapolated from 2035 and 2040 data.

^e City of Santa Paula, Final 2016 UWMP Update (August 2017), 46, Table 3-2 (1,905,750 square feet of development at 15 gal/sq. ft./year is 87.7 afy).

^f See Table 3 in **Appendix D**.

^g See Table 2 in **Appendix D**.

Response 10-12:

The updated project demand is 39.7 afy based on the 2016 UWMP demand factors. The WSA and the Final EIR have been updated to reflect this amount.

Please note that the Domestic Water Technical Report was written for engineering and design purposes—specifically, to determine the size of potable water lines needed to serve the Project and not to provide an estimate of the water that will be used by the proposed uses. The Specific Plan incorporated the water demand estimate from the Domestic Water Technical Report. The engineering factors used to size the water delivery system are different than the water use factors in the City’s UWMP. This is the reason for the difference in the water demand and water use estimates the Draft EIR, Domestic Water Technical Report, and Specific Plan.

Response 10-13:

The proposed Project would cover approximately 43 percent of the 125-acre West Area 2 area (53.81 acres for the proposed Project divided by the 125 total acres for West Area 2).

Fair share for water usage is calculated by calculating the Project’s percent of total area versus the Project’s percent of total water usage. The estimated water demand for the Project were recalculated based on the 2016 UWMP demand factors. The Draft EIR and WSA were updated to reflect these changes. Water usage is estimated at approximately 45 percent because the total water demand estimated for West Area 2 in the City’s 2016 UWMP projected for West Area 2 was 87.7 afy,¹³ and the proposed Project would use 39.7 afy. As noted in the General Plan Land Use Element, a variety of uses are anticipated in West Area 2, including light industrial and research & development uses. Table LU-5, Land Uses and Build-Out for the Expansion and Planning Area, in the Land Use Element (page LU-25) estimates development of approximately 1,905,750 square feet for West Area 2. As proposed, the proposed Project would build out approximately 1,827,777 square feet on 53.81 acres and would occupy approximately 43 percent of the total 125 acres of West Area 2.

Given that the Project area would account for 43 percent of the total area included in West Area 2 area and water usage would account for 45 percent of the total amount of water use projected for West Area 2, the projected water use for the Project is proportional.

The total 87.7 afy allocation for West Area 2 is based on assumptions per the General Plan (see Table LU-5 in the Land Use Element). As applications and subsequent specific plans are developed for the remainder

13 City of Santa Paula, *Final Urban Water Management Plan 2016 Update [Final 2016 UWMP Update]* (August 2017), prepared by Milner-Villa Consulting, 46, Table 3-2 (1,905,750 square feet of development at 15 gal/sq. ft./year is 87.7 afy), <http://www.ci.santa-paula.ca.us/PubWorks/FinalUrbanWaterMgmtPlan.pdf>.

of West Area 2, environmental review may be required at that time. If the future specific plan(s) meet the criteria for a WSA as stipulated under Senate Bill 610, a WSA will need to be prepared. Future project(s) will need to demonstrate that an adequate water supply is available to meet demands at the time any future applications are submitted. Additionally, the City is required to update the UWMP every 5 years and will update the projections for water use in West Area 2 as needed.

Response 10-14:

Please note that the demand for recycled water usage is 17.8 afy. Construction of the new Santa Paula Water Recycling Facility (WRF) was completed in 2010. The City purchased the facility on May 1, 2015. The WRF has a permitted dry-weather capacity of 4.2 mgd and permitted wet-weather (also maximum) capacity of 8.0 mgd. The City WRF produces water that meets California Title 22 regulations for recycled water. At this time, there is no infrastructure built to deliver recycled water within the City.

The 2016 UWMP¹⁴ estimated recycled water urban demand within the City (and adjacent areas) and showed that the recycled water demand could be fully met with recycled water from the new WRF.

The WSA prepared for the Specific Plan determined that the total Project water demand was 39.7 afy. As shown in **Response to Comment 10-11, Table 3.0-4**, the 39.7 afy incorporates the recycled water demand of 17.8 afy if it were to be available as a conservative estimate to prove water demand could continue to be met if recycled water does not become available prior to estimated build-out date. The Project demand and recycled water demand numbers were used to estimate Project supply and demand using the 2016 UWMP data and demonstrate that supplies are sufficient to meet demands. As shown, the projected demand for the Project will account for only 0.49 percent of the total available supply of the supply indicated in the data from the 2016 UWMP at build-out. The City would, therefore, have sufficient water available to meet the needs of the Project if development should occur before recycled water is available at the Project Site.

Response 10-15:

The 50 percent reduction in water use as discussed in the UWMP specifically applies to existing uses within the City that may or may not have water meters installed or do not utilize water-efficient plumbing. All new development will be metered and will incorporate current water conservation features. Therefore, the 50 percent reduction is accounted for with the proposed Project demand estimates.

¹⁴ City of Santa Paula, *Final UWMP 2016 Update*.

The basin is monitored by the United Water Conservation District (UWCD), which has noted the historical fluctuations in the basin. However, based on the fact that primary recharge of the basin results from precipitation both locally and upstream, it is likely that the basin will recover from a gradual decline.

The Santa Paula Basin is an adjudicated basin, and the City has a right to 5,560 afy of water per the adjudication.¹⁵ Any change in allocation within the adjudication amounts would require approval through the court. As an adjudicated basin, the Santa Paula Basin is not subject to the Sustainable Groundwater Management Act (SGMA), which would require the groundwater basin to be managed on a local level by a groundwater sustainability agency. As previously noted, the proposed Project has an estimated water demand of 39.7 afy, of which 17.8 afy could be provided by recycled water when it becomes available. At this point in time, the proposed Project would utilize 39.7 afy of potable water, which would decrease to 22 afy of potable water when recycled water becomes available.

Response 10-16:

As noted in the Project description, as part of the permitting process, a formal application will be submitted to the CPUC for an at-grade crossing of the Ventura County Transportation Commission (VCTC) railroad. Authority to modify an existing public rail crossing is typically granted through the General Order 88-B (GO 88-B), Modification of an Existing Rail Crossing, authorization process, which results in an authorization letter from the Rail Crossings and Engineering Branch supervisor under authority delegated from the VCTC, if General Order 88-B is applicable.

An application will be submitted to CPUC staff in the Rail Crossings and Engineering Branch to request authority to alter a crossing, pursuant to GO 88-B. Such alterations may include roadway widening within the existing right-of-way; approach-grade changes; track-elevation changes; roadway realignment within the existing or contiguous right-of-way; change in the type or addition of an automatic signaling device; the addition of one track within the existing railroad right-of-way; alteration or reconstruction of a grade-separated crossing; or construction of a grade separation that eliminates an existing at-grade crossing.

Response 10-17:

This comment does not address the information or analysis in the Draft EIR. No further response is required.

15 City of Santa Paula, *Final UWMP 2016 Update*, Appendix D, Table 6-9: Retail: Water Supplies—Projected.

Other Organizations and Individuals



December 18, 2016

VIA EMAIL

City Planning Commission & City Council
City of Santa Paula
200 S. Tenth Street
Santa Paula, CA 93060

Janna Minsk, AICP, Planning Director
P.O. Box 569
Santa Paula, CA 93061
jminsk@spcity.org

**SUBJECT: COMMENTS ON SANTA PAULA WEST BUSINESS PARK SPECIFIC PLAN
EIR**

To whom it may concern:

Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed Santa Paula West Business Park Specific Plan. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance.

2.0 - Project Description

As we understand it, the proposed Santa Paula West Business Park Specific Plan is composed of 53.81 acres ("Project Site") within the City of Santa Paula's 125-acre West Area 2 designation. The Specific Plan would guide future land use development on approximately 53.81 acres of the City's 125-acre West Area 2 designation. The land use and zoning designations will allow for the

11-1

development of a mixture of light manufacturing, research and development, professional offices, and supporting commercial uses, consistent with the C/LI and LI zones of the City of Santa Paula's Zoning Ordinance.

11-1

3.0 - Related Projects

Table 3.0-1 Related Projects indicates that there are 36 related projects. However, figure 3.0-1 Map of Related Projects does not provide a map of all 36 projects. Specifically, projects number 28, 31, 32, and 33 are not provided on the map. This does not comply with CEQA's requirements for meaningful disclosure.

11-2

4.1 - Aesthetics

Threshold: Substantially degrade the existing visual character or quality of the site and its surroundings?

The EIR concludes that the existing visual character of the site will be significantly and unavoidably impacted. However, there are no suggested mitigation measures for this impact. Possible mitigation measures not addressed include: reducing the massing of the building through a maximum 50% lot coverage instead of 80% lot coverage; reducing the allowable building heights from 35 feet and 45 feet to 25 feet and 35 feet, respectively. The EIR should address these possible mitigation measures regarding SPWBP development standards that could potentially reduce the significant and unavoidable impact to the visual character or quality of life at the site and its surroundings.

11-3

4.2 - Agriculture

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

Threshold: Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The EIR indicates that the project site is comprised of prime farmland and farmland of statewide importance. The project site has a current designation of "A-E Urban Reserve for land currently in agricultural use" under the current Ventura County General Plan. The proposed project would convert the entire site to non-agriculture use. The EIR presents this conflict but focuses heavily on the consistency of the project with the Santa Paula General Plan, which changes the designation to commercial/light industrial. The EIR also states that Santa Paula is not requiring mitigation measures for the loss of prime farmland/farmland of statewide importance. However, the EIR does not provide a reason for this or a CEQA exemption for which mitigation is not required. The EIR should evaluate the possibility of agriculture conservation easements as

11-4

potential mitigation (*Masonite Corp. v. County of Mendocino*, 218 Cal. App. 4th 230 - Cal: Court of Appeal, 1st Appellate Dist., 3rd Div. 2013).

11-4

4.3 - Air Quality

Threshold: Conflict with or obstruct implementation of the applicable air quality plan?

The EIR states, “According to the VCAPCD Guidelines, to be consistent with the AQMP, a project must conform to the local general plan and must not result in or contribute to an exceedance of the City’s projected population growth forecast. The proposed Project does not include any new residential uses and would not result in the direct growth of population within the Santa Paula Growth Area.” The EIR does not address conformance with the local general plan. The proposed project is not in conformance with the Ventura County General Plan and thus in conflict with the AQMP. Not addressing this aspect of the consistency requirements is not in keeping with CEQA’s requirements for meaningful disclosure.

11-5

Threshold: Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Construction Emissions

The EIR provides information regarding construction including it was modeled for a 10 year time period with overlapping construction phases. The EIR then states that, “In reality, this would not occur, as most equipment operates only a fraction of each workday and many of the activities would not overlap on a daily basis”. This statement is misleading and makes the EIR less useful as an informational document. It is possible for construction phases to overlap at some point throughout the 10 year construction period, which may last even longer due to market conditions according to the project description.

11-6

The EIR indicates that construction emissions were modeled for a 10 year duration while the project description indicates that construction may take longer due to market conditions. The EIR should provide additional extended analysis for 12, 15, 17, and 20 year construction year periods in order to fully analyze and disclose the potential air quality impacts. Also, there is no requirement that the project be completed over a certain number of days given. Construction may occur faster as well, which would result in significantly greater daily impacts.

Further, section 93.23(A) of the Santa Paula Municipal Code indicates the legal hours of construction are 8:00 AM - 6:00 PM Monday - Friday. The Air Quality Analysis does not present the “worst-case scenario” of construction equipment emitting pollutants for the legal 10 hours per day. The Air Quality modeling must be revised to account for these legally possible longer construction days.

Threshold: Expose sensitive receptors to substantial pollutant concentrations?

11-7

The EIR states that sensitive receptors were placed “uniformly along the fence line” but does not state which sensitive receptors were analyzed. Was it the residential to the north? Was it the properties nearest the project site or was it a property on the other side of the mobile home park?

11-7

4.3.7 - Residual Impacts after Mitigation

The EIR indicates that air quality impacts related to the project will be significant and unavoidable after mitigation. However, it does not provide any of the mitigated emissions rates in this section. The EIR must provide the mitigated emissions figures in order to fully comply with CEQA’s requirements for meaningful disclosure.

11-8

4.11 - Noise

Threshold: Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies

The EIR states that “Santa Paula Municipal Code (SPMC) Chapter 93 sets noise standards for the City. SPMC Section 93.21 establishes the acceptable *exterior* noise standard for residential uses of 65 dB(A) from 7:00 AM through 10:00 PM, and of 60 dB(A) from 10:00 PM through 7:00 AM. *The SPMC does not set acceptable interior noise level standards*”. This is not an accurate statement. The SPMC does not specify if the noise standards provided are for interior or exterior measurement. However, the SPMC does provide a definition for noise level measurement in which a noise meter “microphone must be a minimum of 3-1/2 feet from any wall, floor or other large sound reflecting surface”. This definition indicates that noise level measurement can be taken from the interior of a property. The EIR should reflect this accurate information.

11-9

The EIR also states that “construction is temporary” even though the proposed construction timeline is 10 years, and possibly longer. This statement should be removed.

11-10

Noise at Surrounding Noise Sensitive Uses

The EIR states that “Although the City considers construction noise temporary and intermittent, future development within the Project Site would be required to comply with SPMC section 93.21, which generally requires construction noise to be restricted to the hours of 8:00 A.M. to 6:00 P.M. Monday through Friday (though a temporary noise permit can be obtained pursuant to SPMC section 93.06). This will reduce noise impacts for both surrounding uses”. The EIR does not provide a definition of construction noise which the City defines construction noise as temporary and intermittent. This is not representative of the proposed project as the construction timeline is a minimum of 10 years. Further, this statement says that “generally” construction noise is limited to 8:00 AM - 6:00 PM Monday through Friday. The term “generally” should be

11-11

deleted as it is misleading - the SPMC explicitly requires these hours to be the legal hours of construction. Finally, the EIR concludes by stating that “This will reduce noise impacts for both surrounding uses” but does not provide any evidence of this. How will limiting construction noise to 10 hours per day reduce noise impacts for both surrounding uses?

11-11

Further, the EIR is inadequate as an informational document in that it does not disclose where the sensitive receptors were placed for analysis. Where, exactly, were they placed? Were the residents on the north boundary of the project site placed the same way as the receptors on the west boundary? Conservative modeling should have assessed what might have happened to the receptors given their exposure at their property lines.

5.0 - Alternatives

The EIR identifies the project objectives in a manner that makes the construction of the project a foregone conclusion. Objectives such as “permitting new investment and development in West Area 2 that reflects and complements the existing pattern and scale of development in Santa Paula; Provide for light industrial and commercial uses that complement existing uses adjacent to the Project area” mean that this Project will be implemented as a certainty.

CEQA requires analysis of a “reasonable range” of alternatives. Here, since the No Project Alternative is required, the EIR analyzes only two. This does not comply with a reasonable range of alternatives. The alternative site selection was rejected because “there are no suitable sites available that could accommodate a large industrial/retail commercial center *of the type that would permitted under the Specific Plan*”. Again, this indicates that construction of the project is a foregone conclusion.

11-12

The EIR goes on to discuss other expansion areas in the Santa Paula General Plan (Fagan Canyon and Adams Canyon) but states they they “are not suitable in terms of location and other site characteristics, to accommodate a large light industrial/commercial center”. The EIR does not provide any detail regarding the “location and other site characteristics” and why they do not make a suitable alternative site. Further, this statement communicates that there are alternate sites available. This is not in keeping with CEQA Guidelines section 15126.6(f)(1), which allows consideration of whether the applicant “can reasonably acquire, control or otherwise have access to the alternative site,” among other considerations.

Conclusion

For the foregoing reasons, GSEJA believes the EIR is flawed and an amended EIR must be prepared for the proposed project and recirculated for public review. Golden State Environmental Justice Alliance requests to be notified via email at goldenstateeja@gmail.com regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project.

11-13

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a series of loops and a long, sweeping tail that extends to the right.

Joe Bourgeois
Chairman of the Board
Golden State Environmental Justice Alliance

Letter No. 11

Joe Bourgeois, Chairman of the Board
Golden State Environmental Justice Alliance
Letter dated December 18, 2016

Response 11-1:

This comment does not address the information or analysis in the Draft EIR. No further response is required.

Response 11-2:

Project numbers 28, 31, 32, and 33 do not have specific addresses, as shown in Table 3.0-1: Related Projects, of the Draft EIR. However, approximate locations were added to the related projects map for related project numbers 28, 31, and 32, as shown in **Figure 3.0-3: Related Projects**. Related project number 33 is a Citywide crosstown pipeline and does not have an exact location. It should be noted that while none of these four related projects is near the Project Site, these projects were considered in the cumulative analysis in the Draft EIR.

Additionally, two projects, 37 and 38, were added to the related projects list and map to reflect the newest projects within the City. The cumulative analysis was updated for each issue area based on the addition of these two projects.

Response 11-3:

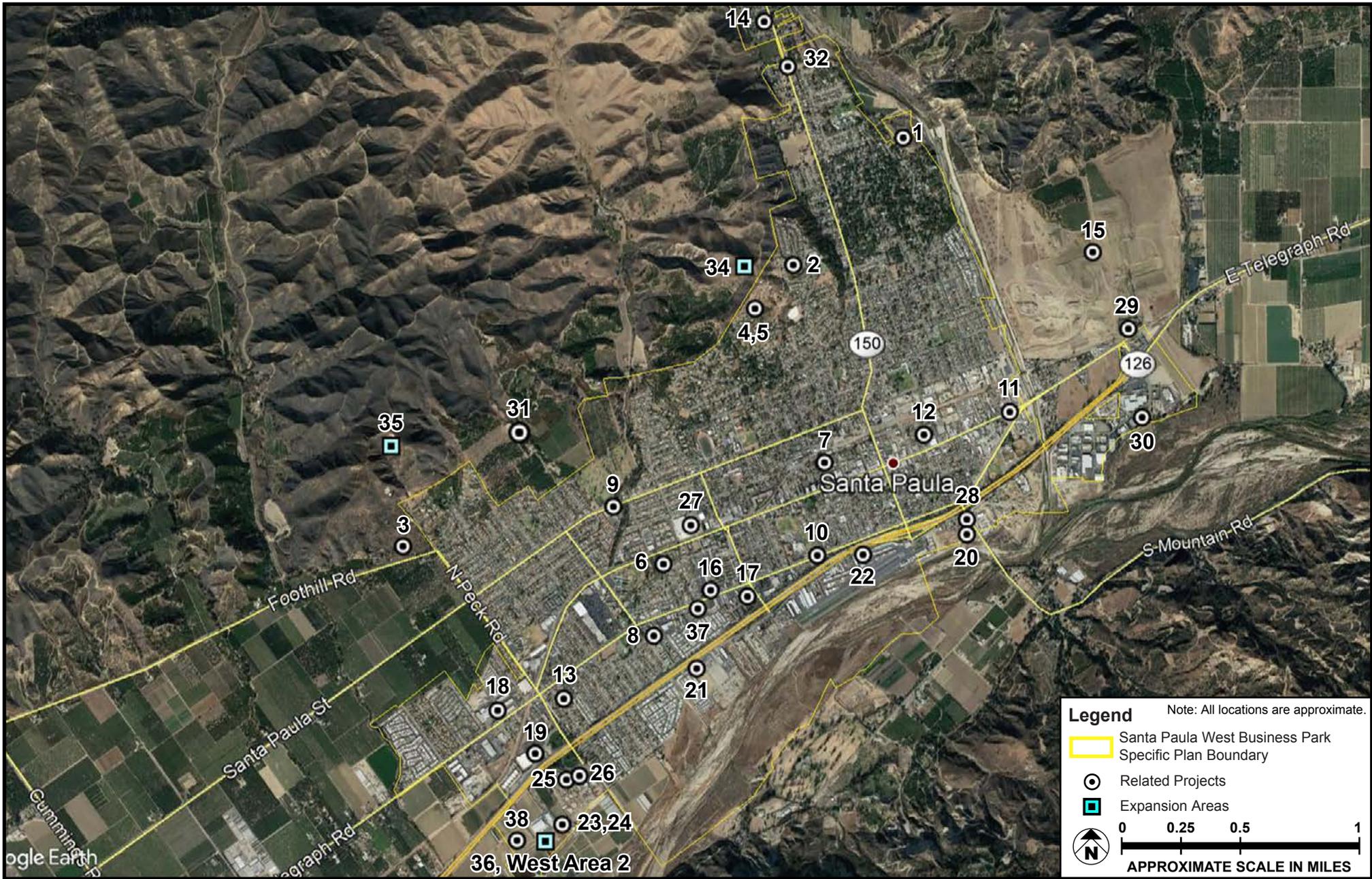
The proposed Project would alter the existing visual character from agricultural to urban uses, and this change has been identified as a significant and unavoidable impact. Reducing the density of the Project would not avoid or substantially reduce this impact, which results from the conversion of the site from agricultural use.

However, the Draft EIR, as part of the discussion on alternatives (see Section 5.0), does consider and evaluate less-intensive development alternatives. While the alternatives do not specifically address building and lot coverage, they do address both a 25 percent and 50 percent reduction in land development area. Indirectly, these reductions would result in less lot coverage. Conversely, they could result in the same density. The EIR determined that both alternatives would likely result in the same impacts as would the proposed Project. Impacts would be significant and unavoidable.

With regard to other alternatives involving less density, as mentioned in the letter in **Appendix C: Letter Correspondence with Doug Shaw**, Mr. Shaw, who is First Vice President of Commercial Real Estate Services, notes that tenants in the market look for square footage that can range from 10,000 to up to

200,000 square feet—even larger in some cases.¹⁶ Limiting the maximum size of any individual building to 30,000 square feet would drastically limit the ability to lease or sell the properties because the Project would not be able to market to large numbers of potential tenants seeking larger spaces. In addition, limiting the clear height would detract from and limit the market for potential tenants. In today’s market, low clear height buildings do not lease as quickly. For most tenants, such a factor would immediately remove that property from consideration. The current market reflects the “ecommerce era,” with most companies needing a minimum 24-foot height clearance under the beam at the lowest point of the warehouse, with up to 30 feet and even 32 feet clear required to accommodate stacking storage.

16 Letter correspondence with Doug H. Shaw, First Vice President, CBRE, Advisory & Transaction Services, Industrial Properties, dated March 28, 2017.



SOURCE: Google Earth - 2018; Meridian Consultants, LLC - 2018

FIGURE 3.0-3



Location of Related Projects

For example, one of the oldest major businesses in Santa Paula is Calavo, an avocado processing and marketing company. A similar company in the area is Mission Produce in Oxnard, which recently completed construction of a 200,000-square-foot cooler building with an interior clear height of 30 feet. If Calavo or a similar agricultural processing company were interested in building a facility in the Project, and the building height were reduced as suggested, this type of tenant could not be accommodated in the Project.

Economically, it would take significantly longer to locate potential buyers and tenants, putting the proposed Project at a disadvantage versus competing properties in neighboring cities. Given that time is the downfall of many real estate projects, limiting the size of buildings in the Santa Paula West Project could cause the Project severe economic damage. As such, the consideration of lower building heights was eliminated from consideration, to err on the side of a successful project.

Response 11-4:

Annexation of the Project Site to the City of Santa Paula would be subject to approval from LAFCo, which requires consistency with State laws, as well as with relevant LAFCo policies and procedures. Given that the Project Site is currently located within the City's LAFCo approved SOI, implementation of the Project would not conflict with State law or LAFCo's annexation policies and procedures. Government Code 56668, contains factors that LAFCo is required to consider in its decision to approve a boundary reorganization request.

The Project proposes the construction of urbanized uses within an expansion area that is currently within the CURB. Therefore, no voter approval is required to amend the CURB. Because the proposed project will be annexed into the City of Santa Paula, withdrawal from the County General Plan does not need to be addressed. With respect to the Project's consistency with LAFCo policy (see **Response to Comment 10-7**), the applicable LAFCo policies have been addressed.

Additionally, mitigation measure **AG-1** was incorporated into the Draft EIR, which will require the Applicant to provide mitigation to the extent feasible utilizing conservation easements and/or payments to an organization which acquires agricultural conservation easements, to minimize or reduce the level of impacts to farmland.

Response 11-5:

As discussed in Section 4.10: Land Use of the EIR, the Specific Plan area would be annexed into the City of Santa Paula and removed from the County of Ventura Agricultural and Urban Reserve designations. With LAFCo's approval of the reorganization, the Project Site would no longer be subject to the County of

Ventura’s land use and zoning controls. Therefore, if approved by LAFCo and upon annexation, the Project would not conflict with the County of Ventura General Plan and Non-Coastal Zoning Ordinance.

The Specific Plan is proposed for adoption as an amendment to the City of Santa Paula’s General Plan. Upon adoption by the City, the Project would retain City General Plan Land Use Element designations and City zone district classifications to the affected properties, replacing the existing County of Ventura land use and zoning designations. The proposed City land use designations and zone district classifications match the designations for the Project Site, as shown on the City’s General Plan Land Use Map. Therefore, the Specific Plan would be consistent with the City’s General Plan and would not result in any conflicts.

The 2007 Air Quality Management Plan (AQMP), as discussed in Section 4.3: Air Quality, of the Draft EIR, was prepared to accommodate growth, reduce the high levels of pollutants within the County of Ventura, return clean air to the region, and minimize the impact on the economy. Projects that are considered consistent with the AQMP would not interfere with attainment because they were included in the projections utilized in the formulation of the AQMP. Therefore, the Project uses and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP.

The City has a population of 30,654 as of January 1, 2017, based on the California Department of Finance estimate.¹⁷ The General Plan projects a population of approximately 37,920 (see Table 2-7 of the Land Use Element) for the City. The Ventura County Air Pollution Control District (VCAPCD) AQMP is based on regional population forecasts developed by the Southern California Association of Governments (SCAG). SCAG’s most recent population forecast was adopted in 2016 as part of the *2016–2040 Regional Transportation Plan/Sustainable Communities Strategy*. The 2016 SCAG growth forecast for Santa Paula projects a population increase from 29,800 in 2012 to 38,800 by year 2040, and an employment increase from 7,800 jobs in 2012 to 11,700 jobs by the year 2040.¹⁸ The proposed Project would not increase the amount of housing within the Specific Plan area because no residences would be built.

As of 2012, the City of Santa Paula’s employment number was 8,247.¹⁹ The Project would result in employment of approximately 1,510 employees,²⁰ or approximately 12.9 percent of SCAG’s projected employment growth by the year 2040 of 11,700 employees for the City of Santa Paula. For analysis

17 California Department of Finance, “Table E-1, Population Estimates for Cities, Counties, and the State—January 1, 2016 and 2017,” <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-1/>, accessed June 19, 2017.

18 Southern California Association of Governments, *Final 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy* (April 2016), <http://scagrtpsc.net/Documents/2016/final/f2016RTPSCS.pdf>.

19 City of Santa Paula, Santa Paula Demographics and Statistics, “Profile of the City of Santa Paula: 2012 Statistical Summary,” <http://www.ci.santa-paula.ca.us/DemoStat.htm>

20 US Green Building Council, “Building Area Per Employee by Business Type” (May 13, 2008), accessed August 24, 2016, <http://www.usgbc.org/Docs/Archive/General/Docs4111.pdf>.

purposes, this growth in employment would only increase population in Santa Paula if all 1,510 employees relocated to the City of Santa Paula; these future employees would account for 17 percent of the projected growth in population for the City. This is considered a conservative estimate because employees may already live in the City or may reside in other nearby cities. Given that employment opportunities within the City are estimated to steadily increase through the years from the current estimated population of 30,654 to SCAG's estimate of 38,800 by 2040, the Project's addition of 1,510 employees would be consistent with the SCAG's projections.

The planned uses would also be consistent with the City's land use and zoning designation for the Project Site. The Project would accommodate a mix of commercial and light industrial uses within walking distance, which would reduce the need for residents within the City to travel long distances to other commercial and entertainment centers. As such, the Project would not conflict with the 2016 AQMP and, as such, would not jeopardize attainment of State and national ambient air quality standards in the County of Ventura.

Further, the City's General Plan Conservation Element includes Policy 4.b.b., which states: "Review individual development projects to ensure that air quality control measures are incorporated to the greatest extent possible." The Conservation Element also provides Implementation Measure 21b, which states:

Encourage the implementation of programs and strategies which reduce air emissions. For example, emission reduction measures may include:

- *Provision of on-site employee services and preferential parking for carpools*
- *Parking lot design to reduce vehicle cueing*
- *Provision of transit services and pedestrian/bicycle access*
- *Transportation Demand Measures (TDM)*
- *Energy efficient building materials and lighting*
- *Ozone precursor control measures*
- *Dust control measures*

Implementation of mitigation measures in the EIR are consistent with the City's policies. Specifically, mitigation measures **AQ-1** through **AQ-5**, would reduce construction emissions and would be consistent with VCAPCD Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 74.2 (Architectural Coating). In addition, mitigation measures **AQ-6** through **AQ-8**, **AQ-12**, and **AQ-13** would reduce operational emissions to the greatest extent feasible.

Response 11-6:

Initial land development including, site clearing, grading, roadway construction, and improvements of the Project Site which constitute by far the greatest amount of construction related emissions, are anticipated to occur over approximately a 4-month period starting in sometime in 2019. For purposes of the analysis within this EIR, construction of individual buildings is assumed to occur over approximately 10 years in response to market conditions.

According to the Ventura County Air Quality Assessment Guidelines, construction-related emissions of ROG and NO_x are not counted toward two significance thresholds because these emissions are temporary. However, construction-related emissions should be mitigated if estimates exceed the 25-pound-per-day threshold. As shown in Tables 4.3-6, Construction Emissions, Table 4.3-7, Worst-Case Construction Emissions (2020), and Table 4.3-8, Operational Emissions, in the Draft EIR, emissions would exceed the thresholds for ROG and NO_x. Implementation of mitigation measures **AQ-1** through **AQ-5** would reduce construction emissions and would be consistent with VCAPCD Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 74.2 (Architectural Coating).

Furthermore, implementation of mitigation measures **AQ-6** through **AQ-13** would reduce operational emissions, including emissions from area and mobile sources. It was concluded that with implementation of mitigation measures, impacts from emissions of ROG and NO_x for both construction and operation would still exceed the regional emission thresholds. Impacts would remain significant and unavoidable.

Response 11-7:

As stated on page 4.3-23 of the Draft EIR, off-site receptors were uniformly placed along the fence line and at 10- and 50-meter buffers to provide a comprehensive evaluation of the fate and transport of dust and particulate matter toward sensitive receptor locations. As such, fence-line (Project boundary) emissions or sensitive receptors are the points of maximum impact, which is in accordance of the Office of Environmental Health Hazard Assessment guidelines. As shown in Tables 4.3-10, Diesel Particulate Carcinogenic Risk, and 4.3-11, Diesel Particulate Noncarcinogenic Risk, in the Draft EIR, carcinogenic and noncarcinogenic risks at the fence line would not generate any significant air quality impacts with regard to temporary exposure to emissions of toxic air contaminants that would occur during construction.

Response 11-8:

As shown in Table 4.3-6 of the Draft EIR, construction unmitigated and mitigated emissions are presented. Furthermore, Table 4.3-8 presents the maximum mitigated operational emissions. Based on the data provided, it was concluded that air quality impacts during construction and operation would be significant and unavoidable even with mitigation.

Response 11-9:

The Santa Paula Municipal Code (SPMC) sets forth the maximum exterior noise levels for specific land uses that cannot be exceeded at receiving land uses unless specially exempted by the SPMC or permitted by the City. For industrial zones, the exterior noise level standard is 75 dB(A). For commercial and office uses, the exterior noise standard is 70 dB(A). The municipal code does not define interior noise standards for industrial buildings, nor should any be implied as suggest by the comment.

Commercial, industrial, and warehousing land uses such as the proposed Project and adjacent industrial uses need only conform to applicable State and federal workplace safety standards for interior noise levels, as stated in Cal/OSHA Title 8 regulations.

Response 11-10:

Construction equipment operates at its noisiest levels for certain percentages of time during operation. Equipment such as excavators, graders, and loaders would operate at different percentages over the course of an hour. As such, noise level increases would be temporary and intermittent, and would predominately occur during the initial site preparation phase sometime in 2019.

Response 11-11:

Construction equipment operates at its noisiest levels for certain percentages of time during operation. Equipment such as excavators, graders, and loaders would operate at different percentages over the course of an hour. As stated in page 4.11-28 of the Draft EIR, sensitive land uses surrounding the Project Site, such as the residential units to the north, may experience construction noise in excess of 3 dB(A) over existing ambient noise conditions. However, construction activities on Monday through Friday between 8:00 AM and 6:00 PM are not subject to the noise level standards established by the City's Noise Ordinance (SPMC Section 93.23), although a temporary noise permit can be obtained for construction activities outside of these time periods (SPMC section 93.06). The City's Noise Element requires that construction activities employ feasible and practical techniques to minimize the noise impacts on adjacent uses. Implementation of mitigation measure **N-2** would require construction equipment to be equipped with appropriate mufflers in good working condition. Standard exhaust mufflers for all equipment and the break in line of sight to a sensitive use would reduce construction noise levels by approximately 7 dB(A). Further, as previously mentioned, initial land development including, site clearing, grading, roadway construction, and improvements of the Project Site are anticipated to occur over an approximately 4-month period starting sometime in . For purposes of the analysis within this EIR, construction of individual buildings is assumed to occur over approximately 10 years in response to market conditions. As such, construction noise impacts would occur on a temporary basis and be less than significant.

Response 11-12:

The State CEQA Guidelines Section 15126.6(a) state that:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.

A suitable site for this proposed Project would need to be approximately 54 acres in size, zoned for industrial or commercial uses, and preferably not abut residential uses. The City completed an inventory of vacant land within the City limits for the City's 2013-2021 Housing Element Update. This inventory identified approximately 60 acres of vacant, residentially zoned land, including several small vacant commercial properties, within the current City limits. Those vacant sites are not contiguous, are dispersed throughout the City, and are not suitable for development with the type of light industrial and business park uses that would be accommodated by this proposed Project, nor are they located at the western gateway to the City, nearest the City of Ventura and its high population, and the coast, which are all important to the City and the Project's attraction to buyers and/or renters.

The Draft EIR considers three alternatives: the No Project Alternative and two alternatives with less development (25 percent and 50 percent). As noted in Section 15126.6(a) above, an EIR does not need to include every conceivable alternative, only a reasonable range. The State CEQA Guidelines further state that "[t]here is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason."

The purpose of the alternatives as stated in the CEQA Guidelines Section 15126.6(b) is to

identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

Because the Draft EIR has identified multiple alternatives, it complies with the CEQA Guidelines. Further, the comment does not suggest any other alternatives for consideration other than to state the EIR "concludes that development is a foregone conclusion."

The City of Santa Paula, as discussed in the General Plan Land Use Element, identified several expansion areas within the City's SOI to accommodate growth and considered three land use scenarios. A preferred growth scenario was selected by the City Council that scenario forms the basis of the General Plan. That scenario has been modified as a result of a citizens' initiative known as the Save Open-Space and Agricultural Resources (SOAR) Santa Paula City Urban Restriction Boundary Initiative, as subsequently amended by the voters. The Land Use Element of the General Plan carries out the preferred scenario by calling for expansion outside the existing City limits and recommending several land use and policy changes for land within the City limits.

Four expansion areas and one planning area are identified in the General Plan. The expansion areas are Adams Canyon, Fagan Canyon, East Area 2, and West Area 2; and the planning area is South Mountain. The Land Use Element of the General Plan (see page LU-21) notes that Specific Plans are required for all expansion areas within the city.

Table LU-5 in the General Plan illustrates the land uses types, amounts, and build-out planned for the expansion scenario. As noted therein, the General Plan consider both Adams Canyon and Fagan Canyon for primarily residential development with little or no industrial area (Adams Canyon, 495 units; and Fagan Canyon, 450 units), which relate to several factors including their mountain topography, relatively more remote location, and distance from utility infrastructure. As such, the City, not the EIR, has identified the areas for development; the alternatives presented in the EIR are consistent with the General Plan.

Response 11-13:

As demonstrated by the responses to the comments in the Final EIR, the Draft EIR contains factual, objective, and accurate information regarding potential on- and off-site environmental impacts; identifies regulatory requirements and feasible mitigation measures; and provides analysis of alternatives that supports the conclusions presented on the significance of the impacts of the Project, consistent with the requirement of CEQA. Revisions to the Draft EIR as necessary have been made and are listed in **Section 4.0, Revisions to the Draft EIR**, of this Final EIR.

From: jbourg2271@aol.com [mailto:jbourg2271@aol.com]
Sent: Saturday, December 31, 2016 7:20 PM
To: Janna Minsk
Subject: Santa Paula West Business Park

Ms. Minsk,

Please advise on when this project is scheduled to go before the City Planning Commission.

Also, please add my email address to this projects notification list.

Thank You,

Joe Bourgeois

12-1

Letter No. 12

Joe Bourgeois

Email dated December 31, 2016

Response 12-1:

All persons requesting notification will be notified of any future public hearings on the certification of the EIR and the consideration of the Project by the Planning Commission and the City Council. This comment is noted.

From: Julie Tumamait-Stenslie [<mailto:jtumamait@hotmail.com>]
Sent: Tuesday, December 13, 2016 5:24 PM
To: Nelson, Trayci <tnelson@mbakerintl.com>
Subject: Re: Cultural Resources section of DEIR

hello, the sensitivity map should not be for public viewing. I don't know if you are only showing me. If not please remove it from public view. People use things like this to dig up artifacts to sell. I had personal conversation with a County planning staff person and She said the Sensitivity map is out dated. Many of the older buildings are often built on raised foundations, which means that there was little ground disturbance. If there are Cultural Resources underneath those buildings, there can be intact sites. Monitoring should occur when building are demolished. Disking actually doesn't do a lot of soil disturbance, there can be CR material or even Burials subsurface. Our cemetarys are not always a lot of people, it can only be one, sometimes fragments. I would like to see a full Phase 1 survey done with trenching to locate the sensitive areas. I find the idea of having "a contractor must cease work" ineffective, they are not a qualified Archaeologist. The Archaeologist should be one who has worked and is familiar with California (Ventura Co. area) Native Culture and traditions. There should also be a qualified Native (Chumash) Monitor present. This individual should be able to demonstrate their lineage and be a member of a State recognized Tribe as on the NAHC SB-18 and AB-52 list These two professionals should continue to monitor throughout all earth disturbing activities as well as landscaping projects that are going to be in undisturbed soil. There will no need to watch recompacted soils that had been previously monitored. Any Human Remains that are unearthed , I would like to see an attempt to leave them in place . If this is unavoidable then reburial in an area on property. Although this is only my personal view. The MLD will make a recommendation. Thank-you for your call today. If there is a chance to see the property(site visit)that would be helpful. I may have more, can't anymore. Thank-you, Julie

13-1

13-2

13-3

Letter No. 13

Julie Tumamait-Stenslie

Email dated December 13, 2016

California Senate Bill (SB) 18²¹ requires cities and counties to notify and consult with California Native American Tribes about proposed local land use planning decisions in order to protect Traditional Tribal Cultural Places.²² Cities and counties must obtain a list of the California Native American tribes from the Native American Heritage Commission (NAHC), whose traditional lands within the agency's jurisdiction may be affected by a proposed adoption or amendment of a general plan or specific plan. Before the adoption or any amendment of a general or specific plan, a local government must notify the appropriate tribes of the opportunity to conduct consultations on the proposed project. Before the adoption or substantial amendment of the general plan or specific plan, a local government must refer the proposed project to those tribes on the Native American contact list that have traditional lands within the agency's jurisdiction.

As part of the process of identifying Native American cultural resources within or near the project area and to meet the requirement of Senate Bill 18, the City prepared and mailed letters to a contact list of four (4) Native American individuals, provided by the NAHC, that may have knowledge of cultural resources in or near the project area. The list of Native American individuals and letter sent out are contained with **Appendix E** of this Final EIR. The City requested information regarding any Native American cultural resources within or immediately adjacent to the project area. The only Native American group that contacted the City was via email was the Barebarena/Ventureno Band of Mission Indians. The email comments provide by Barebarena/Ventureno Band of Mission Indians are contained with the Final EIR and responded to below.

Response 13-1:

The Archaeological Sensitivity Map, Ventura County (South Half) (Figure 3.5-1 in the Draft EIR) is public information. The map is from the Ventura County General Plan, Resources Appendix, Figure 1.8-1, and is available to the public online at <http://vcrma.org/pdf/plans/General-Plan-Resources-Appendix-6-28-11.pdf>. As shown in the Draft EIR, the figure does not show locations beyond what is currently available via the County to the public.

21 California Government Code, sec. 65040.2, 65092, 65351, 65352, and 65560; California Civil Code, sec. 815.3.

22 California Senate Bill 18, ch. 905, Statutes of 2004.

Response 13-2:

As noted in the Draft EIR, Section 4.5, Cultural Resources, a Phase I archaeological survey was completed by ASM Affiliates and is documented in the report *Phase I Archaeological Survey of the Santa Paula West Specific Plan Area, Santa Paula, Ventura County, California*, dated June 2, 2015. The report is included in Appendix 4.5 of the Draft EIR.

Response 13-3:

The Draft EIR includes mitigation measure **CUL-2**, which addresses human remains that may be discovered during grading and excavation activities. Mitigation measure **CUL-2** provides procedures and protocols to be followed in the event of such a discovery, which are consistent with best practices in the sensitive treatment of any such remains.