City of Oxnard

Oxnard Village Specific Plan Project

Final Environmental Impact Report

SCH # 2006101099

Volume I

August 2008

OXNARD VILLAGE SPECIFIC PLAN PROJECT

Final
Environmental Impact Report

Volume I

State Clearinghouse No. 2006101099

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Oxnard Village Specific Plan Project EIR

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EXECUTIVE SUMMARY

This Environmental Impact Report (EIR) has been prepared to examine the potential environmental effects of the proposed Oxnard Village Specific Plan project. This section summarizes the characteristics of the proposed project, the environmental impacts, mitigation measures, and residual impacts associated with the proposed project.

PROJECT SYNOPSIS

Project Applicant

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Existing Conditions and Setting

The 64-acre project site is located in the western portion of Ventura County, near the northern edge of the City of Oxnard, and is bounded by U.S. Highway 101 to the north, Oxnard Boulevard to the east, the Union Pacific Railroad and El Rio Drain to the south, and North Ventura Road to the west. The project site is currently fully developed with a mix of uses including a neighborhood retail center in the western area of the site, a 171-space mobile home park in the central area of the site, and industrial and commercial facilities in the eastern half of the site. The existing onsite circulation network includes a series of small streets including Winchester Drive, Wagon Wheel Road, Petticoat Lane, Tuxedo Row, Surrey Circle, Buckaroo Avenue, Cactus Avenue, Saddle Avenue, Spur Drive, and Underpass Road. Primary vehicular access points to the site are from North Ventura Road from the west, North Oxnard Boulevard (State Route 1) from the east, and the U.S. Highway 101 freeway Wagon Wheel offramp from the north.

The site is zoned General Commercial Planned Development (C-2-PD) and Commercial and Light Manufacturing (CM), and is within the General Plan's Commercial Regional (CR) District. Implementation Measure 3 of the 1990 General Plan calls for preparation and adoption of a specific plan for the Wagon Wheel area. The site is also within the Historic Enhancement and Revitalization of Oxnard (HERO) redevelopment area.

Project Description

The proposed project involves adoption of a Specific Plan (The Village Specific Plan) to guide future development within the project area. Entitlements requested for the project include an amendment to the Oxnard General Plan, a Zone Change, adoption of a Specific Plan, a Development Agreement, a Mobile Home Park Closure Permit, a Planned Development Permit, and a Tentative Subdivision Map(s). Individual development projects within the Specific Plan Area after approval of the Specific Plan would require additional approvals including amendments to the Specific Plan, Development Design Review Permits, Building and Grading Permits and Modifications.

The Specific Plan envisions the phased redevelopment of all existing uses on the site with a mixed-use commercial and residential project. Proposed land uses include 30.8 acres of High Density Residential (up to 30 dwelling units per acre); 0.6 acres of Live/Work town homes (up to 30 dwelling units per acre); 2.1 acres of Very High Density Residential (up to 70 dwelling units per acre); 4.8 acres of High-Rise Residential (up to 100 dwelling units per acres); 8.0 acres of Mixed Use (up to 70 dwelling units per acre, and 46,400 sf of commercial space); 0.6 acre of Public Facilities (transit center); 6.3 acres of Community Parks and Open Space; and 10.1 acres accounting for major streets. Each proposed Planning Area has a planned number of allowable dwelling units and the maximum density. Within each land use category, the Builder/ Developer would be able to choose from the range of allowed densities, to the extent that the total unit count for the Specific Plan Area would not exceed 1,500 residential units and the maximum density for each land use area is not exceeded. The Specific Plan also allows for the addition or subtraction of total area designated to each Planning Area to the extent that the maximum density allocated to each land use is not exceeded.

To prepare the site, virtually all existing structures and infrastructure onsite would be demolished and/or removed. The entire 64-acre project area would be re-graded to meet the needs of the new development. The existing trees suitable for re-use within the proposed project would be preserved on-site, and re-planted at appropriate locations. The project would be constructed in phases over five to seven years. The project would include closing the existing on-site mobile home park; closure procedures would be consistent with the City of Oxnard's Mobile Home Park Closure Ordinance (Ordinance No. 2097).

The residential component of the project would include four housing types, including three residential high-rise towers:

- The predominant building form within the proposed High Density Residential Planning Area would be a "brownstone" style townhouse. The proposed High Density Residential Planning Areas encompass approximately 34.4 acres and are bordered on the north by the Ventura (101) Freeway, on the west by North Ventura Road, on the south by Union Pacific Railroad and on the east by the Live/Work and the High-Rise Residential Planning Areas.

- The Live/Work Planning Area would function as a transition from the High Density Residential Planning Areas to the higher density Mixed Use Planning Areas. A total of 14 Live/Work units would line the proposed Main Street, opposite the proposed Village Green. The live-work building form would be similar to the High Density dwellings; however, each live-work dwelling would provide optional ground floor "flex-space" which could be used as small commercial office or retail space. Up to 4,000 square feet of optional workspace is permitted within the Live/Work Planning Area. The Live/Work Planning Area encompasses approximately 0.6 acres.

- A courtyard building type is proposed for the Very High Density Planning Area. The buildings would be up to four stories and include stacked flats and stacked townhouses wrapped around a common courtyard. The Very High Density Residential Planning Area encompasses approximately 2.1 acres bordered on the east Oxnard Boulevard, on the west by "A" Street, on the south by the Wagon Wheel Road Bridge, and on the north by the High-Rise Residential Planning Area.

- Three towers are proposed in Planning Areas 14 and 18 for the High-Rise Residential Planning Area. The towers would include up to 442 residences with private recreational amenities, concierge service, and opportunities for ground floor service-oriented commercial uses. Parking for residents and related service personnel would be provided by parking structures. Planning Area 14 encompasses approximately 3.5 acres; Planning Area 18 encompasses approximately 1.3 acres.

The Mixed Use component of the project would include all of the proposed commercial retail and small commercial space (up to 50,400 square feet) as well as up to 253 residential units at a density of up to 70 dwelling units per acre. Building forms would be a mix of two- to four-story buildings with two or three stories of apartments above ground floor retail; live/work dwellings above ground floor retail; and four-story stacked flats. Four thousand square feet of the proposed commercial space would be dedicated to optional commercial office/retail uses located on the ground floor of the live/work townhouses.

Fifteen percent (15%) or 225 of the total units would be designated as "affordable housing" and would be required to meet the City's income criteria for very low- and moderate-income families. One-hundred and eighteen of the proposed residential units would be rental apartments; the remaining 107 units would be designated affordable units for moderate-income families. As part of the relocation benefit package offered to the residences of the existing Wagon Wheel Mobile Home Park on the site, which would be closed to accommodate the proposed project, the project developer would accommodate all mobile home park residents interested in occupying the on-site affordable housing units. Thus, the final number of very low, low, and moderate income affordable income units may change depending on the number of mobile home park residents who choose to relocate on-site. However, the total number of on-site affordable housing units would not exceed 225.

Access to the proposed project would be taken from Ventura Road from the west and Oxnard Boulevard from the east. The existing bridge over Oxnard Boulevard connecting the site to the Esplanade Mall would remain. The existing Wagon Wheel Road traversing the outer portions of the project site would be abandoned and redirected through the center of the project to provide an automobile and pedestrian/bicycle linkage paralleling Highway 101 between Oxnard Boulevard and North Ventura Road. Opportunities for pedestrian/bicycle linkages to the Riverpark development across U.S. Highway 101 to the north would also be provided as part of the project via Ventura Road. The Project also proposes pedestrian connections to the City's River Edge Trail along Ventura Road and the east via the project's main street and Wagon Wheel Road bridge.

The project would include a sub-transportation center with approximately 50 designated parking stalls and a bus stop for Golf Coast and Vista bus services. The sub-transportation center would also be available for a future Metrolink stop and/or future commuter shuttle service for nearby communities to and from the Oxnard Transit Center, and other forms of multi-modal transportation.

The Village Specific Plan includes two types of parking areas, shared and non-shared. Non-shared residential parking spaces would be provided within the High Density Residential and

Live Work Planning Areas (Planning Areas 1-12). Shared parking is proposed for the Mixed Use, High Rise, Transit Center, and Very High Density Planning Areas.

Within the shared parking areas, a residential parking demand ratio of 2.0 spaces per residential unit is used for conceptual planning purposes. A commercial parking demand ratio of 2.5 spaces per 1,000 square feet of commercial space was used for conceptual planning purposes. The ultimate goal of the shared parking approach is to permit flexibility in the municipal parking standards in favor of a system where the private sector develops parking to meet only the needs of development without over-building parking supply.

Within the High Density Residential and Live/Work Planning Areas (Planning Areas 1-12), the proposed number of parking spaces required for both residents and guests is based on an overall parking ratio of 2.75 spaces per residential unit. These non-shared spaces would be provided in a combination of two-car garages for each residential unit plus on-street parallel parking, and off-street parking areas for guest parking.

The project would provide a 1.7-acre "community village green" with pool and community center and a 0.9-acre neighborhood park with a pool. In addition, various smaller pocket parks totaling approximately 2.2 acres would provide passive recreation and amenities such as seating areas and water features. Approximately 1.65 acres of the plan area would be dedicated to private recreation "terraces." These facilities are proposed to serve the residents of the High-Rise, Mixed-Use, and Very High Density Planning Areas. These facilities would be integrated into the building designs for the High-Rise, Very High Density and Mixed Use Planning Areas. Access to the facilities would be from either elevators or a private interior courtyard. These spaces are for the private use of the residents and would be maintained by a Homeowners' Association.

The proposed Specific Plan includes architectural and landscaping design standards, which are discussed in more detail in Section 2.0 of the EIR, *Project Description*.

ALTERNATIVES

Four alternatives to the proposed project were selected for consideration and analyzed in the EIR as follows:

- Alternative 1: No Project (no change to existing land uses)
- Alternative 2: Reduced/No Towers Project with School Site. This project alternative would consist of 1,000 residential units, configured to reduce several of the environmental impacts identified in the EIR. Building heights would be a maximum of three stories. The historic structures would be renovated and would remain, whether in their original uses or adaptive reuse. A 15-acre school site would also be included in this alternative.
- Alternative 3: Buildout under Existing General Plan/Zoning Designations. This alternative consists of 479,000 square feet (sf) of two-story retail development and 810 three-story townhouses. The historic structures would be renovated and would remain, whether in their original uses or adaptive reuse.

- Alternative 4: Increased Commercial/Decreased Residential and Reconfigured Specific Plan. This alternative is based on a 1990s proposal for the site, and consists of 130,000 sf of general commercial development, 1.45 million sf of office space, a 16,000 sf restaurant and 250 residential units in buildings of up to eight stories. The historic structures would be renovated and would remain, whether in their original uses or adaptive reuse. Structural components of the project would be set back greater distances from Highway 101 and the railroad tracks to reduce noise and air quality impacts.

The "no project" alternative would involve no change to the environment and is therefore considered environmentally superior overall. It should be noted, however, that this alternative would not preclude future development of the site.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table ES-1 includes a brief description of the environmental issues relative to the proposed project, the identified environmental impacts, proposed mitigation measures, and residual impacts. Impacts are categorized by classes. Class I impacts are defined as significant, unavoidable adverse impacts which require a statement of overriding considerations to be issued per Section 15093 of the *State CEQA Guidelines* if the project is approved. Class II impacts are significant adverse impacts that can be feasibly mitigated to less than significant levels and which require findings to be made under Section 15091 of the *State CEQA Guidelines*. Class III impacts are considered less than significant impacts.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Class I (Significant and Unavoidable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
AESTHETICS		
Impact AES-1 The visual character of the project site would be substantially altered through the introduction of three high-rise structures surrounded by relatively dense low- and mid-rise development to a site which is primarily developed with one- and two-story structures and surface parking lots. This change is considered a Class I, *significant and unavoidable*, impact.	None available. (Section 6.0 *Alternatives* considers project alternatives that would reduce and/or reconfigure the project and, thus, reduce visual impacts.)	Significant.
Impact AES-2 Views of the Transverse Ranges to the north, and of the Santa Monica Mountains to the east, would be partially blocked by the proposed structures from certain public roads including two of	None available. (Section 6.0 *Alternatives* considers project alternatives that would reduce and/or reconfigure the project and, thus, reduce visual impacts.)	Significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Class I (Significant and Unavoidable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
those identified as view corridors in the City's General Plan. This is considered a Class I, *significant and unavoidable*, impact.		
The cumulative change to the aesthetic character in the northern area of Oxnard is considered *cumulatively significant.*	None available. (Section 6.0 *Alternatives* considers project alternatives that would reduce and/or reconfigure the project and, thus, reduce visual impacts.)	Significant.
CULTURAL RESOURCES		
Impact CR-2 Site development for the proposed project involves the demolition of all onsite buildings. This would include the buildings at 2751 Wagon Wheel Road (Junction and Wagon Wheel Motels) and 2755 Wagon Wheel Road (Wagon Wheel Restaurant), which are potentially eligible for listing as City of Oxnard Landmarks. Site development would also involve the demolition of 2765 Wagon Wheel Road (El Ranchito Restaurant) and 2801 Wagon Wheel Road (Wagon Wheel Bowling Alley), which are potentially eligible in conjunction with the other two properties as a City of Oxnard Landmark Area. With the demolition of these four buildings, impacts to historic resources are considered Class I, *significant and unavoidable.*	**CR-2(a) Documentation.** Prior to demolition, a Documentation Report shall be prepared by a qualified historic preservation professional, consisting of archival quality photographs (using large-format photography) and measured drawings of the significant buildings and structures to be demolished and a historic resources report shall be prepared for the property. Documentation shall include, but not be limited to, the exterior elevations of the motel complex, the bowling alley, and the restaurants. The level of documentation should be sufficient to preserve a visual record of the buildings and the surviving elements of the original landscaping. Documentation of the Wagon Wheel and El Ranchito Restaurants shall include their signage using large-format photography. The dining rooms and bars shall be photo-documented using large-format photography. Copies of the Documentation Report shall be submitted to the Ventura County Museum upon completion. **CR-2(b) Design.** In consultation with a qualified historic preservation professional, and based on a comprehensive inventory of historic architectural features, the design of the project shall preserve and incorporate significant features of the historic properties, which should include but not necessarily be limited to freestanding and attached signs and other notable character-defining architectural elements of the historic properties. At the very minimum the design shall preserve the motel's neon "horse and buckboard" sign and may incorporate it into the new development. This would require its relocation. As the existing architectural	Significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Class I (Significant and Unavoidable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	elements are not necessarily compatible with the European-themed architecture of the proposed development, their incorporation shall be designed to avoid theme-related and visual/architectural conflict; the proposed plan for these elements shall be reviewed and approved by Planning staff. Suitable signage identifying the history of the sign and the Wagon Wheel area should be incorporated into the design of the relocated neon sign. Additional character-defining architectural elements for which development design incorporation is infeasible shall be offered as a donation for retention in the Ventura County Museum of History and Art. These could include elements, such as the wagon wheel windows, or the wrought branding iron fixtures. Decorative elements from the interior of the restaurant such as lighting, photographs, and furniture, also should be included in the donation offer. **CR-2(c) Interpretation.** In consultation with a qualified historic preservation professional, a permanent on-site interpretive display describing the property's significant historic themes shall be designed and incorporated into the project. **CR-2(d) Oral History.** A video-based oral history project shall be undertaken for the purpose of documenting the recollections of individuals with knowledge of the property's history and the life and work of Martin V. Smith. This project shall be directed by a qualified historic preservation professional and be submitted to an appropriate Ventura County museum upon completion. **CR-2(e) Television Specials.** Two television programs of at least 30 minutes in length shall be produced on the history of the Wagon Wheel Junction and the life and work of Martin V. Smith for broadcast on the Oxnard public access channel. The programs shall be completed in consultation with a qualified historic preservation professional and based at least in part on the historic resources report and oral history program required in mitigations measures CR-2(a) and CR-2(d), above.	

Table ES-1 Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Class I (Significant and Unavoidable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
The project's incremental loss of historical resources is considered to be significant and unavoidable at both the project level and also from a cumulative perspective.	See Mitigation Measure CR-2 above. This project-specific measure would reduce impacts, but both project and cumulative impacts would remain significant.	Significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
AESTHETICS		
Impact AES-3 The proposed project would result in new sources of light and glare on and around the project site, due primarily to the increased density and height of structural development. This is considered a Class II, *significant but mitigable*, impact.	**AES-3(a) Lighting Plans and Specifications.** Prior to the issuance of any building permits, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Planning Department for review and approval. The plans shall include a photometric design study demonstrating that all outdoor light fixtures to be installed are designed or located in a manner as to contain the direct rays from the lights on-site and to minimize spillover of light onto surrounding properties, roadways or the Santa Clara River. All parking structure lighting shall be shielded and directed away from residential uses. Such lighting shall be primarily located and directed so as to provide adequate security. **AES-3(b) Building Material Specifications.** Prior to the issuance of any discretionary permits for construction under the adopted Specific Plan, the applicant shall submit plans and specifications for all building materials and colors to the Planning Department for review and approval. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials and colors used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare. **AES-3(c) Light Fixture Shielding.** Prior to the issuance of any building permits, the applicant shall demonstrate to the Planning Department that all night lighting installed on	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	private property within the project site shall be shielded, directed away from residential uses, and confined to the project site. Rooftop lighting shall be limited to security lighting or aviation warning lights in accordance with Airport/Federal Aviation Administration (FAA) requirements. Additionally, all lighting shall comply with all applicable airport safety policies and FAA regulations. **AES-3(d) Window Tinting.** Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are tinted with an antireflective material in order to minimize glare.	
AIR QUALITY		
Impact AQ-1 Project construction would generate temporary air pollutant emissions of ozone precursors ROG and NOx, as well as fugitive dust (PM10 and PM2.5). Temporary construction-related air quality impacts would be Class II, *significant but mitigable.*	**AQ-1(a) Dust Control Measures.** The following shall be implemented during grading and construction to control dust. 1. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust. 2. Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavating activities. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities. 3. Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities: a. All trucks shall be required to cover their loads as required by California Vehicle Code Section 23114. b. All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering,	**Less than significant**

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. 4. Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area within three weeks, it shall be seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust. 5. Signs shall be posted on-site limiting traffic to 15 miles per hour or less. 6. During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to affect adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust from being an annoyance or hazard, either off-site or on-site. 7. Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads. 8. Personnel involved in grading operations, including contractors and subcontractors, shall wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations. 9. Shaker plates shall be installed at all truck exits from the site. 10. Dust control requirements shall be shown on all grading plans. **AQ-1(b) Construction Equipment Controls.** The following shall be implemented during construction to minimize emissions of ozone precursors.	

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	1. Construction contractors shall minimize equipment idling time throughout construction. Engines shall be turned off if idling would be for more than five minutes. 2. Equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications. 3. The number of pieces of equipment operating simultaneously shall be minimized. 4. Construction contractors shall use alternatively fueled construction equipment (such as compressed natural gas, liquefied natural gas, or electric) when feasible. 5. The engine size of construction equipment shall be the minimum practical size. 6. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated clean diesel engines) shall be utilized wherever feasible. 7. During the smog season (May through October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time. **AQ-1(c) Low Volatile Paints.** Wherever feasible, non-painted exterior surfaces and low volatile interior and exterior paints shall be used for architectural coatings.	
Impact AQ-2 Operational emissions of ROG and NOx would exceed VCAPCD's daily thresholds. However, these impacts are mitigable with payment of Transportation Demand Management (TDM) fees. Therefore, the project would have a Class II, *significant but mitigable*, impact to regional air quality.	**AQ-2(a) TDM Fees.** The project shall provide payment of fees to a suitable Transportation Demand Management Plan Fund. The fees will be based on the exceedance of the threshold for ROG and NOx, prior to operation of Phase 5. The fees shall be based on the unit cost for ROG and NOx, in effect at the time the fee is to be paid using the VCAPCD guidelines formula of: • (excess emissions lbs/day) x (unit cost ROG) x (days in operation) x (3 years) = Total cost • (excess emissions lbs/day) x (unit cost NOx) x (days in operation) x (3 years) = Total cost	Less than significant

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	Payment of fees is required prior to operation of Phase 5. **AQ-2(b) Increased Efficiency.** Residential and commercial land use shall increase efficiency 20% beyond Title 24. Applicant shall provide documentation of energy savings associated with materials proposed for use at time of building permit application.	
Impact AQ-4 Heavy duty construction equipment used during mass grading could cause significant health risks to onsite receptors because of diesel exhaust emissions. The proposed project exceeds significance thresholds for the health risk associated with inhalation of diesel particulate emissions. Impacts would be Class II, *significant but mitigable.*	**AQ-4(a) Alternative Fuels.** During grading the applicant shall use alternative fuels and/or retro-fitted filters on construction equipment if feasible. Alternative fuels and retrofitted filters may include, but are not limited to low sulfur diesel fuel and/or catalyzed diesel particulate filters. These measures can reduce generation of PM10 by 63-80%. Applicant shall provide documentation to the City of Oxnard regarding the availability (or lack of same) of the alternative fuels (such as biodiesel and E-85) and the number of vehicles equipped with diesel particulate filters and or that meet Tier III and IV engine standards prior to each construction phase. **AQ-4(b) Equipment Limitations.** Diesel-powered equipment under 75 hp located within 100 meters (325 feet) of the edge of the construction area shall be required to have engines that meet California Tier 4 emission standards. Diesel-powered equipment over 75 hp and operating within 100 meters (325 feet) of the edge of the construction area shall meet, at a minimum, California Tier 2 emission standards until the year 2010, at which time Tier 4 standards are applicable. The applicant shall provide to the City an inventory of the vehicles so equipped prior to each construction phase and each one shall be marked with an identification number that matches the inventory and that can easily be seen during equipment operation.	Less than significant
Impact AQ-5 The Specific Plan would locate residential neighborhoods along US Highway 101, which is a source of toxic air pollutants associated with high volumes of truck traffic, which could	**AQ-5 Air Ventilation Specifications.** Forced air ventilation with filter screens on outside air intake ducts shall be provided for all residences in Planning Units 1, 7, and 8. Windows and doors shall be fully weatherproofed with caulking and weather-	Less than significant

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
cause significant health risks to onsite receptors because of diesel exhaust emissions. Impacts would be Class II, *significant but mitigable.*	stripping that is rated to last at least 20 years.	
BIOLOGY		
Impact BIO-2 Site development would remove existing trees that may be used by nesting birds or by migratory birds as nesting habitat. This would be a Class II, potentially *significant but mitigable*, impact.	**BIO-2(a) Nesting Bird Survey.** If tree removal is to occur during the bird-breeding season (February 15- September 15), surveys shall be conducted prior to tree removal by a City approved biologist (a person with a biology degree and/or established skills in bird recognition). Surveys shall occur within two weeks prior to initial tree removal. A copy of the contracts and reports for these services shall be submitted to the Planning Department for review and approval prior to issuance of grading permits permits. **BIO-2(b) Establishment of Appropriate Buffers.** In the event that nesting birds are observed within 250 feet of a construction area, species-specific exclusion buffers shall be determined by a City-approved biologist, and construction timing and location adjusted accordingly until the nestlings have fledged. **BIO-2(c) Construction During the Bird Nesting Season.** Construction activities that would have a direct impact on bird nesting areas such as large trees, shall be conducted between October and February when nesting birds are least likely to occur. **BIO-2(d) Incorporation of Trees into Landscape Plan.** The project landscape plans shall include an inventory of mature trees that currently exist on the project site and shall include replacement of mature trees at a minimum of a 1:1 ratio. At maturity, landscape trees shall be of a comparable height and massing to the existing trees on the property so as not to diminish the bird nesting capacity of the property compared to current conditions. An arborist report shall be submitted, and the value of trees removed shall be added to the landscape plan to augment tree plantings.	Less than significant

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
Impact BIO-3 Non-native plants introduced by the project landscaping may invade nearby native plant communities within the Santa Clara River. This would be a Class II, potentially *significant but mitigable impact.*	**BIO- 3 Native Landscape Plan.** Non-native species or invasive plant species listed in the most updated version of the 1999 Cal-IPC Exotic Pest Plants of Greatest Ecological Concern in California shall not be planted within the project site or along the borders of the project site. This restriction shall also apply to private yards within the project through homeowners Association rules or covenants, conditions and restrictions (CC&R). The developer shall submit landscape plans reflecting this restriction for approval prior to issuance of grading permits.	Less than significant
CULTURAL RESOURCES		
Impact CR-1 The proposed project would not disturb any recorded archaeological resources. However, site development has the potential to disturb as-yet undetected areas of prehistoric archaeological significance. This is considered a Class II, *significant but mitigable*, impact.	**CR-1(a) Native American Monitoring.** Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning Manager for review and approval prior to grading activities on site. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permits. **CR-1(b) Procedures for Discovery of Intact Cultural Resources.** In the event that archaeological resources are unearthed during project construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A Chumash representative shall monitor any mitigation work associated with Native American cultural material. **CR-1(c) Procedures for Discovery of Human Remains.** If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the California Native American Heritage Commission.	
GEOLOGY		
Impact GEO-1 Seismically-induced ground shaking could damage onsite structures, resulting in loss of property and risk to human health. However, as the design and construction of the proposed structures and infrastructure facilities would be required to implement all recommendations of the geotechnical report and to comply with all applicable provisions of the 1997 Uniform Building Code and the 1998 California Building Code, impacts would be Class II, *significant but mitigable.*	**GEO-1 Individual Geotechnical Engineering.** The applicant shall retain a certified engineer to perform geotechnical engineering for each building in each phase. The applicant shall incorporate the design contained within the geotechnical engineering plans into all buildings, structures, foundations and utilities, as applicable. The geotechnical engineering plans shall include the recommendations of the geotechnical reports and shall be submitted to Development Services Department and the Building and Engineering Services Department for review prior to issuance of grading or building permits. GeoSoils recommends using the value obtained from the site specific probabilistic seismic hazard analysis (0.74g) for the design basis ground motion to use for a 10 percent probability of exceedance in 50 years. This value should satisfy the minimum Uniform Building Code (UBC) requirements for seismic structural design.	Less than significant.
Impact GEO-2 Soils on the project site are considered to have high- to moderate potential for liquefaction and settlement. Therefore, development of the project site has the potential to create soil-related hazards; this is considered to be a Class II, *significant but mitigable*, impact.	**GEO-2(a) Soil Removal.** There are thin (generally less than three feet thick), isolated layers of sand and silty sand beneath the site which possess a potential for liquefaction during large seismic events. In addition, thick deposits of potentially liquefiable material (approximately six feet) were encountered near the center of the site at approximately 14 to 20 feet below existing grade and near the middle northern area of the site at approximately 11 to 16 feet below existing grade. In order to reduce the potential for surface manifestation associated with these two thick layers, soil removals in these areas shall occur prior to foundation construction; in accordance with the geotechnical recommendations, soil shall be removed to approximately 16 feet below existing grades. The excavated soil shall be utilized for onsite fills after any organic matter,	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	debris, or individual particles greater than six inches in diameter are removed. **GEO-2(b) Pile Casing.** Some of the proposed buildings will be founded on a deepened foundation system and the piles may experience downdrag forces as a result of settlement associated with liquefaction. Prior to foundation construction, drilling and casing of the upper 40 to 45 feet of the pile shall be implemented in order to reduce the effects of downdrag on the piles.	
Impact GEO-3 Excavation and grading onsite could encounter groundwater beneath the site surface requiring removal for foundation construction. This may require temporary or permanent dewatering; this is considered to be a Class II, *significant but mitigable*, impact.	**GEO-3(a) Dewatering Program.** Prior to the issuance of any grading permits a qualified hydrologist shall estimate from the final engineering plans the volume of dewatering necessary for the proposed project. If dewatering is required a dewatering program shall be designed to properly convey and treat dewatering discharge, in accordance with the NPDES permits, as well as state and local regulations. The program shall be subject to the approval of the Ventura County Flood Control District and the City of Oxnard Public Works Department. The program shall include site design methods for treatment and conveyance of temporary, and permanent if required, dewatering discharge, including but not limited to infiltration ponds, vegetated swales, and or reuse for landscape irrigation. Prior to the implementation of any dewatering program, groundwater sampling shall be performed to ensure that the system is adequately designed and permitted to address onsite groundwater conditions. **GEO-3(b) Groundwater Recharge.** If the volume of groundwater extracted annually in association with the Oxnard Village Specific Plan exceeds 0.15 acre-feet, a groundwater recharge contribution shall be required. The project engineer shall consult with the City of Oxnard Public Works Department, and Ventura County Flood Control District to determine appropriate methods for contributing to the recharge of the groundwater basin.	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
HAZARDS AND HAZARDOUS MATERIALS		
Impact HAZ-1 The proposed project would require the demolition of structures that could contain asbestos or lead based paints. The release of these materials has the potential to adversely affect human health and safety. However, compliance with both locally adopted Ventura County Air Pollution Control District (VCAPCD) and State regulations regarding the handling and disposal of these materials would reduced these potential impacts to Class II, *significant but mitigable*.	**HAZ-1(a).** Asbestos and Lead Based Paint Surveys. Prior to issuance of a demolition permit for any structure, a lead-based paint and asbestos survey shall be performed by a qualified and appropriately licensed professional. All testing procedures shall follow recognized local standards as well as established California and Federal assessment protocols. The lead-based paint and asbestos survey report shall quantify the areas of lead – based paint and asbestos containing materials. **HAZ-1(b). Asbestos Abatement.** Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant and as required by the VCAPCD. All abatement activities shall be in compliance with California and Federal OSHA, and with the VCAPCD requirements. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement. All asbestos containing material removed from onsite structures shall be transported by a licensed to handle asbestos-containing materials and disposed of at a licensed receiving facility and under proper manifest. Following completion of the asbestos abatement, the asbestos consultant shall provide a report documenting the abatement procedures used, the volume of asbestos containing material removed, where the material was disposed. This report shall include transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the VCAPCD and the City of Oxnard. **HAZ-1(c). Lead Based Paint Removal.** Prior to the issuance of a permit for the renovation or demolition of any structure, a licensed lead-based paint professional shall be contracted to evaluate the structure for lead-based paint. If lead-based paint is discovered, it shall be removed according to proper abatement procedures recommended by the consultant and in accordance with VCAPCD, State of California and Federal requirements. Only lead-based paint trained and certified	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	abatement personnel shall be allowed to perform abatement activities. All lead-based paint removed from these structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead based paint abatement, the lead based paint consultant shall provide a report documenting the abatement procedures used, the volume of lead based paint removed, where the material was moved to, and include transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the VCAPCD and the City of Oxnard.	
Impact HAZ-2 Historically, the project site has been occupied by a broad range of industrial uses, some of which have involved and the use, storage, or generation of hydrocarbons, heavy metals, and acids. These historical uses including the possibility of an undocumented landfill in the general project area, and have the potential to have resulted in undocumented releases of hazardous materials into the soil and groundwater beneath the site. The discovery of such materials during construction has the potential to result in Class II, *significant but mitigable* impacts.	**HAZ-2(a). Site Development.** Prior to demolition or remodeling of any existing buildings, a California Certified Environmental Assessor or other qualified environmental professional shall conduct a walk-through of the building to determine if there are any structures or features (such as an underground storage tank or sump) within or near the building that could have been used to store, contain, or dispose of hazardous materials. If such a feature is found, the applicant shall obtain all necessary permits from the City of Oxnard or County of Ventura to abandon these structures as part of the demolition. If required by the abandonment permit issued by the City or County, the applicant shall perform soil sampling and analysis in the area of the removed feature. Any identified contamination shall be reported to the lead regulatory agency and remediated in accordance with the requirements of the lead agency. **HAZ-2(b). Contingency Plan.** Prior to issuance of any grading or dewatering permits the applicant shall prepare a contingency plan that outlines measures that will be implemented in the event that presently undocumented contaminants, structures, or features are suspected or discovered during grading. The contingency plan shall identify appropriate measures to be followed if contaminants are found or	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a procedural protocol to be implemented. The excavation and demolition contractors shall be made aware of the possibility of encountering unknown hazardous materials, and shall be provided with appropriate contact and notification information. The contingency plan shall include a provision stating at what point it is safe to continue with the excavation or demolition, and identify the person authorized to make that determination. The contingency plan shall be reviewed and approved by the City Fire Department or VCEHD prior to the issuance of the grading permit. **HAZ-2(c) Construction Monitoring.** During all site grading activities, monitoring will be conducted by a qualified environmental professional to determine if any suspected contaminated material are encountered. If contaminants are detected during grading, all work shall be stopped and the appropriate personnel, as determined by the contingency plan, shall be notified **HAZ-2(d). Work Plan.** A work plan shall be completed to address the sampling protocols to be followed as well as the number of samples to be taken and the chemical analysis required. Upon lead agency approval, the work plan shall be implemented and the results of the soil or groundwater sampling shall be forwarded to the lead regulatory agency (City of Oxnard, VCEHD, RWQCB, or the EPA Department of Toxic Substances Control, DTSC). The agency should review the data determine if any additional investigation or remedial activities are deemed necessary. No work shall resume in that area until the lead local regulatory agency has provided written authorization that the area does not warrant any additional action. **HAZ-2(e). Remediation Program.** If concentrations of contaminants warrant remediation, contaminated materials shall be remediated either prior to or concurrent with construction. The contaminated materials shall be remediated under the supervision of	

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	an environmental consultant licensed to oversee such remediation and under the direction of the lead oversight agency. The remediation program shall also be approved by a regulatory oversight agency, such as the City of Oxnard, VCEHD, RWQCB, or the DTSC. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests. **HAZ-2(f). Groundwater Sampling.** Prior to the implementation of any dewatering program, groundwater sampling shall be performed to ensure that the system is adequately designed and permitted to address onsite groundwater conditions. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards such as PRGs, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (VCEHD, RWQCB, or the DTSC). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary. The applicant shall obtain appropriate discharge permits required for the dewatering system.	
Impact HAZ-3 Surficial soil along Wagon Wheel Road adjacent to the Wagon Wheel property was assessed for aerially deposited lead (ADL). The results indicate that one sample contained contamination above hazardous material threshold levels. The discovery of hazardous material adjacent to the project site is considered Class II, *significant but mitigable*.	**HAZ-3 ADL Adjacent to Highways.** Following grading adjacent to Wagon Wheel Road, soil should be stockpiled, sampled and analyzed in conformance the Los Angeles-Regional Water Quality Control Board, stockpile sampling requirements. If lead levels are detected above the hazardous material thresholds, the soil shall be hauled and disposed of by a transportation company licensed to transport hazardous materials material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept hazardous waste. Documentation of the appropriate sampling, transportation and	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	disposal must be prepared and include the volume of soil removed, where the material was moved to, and include soil profiling, and transportation and disposal manifests. The soil removal documentation shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Oxnard.	
Impact HAZ-4 The proposed development lies outside the height to distance ratios set forth by the FAA. However, because the towers are greater than 200 feet in height the development is required to obtain clearance by the FAA prior to receiving a building permit from the City (VCACLUP). Impacts related to airport safety clearance are therefore Class II, *significant but mitigable*.	**HAZ-4 FAA Notification.** The regulation "requires any person/organization who intends to sponsor any of the following construction or alterations to notify the Administrator of the FAA. " Notification must be made in the form of a completed FAA form 7460-1.	Less than significant.
HYDROLOGY AND WATER QUALITY		
Impact HWQ-1 During construction of the Oxnard Village Specific Plan, the soil surface would be subject to erosion and the downstream watershed could be subject to temporary sedimentation and discharges of various pollutants. This is considered a Class II, *significant but mitigable* impact.	**HWQ-1 Stormwater Pollution Prevention Plan.** Prior to initiation of grading for any phase of development of the Oxnard Village Specific Plan, a California Registered Civil Engineer shall prepare a Stormwater Pollution Prevention Plan (SWPPP) for the site. The SWPPP shall fully comply with RWQCB requirements and shall contain specific BMPs to be implemented during project construction to reduce erosion and sedimentation to the maximum extent practicable. The plans shall identify conveyance and treatment methods for any groundwater encountered during excavation for piles and foundations. Dewatering treatments shall be subject to the approval of City. BMPs that could be implemented include, but shall not be limited to, the following: • Use of silt fences, hay bales, sand bags, berms, and/or silt and debris basins to retard movement of water and separate sediment and other contaminants. • Use of slope stabilizers, including natural fiber erosion control blankets of varying densities according to specific slope/ site conditions, to reduce erosion. • Watering of graded areas with an	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	adequate yet conservative amount water • Cessation of grading operations in high winds (i.e., greater than 15 mph). • Proper recycling of construction related materials and equipment fluids (e.g., concrete dust, cutting slurry, motor oil and lubricants). • During and between all phases of construction, all exposed graded and/or disturbed surfaces shall be reseeded with ground cover vegetation to minimize erosion if construction of structures and/or paving or installation of project landscaping is not scheduled to occur within four (4) weeks of completion of grading.	
Impact HWQ-2 Implementation of the Oxnard Village Specific Plan would incrementally decrease the amount of impervious surfaces onsite, thereby incrementally decreasing stormwater runoff flows. However, if any additional storm water runoff is directed to the El Rio Drain, this would result in volumes exceeding the capacity of the existing storm drain facilities. Construction of onsite storm water detention, storm drain improvements and infrastructure, as well as direction of no net increase in runoff through the City of Oxnard's drain referred to as P.D. 346 would ensure that runoff does not exceed the capacity of existing and proposed facilities. Therefore, this is considered a Class II, *significant but mitigable,* impact.	**HWQ-2 Drainage and Flood Control Improvement Plan.** A Drainage and Flood Control Improvement Plan shall be prepared by a California Registered Civil Engineer and shall identify all required construction related and permanent drainage and flood control improvements necessary to comply with the City's regulations as well as the County's standard of "no net increase" in storm flow discharge rates into the El Rio Drain and the Santa Clara River. This analysis is required to document the existing and proposed runoff rates versus time. Not only shall the peak runoff rate be the same or less than the existing, but the time of the peak rate shall also be substantially the same. This plan shall also identify the intended use of the drain referred to as P.D. 346 to convey stormwater runoff. This plan shall be prepared in consultation with the City Supervising Civil Engineer and the Ventura County Watershed Protection District to facilitate required interagency coordination. The capacity, location, and size of all culverts, collection devices, conveyance facilities, energy dissipaters, detention basins, debris basins and related improvements shall be designed to the satisfaction of the City Supervising Civil Engineer and in consultation with the Ventura County Watershed Protection District. All necessary permits required to implement the Improvement Plan shall be obtained from the Ventura County Watershed Protection District prior to City issuance of a permit for	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	mass grading. No grading permits shall be issued until the Drainage Plan is approved and no grading shall begin until construction related improvements are in place.	
Impact HWQ 3 Operation of the proposed project could generate fewer pollutants in surface water runoff than current land uses. However, the proposed project would still contribute urban pollutants associated with vehicles and parking lots, as well as increased pollutants associated with landscaping, parks and open space. Such pollutants could adversely affect the quality of surface runoff leaving the Oxnard Village site, flowing into the Santa Clara River and eventually the Pacific Ocean, due to increased sediment and pollutants such as oil, pesticides, and herbicides. This is considered a Class II, *significant but mitigable,* impact.	**HWQ-3(a) Biofilter, Bioswale, or Bioretention.** Biofilters, bioswales or bioretention areas shall be designed and constructed for the parks and new surface parking lots to allow for treatment of stormwater runoff from the site. These facilities shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that retention is adequate to reduce concentrations of targeted pollutants. The biofilter, bioswale or bioretention area shall be depicted on grading and drainage plans and shall include a maintenance plan. **HWQ-3(b) Park Maintenance Plan.** The developer shall submit a park maintenance plan to the City that limits the use of herbicides and inorganic fertilizers applied onsite to those quantities necessary to treat specific problems. The park maintenance plan shall include, but not be limited to: provisions for mechanical weed control to be used wherever and whenever possible as the first choice; determination of the probable cause of a disease problem and correction as necessary (i.e.: soil nutrient problems, irrigation, water quality, plant type, etc.) prior to chemical use; provisions that herbicides are to be used only when necessary to cure a problem and not as a preventative measure or as a regular, periodic application; and, guidelines for use of chemical forms that have a low potential for leaching from the site. **HWQ-3(c) Stormwater Management Plan.** On behalf of the developer, a California Registered Civil Engineer shall prepare a Stormwater Management Plan that satisfies the requirements of the SQUIMP. The plan should include, but is not limited to, the following measures that are designed to address areas of concern identified in the SQUIMP and the hydrological study (Huitt-Zollars, 2007) and the review of that report and subsequent technical appendix (DWE, 2007) prepared for the proposed project:	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	• Control of peak stormwater runoff discharge rates • Conservation of natural areas • Minimization of stormwater pollutants of concern • Proprietary treatment devices placed in the main storm drain infrastructure • Grass swale filters • Extended impoundment facilities that allow sedimentation of pollutants to occur • Provision of storm drain system stenciling and signage • Proper design of outdoor material storage areas • Proper design of trash storage areas • Proof of ongoing BMP maintenance • Proper design and treatment of runoff from parking lots The stormwater management plan shall be submitted to the City Development Services Department for review prior to issuance of grading permits, in order to ensure that the drainage system improvements satisfy the requirements of the SQUIMP.	
NOISE		
Impact N-1 Project construction would intermittently generate high noise levels and groundborne vibrations on and adjacent to the site. This may affect sensitive receptors on or near the project site. This is considered a Class II, *significant but mitigable* impact.	**N-1(a) Heavy Truck Restrictions.** Contractor shall prohibit off-site heavy truck activities in local residential areas. **N-1(b) Staging Area.** Contractor shall provide staging areas on site to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between activity and residential areas. At a minimum, the staging areas shall be located at a distance of 200 feet from the nearest residential property line. This would reduce noise levels associated with most types of idling construction equipment. **N 1(c) Diesel Equipment Mufflers.** All diesel equipment shall be operated with closed engine doors and shall be equipped with factory recommended mufflers. **N 1(d) Electrically-Powered Tools and**	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	Facilities. Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities. **N 1(e) Additional Noise Attenuation Techniques.** For all noise generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors. **N-1(f) Alternative Piles Types.** If pile driving activities are required for construction, alternative pile types that are quieter to install, such as Nicholson Pin Piles, Tubex grout units, or GeoJet foundation units, shall be utilized where feasible in place of traditional driven piles to reduce noise and vibration generation. The City of Oxnard Building & Engineering Services Manager shall determine the feasibility of these alternatives pile types for the required applications. **N-1(g) Additional Pile Driving Measures.** If pile driving activities are required for construction, a field test program shall be conducted on the site prior to approval of building plans. The test shall include driving piles at several locations on the project site in the general locations where piles would be required for project construction. The test shall also include testing of various noise control measures including, but not limited to, sound blanket enclosures around pile hammers. Quantitative noise and vibration measurements, together with a subjective assessment of the resulting conditions, shall be recorded. The results of the test program shall be presented to the City of Oxnard Community Development Special Projects Director. Based on the results of the tests, the Special Projects Director shall have the right to require additional noise control measures at the site during pile driving, such as temporary sound berms and dampening enclosures.	

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
Impact N-4 Proposed onsite uses could be subject to noise levels in exceedance of the thresholds established by the Noise Element due to transportation generated noise associated with U.S. 101, Oxnard Boulevard and the Union Pacific Railroad. However modeling results indicate the proposed sound walls and edge landscaping design would reduce onsite noise levels from the surrounding sources below City standards, except the third floor and above of residences along the northern boundary and the second floor and above of residences located along the project's southern boundary. This is considered a Class II, *significant but mitigable,* impact.	**N-4(a) Building Material Guidelines.** The living areas above the first floor for all residences located within 152 feet of the Union Pacific Railroad track, and the third floor living areas of all residences located along the northern site boundary, shall be constructed to include sufficient noise attenuation to reduce interior levels to a CNEL of 45 dBA. This would require at a minimum the use of double-paned windows on all windows that are exposed to railroad noise. Such windows should have a minimum laboratory standard transmission class (STC) of 37. The glass shall be sealed into the frame in an airtight manner with a non-hardening sealant or a soft elastomer gasket, or gasket tape. The window frames shall be correctly installed into the wall and insulated to avoid any air gaps. The total area of glazing facing the railroad tracks in rooms used for sleeping on the upper floors shall not exceed 20 percent of the wall area. Solid-core doors shall be used for those doorways facing the railroad tracks and walls should be insulated in conformance with California Title 24 requirements. The exterior wall facing material shall be stucco, or other surface with an STC rating of at least 45. **N-4(b) Building Design.** The living areas shall contain forced air ventilation. All duct work for ventilation shall include noise louvers at the exterior outlet and/or duct outlets shall be directed either opposite to or perpendicular to the railroad tracks and US 101. Upper level patio/deck areas shall be not be positioned facing the railroad tracks for residences along the southern site boundary or the US 101 along the northern site boundary.	Less than significant.
POPULATION AND HOUSING		
Impact PH-2 The proposed project would involve the closing of the on-site mobile home park, which would remove 141 occupied housing units, displace the on-site population, and reduce the City's housing stock. Impacts related to the displacement of housing and population would be Class II, *significant but mitigable*.	**PH-2 Implementation of the Wagon Wheel Mobilehome Park Closure Impact Report.** Prior to the issuance of building permits, the "Mitigation Options" contained in the Wagon Wheel Mobilehome Park Closure Impact Report, prepared by Star Management in September 2006, shall be implemented. The owner of the mobilehome park shall provide documentation to the City	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	of Oxnard Planning and Environmental Services Department that demonstrates that the "Mitigation Options" were made available to the mobilehome owners. The following is a summary of the Mitigation Options set forth by the Mobilehome Park Closure Impact Report that would be available to mobilehome owners: • Option 1: State Required Mitigation to Relocate Mobilehomes. This option involves the payment of reasonable relocation costs to move the homeowner and their mobilehome to another mobilehome park within a 150 mile radius. • Option 2: Payment of reasonable costs of relocation per Option 1, and the resident sells the home to a third party who will permanently remove the home from the park. The park will make payment to the homeowner when the home is removed from the park. • Option 3: Sell the home to the park, receive free rent for six months and move out at the end of the free rent period. • Option 4: The park will purchase the home for the National Automobile Dealers Association (NADA) book value. • Option 5: Recreational vehicle owners will be entitled to three days of per diem benefits and $500 transportation fees. Residents with non-transportable storage sheds will also receive the $400 replacement shed allowance.	
PUBLIC SERVICES		
Impact PS-1 The proposed project would incrementally increase demands on the Oxnard Fire Department. This increase would affect the personnel, equipment, and the organization of the Fire Department. This would be a Class II, *significant but mitigable* impact.	**PS-1 (a) New Ladder Truck and Fire Station Upgrades.** The applicant shall provide sufficient funding for an additional ladder truck fire response vehicle, which would be housed in the nearest fire station. In addition, the applicant shall cover the costs associated with upgrades and improvements to the existing fire station to accommodate additional personnel that	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	would be needed to adequately respond to fire emergencies at the Oxnard Village Specific Plan area. The developer shall pay a fee agreed upon and incorporated into the Development Agreement to secure a ladder truck and station upgrades and improvements prior to 25% project occupancy, issuance of the 375th occupancy permit (commercial or residential), or whichever comes first. **PS-1 (b) Elevator Shaft Smoke Detection.** As a condition of construction, means shall be provided, by the project proponent working in conjunction with the Oxnard Fire Department, to detect products of fire, smoke, and combustion in all elevator shafts and components of the elevators or as required by the California Building Code and California Fire Code. **PS-1 (c) Community Facilities District Fee or Other Funding Mechanism as Agreed Upon by the City.** The Development Agreement for the project shall include formation of a Community Facilities District or alternate method to fund long-term personnel costs required to serve the project. The CFD or alternative funding program shall be in place upon 25% of total project occupancy, issuance of the 375th occupancy permit (commercial or residential) or whichever comes first.	
Impact PS-2 The proposed project would incrementally increase demands on the Oxnard Police Department, which could adversely affect the Police Department. This would be a Class II, *significant but mitigable* impact.	**PS-2 Oxnard Police Department Consultation.** Prior to approval of individual Development Design Review permits, the applicant shall work closely with the Oxnard Police Department prior to the final design of the project to ensure the development of adequate security measures for the construction and occupancy stages of development. Such measures may include but not be limited to the following: • Compliance with Oxnard Police Department recommendations relative to building design, site design, visibility, access, graffiti control, landscaping, security lighting, doors, locks and other relevant factors in the preparation of the final plans.	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	• The Oxnard Police Department shall be included in the plan check process to enable the Department to recommend specific improvements that will enhance crime prevention for the project and allow for the police to better plan for calls that may be generated by the development. • Implement fencing and security measures during the construction phase. The City of Oxnard Police Department shall approve security measures.	
Impact PS-3 High-rise buildings present unique concerns regarding public safety in the event of an emergency requiring rapid evacuation. This would be a Class II, *significant but mitigable* impact.	**PS-3 Emergency Plan.** The developer of the high-rise components of the Specific Plan shall be responsible for creating, implementing, maintaining and updating an emergency plan for the building(s) or as required by the California Building Code and California Fire Code. The emergency plan shall be submitted to the Building and Engineering Services Department, Fire Department and Police Department for review and approval prior to issuance of building permits for the high-rise buildings. The emergency plan shall contain a description of the actions all occupants should take in an emergency evacuation. A floor plan providing emergency safety procedures and evacuation routes shall be posted at every stairway landing, at every elevator landing, stairways and immediately inside all public entrances to the building. The information shall be representative of the floor level and be posted so that the bottom edge of such information is not located more than four feet above the floor. The emergency plan shall include a regularly updated list of the names and locations of each regular occupant who has voluntarily self-identified that they need assistance in case of emergency and the type of assistance they require to swiftly exit the proposed building in the event of an emergency. The plan shall be kept on the building premises at all times and shall be available upon request to Development Services, Building and Engineering Services, the Fire	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	Department and the Police Department. Key practical information from the plan shall be published in the form of a leaflet, brochure, or pamphlet and made available to each new resident. This information shall be available in alternative formats upon request (e.g., Braille, large print and audio).	
RECREATION		
Impact REC-1 Buildout under the proposed Oxnard Village Specific Plan project would provide new housing for approximately 5,436 residents, which would increase the demand for parks and recreational spaces in the City. The project falls short of providing the City's requirements of three acres of Neighborhood and Community Parks per 1,000 residents by approximately 16.5 acres. This would be a Class II, *significant but mitigable,* impact.	**REC-1 Parkland Dedication or Mitigation Fee.** The Oxnard City Code (Chapter 2, Article 12) requires that, as a condition of approval of any residential subdivision map, a developer shall either contribute land for the development of park sites or pay fees, according to a fee structure determined by the City, for the acquisition and development of park sites. Parkland acquired in this manner is based on a factor of 2.5 acres for every 1,000 residents. These "Quimby Fees" are provided for under the California Government Code Section 66477. If impact mitigation is parkland dedication, the Parks and Recreation Division shall determine the project's parkland dedication requirement. If the impact mitigation is payment of Quimby fees, the Planning Division shall determine the project's fee requirements based on the net shortage of parks and recreational space provided within the development. The land, fees, or combination thereof are to be used only for the purpose of developing new, or rehabilitating existing neighborhood or community park or recreation facilities to serve the project.	Less than significant.
TRAFFIC AND CIRCULATION		
Impact T-1 Project-generated traffic, in combination with cumulative traffic growth, would result in a significant impact at four of the 18 study area intersections based on City of Oxnard significance criteria: Oxnard Boulevard/Vineyard Avenue; Oxnard Boulevard/US 101 Southbound Ramps; Oxnard Boulevard/US 101 Northbound Ramps; and Oxnard Boulevard/Main Street. However, mitigation is available for those impacts in the	**T-1(a) Oxnard Boulevard/Vineyard Avenue.** Based on discussions with the City, the mitigation for this intersection is based on a General Plan improvement that modifies the median on Oxnard Boulevard and reconfigures the northbound and southbound approaches. One northbound and one southbound through lane shall be added. The mitigated northbound configuration would be two left-turn lanes, three through lanes, and two right-turn lanes. The mitigated southbound configuration would be two left-turn lanes, three through lanes, and	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
form of lane reconfigurations. Therefore, the project and cumulative impacts at those locations would be Class II, *significant but mitigable*.	a shared through/right lane. Analysis undertaken by the City indicates that this mitigation measure can be implemented without the need to acquire additional right-of-way. **T-1(b) Oxnard Boulevard/US 101 Northbound Off-Ramp.** A second left-turn lane from the US 101 Northbound Ramp onto Oxnard Boulevard shall be added to the intersection design. Ramp modification and redesign is necessary with the second left turn lane but it is unlikely that additional right-of-way for would be required. The ramp should be redesigned to California Department of Transportation (Caltrans) specifications. **T-1(c) Oxnard Boulevard/Main Street (Spur Drive).** The City's General Plan calls for three through lanes in each direction on Oxnard Boulevard. Therefore, a third southbound through lane on Oxnard Boulevard shall be added. In addition, the southbound left-turn volume into the Esplanade Shopping Center is projected to be greater than 300 vehicles in the PM peak hour. Therefore, an additional southbound left-turn lane shall be added to accommodate the left-turn volume without impacting the southbound through movement. In addition, a southbound right-turn lane shall be added to handle traffic traveling to the project. The final mitigated southbound lane configuration will be two left-turn lanes, three through lanes, and a right-turn lane. Preliminary analysis suggests that the right-of-way required for the mitigation measures would be available from the project site. However, a full set of engineering drawings will be necessary to determine the right-of-way required.	
Impact T-3 Depending upon how the non-residential components of the proposed project are used, onsite parking may be sufficient to meet project demand. However, the exact number of spaces to be provided has not been determined, and an insufficient amount could result. Therefore, parking impacts are	**T-3 Parking Management.** Consistent with Section 16-651 of the Oxnard Municipal Code, the applicant shall submit a parking study prepared by a professional traffic engineer registered by the State, demonstrating that the parking demands for the uses for which shared parking is requested will not conflict. The parking study shall be prepared in accordance with the parking study guidelines,	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
considered Class II, *significant but mitigable*.	on file with the development services department, prior to approval of building permits. If the request for administrative relief from parking provisions is approved based on the shared parking strategy or other parking management strategy, the impact would be deemed mitigated. However, if it is not approved, the project shall be redesigned to meet the City's parking requirements in accordance with Article X of Chapter 16 of the Municipal Code.	
UTILITES AND SERVICE SYSTEMS		
Impact UTL-2 Current water system infrastructure would not meet the City of Oxnard's water service pressure requirements or the Fire Department's fire flow requirements for the Oxnard Village Specific Plan and regional development. However, implementation of mitigation measures which would achieve compliance with fire flow requirements and water service pressure requirements would reduce impacts related to water conveyance to a Class II, *significant but mitigable,* level.	**UTL-2(a) Domestic Water Connection.** The domestic water connection shall connect to the City's system in at least two (2) locations as approved by the City, generally located along the eastern side of the property (Oxnard Blvd.) and along the western side of the property (Ventura Road). There shall be an on-site looped main transmission system through the development. **UTL-2(b) Waterline Relocation.** Existing waterlines within the development shall be re-located such that they meet City requirements with respect to standard depth of pipelines and also are located within street areas (preferable) or approved easements. **UTL-2(c) Fire flow/Pipeline Improvements.** Improvements to on-site fire flow/pipeline shall include: • An internal water system designed to provide for the higher of: maximum day plus fire or peak hour demand. • Unless some other comparable system is identified and approved by the Development Services Department, fire flow requirements shall be met through the public pipeline system without allowance for a pumping system aside from internal building fire pumps needed to satisfy the needs for multi-story buildings. To meet the anticipated fire flow requirement of 4,500 gpm (high rise building), the developer working in cooperation with the City shall construct a looped pipeline system from Gonzales Road along Ventura Road or an	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	approved parallel street to and through the proposed development and then back to Gonzales Road along Oxnard Boulevard or an approved parallel street. The developer shall be responsible for the design and construction of all on-site waterlines. The developer shall be responsible for the cost of the pipeline along Ventura Road to the development, less any contributions by others, if any, as determined by the City. In addition, the developer shall be responsible for any other fees described in the Connection Fee Study. • Subdivision improvement plans will not be approved until an agreement between the developer and City addresses the fire flow/pipeline improvements with a definitive schedule. Should the timing for City-installed improvements not meet the developer requirements, then the developer shall have the option of designing and constructing those improvements subject to an agreement for reimbursement for that portion which is the City responsibility. • The developer shall be responsible for payment of capital improvement/connection fees, including all related “installation fees.” • The developer shall verify actual fire flow availability through field testing in accordance with City Building and Safety Department requirements. However, field testing shall supplement and not replace verified adequacy through computer simulation. • For all buildings over three (3) stories in height, the developer will be responsible for the design, installation and operation of a domestic water pump, as appropriate or needed, for such buildings, and (2) the design and installation of fire pump (s) to meet the fire flow requirements for the building. The latter must meet the requirements of the Underwriters Laboratory (UL) and all other fire, plumbing and electrical codes. The fire pump(s) shall be privately operated and maintained.	

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
Impact UTL-3 The proposed project would generate an estimated 437,080 gallons of wastewater per day, which would flow to the Oxnard Wastewater Treatment Plant. Although the local treatment plant would have sufficient capacity to accommodate this increase in wastewater, local conveyance infrastructure would need to be upgraded. Therefore, this impact is considered Class II, *significant but mitigable*.	**UTL-3 Public Sewer Connection.** Based on estimated wastewater flows generated by the proposed project, the following conditions shall be met: • All units and buildings having sewer facilities shall be connected to the public sewer system. • The developer shall be responsible for the payment of the City Wastewater Connection Fee. • The developer may be responsible for the costs involved with the City's providing capacity in downstream Trunk Sewers, i.e. system capacity increase, and with the replacement of Lift Station 23. The project's pro rata contribution to improvements to this system shall be determined by the City's Wastewater Engineer. • The downstream sewer and lift station improvements shall be implemented prior to project occupancy. Should the City not be able to construct said improvements prior to project occupancy, the City may have the developer install such improvements subject to a reimbursement agreement for those costs that are considered City responsibility. • Existing City sewers that are within the development shall either: (1) be protected in place within satisfactory easements (i.e. within public streets) with depth of cover meeting City requirements, or (2) shall be relocated to acceptable easement conditions with the existing lines abandoned in accordance with City standards. • No on-site lift stations shall be constructed as part of the proposed Specific Plan.	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class III (Less than Significant) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
AESTHETICS		
Impact AES-4 The proposed residential towers would not cast shadows onto existing offsite shadow-sensitive land uses. However, the towers would cast shadows onto proposed residences adjacent to the towers, particularly in the wintertime when shadows are most extreme. However, as shadows from the project would fall on sensitive residential uses for less than three hours per day, shadow impacts would be Class III, *less than significant.*	None required.	Less than significant.
Impact AES-5 Phased construction would leave large expanses of the site graded but otherwise unimproved and unlandscaped between phases. This would result in a Class II, *significant but mitigable,* aesthetic impact.	Mitigation Measure HWQ-1 in Section 4.7 *Hydrology and Water Quality* requires that "during and between all phases of construction, all exposed graded and/or disturbed surfaces shall be reseeded with ground cover vegetation to minimize erosion if construction of structures and/or paving or installation of project landscaping is not scheduled to occur within four (4) weeks of completion of grading." With adherence to this measure, the open areas would appear more like a grassy field, which would be a great improvement over bare dirt and debris.	Less than significant.
AIR QUALITY		
Impact AQ-3 Project traffic, together with cumulative traffic growth in the area, would not create carbon monoxide concentrations exceeding state or federal standards. Localized air quality impacts would therefore be Class III, *less than significant*.	None required.	Less than significant.
Impact AQ-6 The proposed project would not generate population growth beyond AQMP forecasts. Impacts relating to AQMP consistency are therefore considered Class III, *less than significant*.	None required.	Less than significant.
BIOLOGY		
Impact BIO-1 Project development would not have direct effects on any federally or state listed endangered	Mitigation measures identified in Section 4.1, *Aesthetics* would reduce secondary impacts associated with night lighting to the to the least	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class III (Less than Significant) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
species. Project implementation could have indirect effects on the federally and state listed endangered Least Bell's vireo which is known to nest in the riparian habitat found in the Santa Clara River across Ventura Road from the project site. However, impacts would be Class III, *less than significant.*	Bells vireo to a less than significant level. Measures identified in Section 4.9, *Noise*, would reduce secondary impacts associated with construction noise to the least Bells vireo to a less than significant level. Secondary impacts to the Least Bells vireo associated with recreational use of the Santa Clara River bottom, introduction of pets, increased surface water runoff and increased pollution in surface water would be less than significant without mitigation.	
HAZARDS AND HAZARDOUS MATERIALS		
Impact HAZ-5 The project site is adjacent to U. S. Highway 101 and the Union Pacific Railroad. These operations could expose site workers and future residents to potentially harmful chemicals and materials resulting from accidents along these transportation routes. However, existing regulations pertaining to the transportation of hazardous materials would reduce these impacts to a Class III, *less than significant* level.	None required.	Less than significant.
LAND USE AND PLANNING		
Impact LU-1 The proposed mixed use project would be generally compatible with existing adjacent commercial and residential uses, with incorporation of mitigation measures included in the transportation, air quality, and noise sections of this EIR. This is considered a Class III, *Less than significant,* impact.	The mitigation measures recommended in Sections 4.2, 4.9 and 4.13 would reduce transportation, air quality and noise impacts to levels that would avoid significant land use compatibility impacts.	Less than significant.
NOISE		
Impact N-2 Onsite operations would generate noise levels that may periodically be audible to existing uses near the project site. However, such noise is not expected to exceed City Noise Ordinance standards. Therefore, this is considered a Class III, *less than significant*, impact.	None required.	Less than significant.
Impact N-3 Project-generated traffic	None required.	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class III (Less than Significant) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
would incrementally increase noise levels on area roadways. However, the change in noise levels from project generated traffic would be less than 0.2 dBA. Therefore, the effect of increased traffic noise on existing uses would be Class III, *less than significant*.		
POPULATION AND HOUSING		
Impact PH-1 The proposed project would add 1,359 housing units, and an estimated 5,436 residents. However, because these increases are within SCAG projections for the City of Oxnard, impacts related to housing and population growth are considered Class III, *less than significant*.	None required.	Less than significant.
PUBLIC SERVICES		
Impact PS-4 The proposed project would increase the onsite population by 5,436 residents, which would incrementally increase demands on health services. However, this would not require the need for a new hospital or require physically altering the existing hospital. This represents a Class III, *less than significant* impact.	None required.	Less than significant.
Impact PS-5 The proposed project would generate an estimated 716 K-8th Grade school-age students and 73 9-12th Grade school-age students. This could adversely affect school facilities in the Rio School District and Oxnard Union High School District. However, with payment of required school impact fees, impacts would be reduced to a Class III, *less than significant*, level.	None required.	Less than significant.
RECREATION		
Impact REC-2 Buildout under the proposed Oxnard Village Specific Plan project would remove existing private, commercial recreational facilities on the Wagon Wheel site,	None required.	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class III (Less than Significant) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
including a bowling alley and ice-skating rink. However, because these are privately owned and operated facilities, the impact would be Class III, *less than significant*.		
TRANSPORTATION AND CIRCULATION		
Impact T-2 The proposed project would not have a significant impact on the mainline freeway system. Therefore, the project's CMP impact would be Class III, *less than significant*.	None required.	Less than significant.
Impact T-4 The proposed project would generate an estimated 716 K-8th grade school-age students and 73 9-12th grade school-age students. The condition of the bicycle and pedestrian facilities between the project site and area schools could have an impact on the number of students that will walk or bike, and on the safety of those that do. However, the project would not cause any route to schools to become less safe. In addition, because of the distance from the site to these schools (most are over one mile from the site), the majority of the students from Oxnard Village are not expected to walk or bike to these schools, and the route to the closest school (Rio Del Norte Elementary) does not include any major street crossings. Impacts would be Class III, *less than significant*.	None required.	Less than significant.
Impact T-5 Ventura Road is subject to periodic localized flooding during peak storm events at the under-crossing of the Union Pacific rail road tracks adjacent to the project's proposed western entrance. During these events the low-lying portion of the roadway is subject closure as a result of the flooding. Traffic traveling to and from the site could be temporarily	None required.	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class III (Less than Significant) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
inconvenienced during these peak storm events. However, because the closures are infrequent and temporary, and do not result in ongoing or long term impacts to traffic circulation, impacts would be Class III, *less than significant*.		
UTILITIES AND SERVICE SYSTEMS		
Impact UTL-1 The proposed project would generate estimated water demand of about 640 acre feet per year (AFY). Based on a detailed cumulative water supply assessment, the City's projected water supply is expected to be adequate to serve both the project demands as well as the cumulative demand of other anticipated future projects though the Year 2030. This conclusion is based on the reasonable assumption that the City's GREAT and M&I Supplemental Programs will be implemented as described above. Therefore both the project specific and cumulative impact on Water Supply would be Class III, *less than significant*. Mitigation measures are provided below to help further reduce project specific water demands and to provide additional assurance that planned new water supplies would be available in advance of project-specific and other planned cumulative development.	**UTL-1(a) On-site Domestic Water System.** The on-site domestic water system shall include: • A public pipeline systems which feed into separate water meters for each ownership. In addition, there shall be separate water meters for each multi-family unit townhouses, but not apartment units. The high-rise residential towers may be master-metered. • A separate water meter (1) for the common landscape areas that would be connected to the future recycled water system. • All domestic water pipelines shall adhere to DOHS requirements for separation between water and recycled water/wastewater pipelines. • The developer shall be responsible for payment of capital improvement/connection fees, including all related "installation fees." **UTL-1(b) On-site Recycled Water System.** An on-site recycled water system shall include the following: • The developer will be responsible for the pipeline extension from the mainline in Ventura Road to the property (either to construct the line or to reimburse the City if as part of the RWBS project, a service extension is made to the Oxnard Village property). • The developer shall be responsible for the design and construction of the recycled water main pipeline system within the Oxnard Village development. The mainline shall be a public system with meters, as appropriate, to recycled water customers. Construction will be	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class III (Less than Significant) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	per City standard requirements with applicable fees. The design must allow for connection to the domestic water system until the time when recycled water is available. At that time the system will be switched from domestic water to recycled water. • The developer shall provide a recycled water system that serves all practical irrigated areas and which is: (1) separated from the domestic water system, (2) constructed per the City's Recycled Water Construction Standards (being developed), (3) irrigated at night and (4) properly signed. Note that the signs shall be installed once the system is fully operational. • The portion of the irrigation intended for the future recycled water system shall be separately metered from that portion of the system that will not be connected to the future recycled water system, if any. • Until the recycled water system is operational, the common area irrigation system shall be connected to the domestic system. Once recycled water is available, and connection to the recycled water system is made, the developer shall remove the connection to the domestic water system. No domestic water back-up is needed, since the City will provide such back-up including an appropriate air gap facility as part of the City's system. • Prior to the availability of recycled water, the developer shall be responsible for payment of the Recycled Water Connection Fee or the water connection fee, whichever is greater for facilities constructed. • At such time as recycled water is available, the developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled water system, including appropriate signage. Credits for connection fees shall be given by the City based on the size of the meter(s). Under no circumstance will there be a refund of water connection fees already paid. • The developer shall be responsible for	

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class III (Less than Significant) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	appropriate CCR's covering the use of recycled water within the property and for proper disclosures. • Prior to submittal of subdivision improvement plans, the developer shall review with the City the potential for dual plumbing for the high-rise towers, whereby toilet facilities would be served by the recycled water system. No determination has yet been made regarding whether the City will desire to proceed with this plan. However, should the City decide that it is desired, all costs associated with the dual plumbing shall be borne by the developer. **UTL-1(c) Exterior Water Conservation.** The developer shall incorporate exterior water conservation features, as recommended by the State Department of Water Resources, into the project. These shall include, but are not limited to: • Landscaping of common areas with low water-using plants • Minimizing the use of turf by limiting it to lawn dependent uses • Wherever turf is used, installing warm season grasses **UTL-1(d) Grey Water.** The developer shall, to the extent feasible, use reclaimed water for irrigation of landscaping and other uses if or when such water is available at the project site. **UTL-1(e) Drought-Tolerant Landscaping.** The developer shall predominantly use vegetation that requires minimal irrigation (i.e., drought tolerant plant species) in all site landscaping where feasible for new plantings.	
Impact UTL-4 The proposed project would generate an estimated 1,317 tons of solid waste per year. This is within the capacity of solid waste disposal facilities serving the City. Therefore, this impact is considered Class III, *less than significant*.	None required	Less than significant.

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1.0 INTRODUCTION

This document is a Draft Environmental Impact Report (EIR) that evaluates the proposed Oxnard Village Specific Plan located in the City of Oxnard, County of Ventura, California. This section describes: (1) the purpose and legal authority of the EIR; (2) the scope and content of the EIR; (3) lead, responsible, and trustee agencies; and (4) the environmental review process required under the California Environmental Quality Act (CEQA).

1.1 PURPOSE AND LEGAL AUTHORITY

The proposed project requires the discretionary approval of the City of Oxnard. Therefore, it is subject to the requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines,* the purpose of this EIR is to serve as an informational document that:

> *...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.*

This EIR has been prepared as a Project EIR pursuant to Section 15161 of the *CEQA Guidelines.* A Project EIR is appropriate for a specific development project. As stated in the *CEQA Guidelines:*

> *This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project, including planning, construction, and operation.*

This EIR is to serve as an informational document for the public and City of Oxnard decision-makers. The process will culminate with Planning Commission and City Council hearings to consider certification of a Final EIR and approval of the project.

1.2 EIR SCOPE AND CONTENT

In accordance with the CEQA *Guidelines*, an Initial Study was prepared for the project and a Notice of Preparation (NOP) was distributed to affected agencies and the public for the required 30-day period on October 11, 2006. Meetings with selected agencies, including County departments, Caltrans, the El Rio School District and the Ventura County Transportation Commission, were held during the scoping period to discuss agency concerns and potential project impacts. In addition, a public scoping meeting was held in Oxnard on November 13, 2006, to receive comments on the scope of the EIR for the proposed Specific Plan. The intent of the scoping meeting was to provide interested individuals, groups, public agencies and others a forum to provide input to the Lead Agency verbally in an effort to assist in further refining the intended scope and focus of the EIR.

Table 1-1 summarizes the issues relevant to the EIR that were identified in the NOP comments received (approximately 13 letters, in addition to oral comments at the scoping meeting) and the EIR sections where the issues are addressed. The NOP, Initial Study, and NOP comment letters received are included in the EIR in Appendix A.

Table 1-1 NOP Comment Issues

Issue	EIR Section
Aesthetic impacts of tall structures	Aesthetics
Scope of air quality analysis, including need for a screening health risk assessment	Air Quality
Impacts to species using the Santa Clara River corridor	Biological Resources
Potential of encountering groundwater during excavation	Geology and Soils
Proximity of tall structures to Oxnard and Camarillo airports	Hazards
Rail traffic safety	Hazards
Potential presence of contaminants/hazardous materials	Hazards
Flood Protection	Hydrology/Water Quality
Consistency with SCAG plans and policies	Land Use
Impacts to regional jobs/housing balance	Population/Housing, Land Use
Displacement of mobile home residents	Population/Housing
Impacts to local schools/school facilities	Public Services
Fire Protection	Public Services
Impacts to hospital services	Public Services
Impacts on recreational facilities/supply	Recreation
Local and regional traffic and transportation impacts; safe routes to schools; transit impacts/opportunities	Transportation and Circulation
Water supply	Utilities/Service Systems

This EIR addresses the issues determined to be potentially significant by the Initial Study, responses to the NOP, and scoping meetings with the public and public agency staff staff. Issues that are addressed in this EIR include:

- *Aesthetics/Lighting*
- *Air Quality*
- *Biological Resources*
- *Cultural Resources*
- *Geology and Soils*
- *Hazards and Hazardous Materials*
- *Hydrology and Water Quality*
- *Land Use and Planning*
- *Noise*
- *Population and Housing*
- *Public Services*
- *Recreation*
- *Traffic/Circulation*
- *Utilities and Service Systems*

The EIR addresses the issues referenced above and identifies potentially significant environmental impacts, including both project-specific and cumulative impacts. In addition, the EIR recommends feasible mitigation measures that would reduce to a level of insignificance or eliminate adverse environmental effects.

The impact analyses contained in Section 4.0 of the EIR include a description of the physical and regulatory setting within each issue area, followed by an analysis of the project's impacts. Each specific impact is called out separately and numbered, followed by an explanation of how the level of impact was determined. When appropriate, feasible mitigation measures to identify significant impacts are included following the impact discussion. Measures are numbered to correspond to the impact that they mitigate. Finally, following the mitigation measures is a discussion of the residual impact that remains following implementation of recommended measures.

The *Alternatives* section of the EIR (Section 6.0) was prepared in accordance with Section 15126.6 of the *CEQA Guidelines* and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the project's basic objectives. Alternatives evaluated include the CEQA-required "No Project" scenario and three alternative development scenarios for the site. The EIR also identifies the "environmentally superior" alternative among the options studied.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. The *CEQA Guidelines* provide the standard of adequacy on which this document is based. The *Guidelines* (§15151) state:

> *An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.*

1.3 LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

The *CEQA Guidelines* require the identification of "lead," "responsible," and "trustee" agencies. The City of Oxnard is the "lead agency" for the project because it has the principal responsibility for approving the project.

A "responsible agency" is a public agency other than the "lead agency" that has discretionary approval authority over the project (the *CEQA Guidelines* define a public agency as a state or local agency, but specifically exclude federal agencies from the definition). The Ventura County Watershed Protection District (VCWPD) is a responsible agency, as VCWPD has permit authority for connections to the El Rio Drain (i.e., facilities regulated by the VCWPD) that would be required for the proposed project. The California Department of Transportation (Caltrans) is also a responsible agency, as permits may be required from Caltrans for work

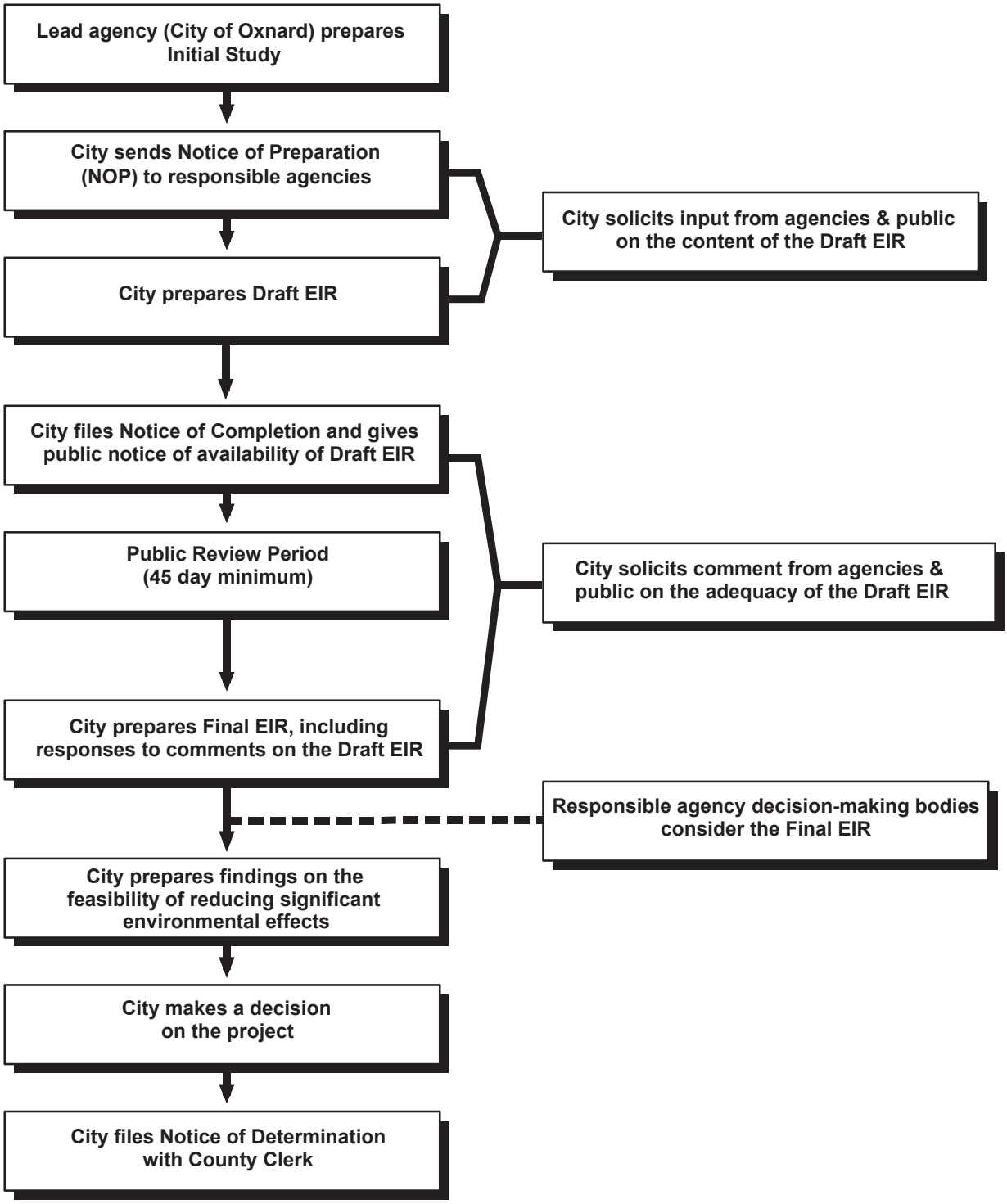
within the Highway 1 and/or U.S. 101 right-of-way. The Regional Water Quality Control Board and County of Ventura Environmental Health Division may be responsible agencies depending on how and to what extent and in what locations remediation, handling and disposal of toxic materials would be required.

A "trustee agency" refers to a state agency having jurisdiction by law over natural resources affected by a project. There are no trustee agencies for the proposed project.

1.4 ENVIRONMENTAL REVIEW PROCESS

The environmental review process, as required under CEQA, is presented below and illustrated generally on Figure 1-1.

1. **Notice of Preparation (NOP).** After deciding that an EIR is required, the lead agency must file an NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days. The NOP is typically accompanied by an Initial Study that identifies the issue areas for which the proposed project could create significant environmental impacts. Typically, the lead agency holds a scoping meeting during the 30-day NOP review period.
2. **Draft Program EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (i.e., direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
3. **Notice of Completion.** A lead agency must file a Notice of Completion with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the Notice in the County Clerk's office for 30 days (Public Resources Code Section 21092) and send a copy of the Notice to anyone requesting it (*CEQA Guidelines* Section 15087). Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit comments from the public and respond in writing to all written comments received (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless a shorter period is approved by the Clearinghouse (Public Resources Code Section 21091).



CEQA Environmental Review Process

Figure 1-1

4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) a list of persons and entities commenting; and d) responses to comments.

5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project (*CEQA Guidelines* Section 15090).

6. **Lead Agency Project Decision.** A lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).

7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible *(CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant adverse environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.

8. **Mitigation Monitoring/Reporting Program.** When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.

9. **Notice of Determination.** An agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA legal challenges [Public Resources Code Section 21167(c)].

2.0 PROJECT DESCRIPTION

The proposed project involves the adoption of a Specific Plan and various other discretionary approvals that would allow for the development of an approximately 64-acre property (known locally as the Wagon Wheel site) with a mixed use development of 1,500 dwelling units and 50,400 square-feet of commercial space in the City of Oxnard. This section describes the project location, characteristics of the site and the proposed development, project objectives, and the approvals needed to implement the project.

2.1 PROJECT APPLICANT

Daly Owens Group
Oxnard Village Investments, LLC
250 Citrus Grove Lane, Suite 250
Oxnard, CA 93036
(818) 889-7252

2.2 PROJECT LOCATION

The 64-acre project site is located in the western portion of Ventura County, near the northern edge of the City of Oxnard, and is bounded by U.S. Highway 101 to the north, Oxnard Boulevard to the east, the Union Pacific Railroad and El Rio Drain to the south, and North Ventura Road to the west. Site Assessor Parcel Numbers are listed in Table 2-1. The project's regional and local locations are illustrated in Figures 2-1 and 2-2, respectively. Regional access to the site is provided by the Ventura Freeway (U.S. Highway 101) and Oxnard Boulevard (State Route 1).

Table 2-1 Assessor's Parcels

Parcel Number		
139-0-022-01	139-0-170-01	139-0-170-05
139-0-022-03	139-0-022-06	139-0-162-08
139-0-022-04	139-0-170-02	139-0-162-04
139-0-022-12	139-0-170-08	139-0-162-07
139-0-022-15	139-0-161-01	139-0-161-02
139-0-150-13	139-0-170-03	
139-0-150-11	139-0-170-04	

2.3 CURRENT LAND USE AND REGULATORY SETTING

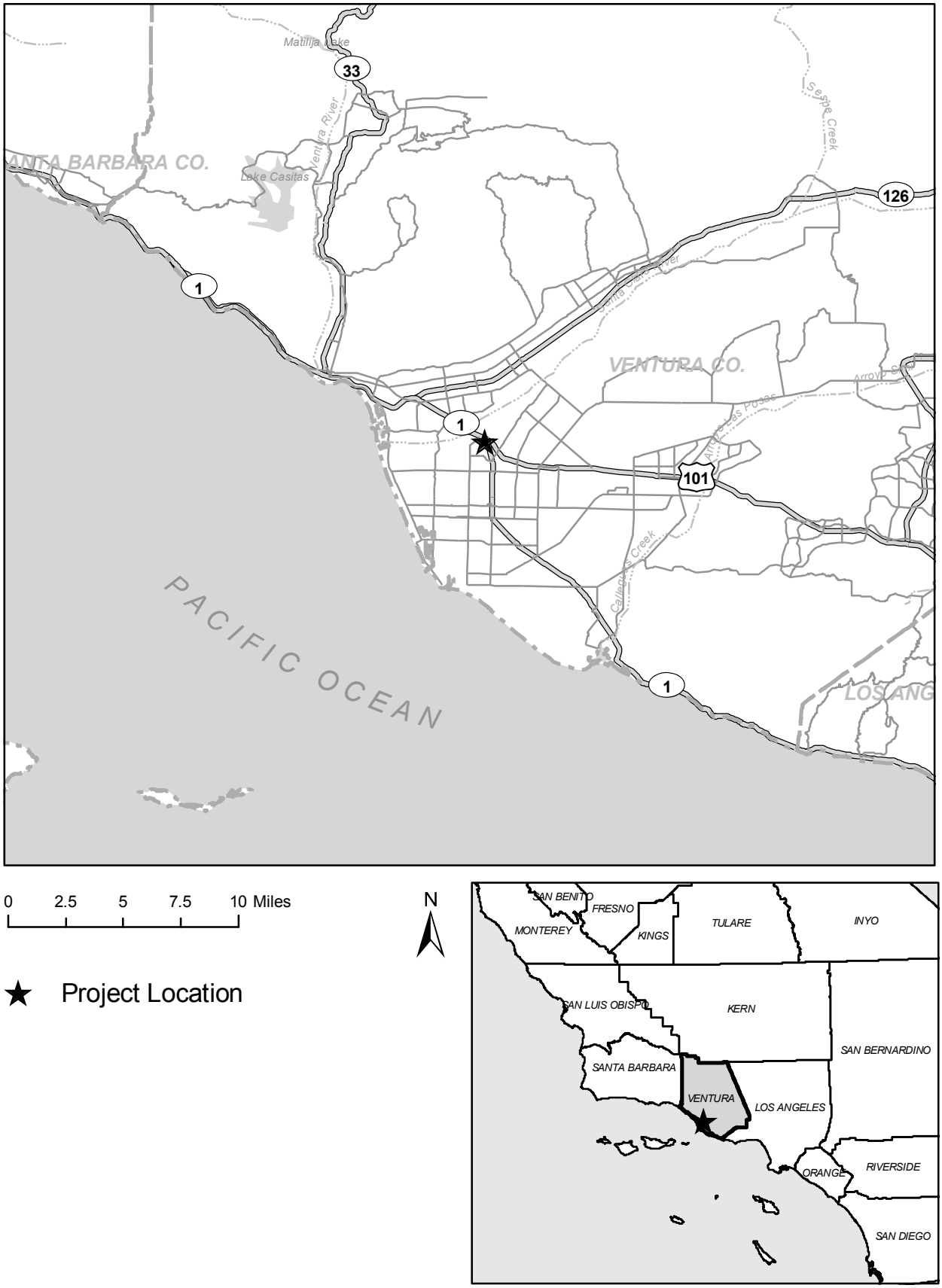
The project site is fully developed with a mobile home park and various industrial and commercial uses. The existing uses have been incrementally developed since the late 1940s, commencing with the motel and restaurant. The most recent major construction was the shopping center at the site's western edge, built in the early 1980s. Figure 2-4 provides photographs illustrating existing site development and conditions, and Table 2-2 below summarizes the existing characteristics of the project site.

Table 2-2
Existing Site Characteristics

Site Size	64 acres
General Plan Land Use Designation	Commercial Regional (CR)
Zoning Designations	General Commercial Planned Development (C-2-PD) and Commercial and Light Manufacturing (CM)
Current Use and Development	Neighborhood retail center, mobile home park, hotel/motel/restaurant complex, and assorted industrial and commercial uses
Surrounding Land Use/ Zoning Designations	North: Commercial Regional /General Commercial and General Commercial Planned Development (C-2-PD) (Across US 101) South: Residential Low density 3-7 du/ac and Factory Built 1-7 du/ac /R1 Single Family Residential and Manufactured Home Planned Development (MHPD) East: Commercial Regional / General Commercial Planned Development (C-2-PD) West: n/a (Santa Clara River, County of Ventura)
Regional Access	U.S. Highway 101; State Route 1 (Pacific Coast Hwy)
Local Access	Ventura Road, Oxnard Boulevard, Wagon Wheel Road
Public Services	Water: City of Oxnard Sewer: City of Oxnard Fire: Oxnard Fire Department Police: Oxnard Police Department

2.3.1 Current Land Use

The approximately 64-acre, irregular shaped and generally level site consists of 19 contiguous assessor's parcels as listed in Table 2-1. The site was originally developed in the 1960s as an industrial and commercial subdivision. In 1985 the westerly area of the site was redeveloped into a neighborhood shopping center. The project site is currently developed with a mix of uses including a neighborhood retail center in the western area of the site, a 171-space mobile home park in the central area of the site, and industrial and commercial facilities in the eastern half of the site. The neighborhood retail center in the western area of the site is comprised of an ice-skating center, a stamp collector shop, a dentist office, and currently vacant commercial units. The central area of the site is comprised of the 171 mobile home units of which 149 are currently occupied, an office space for the mobile home park, and a small neighborhood market. The eastern half of the site is comprised of the Wagon Wheel motel, hotel, restaurant, bowling alley, a used car dealership, and various commercial industrial and institutional uses. In total, when fully leased the site supports approximately 564,906 square feet of industrial uses and approximately 134,318 square feet of commercial uses.

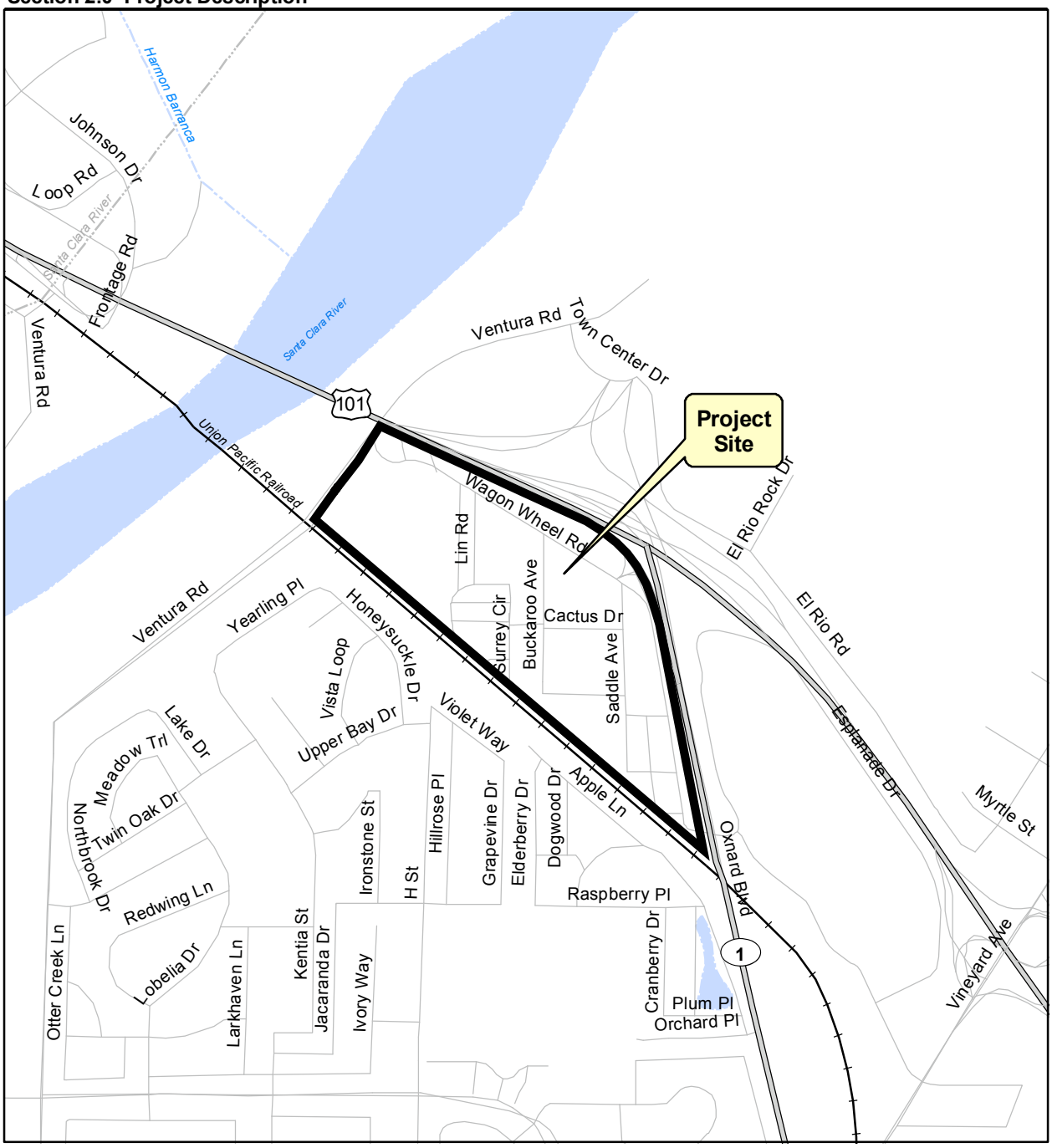


Source: US Bureau of the Census TIGER 2000 data.

Regional Location

Figure 2-1

City of Oxnard



Source: US Bureau of the Census TIGER 2000 data.

N

0 500 1,000 2,000 Feet

Project Location

Figure 2-2

City of Oxnard

Aerial View of Site and Surrounding Uses

Figure 2-3

Source: DalyOwens Group 2006, Rincon Consultants, Inc., 2008.

Photo 1 - Shopping Center at site's western edge and portion of Wagon Wheel off-ramp, viewed from Wagon Wheel Road.

Photo 2 - Interior of mobile home park.

Photo Date: September 2006

Existing Site Conditions

Figure 2-4A

City of Oxnard

Photo 3 - View looking east of light industrial development along the railroad tracks at the site's southern boundary.

Photo 4 - View east of surface parking lots and various commercial development beyond.

Photo Date: September 2006.

Existing Site Conditions

Figure 2-4B

City of Oxnard

Photo 5 - View of eastern portion of Wagon Wheel Motel complex from Wagon Wheel Road.

Photo 6 - View Wagon Wheel Motel office and restaurant from Wagon Wheel Road.

Photo 7 - View of Wagon Wheel Bowling Alley from Wagon Wheel Road.

Photo Date: September 2006.

Existing Site Conditions

Figure 2-4C

City of Oxnard

The structures listed above, surface parking areas, and other paved areas occupy the entire project site. The existing onsite circulation network includes a series of small streets including Winchester Drive, Wagon Wheel Road, Petticoat Lane, Tuxedo Row, Surrey Circle, Buckaroo Avenue, Cactus Avenue, Saddle Avenue, Spur Drive, and Underpass Road. Primary vehicular access points to the site are from North Ventura Road from the west, North Oxnard Boulevard (State Route 1) from the east, and the U.S. Highway 101 freeway Wagon Wheel offramp from the north.

2.3.2 Surrounding Land Uses

Surrounding land uses to the north consist of the U.S. Highway 101 corridor and the 702-acre RiverPark Towne Center master-planned community on the north side of the highway. RiverPark, currently under construction, includes up to approximately 2,800 residential units, over two million square feet of commercial uses, parks and schools (RiverPark Draft EIR, 2002). To the east, across Oxnard Boulevard (State Route 1), is the Esplanade Shopping Center and the Oxnard Financial Plaza to the east; the Financial Plaza includes two existing high-rise buildings of 14 and 22 stories respectively. An existing low-density residential area known as South Bank is located across the Union Pacific railroad tracks and El Rio Drain to the south. North Ventura Road, the City of Oxnard's border with the County of Ventura, and the Santa Clara River are to the west.

2.3.3 Land Use Regulatory Overview

The site is zoned General Commercial Planned Development (C-2-PD) and Commercial and Light Manufacturing (CM), and is within the General Plan's Commercial Regional (CR) District. Implementation Measure 3 of the 1990 General Plan calls for preparation and adoption of a specific plan for the Wagon Wheel area. The project application includes a proposed Specific Plan (the Oxnard Village Specific Plan) for the project area. The proposed Specific Plan, together with the other project application requests identified below form the basis for this EIR project description.

The site is also within the Historic Enhancement and Revitalization of Oxnard (HERO) redevelopment area. The HERO Area provides a mechanism by which the Community Development Corporation can utilize a range of projects and programs to alleviate blight conditions.

The General Plan contains land use, circulation and transportation, housing, open space, community design, noise and other policies which are applicable to the proposed project. As the proposed project is inconsistent with the land use designation and zoning in several respects, including residential density and building height, the project includes a General Plan Amendment to change the site's land use designation from Commercial Regional to Specific Plan which would allow a range of uses including residential densities of up to 100 units per acre, Mixed Use, Commercial, Public Facilities (transit center) and Community Amenities (parks and recreation facilities). A Development Agreement is also proposed for the site, which would allow for the City to negotiate improvements over and above those required within the EIR. The project's consistency with adopted City plans, policies and ordinances is discussed in

Section 4.8, *Land Use and Planning*, and other sections relevant to their respective issue areas.

2.4 PROJECT CHARACTERISTICS

The proposed project involves adoption of a Specific Plan (The Village Specific Plan) to guide future development within an approximately 64-acre area near the northwestern edge of the City. The Specific Plan envisions the phased redevelopment of all existing uses on the site with a mixed-use commercial and residential project and sets forth the proposed:

- location and extent of land uses within the Specific Plan Area; and
- location, extent, and general intensity of major components of public and private transportation, sewage, drainage, water, solid waste disposal, energy, and other essential facilities planned to support the land uses described in the Specific Plan; and
- criteria by which development would proceed, including Development Standards, Design Guidelines, and a phasing program; and
- program of implementation measures, including regulations, programs, public works projects, and financing measures.

Specific Plan Development Potential. Figure 2-5 provides an overview of the proposed land uses as contained in the proposed Specific Plan and Figure 2-6 shows the conceptual configuration of the project. Proposed land uses include 30.8 acres of High Density Residential (up to 30 dwelling units per acre); 0.6 acres of Live/Work town homes (up to 30 dwelling units per acre); 2.1 acres of Very High Density Residential (up to 70 dwelling units per acre); 4.8 acres of High-Rise Residential (up to 100 dwelling units per acres); 8.0 acres of Mixed Use (up to 70 dwelling units per acre, and 46,400 sf of commercial space); 0.6 acre of Public Facilities (transit center); 6.3 acres of Community Parks and Open Space; and 10.1 acres accounting for major streets. Table 2-3 lists and quantifies the proposed project components and site coverage in detail, referencing the color-coded Planning Areas shown on the Land Use Plan (Figure 2-5).

Table 2-3 Specific Plan Buildout Summary

Land Use	Planning Area	Gross Acreage	Proposed Commercial Square Footage (sf)*	Dwelling Units Proposed for each Area**
High Density Residential (18-30 dwelling units/acre)	Planning Area 1 Planning Area 2 Planning Area 3 Planning Area 4 Planning Area 5 Planning Area 7 Planning Area 8 Planning Area 9 Planning Area 10 Planning Area 11	2.6 2.0 2.1 4.3 3.1 4.1 5.9 2.7 2.3 1.6		68 50 53 90 71 90 123 54 50 26
Subtotals		**30.8**		**679**
Live/Work (18-30du/ac)	Planning Area12	0.6	4,000	14

Table 2-3 Specific Plan Buildout Summary

Land Use	Planning Area	Gross Acreage	Proposed Commercial Square Footage (sf)*	Dwelling Units Proposed for each Area**
Subtotals		**0.6**	**4,000**	**14**
Very High Density Residential (30-70 du/ac)	Planning Area 19	2.1		112
Subtotals		**2.1**		**112**
High Rise Residential (70-100 du/ac)	Planning Area 14 Planning Area 18	3.3 1.5		304 138
Subtotals		**4.8**		**442**
Mixed Use: Very High Residential (30-70du/ac)/Village Commercial	Planning Area15 Planning Area16	3.8 4.2	16,400 30,000	135 118
Subtotals		**8.0**	**46,400**	**253**
Transit Center	Planning Area 17	0.6		
Subtotals		**0.6**		
Parks and Open Space	Planning Area 6 Planning Area 13 Perimeter/Corridor Landscaping	0.9 1.7 3.7		
Subtotals		**6.3**		
Major Streets		10.1		
Subtotals		**10.1**		
TOTALS		**63.3**	**50,400**	**1,500**

Source: DalyOwens Group, Draft Village Specific Plan 2007

*Notes: *Commercial square footage could be added or subtracted from each area under the condition that the total commercial area within the Specific Plan does not exceed 50,400 square feet.*
*** Per Specific Plan Section 2.5 Levels of Land Use Flexibility, units could be added or subtracted from each area under the condition that the total number of units within the Specific Plan Area does not exceed 1,500 and the maximum density for each area is not exceeded.*

**** Note that the Village Commercial Planning Areas would also permit up to two stories of residential dwellings above at a density of 30-70 du/acre.*
du/ac = dwelling units/acre
FAR = maximum floor-to-area ratio

Plan Buildout Flexibility. Each proposed Planning Area has a planned number of allowable dwelling units and the maximum density, as described in Table 2-3. Within each land use category, the Builder/Developer would be able to choose from the range of allowed densities, to the extent that the total unit count for the Specific Plan Area would not exceed 1,500 residential units and the maximum density for each land use area is not exceeded (See draft Specific Plan Section 2.5, Levels of Land Use Flexibility. In other words, the Specific Plan allows a density transfer which permits the addition or subtraction of residential units from within each High-Density, Very High Density, Live/Work, Mixed Use and High-Rise Planning

Area, such that the resulting residential density stays within the range specified in the Plan and does not exceed the total maximum number of units permitted. For example, the High-Density Residential Land Use permits a density range between 18 to 30 dwelling units per gross acre. Therefore, the total number of units within each High Density Residential land use may be increased or decreased such that the total number of units does not exceed a maximum density of 30 DU/gross acre and that the total unit count does not exceed 1,500 residential units. The Specific Plan also allows for the addition or subtraction of total area designated to each Planning Area to the extent that the maximum density allocated to each land use is not exceeded.

The project would include closing the existing on-site mobile home park. Closure procedures would be consistent with the City of Oxnard's Mobile Home Park Closure Ordinance (Ordinance No. 2097). In addition to the mobile home park, the site is fully built out with extensive commercial development and infrastructure. Virtually all onsite structures and infrastructure would be removed and replaced with new facilities and development. Table 2-4 provides a summary of existing and proposed development and uses.

Table 2-4 Existing and Proposed Development

Use	Existing (at full occupancy)	Proposed	Net Change
Residential Units	171 (Mobile Home Spaces)	1,500 (Attached Units)	+ 1,331 Units
Commercial/Industrial/ Institutional (hotel, church, restaurant, industrial, office etc.)	~700,000 sf	50,400 Retail/Office	- ~652,000 sf
Recreation	~97,000 sf (Bowling, Ice Skating)	~113,256 sf (Parks/recreation centers)	+ ~16,256 sf

Sources: City of Oxnard, June 1999, and The Oxnard Village Specific Plan (January 2008)

As discussed further in Section 4.8, *Land Use and Planning*, entitlements requested for the project include an amendment to the Oxnard General Plan, a Zone Change, adoption of a Specific Plan, a Development Agreement, a Mobile Home Park Closure Permit, a Planned Development Permit, and a Tentative Subdivision Map(s). Individual development projects within the Specific Plan Area after approval of the Specific Plan would require additional approvals including amendments to the Specific Plan, Development Design Review Permits, Building and Grading Permits and Modifications.

2.4.1 Mixed-Use Component

The mixed-use component of the project would include all of the proposed commercial retail and small commercial space (up to 50,400 square feet) as well as up to 253 residential units at a density of up to 70 dwelling units per acre. Building forms would be a mix of two- to four-story buildings with two or three stories of apartments above ground floor retail; live/work dwellings above ground floor retail; and four-story stacked flats. Four thousand square feet of

the proposed commercial space would be dedicated to optional commercial office/retail uses located on the ground floor of the live/work townhouses. Figure 2-5 illustrates the placement, acreage and square footage of the proposed commercial elements.

The mixed-use component would be constructed with design elements intended to represent the identity of the entire project. Some of these elements would include "360 degree" building architecture, street oriented building layouts, pedestrian scale/massing, high quality materials, public art, and decorative wayfinding elements in keeping with the general European Village theme. An illustration of the conceptual design for proposed commercial areas is shown in Figure 2-7.

2.4.2 Residential Component

The residential component of the project would include four housing types, including three residential high-rise towers. The proposed Specific Plan includes design elements for the residential component intended to implement the following overall goals:

- "Architecture forward,"
- De-emphasis of the garage,
- Variation of setbacks,
- Varied roof pitches,
- Eclectic variety of architectural styles, and
- 360 degree architecture.

The distribution of the housing types is illustrated on the proposed Land Use Plan, shown in Figure 2-5.

High Density Residential. The predominant building form within the proposed High Density residential neighborhoods would be a "brownstone" style townhouse. These dwelling types front onto public streets, private landscaped courtyards, or private parks. Vehicle parking would be provided in an attached traditional or tandem two-car garage accessed from an alley. Additional guest parking would be provided along Main Street, the surrounding neighborhood streets, and in designated off-street parking areas. The proposed High Density Residential Planning Areas encompass approximately 34.4 acres and are bordered on the north by the Ventura (101) Freeway, on the west by North Ventura Road, on the south by Union Pacific Railroad and on the east by the Live/Work and the High-Rise Residential Planning Areas.

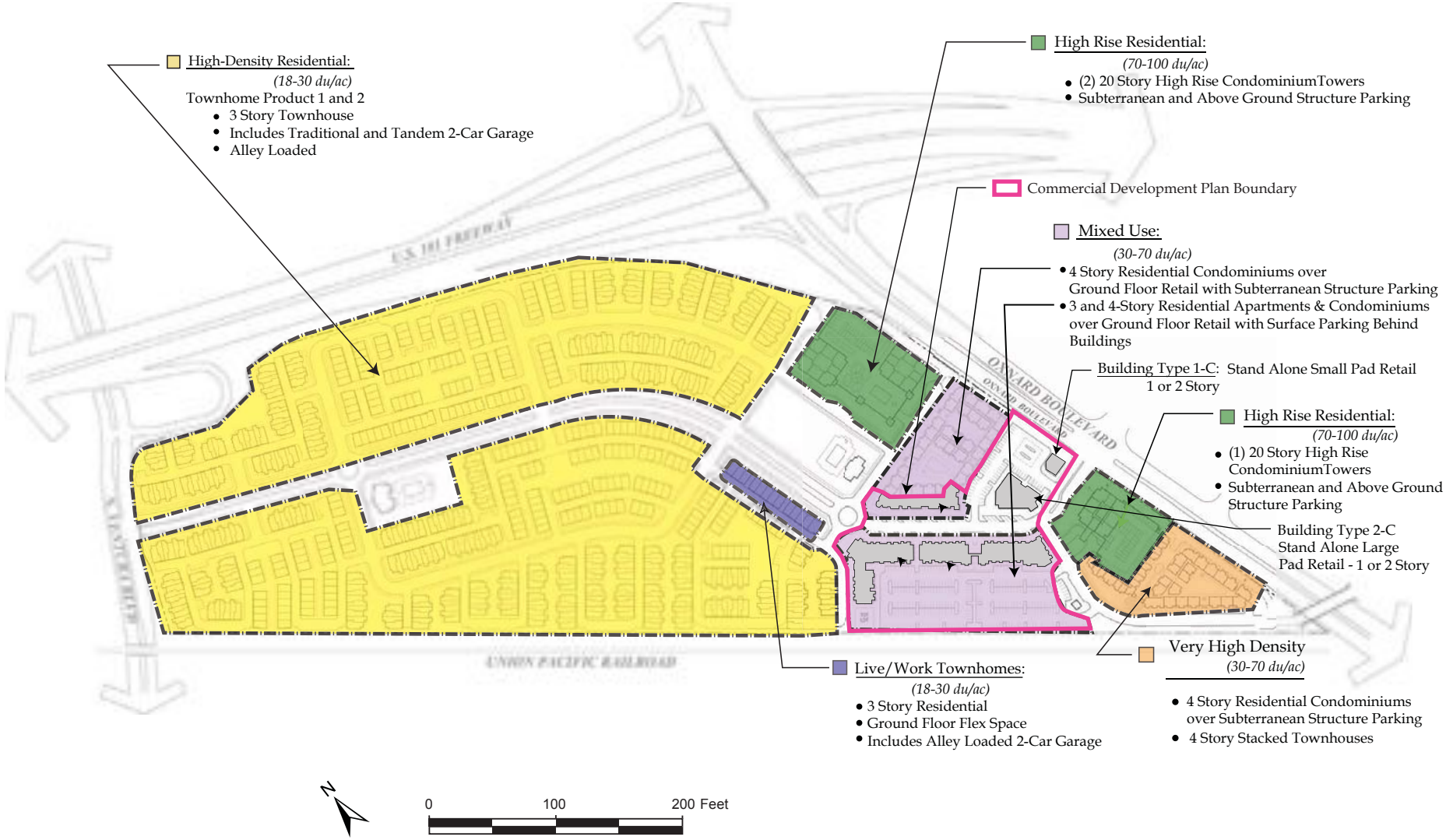
Live/Work Residential. The Live/Work Planning Area would function as a transition from the High Density Residential Planning Areas to the higher density Mixed Use Planning Areas. A total of 14 Live/Work units would line the proposed Main Street, opposite the proposed Village Green. The live-work building form would be similar to the High Density dwellings; however, each live-work dwelling would provide optional ground floor "flex-space" which could be used as small commercial office or retail space. Up to 4,000 square feet of optional workspace is permitted within the Live/Work Planning Area. Vehicle parking for residents of the Live-Work dwellings would be provided by a traditional or tandem two-car garage accessed from an alley. Additional guest parking would be provided along Main Street. The Live/Work Planning Area encompasses approximately 0.6 acres.

Source: DalyOwens Group, May 2007

Land Use Plan

Figure 2-5

City of Oxnard



Conceptual Site Plan

Source: DalyOwens Group 2007

Figure 2-6

Very High Density Residential. A courtyard building type is proposed for the Very High Density Planning Area. The buildings would be up to four stories and include stacked flats and stacked townhouses wrapped around a common courtyard. Parking for residents would be provided in a subterranean parking garage. Parallel parking along proposed "A" Street would provide additional guest parking. The buildings would front Oxnard Boulevard and "A" Street. The Very High Density Residential Planning Area encompasses approximately 2.1 acres bordered on the east Oxnard Boulevard, on the west by "A" Street, on the south by the Wagon Wheel Road Bridge, and on the north by the High-Rise Residential Planning Area.

High Rise Residential. Three towers are proposed in Planning Areas 14 and 18. The towers would include up to 442 residences with private recreational amenities, concierge service, and opportunities for ground floor service-oriented commercial uses. Parking for residents and related service personnel would be provided by parking structures. Additional guest and service-related parallel parking would be available along "A" Street, "B" Street, and "C" Street. Planning Area 14 encompasses approximately 3.5 acres; Planning Area 18 encompasses approximately 1.3 acres.

Figure 2-5 illustrates the placement, acreage, and number of dwelling units for the proposed residential elements. Conceptual illustrations of these housing types are shown in Figure 2-8. Up to 1,500 attached residential units are proposed. The residential units would be constructed in the a European or other architecturally compatible style that would be finalized through the City's design review process.

Fifteen percent (15%) or 225 of the total units would be designated as "affordable housing" and would be required to meet the City's income criteria for very low- and moderate-income families. One-hundred and eighteen of the proposed residential units would be rental apartments; the remaining 107 units would be designated affordable units for moderate-income families. As part of the relocation benefit package offered to the residences of the existing Wagon Wheel Mobile Home Park on the site, which would be closed to accommodate the proposed project, the project developer would accommodate all mobile home park residents interested in occupying the on-site affordable housing units. Thus, the final number of very low, low, and moderate income affordable income units may change depending on the number of mobile home park residents who choose to relocate on-site. However, the total number of on-site affordable housing units would not exceed 225.

The operators would retain private on-site security guards for the commercial areas and the first floor of the high-rise residential buildings. The security guards would be on duty during business hours for the commercial area and at all times for the high-rises. Security cameras would also be installed on the first floor of the high-rises and in parking garages.

2.4.3 Project Access, Circulation and Parking

Regional access to the site is provided by the Ventura (U.S. Highway 101) Freeway and Oxnard Boulevard (State Route 1). The eastern access to the site via Oxnard Boulevard has been recently upgraded to meet the new Caltrans construction designs with signalized intersections north and south of U.S. Highway 101 and a four-way signalized intersection a the intersection of Oxnard Boulevard and the Esplanade Drive/Spur Drive. The existing bridge over Oxnard

Boulevard connecting the site to the Esplanade Mall would remain. The proposed circulation concepts for vehicles, pedestrians and bicycles are illustrated in Figures 2-9 through 2-11. The Parking Plan is shown in Figure 2-12.

The Village Specific Plan proposes installation of gateway landscaping and a new City of Oxnard gateway monument sign adjacent to the U.S. Highway 101/Wagon Wheel Road off-ramp. In order to provide a smooth transition from U.S. Highway 101 into the project, a continuous flow off-ramp is proposed with two right-turn lanes and two left-turn lanes at North Ventura Road.

The existing Wagon Wheel Road traversing the outer portions of the project site would be abandoned and redirected through the center of the project to provide an automobile and pedestrian/bicycle linkage paralleling Highway 101 between Oxnard Boulevard and North Ventura Road. Opportunities for pedestrian/bicycle linkages to the Riverpark development across U.S. Highway 101 to the north would also be provided as part of the project via Ventura Road. The Project also proposes pedestrian connections to the City's River Edge Trail along Ventura Road and the east via the project's main street and Wagon Wheel Road bridge.

The project would include a sub-transportation center with approximately 50 designated parking stalls and a bus stop for SCAT and VISTA bus services. The sub-transportation center would also be available for a future Metrolink stop and/or future commuter shuttle service for nearby communities to and from the Oxnard Transit Center.

Internally, the Specific Plan would provide an enhanced pedestrian network connecting the various residential neighborhoods, neighborhood commercial and mixed uses, and recreational facilities to each other and to the sub-transportation center. Two landscaped roundabouts for traffic calming would be integrated into the main thoroughfare between the proposed commercial center and residential areas and at the western neighborhood park and townhouse area. Street rights-of-way would range from 25 feet in width for alley streets to 108 feet for the commercial area. (Specific street widths are subject to change as part of the City’s design review process.)

The bicycle circulation network proposed as part of The Village Specific Plan includes a Class I off-street bicycle pathway along the project’s Oxnard Boulevard frontage, the project’s northern frontage along US Highway 101 and the project’s frontage along Ventura Road. This pathway provides a regional connection between Oxnard Boulevard, Ventura Road, and the Santa Clara River. Class II and Class III bicycle lanes are proposed along Main Street and the neighborhood streets. Figure 2-11 illustrates the proposed bicycle circulation concept.

The proposed Specific Plan’s approach to parking is based on both shared and non-shared parking. As shown in Figure 2-12, the project site would be divided into two areas: the shared parking area and the non-shared parking area.

The Village Specific Plan includes two types of parking areas, shared and non-shared. Non-shared residential parking spaces would be provided within the High Density Residential and Live Work Planning Areas (Planning Areas 1-12). Shared parking is proposed for the Mixed Use, High Rise, Transit Center, and Very High Density Planning Areas (Planning Areas 14-19).

The shared parking spaces are distributed among on-street parallel and angled parking, off-street parking lots, and off-street parking structures. Figure 2-12 illustrates the location of all proposed shared and non-shared parking areas within the Specific Plan.

Shared Parking Ratios. Within the shared parking areas, a residential parking demand ratio of 2.0 spaces per residential unit was used for conceptual planning purposes. A commercial parking demand ratio of 2.5 spaces per 1,000 square feet of commercial space was used for conceptual planning purposes. The ultimate goal of the shared parking approach is to permit flexibility in the municipal parking standards in favor of a system where the private sector develops parking to meet only the needs of development without over-building parking supply.

Non-Shared Residential Parking Ratios. Within the High Density Residential and Live/Work Planning Areas (Planning Areas 1-12), the proposed number of parking spaces required for both residents and guests is based on an overall parking ratio of 2.75 spaces per residential unit. These non-shared spaces would be provided in a combination of two-car garages for each residential unit plus on-street parallel parking, and off-street parking areas for guest parking.

Proposed Parking by Planning Area.

- Parking for the High Density Residential Planning Areas (PAs 1-11) would be provided in private two-car garages attached to each residential dwelling. Guest parking for High Density Residential Planning Areas would be located within off-street surface parking areas and parallel on-street parking areas. Guest parking would be located within an acceptable distance of the surrounding residences, per the City of Oxnard Zoning Code .

- Parking for the Live/Work Planning Area (PA 12) would be provided in private two-car garages with parallel on-street guest parking provided along Main Street.

- Parking for the Mixed-Use Planning Areas (PAs 15, and 16) would be provided in on-street and off-street surface parking areas, and in parking garages under the proposed shared parking arrangement.

- Parking for the Very High Density Planning Area (PA 18) would be provided in both on-street surface parking areas, and in parking structures under the proposed shared parking arrangement.

- Parking for the High Rise Tower Planning Area (PA 14 and 19) would be located in two parking structures under the proposed shared parking arrangement.

A Shared Parking Management Plan would be prepared for any development project within the shared parking district as depicted on Figure 2-12. The plan would include a description of shared parking arrangements; confirmation that a shared parking arrangement would adequately handle on-site commercial and residential parking demand; a detailed parking

management strategy; and would discuss ways in which on-site parking areas could be expanded depending on future need and, if needed, the mechanisms for funding future parking expansion.

Transit Center. The proposed 0.6-acre Transit Center would provide access to mass transit and alternative modes of transportation. Local and regional transportation alternatives would be provided within the Transit Center, located in the southeastern portion of the Specific Plan area adjacent to the Union Pacific Railroad/Metrolink Line and along the existing Gold Coast Transit and Vista bus service routes. Although the transit facility or transit "hub" is proposed within The Village Specific Plan, it would be intended to serve residents and businesses throughout northern Oxnard. Transit services envisioned within the Transit Center facility include:

- Express morning and afternoon Shuttle service to Oxnard Transportation Center and traditional bus service to other local and regional destinations;
- 50 designated "park and ride" spaces (expandable if necessary);
- Go-Point™ mobility center, which will provide residents with opportunities to conveniently rent a variety of Personal Electric Vehicles or Car Share using on-demand digital technology;
- VPSI Van Pool Service to major employment centers, including Santa Barbara, Amgen, and Warner Center; and
- The potential for a future Metrolink stop.

2.4.4 Community Amenities

The project would provide a 1.7-acre "community village green" with pool and community center and a 0.9-acre neighborhood park with a pool. In addition, various smaller pocket parks totaling approximately 2.2 acres would provide passive recreation and amenities such as seating areas and water features. Approximately 1.65 acres of the plan area would be dedicated to private recreation "terraces." These facilities are proposed to serve the residents of the High-Rise, Mixed-Use, and Very High Density Planning Areas. These facilities would be integrated into the building designs for the High-Rise, Very High Density and Mixed Use Planning Areas. Access to the facilities would be from either elevators or a private interior courtyard. These spaces are for the private use of the residents and would be maintained by a Homeowners' Association. Figure 2-13 shows the proposed layout of open spaces and parks.

Illustrative Commercial/Mixed Use Area Plan
and Streetscape Elevations

Figure 2-7

Source: DalyOwens Group 2007

Conceptual Elevation of Residential Dwellings

Conceptual Elevation of High Rise Dwellings

Conceptual Elevation of Live Work Dwellings

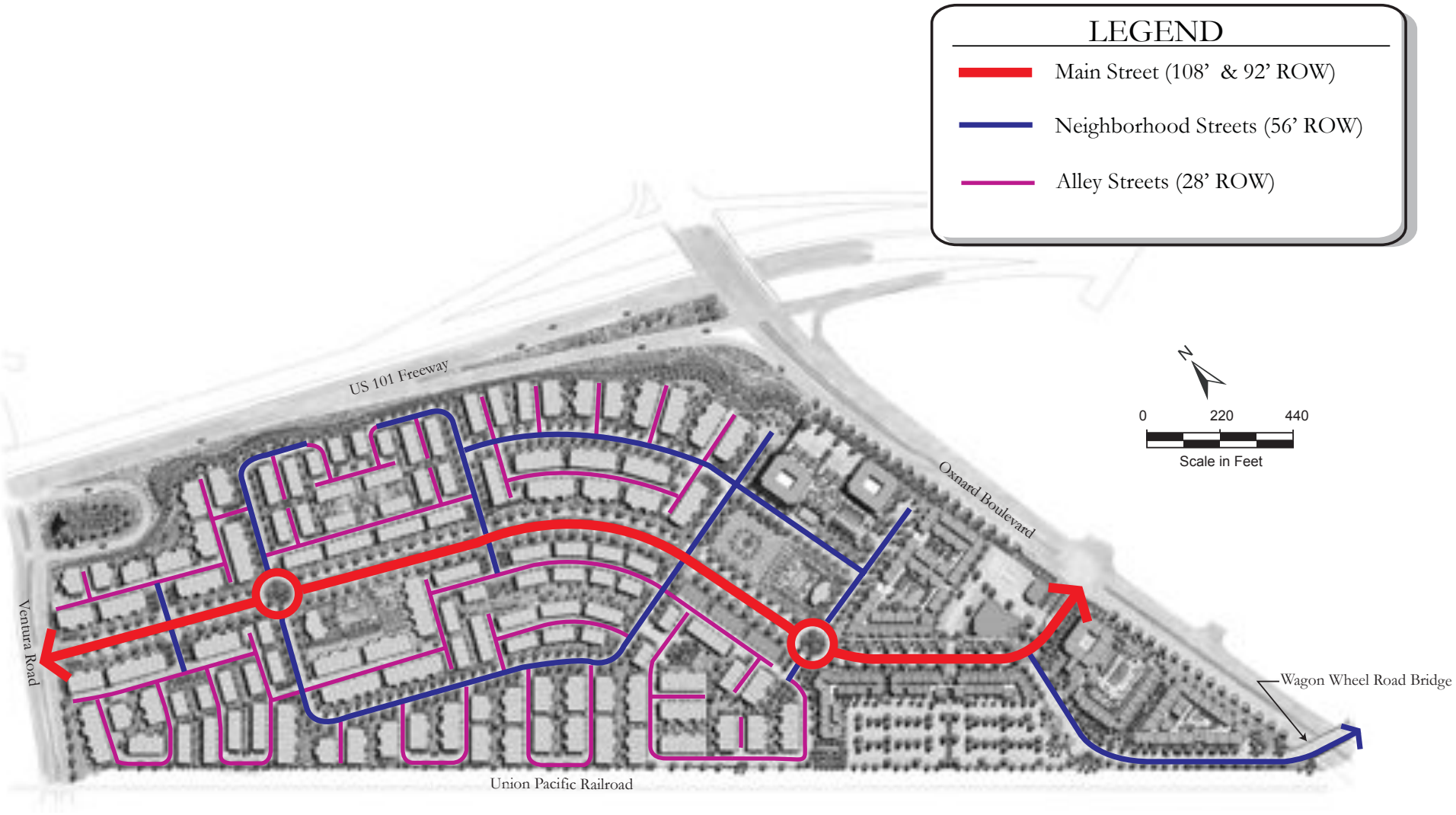
Conceptual Elevation of Mixed-Use Dwellings

Selected Residential Conceptual Elevations

Source: DalyOwens Group 2006.

Figure 2-8

City of Oxnard



Vehicle Circulation Concept

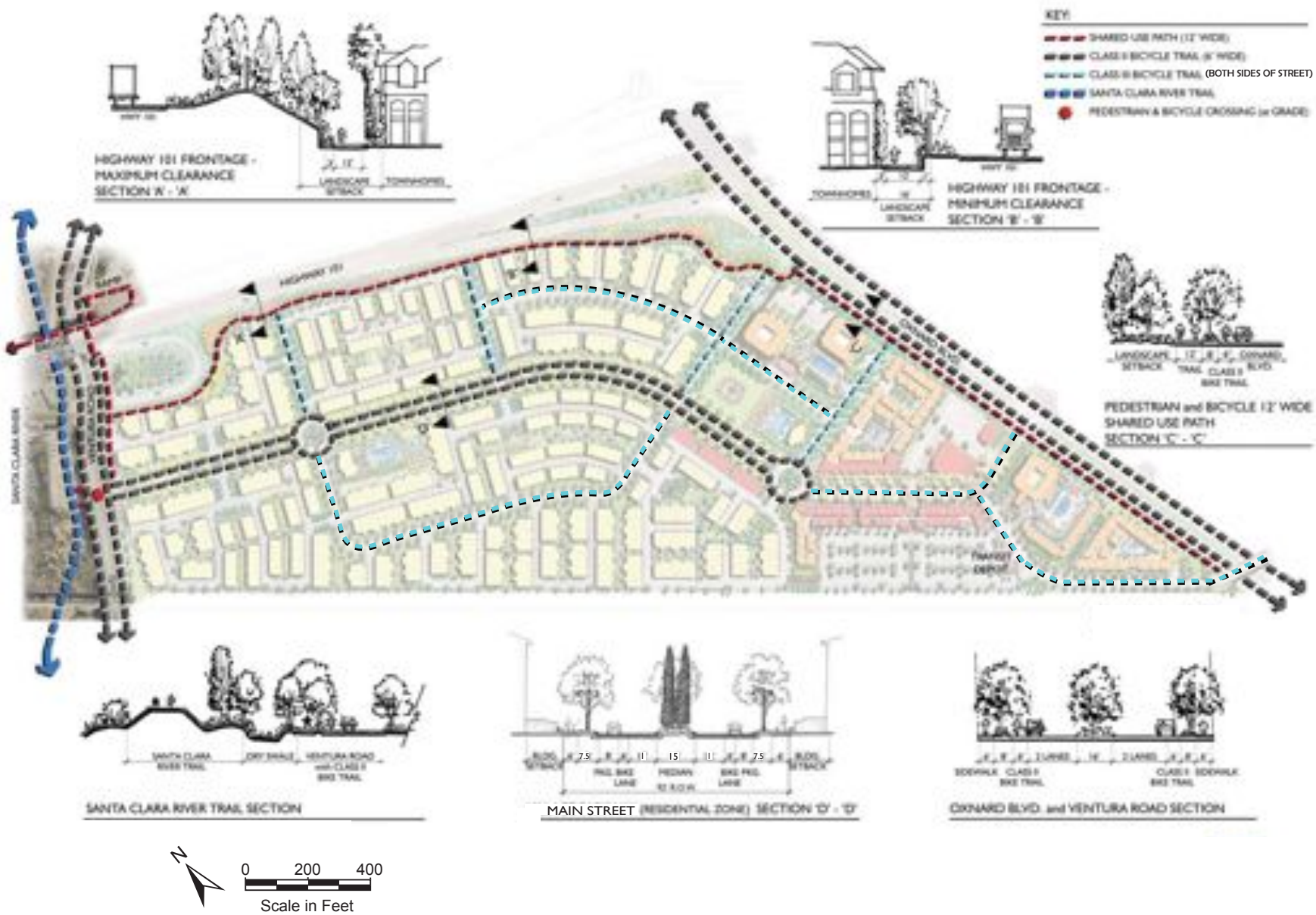
Figure 2-9

Source: DalyOwens Group, 2008.

Pedestrian Circulation Concept

Source: DalyOwens Group 2008.

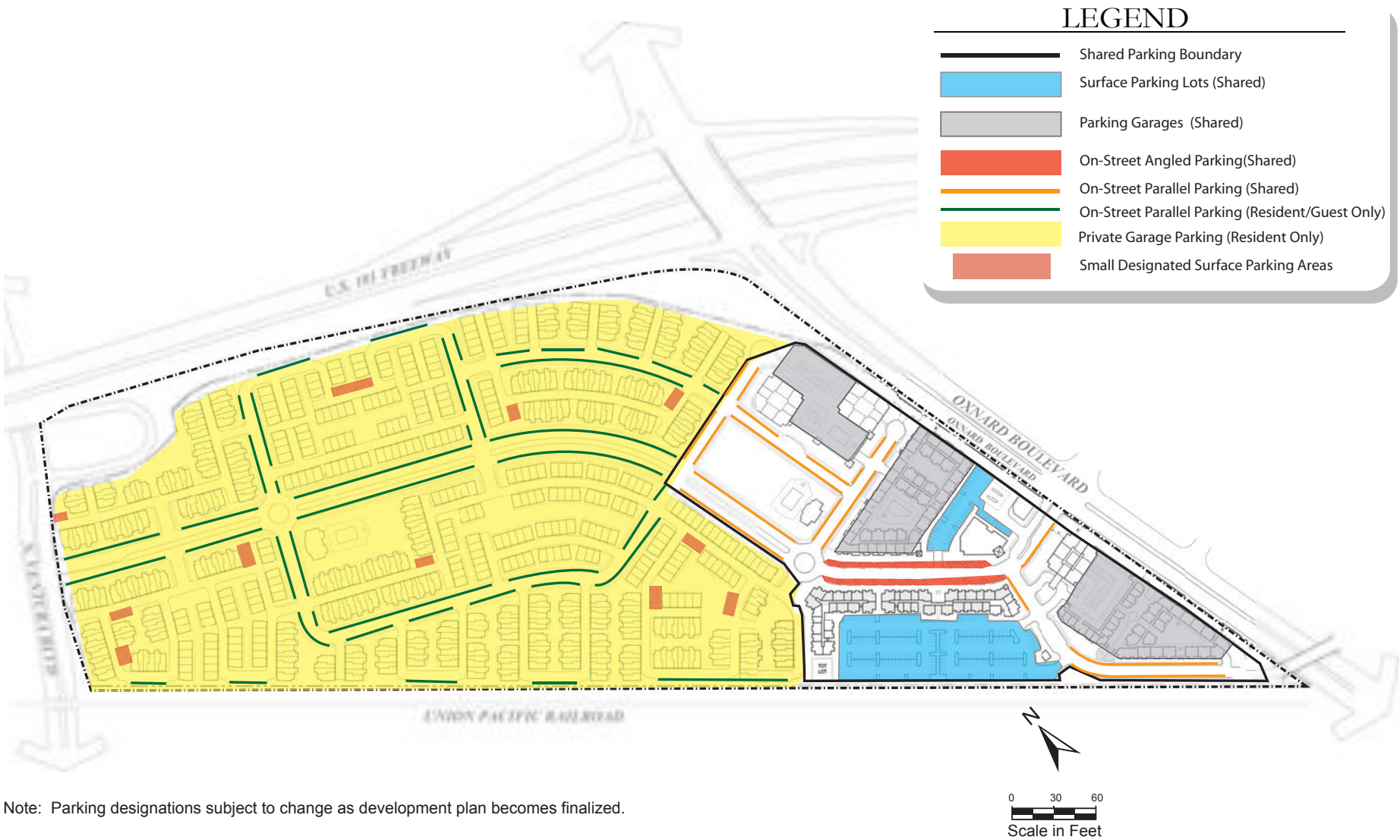
Figure 2-10



Bicycle Circulation Concept

Figure 2-11

Source: MJS Design Group/DalyOwens Group, 2008.



Note: Parking designations subject to change as development plan becomes finalized.

Source: *DalyOwens Group, 2008.*

Illustrative Parking Plan

Figure 2-12

Source: DalyOwens Group, 2008.

Community Landscape Opportunities

Figure 2-13

City of Oxnard

2.4.5 Design Standards

The Specific Plan includes both structural and landscaping design standards and guidelines as well as broader project design objectives. These standards would regulate commercial, residential and mixed-use design on a block level such as setbacks, the relationship of the building front to the street, design of corner lots, rear loaded garages, building color and alley configurations. Building type standards include specifications for lot areas, lot coverage and setbacks, building heights, orientation and access/parking for the building types. Additional standards are provided for lighting and street signs as well as other details. Architectural guidelines are also included.

The proposed Landscape Development Plan guides landscaping for roadways, parks and open space, project edges and entry points including enhanced landscape treatments adjacent to U.S. Highway 101 and parking lots.

2.4.6 Project Infrastructure

The Specific Plan's infrastructure components include descriptions of proposed project's demolition and grading plans, utilities and site drainage.

Drainage. Among the Plan's goals are improving the quality of runoff from the site to the Santa Clara River through improved drainage systems including runoff detention, vegetative filtering during conveyance (e.g. with vegetated swales) and increased onsite permeability and infiltration. The site is currently almost entirely covered with impervious surfaces, which would be reduced by implementation of the Specific Plan. As part of site development consistent with the Specific Plan, new storm drain infrastructure and subterranean mechanical water quality filtration, and if necessary, subterranean detention basins would be constructed to reduce the overall volume and the concentration of urban runoff and associated contaminants entering the Santa Clara River. Site grading would establish a drainage pattern from west to east. Drainage would be collected and treated via a series of catch basins, natural infiltration areas, and if necessary, sub-grade detention areas and conveyed to the Santa Clara River vie the El Rio drain and additional subsurface drainage infrastructure. Some of the landscaped areas within the plan would also provide for stormwater infiltration and treatment. There would be no net increase in the quantity of stormwater runoff from the site compared to current conditions.

Wastewater. The Village Specific Plan would require wastewater improvements, involving first abandoning and/or removing the existing on-site eight-inch and 10-inch wastewater pipelines north of the El Rio drain and replacing them with new 8-inch and 12-inch sewer lines. The new main lines are proposed within Main Street and the other public roadways.

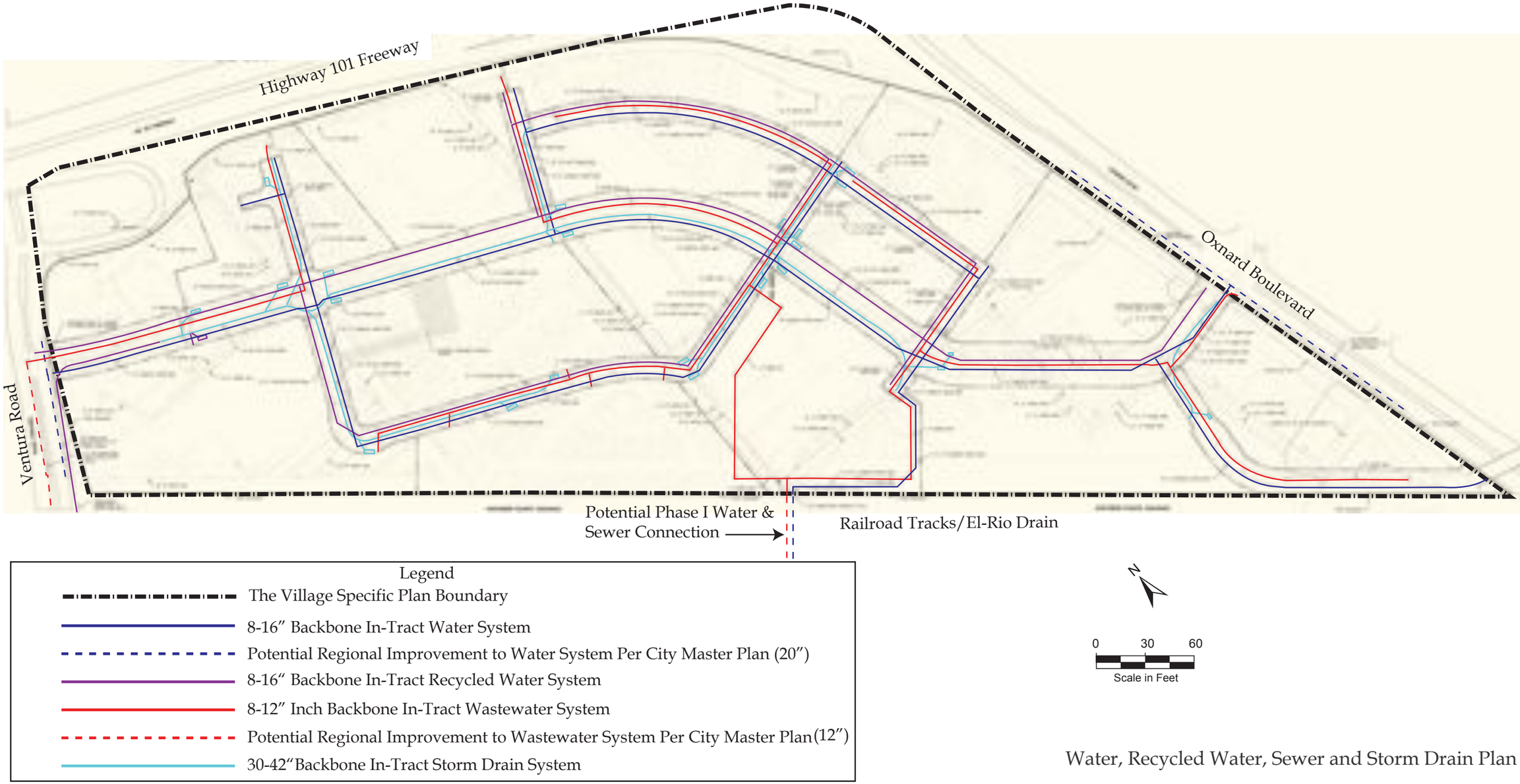
The first phase of development within the Village Specific Plan would connect to the existing wastewater infrastructure serving the property. This involves connecting to the existing 10-inch sewer line at the Spur Drive/Oxnard Boulevard intersection and the existing 12-inch sewer line which crosses under the El Rio Drain and runs beneath Grapevine Drive.

Subsequent development phases would require construction of the remaining on-site wastewater improvements, including the construction of an eight-inch sewer line within on-site public streets and all appropriately sized laterals. Off-site sewer improvements are also required and include the payment of fees towards the construction of a new sewer line beneath Ventura Road and the upgrading of sewer Lift Station 23. Should the City not be able to construct the off-site improvements consistent with the developer's construction schedule, then the developer may elect to install the off-site improvements subject to a reimbursement agreement for those costs that are considered a City responsibility. Figure 2-14 illustrates the proposed configuration of water, recycled water, sewer, and storm drain facilities.

Recycled water infrastructure is currently being installed within Ventura Road as part of the Riverpark Project. The Village Specific Plan proposes to install a 16-inch "backbone" recycled water pipeline within Main Street, and eight- and 12-inch recycled water pipelines within the other public roadways. The conceptual design locates the pipelines parallel to the potable water system beneath Main Street (from Ventura Road to Oxnard Boulevard) and other public roads proposed as part of The Village Specific Plan. The 16-inch "backbone" recycled water pipeline would allow future uses to connect into the system once it is operational. Once recycled water is available, this system would be used to irrigate all common landscaped areas within The Village Specific Plan and any other projects connected to the system.

Water. The existing water service infrastructure would be abandoned or removed and replaced with a new looped water service system. The proposed water pipeline design would include connecting to the existing 12-inch water line at the primary entrance located along Oxnard Boulevard at Esplanade Drive. A new 16-inch line would be constructed in the proposed central project street beginning at Oxnard Boulevard and continuing westward to the existing 18-inch pipeline under Ventura Road. New eight- to 12-inch domestic water pipelines would be looped through the building sites to provide domestic service to the development areas. Figure 2-14 illustrates the proposed configuration of water, recycled water, sewer, and storm drain facilities.

Dry Utilities. Electric, gas, and communication conductors would be placed in underground conduits and vaults in the public street corridor in general conformance with the phasing of the project. Final development plans would be required to indicate the precise location of these facilities.



Water, Recycled Water, Sewer and Storm Drain Plan

Source: DalyOwens Group, 2008.

Figure 2-14

2.4.7 Site Preparation and Construction

To prepare the site, virtually all existing structures and infrastructure onsite would be demolished and/or removed. An onsite temporary aggregate recycling facility would recycle materials to the extent possible. The existing trees suitable for re-use within the proposed project would be preserved on-site, and re-planted at appropriate locations. The entire 64-acre project area would be re-graded to meet the needs of the new development. The project would be constructed in phases over five to seven years as follows:

- *Phase I.* Demolition and site grading of all areas east of the mobile home park, except the existing bowling alley and the northern portions of existing Buckaroo Avenue. Another exception would be excavation for the tower parking structure/foundation, which would not occur until commencement of construction for towers in Phase IV.

  Concurrent with site grading, the Master Developer or a combination of Master Developer and additional builders/developers would construct the basic backbone infrastructure to connect Phase 1 with the existing public infrastructure. The utilities and infrastructure serving the existing uses (including the Mobile Home Park, Bowling Alley, and existing commercial shopping center) would be kept in place to support the remaining uses.

  Phase I construction would also include development of public and private streets, mass grading of building pads for residential and commercial development, and construction of residential and commercial uses within the Mixed Use Planning Areas upon the graded pads. Appropriate temporary vehicle access (as determined by the City of Oxnard Fire Department) would be maintained to all existing uses throughout Phase I construction and until full public access is developed.

- *Phase II.* Construction of transit related uses within the Transit Center Planning Area, the residential uses within the Very High Density Residential Planning Area, and the Village Green. Phase IIa would follow, consisting of demolition of all remaining uses, formal closure of the Mobile Home Park, and the construction of all remaining backbone infrastructure to Ventura Road.

- *Phase III.* Construction of residential uses within the High Density Residential Planning Areas, and all remaining parks and open space areas.

- *Phase IV*. Construction of high rise residential towers within the High Rise Planning Areas.

The proposed phases are illustrated in Figure 2-15.

Figure 2-16 shows the proposed grading plan for the project. The site would remain generally flat, as most of it is currently, with modifications to improve drainage. Grading and site preparation would require approximately 231,000 cubic yards of excavation and fill; these quantities would almost balance earthwork onsite, with likely total export at about 200 cubic yards. Excavation where deepest—for subterranean parking and foundations for the high-rise

structures—would reach a maximum depth of approximately 17 feet (final depth subject to change during City review process).

Construction and demolition debris, primarily pavement but also including masonry materials, wood materials, earth and rock materials, metals and roofing materials would be processed and reused on site to the extent feasible to reduce hauling and disposal of onsite material and demand for new material.

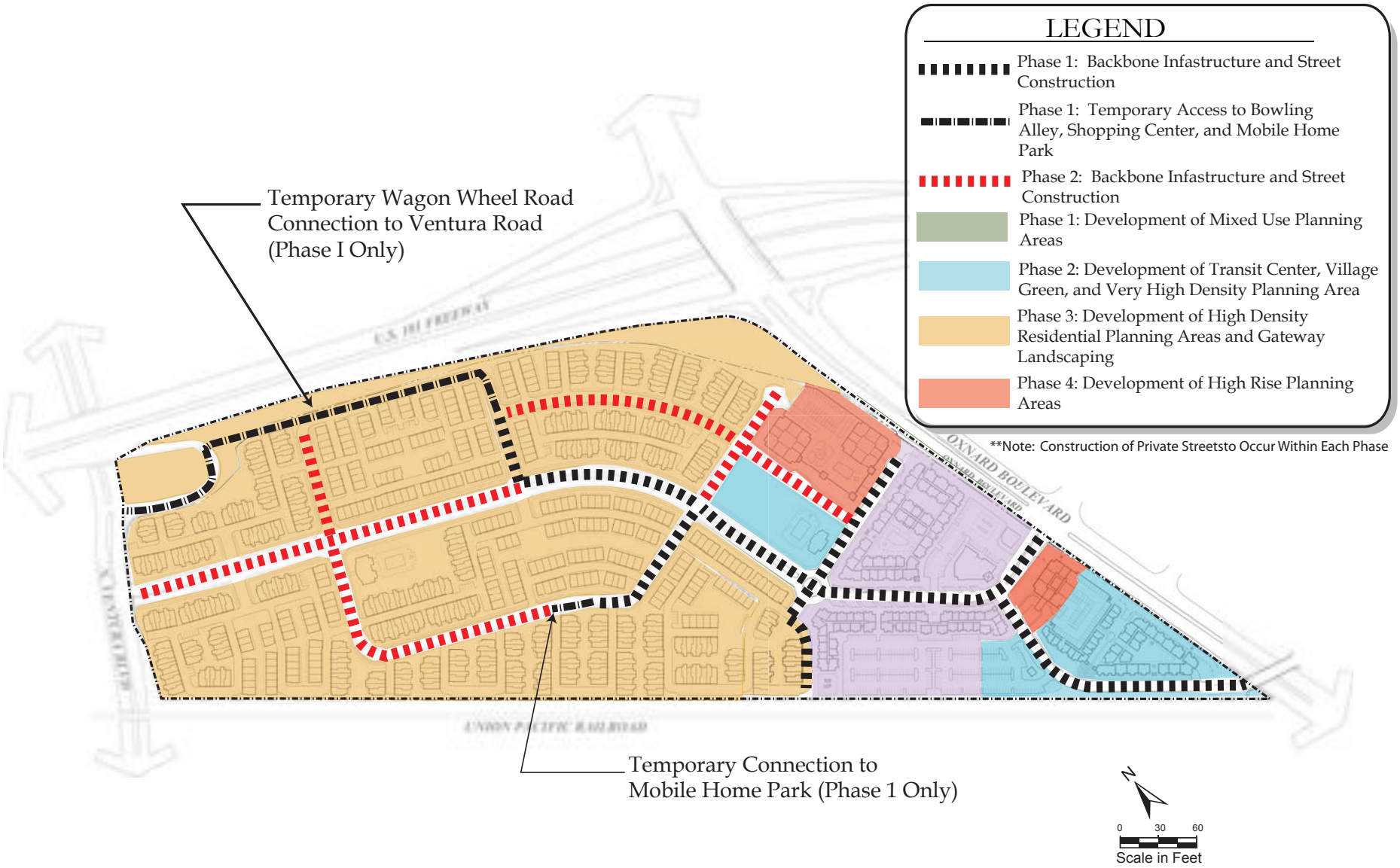
2.5 PROJECT OBJECTIVES

The primary objective of the proposed Village Development project is to redevelop the project site with a financially feasible, mixed-use, transit-oriented project that meets the residential and commercial needs of the City of Oxnard and the redevelopment objectives of the City's Historic Enhancement and Revitalization of Oxnard (HERO) district designation.

2.6 REQUIRED APPROVALS

Implementation of the proposed Oxnard Village Specific Plan would require the following discretionary approvals:

- *Amendment to the Oxnard General Plan (PZ 06-620-03)*
- *Zone Change (PZ 06-570-05)*
- *Adoption of a Specific Plan (PZ 06-670-02)*
- *Mobile Home Park Closure Permit (OPA) (PZ 06-260-01)*
- *Tentative Subdivision Map (PZ 06-300-08)*
- *Development Agreement/Owner Participation Agreement (PZ 06-670-02)*



Source: DalyOwens Group 2008.

Development Phasing Map

Figure 2-15

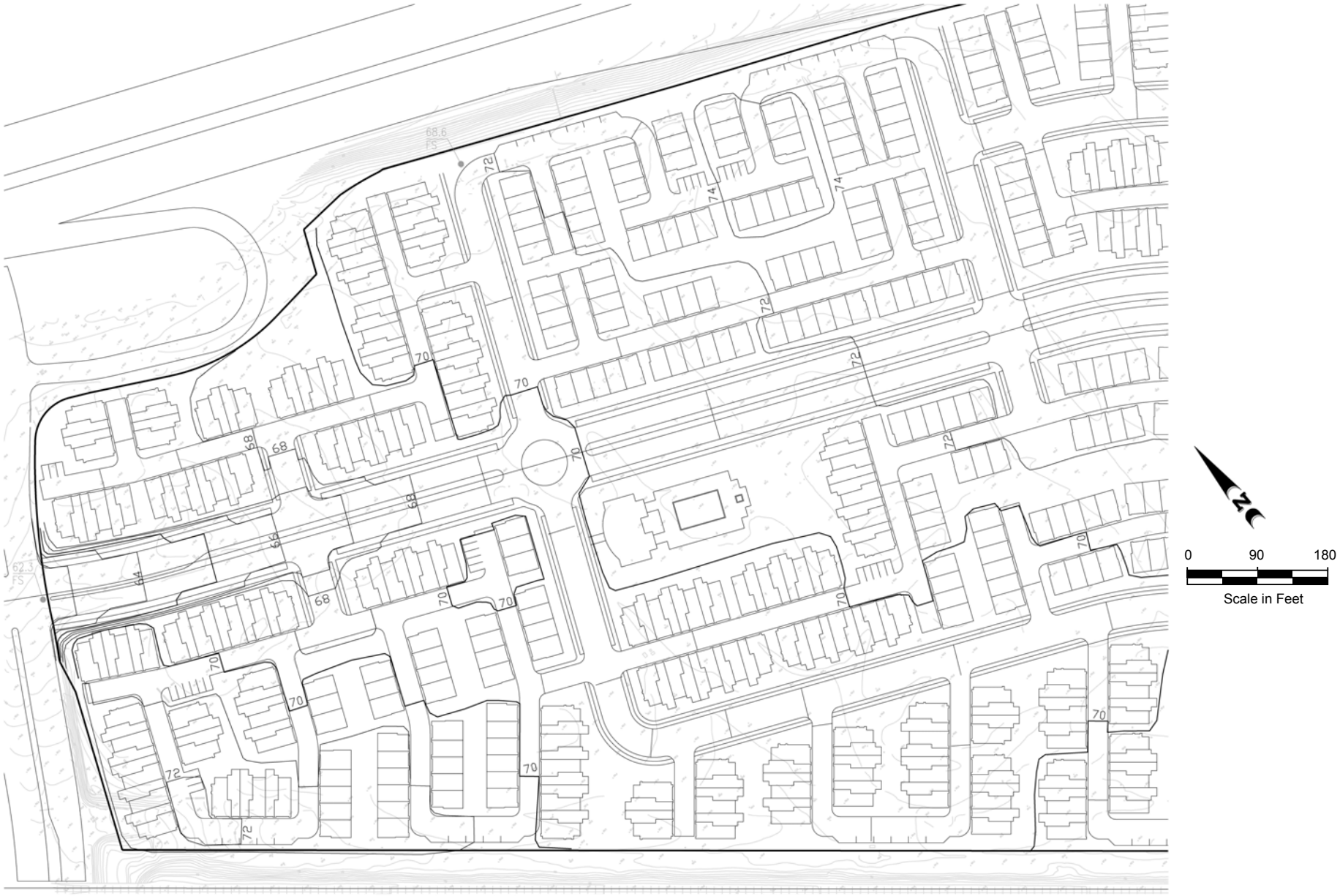
City of Oxnard

Source: Huitt-Zoliars, Inc., February 2007.

Preliminary Grading Plan Index

Figure 2-16a

City of Oxnard

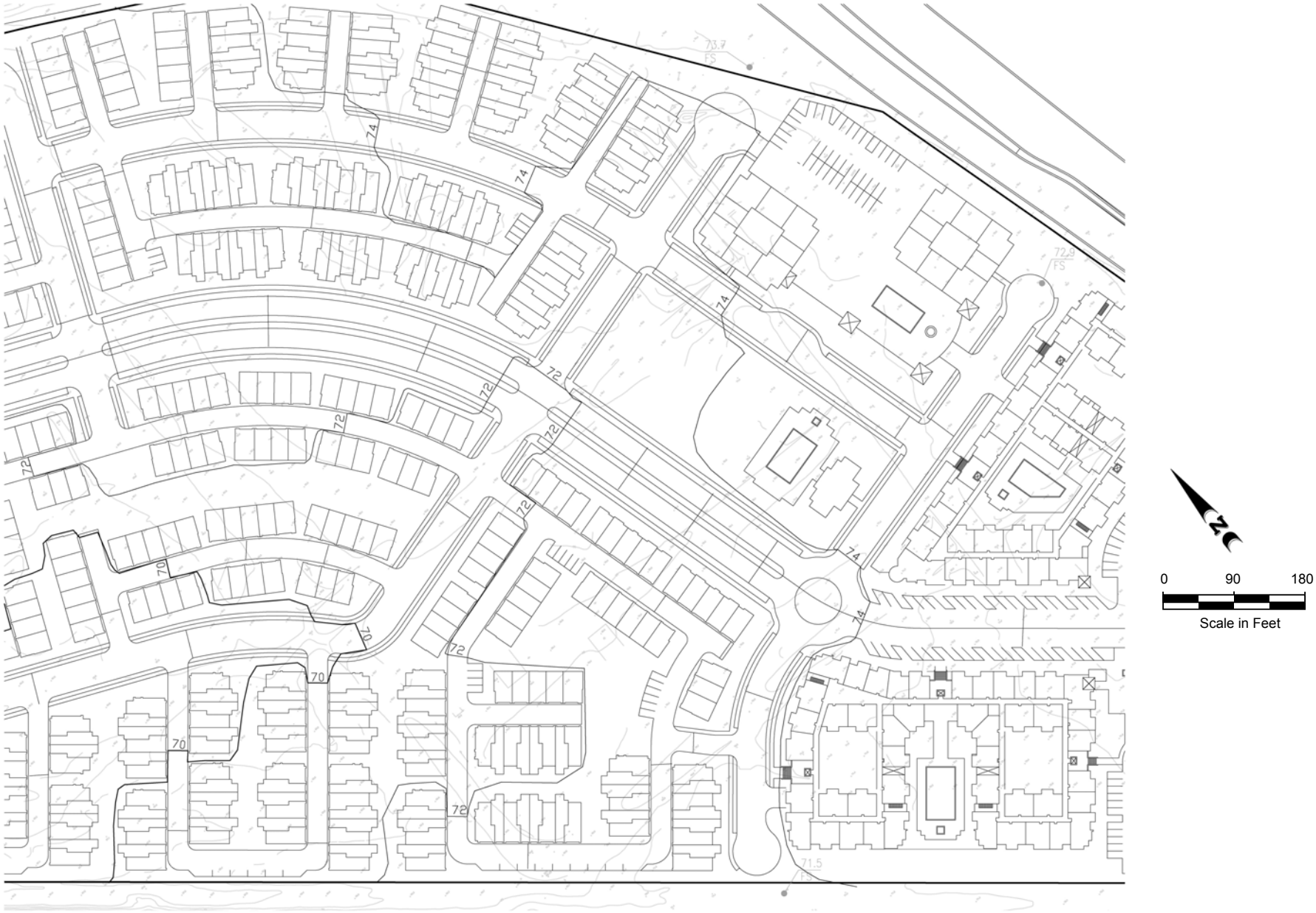


Source: Huitt-Zoliars, Inc., February 2007.

Preliminary Grading Plan - Western Portion of Specific Plan

Figure 2-16b

City of Oxnard

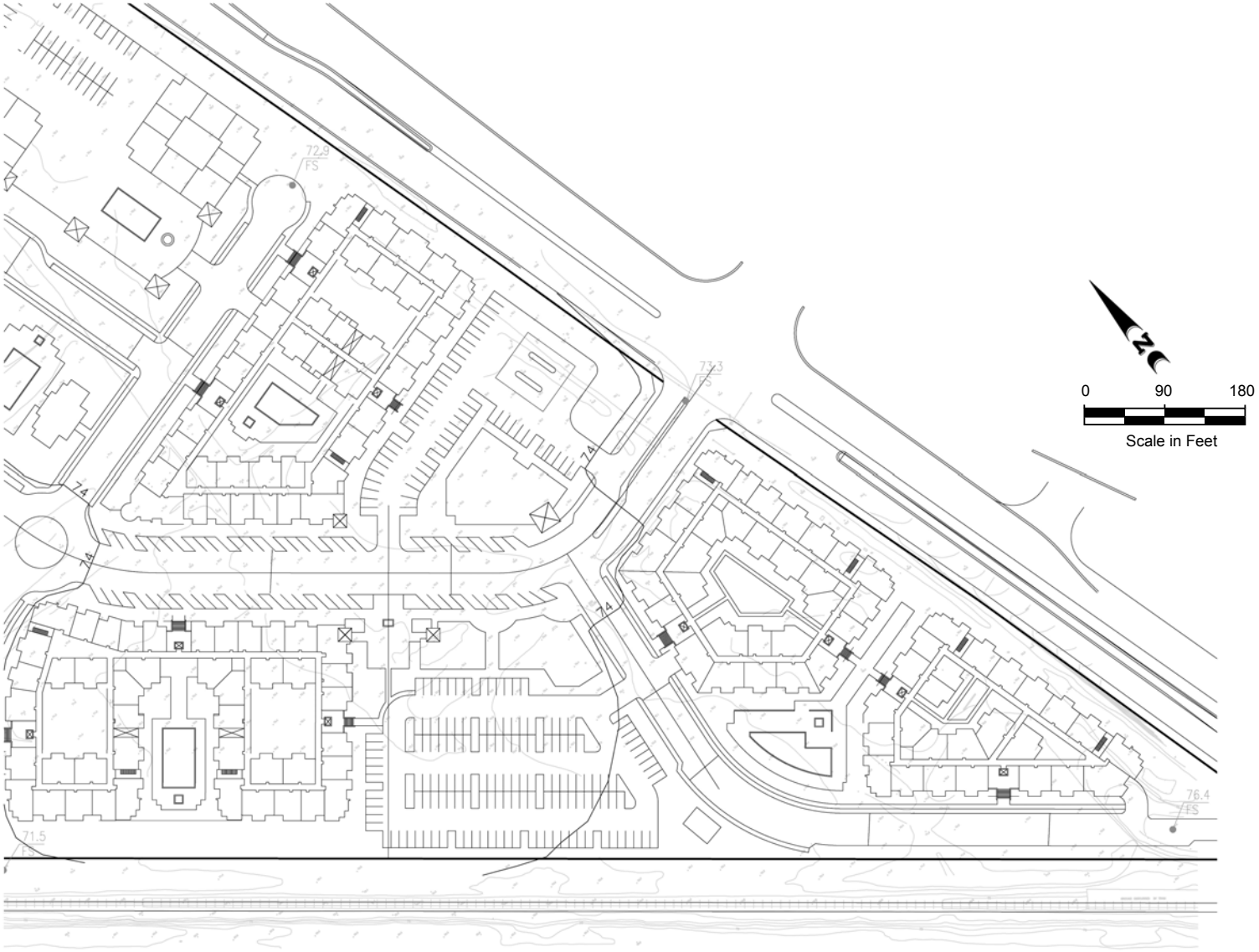


Source: Huitt-Zoliars, Inc., February 2007.

Preliminary Grading Plan - Central Portion of Specific Plan

Figure 2-16c

City of Oxnard



Source: Huitt-Zoliars, Inc., February 2007.

Preliminary Grading Plan - Eastern Portion of Specific Plan

Figure 2-16d

City of Oxnard

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3.0 ENVIRONMENTAL SETTING

This section describes the current environmental conditions on, and in the vicinity of, the Oxnard Village Specific Plan project site, historically known as the Wagon Wheel site. More detailed descriptions of the setting for each environmental issue area can be found in Section 4.0, *Environmental Impact Analysis*.

3.1 REGIONAL SETTING

The City of Oxnard encompasses approximately 24.5 square miles and has an estimated population of 194,905 residents (California Department of Finance, 2008). Oxnard is situated roughly midway between Santa Barbara and Los Angeles and is bounded by the Santa Clara River and unincorporated Ventura County to the north, unincorporated County areas to the east, and the City of Port Hueneme and the Pacific Ocean to the south and west. The City of San Buenaventura (Ventura) is located to the northwest across the Santa Clara River and the City of Camarillo is located to the east. United States Government Naval installations are located at Port Hueneme and Point Mugu, south of the City.

The City of Oxnard is located on the Oxnard Plain, an alluvial plain that covers over 200 square miles in the southern portion of Ventura County. The Oxnard Plain contains fertile soils suitable for farming. The Oxnard area is relatively flat, with elevations ranging from sea level to about 80 feet above mean sea level. Drainage is generally to the southwest toward the Pacific Ocean. Similar to much of Southern California, Oxnard is located within a seismically active region.

Located on the Pacific Ocean, Oxnard enjoys a mild climate characterized by cool winters and moderate summers. Ocean breezes cool the region in the summer and warm it in the winter. Average daytime summer temperatures in the area are usually in the high 70s to 80s (Fahrenheit). Nighttime low temperatures during the summer are typically in the high 50s to low 60s, while the winter high temperature tends to be in the 60s. Characteristic of Oxnard's semi-marine microclimate, the winter low temperatures are in the 40s. Annual average rainfall in Oxnard is about 14 to 16 inches.

3.2 SITE-SPECIFIC SETTING

The Oxnard Village Specific Plan Project site is located near the northwestern edge of the City of Oxnard in western Ventura County. The project site is located in the area identified as the 'Wagon Wheel Specific Planning Area' as identified in the City's 2020 General Plan. The project site is bordered by U.S. Highway 101 and Wagon Wheel Road to the north, Oxnard Boulevard to the east, the Union Pacific railroad right-of-way and the El Rio Drain to the south, and Ventura Road to the west. Major arterials providing immediate access to the regional roadway system include Ventura Road and Oxnard Boulevard (State Route 1). An existing off-ramp from southbound U.S. 101 provides direct freeway access to the northwestern portion of the planning area.

The Wagon Wheel area was originally developed as industrial/commercial subdivision in the 1960s. The project site is currently fully developed with a patchwork of unplanned uses

including aging industrial and commercial facilities in the eastern half of the site, a 169-space mobile home park in the central area, and a newer neighborhood retail center in the western half. Commercial/industrial/institutional structures total approximately 800,000 square feet of existing development, in addition to the 169 mobile home spaces. The current City General Plan land use designation for the site is "Commercial Regional (CR)."

Land uses in the vicinity of the site include the 702-acre RiverPark Towne Center master-planned community to the north, the Esplanade Shopping Center and Topa Financial Plaza to the northeast, an existing residential area known as South Bank and the El Rio Drain to the south, and the Santa Clara River and City boundary to the west.

3.3 CUMULATIVE PROJECTS

CEQA defines cumulative impacts as two or more individual actions that, when considered together, are considerable or will compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be insignificant when analyzed separately, but could have a significant impact when analyzed together. Cumulative impact analysis allows the EIR to provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

The City of Oxnard has posted on its website a list of planned, pending, and approved residential, commercial, and industrial projects within the City. Table 3-1 lists planned and pending projects in the City of Oxnard known at the time of the commencement of this environmental review process.

Table 3-1
Cumulative Projects in the City of Oxnard as of May 2007

DEVELOPER	PROJECT NAME	APN	Address	STATUS*	TOTAL SIZE
Commercial					
Home Depot, USA, Inc.	Home Depot Store	205002045	1355 Channel Islands Rd	1	106,278 sf
T-Mobile USA Inc.	T-Mobile	216020517	2321 Sturgis Rd	1	0 sf
Edward Williams	Victory Lighthouse	220033005	1720 Westar Dr	1	5,130 sf
Gary Swartz	UPRR	201017055	273 E Fifth St	1	4,980 sf
Ed Campel	Oralia's Bakery	203004220	942 W Wooley Rd	1	3,000 sf
James Blum	Arco Station	185017006	500 S Victoria Ay	1	3,314 sf
Coastal Architects, Mike Sanchez	Centerpoint Mall	203032009	2655 Saviers Rd	1	20,000 sf
RGS Architectural Design	Vasquez Retail	225005330	2100 E Pleasant Valley Rd	1	3,569 sf
John Parezo	Oxnard Crossroads	145021115	Ventura Bl	1	11,326 sf
Lauterbach & Associates	Radio Lazer	202009512	S A St	1	69,000 sf
Cal Asia Property Development Co.	Saviers/Laurel	204013424	2330 Saviers Rd	1	7,836 sf
Sunshine R.E. Holdings, LLC.	Channel Islands Carwash & Retail	220009305	Channel Islands Bl	1	6,500 sf

Table 3-1
Cumulative Projects in the City of Oxnard as of May 2007

Statham Lancesmigel	Statham Commercial Development	220001032	2001 Statham Bl	1	22,500 sf
Allen Hurd	Homewood Suites	213005203	1950 Solar Dr	1	87,723 sf
Cal-Asia Property Developement	Oxnard Boulevard & Saviers Shopping Center	204006023	1117 S Oxnard Bl	1	28,211 sf
Shea Properties-Steve Perales	Main Collection	132011023	Town Center Dr	1	677,559 sf
Shea Properties-Steve Perales	West Collection (The Landing)	132011019	Town Center Dr	1	145,000 sf
Shea Properties-Steve Perales	North Collection (The Pointe)	132011016	2801 N Oxnard Bl	1	37,700 sf
Avion Development-Terri Allison	Channel Islands Center	142001034	2420 N Oxnard Bl	1	145,393 sf
Avion Development	Channel Islands Center	142001034	N Oxnard Bl	1	0 sf
Cruz Espinosa	Victory Outreach Church	222010106	232 W Pleasant Valley Rd	1	0 sf
Duesenberg Investment	Financial Tower III	142002260	450 E Esplanade Dr	2	309,429 sf
D.R. Horton	Rancho Victoria	185017005	3600 W Fifth St	2	42,400 sf
SDC-CT Properties	Carriage Square/ Lowe's	139025012	1911 N Oxnard Bl	2	181,024 sf
Archdiocese of Los Angeles	Our Lady of Guadalupe Church	201004107	N Juanita Av	2	16,800 sf
PG Construction	unnamed	201012219	506 Cooper Rd	2	3,292 sf
Mutih Abduhai	unnamed	203006124	1111 S C St	2	5,250 sf
Lauterbach & Associates	Trinity Baptist Church	216006107	450 N Rose Av	2	0 sf
Mark Pittman	Ventura Orthopedic	213008403	2221 Wankel Wy	2	20,000 sf
Doug Off	Golden State Self Storage	144015008	2100 Auto Center Dr	2	64,709 sf
Dragonfly LLC, Chris Kalla	Emerald Professional Bldg.	222001110	5577 Saviers Rd	3	5,587 sf
Irma Madrigal	Paseo Azteca	202014512	618 S A St	3	7,000 sf
Martin Teitelbaum	RiverPark Gateway	132010018	2775 N Ventura Rd	3	74,500 sf
Vladimir Elmanovich	unnamed	220004404	2141 E Channel Islands Bl	3	8,000 sf
Neno Spondello	Centennial Plaza (PHASE II)	202010440	431 S A St	3	4,979 sf
Isidro Durazo	unnamed	202018301	801 S Oxnard Bl	3	993 sf
John Laing	WhiteSails at Westport	188025006	Tradewinds Dr	4	22,000 sf
Layman & Associates	Saviers Center	219003215	3450 S Saviers Rd	4	7,420 sf
Howard Shannon	Unnamed	144012013	2400 Auto Center Dr	4	12,614 sf
P.H.C. Jehovah's Witnesses	Unamed	222026601	601 E. Bard Rd	1	0 sf
Industrial					
Carlisi Development-Barry Carlisi		223004404	720 Arcturus Av	1	0 sf
Carlisi Development-Barry Carlisi		223004403	730 Arcturus Av	1	0 sf

Table 3-1
Cumulative Projects in the City of Oxnard as of May 2007

Sally Anne Smith	Kingdom Hall	222026601	601 E Bard Rd	1	6,040 sf
Lauterbach & Associates	Team Transit Mix	201030202	1560 Mountain View Av	1	0 sf
Latuerbach & Associates	Associated Ready Mixed	216016040		1	0 sf
Jefferey Conrad	Unamed	216015108	2801 Camino Del Sol	1	62,000 sf
EDCO-Elizabeth Callahan	Unnamed	213003148	1950 Williams Dr	1	0 sf
Cabot Place Industrial	Unnamed	216019113	2041 Cabot Pl	1	34,810 sf
Quinn Company	Quinn Equipment Rental Facility	216021104	1001 N Del Norte Bl	1	0 sf
Lanet Shaw Architects	Lansco	220001032	2001 Statham Bl	1	22,500 sf
Craig Lopez	John Hall	216015501	831 Spectrum Cr	1	2,993 sf
D2 Development-Jaime Dinovitz	Teal Club Self Storage	183009037		1	80,407 sf
BLT Enterprises	Unnamed	216015411	3301 Sturgis Rd	1	83,059 sf
Steven Olander	Cal Coast Machinery Phase II	216019312	Rice Av	1	35,280 sf
Southland Sods-Dave Armstrong	South Ormond	231002027	E Hueneme Rd	1	4500000
Mark Pittman	Alcaraz Catering	216016033	2958 Sturgis Rd	1	13700
Raznick Group	Lion's Gate	220022009	2751 Statham Bl	2	124195
Vincent Dyer	Unnamed	220006018	Sunkist Cr	2	8149
Lanet Shaw Architects	Unnamed	220027201	1601 Ives Av	2	29797
Sunbelt Enterprises	Rose & Eastman	216018311	Eastman Av	2	33000
Industrial Park Assoc.	Unnamed	216015311	3000 Camino Del Sol Av	2	114100
Residential					
Juan Cervantes	Cervantes Condo Complex	221006316	901 Cheyenne Wy	1	3 du
Avion Development, Eduardo Savigliano	Channel Islands	142001034	2420 N Oxnard Bl	1	1,277 du
Shea Properties	East Village Apartments	213003145	2000 E. Gonzales Rd	1	272 du
Bill McRenolds	Gateway Walk	204002026	1250 S Oxnard Bl	1	190 du
Hearthside Homes, Ed Mountford	North Ormond Beach	223003012	N Hueneme Rd	1	1,283 du
Lauterbach & Associates	Oneida Courts	181019116	N Ventura Rd	1	4 du
Cornerstone Architects	Reardon Apartments	200032212	465 N A St	1	8 du
Shea Homes	RiverPark-Morning View – Dist H-4	133001001	n/a	1	113 du
Shea Homes	RiverPark-Tradewinds II-Dist H-5	133001001	n/a	1	91 du
Centex	RiverPark-Veranda-Dist H-3	133001001	n/a	1	95 du
Tucker Investments	Rose/Pleasant Valley	224002028	4747 S Rose Av	1	99 du
Sun Cal Companies	Teal Club Specific Plan	183007009	Teal Club Rd	1	1,150 du

Table 3-1
Cumulative Projects in the City of Oxnard as of May 2007

Steadfast-Kyle Winning	The Courts	201010002	100 Carmelita Ct	1	501 du
Eddie Alvarado	Unamed	202012303	545 S G St	1	1 du
Franscisco Espinosa	Unamed	202004204	151 S E St	1	1 du
Jesus Alvarez	Unnamed	201011233	109 N Hayes Av	1	1 du
Casden Properties-Demitius Deigler	Ventura/Vineyard	179004017	1801 W Vineyard Av	1	111 du
Tucker Investments-Anthony Delcado	Victoria/Hemlock	187006009	1830 S Victoria Av	1	112 du
Daily Owens-Jasch Janowitz	Wagon Wheel-The Village	139002201	Oxnard Bl	1	1,500 du
Terry Tar		196002203	5021 Catamaran St	1	2 du
GTS Property	Doris "7"	200029132	333 F St	2	7 du
Cabrillo Economic Development	RiverPark (Lot 19 of Tract 5	132011025	295 Myrtle St	2	140 du
Standard Pacific	RiverPark-Collage Dist I-3	133001067	n/a	2	76 du
Standard Pacific	RiverPark-The Avenue-Dist I-2	133001067	n/a	2	60 du
GTS Property	Sycamore Gardens	200029131	333 F St	2	40 du
Mark Herrera	Unnamed	202004509	411 W First St	2	1 du
Hekar Rivera	Unnamed	201012508	150 S Garfield Av	2	1 du
Paragon Communities	Westwinds II	222005218	5482 Cypress Rd	2	48 du
Roy Milbrandt	Beretta SFD	191042012	1621 Mandalay Beach Rd	3	1 du
Lauterbach & Associates	DAL- Villa San Lorenzo	222010201	130 W Pleasant Valley Rd	3	16 du
Phillip Jon Brown	Herzoff SFD	191009102	1115 Capri Wy	3	1 du
Trimark Pacific-Bill Teller	North Shore	183001069	W Fifth St	3	192 du
Douglas Peters	Pickett Residence	191013237	1251 Capri Wy	3	1 du
Standard Pacific	RiverPark-Celadon II – Dist H-1	133001067	n/a	3	104 du
Shea Homes	RiverPark-Meridian Dist I-4	133001067	n/a	3	159 du
Standard Pacific	RiverPark-Waypointe-Dist I-1	133001067	n/a	3	182 du
Centex	RiverPark-Westerly-Dist. H-2	133001067	n/a	3	83 du
PG Construction	Unnamed	201012219	506 Cooper Rd	3	4 du
Sandefer Construction	Unnamed	191005105	905 Mandalay Beach Rd	3	1 du
Vern Gill	White Duplex	196003109	4931 Dunes Cr	3	1 du
Faulconer & Carawan	Casas de la Playa	191010319	Wooley Rd	4	9 du
Shea Homes	Cottages	183044013	Patterson Rd	4	52 du
Olson Development-Tom Hanes	Heritage Walk	202014309	651 S A St	4	12 du
D.R. Horton	Orbela	185017005	3600 W Fifth St	4	105 du
RiverPark Apartment Ventures	RiverPark Apartments	132011004	Forest Park Bl	4	400 du
Standard Pacific-Jeff Malone	RiverPark-Celadon – T 5537, Dist J-1	132014031	Kiawah River Dr	4	68 du

Table 3-1
Cumulative Projects in the City of Oxnard as of May 2007

Shea Homes	RiverPark-Daybreak-T5536, Dist. J-2	132014031	Kiawah River Dr	4	62 du
Shea Homes	RiverPark-Destination-T5536-1, Dist. F-2	132012016	Riverpark Bl	4	116 du
Centex-Brian Beard	RiverPark-Luminaria-T5538 District G-2	132011002	Garonne St	4	187 du
Shea Homes	RiverPark-Market Street-T5538 Dist G-1	132011002	Garonne St	4	133 du
Centex-Brian Beard	RiverPark-T5538 District G	132011002	Garonne St	4	111 du
Standard Pacific-Jeff Malone	RiverPark-The Avenue-T5537, Dist J-3	132014031	Kiawah River Dr	4	24 du
Shea Homes	RiverPark-Tradewinds-T5537-3, Dist K-3	132014031	Kiawah River Dr	4	19 du
Centex Homes	RiverPark-Trellis-T5536-2, Dist. F-3	132012016	Riverpark Bl	4	50 du
Centex Homes-Brian Beard	RiverPark-Westerly-T5537-2, Dist. K-2	132014031	n/a	4	26 du
Jim Sandefer	Sandefer SFD	191005137	951 Mandalay Beach Rf	4	1 du
D. R. Horton	Seabridge	188025014	Victoria Av	4	708 du
Roy Milbrandt	Silver SFD	191008101	1031 Mandalay Beach Rd	4	1 du
American Housing	Sycamore Senior Village	200029132	333 N F St	4	229 du
Faulconer & Carawan	Unnamed	179023038	Gonzales Rd	4	54 du
Paragon Communities	Unnamed	223007002	Cypress Rd	4	159 du
Alejandro Mendoza	Unnamed	200026229	535 N M St	4	1 du
Roy Milbrandt	Unnamed	191013230	1431 Marine Wy	4	1 du
Sergio Valencia	Unnamed	201012211	525 E. First St	4	1 du
Habitat for Humanity	Villa Cesar Chavez	222008256	381 E. Hueneme Rd	4	6 du
Walt Phillip	Wallin SFD	191019034	685 Mandalay Beach Rd	4	1 du

** Status: 1 = Proposed; 2 = Approved; 3 =Plan Check; 4 = Under Construction*
Abbreviations: n/a = not available; sf = square feet; du = dwelling units
Source: City of Oxnard, Planning Services, Development Summaries
http://planning.cityofoxnard.org/Department.aspx?DepartmentID=7&DivisionID=76&ResourceID=363 May 2007

Table 3-2 Total Cumulative Development in the City of Oxnard

Land Use	Pending Development*
Residential	10,468 du
Commercial	2,171,016 sf
Industrial	5,150,030 sf

** numbers are approximate*
du= dwelling units sf = square feet; numbers.
Source: City of Oxnard, Planning Services, Development Summaries, May 2007

The proposed project is located geographically near the northwestern portion of the City of Oxnard. Cumulative development in the City of Oxnard is spread geographically throughout

the City. Some impacts are not necessarily cumulatively considerable in relation to development that occurs further from the proposed project. For example, aesthetic and noise impacts associated with this project are not likely to be detected in the southern region of the City, whereas their relevance is more profound within an area closer to the project site. Therefore, some individual cumulative impact discussions in their respective issue area sections of the EIR rely on a smaller geographic area and cumulative project assumption based on the issue area. These are noted in the cumulative impact discussions as appropriate. Other issue areas consider cumulative development over a larger geographic area, such as all development within the City boundaries.

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4.0 ENVIRONMENTAL IMPACT ANALYSIS

This section discusses the possible environmental effects of the proposed project for the specific issue areas that were identified through the Initial Study process as having the potential to experience significant impacts. "Significant effect" is defined by the *State CEQA Guidelines* §15382 as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant."

The assessment of each issue area begins with an italicized introduction that summarizes the environmental effects considered for that issue area. This is followed by the setting and impact analysis. Within the impact analysis, the first subsection identifies the methodologies used and the "significance thresholds," which are those criteria adopted by the City, other agencies, universally recognized, or developed specifically for this analysis to determine whether potential effects are significant. The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text, with the discussion of the effect and its significance following. Each bolded effect listing also contains a statement of the significance determination for the environmental effect as follows:

> ***Class I, Significant and Unavoidable:*** *An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved per §15093 of the State CEQA Guidelines.*
>
> ***Class II, Significant but Mitigable:*** *An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings to be made under §15091 of the State CEQA Guidelines.*
>
> ***Class III, Not Significant:*** *An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.*
>
> ***Class IV, Beneficial:*** *An effect that would reduce existing environmental problems or hazards.*

Following each environmental effect discussion is a listing of recommended mitigation measures (if required) and the residual effects or level of significance remaining after implementation of the measures. In those cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed as a residual effect. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other future development in the area.

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4.1 AESTHETICS

4.1.1 Setting

a. Visual Character of the Project Area. The project site is located on the City of Oxnard's northeastern boundary, adjacent to the Santa Clara River. The topography of the site and surrounding areas is relatively flat. The riverbed and banks to the west and northwest of the site provide open space with some vegetation, most prominently willow woodlands and native and nonnative shrubs. To the north is the Riverpark project area, which is partially developed with subsequent phases of development under construction. Riverpark is a planned residential community that includes various density residential development, a town center, school, and parks. Structures will generally be three stories or less. Between the project site and the Riverpark development is U.S. Highway 101, which is elevated atop a raised embankment along the site's northern border. Directly adjacent to and west of Riverpark is the six-story Nordman/Smith Barney office building. Low-rise single family residential development borders the site's southwest boundary. To the east are the higher profile buildings of the Esplanade Mall and the Financial Plaza, including the plaza's two high-rise office towers which are 14 and 21-stories. Between the project site and the mall is the multi-laned Oxnard Boulevard (State Route 1). In general, the City of Oxnard and surrounding areas are relatively flat and characterized by low-rise development. The exceptions, the three high-rise structures (6-story, 14-story and 21-story buildings) discussed above, are all within 0.5 miles of the project site.

Figures 2-3 and 2-4 in Section 2.0, *Project Description*, provide aerial and ground-level views of the project site. Views of the project site from the surrounding area are shown on Figures 4.1-1a and b.

b. Visual Character of the Project Site. The relatively flat 64-acre project site is almost entirely built out with low-rise (generally one to two stories) commercial and industrial structures, as well as streets and commercial signage. Vegetation consists generally of ornamental species as well as small stands of eucalyptus trees. Landscape trees of various species and sizes occur throughout the site. The primary visual features of the site are the taller eucalyptus trees; the more prominent commercial signs, particularly the Wagon Wheel Motel and bowling alley signs; and the motel complex and bowling alley.

With respect to light and glare, the development area currently has street lighting, several lit commercial signs, and some exterior building lighting and security lighting. Because of the relatively low profile of existing development, interior lighting does not contribute substantially to nighttime light. Daytime glare levels from the site are also relatively low. Land uses in the vicinity that would be most sensitive to night lighting are the residences located to the south of the site.

c. Views of and Through the Project Site. Views of the Oxnard Village Specific Plan area are available from Ventura Road to the west, from Oxnard Boulevard (State Route 1) and the Esplanade parking lot/Esplanade Drive to the east, and from U.S. Highway 101 to the north, east and west. The most prominent public views of the site are those of motorists on U.S. Highway 101, as the highway is above the grade of the site, and motorists and pedestrians on Oxnard Boulevard just south of the U.S. Highway 101 interchange. The primary visual features of the site

from U.S. Highway 101 include the taller eucalyptus trees; the more prominent commercial signs, particularly the Wagon Wheel Motel and bowling alley signs; and the motel complex and bowling alley. The primary visual features of the site from Oxnard Boulevard include low-rise commercial development and the displayed cars, signs and banners of an onsite auto-sales yard. The primary visual features of the site from Ventura Road include a rear view of one of the shopping mall structures and a service road and parking area for the mall. Figure 4.1-1 shows selected views of the site from these surrounding public roads; additional views are shown in Figure 4.1-2. Because of the relatively flat topography of the Oxnard Plain, which includes the City of Oxnard as well as much of Ventura and surrounding unincorporated areas, the proposed high-rise residential towers would be visible from many public roads and viewpoints within the larger project vicinity, as illustrated in the visual simulations (Figure 4.1-2).

Very few surrounding residences currently have views of the site. Offices within the commercial high-rises to east have the most unobstructed and complete private views of the site.

d. Existing Shadow Conditions. As indicated above, the project site is developed primarily with one- to two-story buildings, surface parking lots and streets. At these heights, morning and afternoon winter shadows do not extend offsite and do not significantly shade any residential structures.

d. Regulatory Setting. The City of Oxnard's 2020 General Plan includes a number of objectives, policies and policy guidance pertaining to aesthetics and visual resources. These are contained in the Land Use, Open Space/Conservation and Community Design Elements of the General Plan.

Land Use Element.

Goal 2. *Preservation of scenic views, natural topography, natural physical amenities, and air quality.*

Open Space/Conservation Element. The City, working in conjunction with Ventura County and the City of Port Hueneme, selected routes for the City's Scenic Highway System, which is identified in the Open Space/Conservation Element. The Scenic Highways where views may be most affected by the project are portions of Ventura Road, Oxnard Boulevard, Vineyard Avenue and U.S. Highway 101. These roadways are either near the project site, provide views of and across the site, or are locations from which the proposed high-rise towers would be visually prominent.

The Open Space/Conservation Element also discusses the City's scenic resources in general, and states that "the coastal mountains behind the City provide scenic views from areas within the City."

Community Design Element. The City's Community Design Element also identifies views of the topography surrounding the City as scenic resources, stating that north-south streets such as Oxnard Boulevard serve "as important view corridors to the foothills and mountains," and that "these view corridors should be maintained and enhanced." Oxnard Boulevard south of the site is specifically identified as a location

where views of the mountains are available. The Community Design Element further designates U.S. Highway 101 as a "Regional Image Corridor," and Vineyard Avenue and Oxnard Boulevard as "City Image Corridors." The Community Design Element also identifies the Oxnard Boulevard offramp as one of the City's "main entryways" and states that it needs "revitalization and visual upgrading." The following Findings in the Community Design Element are relevant to the aesthetic resources impact discussion:

Finding 3. *The City lacks strong gateways.*
Finding 4. *The City has several view corridors to the mountains that should be maintained and enhanced.*
Finding 5. *Some areas adjacent to the Ventura Freeway have deteriorated and detract from the visual quality of the City.*

The following objectives and policies of the Community Design Element are also applicable to the discussion of impacts to aesthetic resources:

Objective 4. *Revitalize areas of the City which are currently deteriorated or detract from the visual quality of the City.*
Objective 6. *Upgrade major entryways to the City with landscaping and/or signage to enhance the City's image and sense of place.*
Objective 8. *Preserve important view corridors.*
Policy 2. *Freeway corridors should be improved aesthetically through the use of landscaping and adjacent architectural treatment.*
Policy 5. *Revitalization efforts in the Wooley Road Corridor and the Oxnard Boulevard Corridor should be guided by a unified design scheme.*
Policy 6. *The City shall continue to require that the staff Design Review Committee review new development projects for consistency with the City's development design policies and appropriateness for the proposed sites.*
Policy 12. *The design of new neighborhoods in specific plan areas is encouraged to consider themes and principles of design, such as neotraditional town planning, which will help achieve a sense of community and place which is often not found in standard single-family subdivisions. Elements may include central parks, schools and community and commercial facilities, strong pedestrian orientation and de-emphasis of automobile related elements, strong streetscape elements and residence orientation to the street.*
Policy 14. *High-Rise development (which is considered to be any type of inhabitable structure which has nine or more stories) shall be limited to the following areas: Financial Plaza/Oxnard Town Center/Wagon Wheel, Mandalay Bay Specific Plan Area, and Rice Avenue/Highway 101 Interchange.*
Policy 15. *In order to achieve a varied and interesting skyline, high-rise development shall be required to provide roof features and caps which avoid a "flat-top" appearance, and provide relief of exterior vertical planes with vertical setbacks. Specific plans and zoning ordinances shall be amended to provide appropriate design criteria.*
Policy 16. *High-rise buildings should be limited to 25 stories.*

Source: Rincon Consultants, Inc. December 2006

Photo 1 - View east towards the project site from Victoria Avenue between Highway 101 and Olivas Park Road, City of San Buenaventura.

Photo 2 - View southwest towards the project site from the foothills within the City of San Buenaventura (La Honda Drive and Foothill Road).

NOTE: The existing financial towers are visible in each of these photos, providing a reference point for the general location and size of the two proposed residential high-rise towers, which would be similar in height to the taller existing tower.

Selected Public Views of the Project Site

Figure 4.1-1A

City of Oxnard

Source: Rincon Consultants, Inc. December 2006

Photo 3 - View southeast towards the project site from Vineyard Avenue at Stroube.

Photo 4 - View northeast towards the project site from H Street just north of Vineyard Avenue.

NOTE: The existing financial towers are visible in each of these photos, providing a reference point for the general location and size of the two proposed residential high-rise towers, which would be similar in height to the taller existing tower.

Selected Public Views of the Project Site

Figure 4.1-1B

City of Oxnard

4.1.2 Impact Analysis

a. Methodology and Significance Thresholds. The assessment of aesthetic impacts involves qualitative analysis that is inherently subjective in nature. Different viewers react to viewsheds and aesthetic conditions differently. This evaluation measures the existing visual resource against the proposed action, analyzing the nature of the anticipated change. The project site was observed and photographically documented, as was the surrounding area, to assist in the analysis. The City's adopted policies regarding aesthetic resources, cited above, are also considered a guide in the assessment of the value of aesthetic resources; project consistency with these policies is discussed in Section 4.8, *Land Use and Planning*.

An impact is considered significant if it can be reasonably argued that the project would:

- *Adversely affect a viewshed from a public viewing area (such as a park, scenic highway, roadway, or other scenic vista);*
- *Substantially damage an existing visual or scenic resource, including but not limited to trees, rock outcroppings or historic buildings;*
- *Substantially degrade the existing visual character or quality of the site and its surroundings; or,*
- *Create a new source of light or glare that substantially alters the nighttime lighting character of the area.*

In determining shadow effects, several factors are considered:

- *Affected land use (i.e., is it a light-sensitive use whereby sunlight is essential to its use);*
- *Duration (i.e., how many hours per day might a use be shadowed);*
- *Time of day (i.e., is it in shadow at a time of day when sunlight is most important);*
- *Season (i.e., what time of year might a particular use be in shadow);*
- *Extent (i.e., what percentage of a particular use may be in shadow);*
- *Nature of the shadows (i.e., is the shadow more solid or more dappled in nature); and,*
- *Pre-existing conditions (i.e., are there existing buildings, landscaping or other features that currently shadow the use).*

In order for a project to generate a significant shadow impact, it must increase shadows cast upon shadow-sensitive uses. Shadow impacts are considered significant if shadow-sensitive uses would be shaded by project related structures for more than three hours between late October and early April (including Winter Solstice), or for more than four hours between early April and late October (including Summer Solstice). Facilities and operations sensitive to the effects of shading include: solar collectors; nurseries; primarily outdoor-oriented retail uses (e.g., certain restaurants); or, routinely useable outdoor spaces associated with recreational, institutional (e.g., schools), or residential land uses. These uses are considered sensitive because sunlight is important to their function, physical comfort, and/or commerce.

b. Project Impacts and Mitigation Measures.

Impact AES-1 **The visual character of the project site would be substantially altered through the introduction of three high-rise structures surrounded by relatively dense low- and mid-rise development to a site which is currently primarily developed with one- and two-story structures and surface parking lots. This change in visual character is considered a Class I, *significant and unavoidable*, impact.**

The project site is located in an urban area in the northern portion of the City of Oxnard. Surrounding development consists primarily of one- to two-story structures, with the exception of the two high-rise towers to the east in the Financial Plaza, and the six-story Nordman/Smith Barney office building to the north. Existing on-site development consists of one- and two-story structures and surface parking lots. Development of the proposed project would change the visual condition of the site through demolition of the existing structures and removal of mature trees, and the construction of a relatively dense development project of predominately three to four-story structures with up to three 25-story high-rise towers. The project would also fill in surface parking areas and streets that are currently not occupied by structures. Figure 4.1-1 above and Figure 2-4 in Section 2.0 *Project Description* provide views within the project site and from various offsite public viewpoints, respectively. Project renderings are shown in Figures 2-7 and 2-8 in Section 2.0, *Project Description.* Visual simulations of project buildout are provided in Figure 4.1-2.

Although the site is urbanized, the proposed project represents a change in the type and intensity of onsite structural development and would introduce a new scale of development. The existing, relatively unplanned and diverse collection of buildings and surface parking lots would be replaced by dense low- to mid-rise development and three towers roughly ten times taller than the tallest buildings currently on the site. In addition, the new construction would introduce "Mediterranean", "Monterey", European Cottage", "Spanish Revival", "Western", and other styles and materials native to Ventura County to a site currently characterized visually by a mix of commercial buildings in various styles primarily from the 1950s through 1980s, including the western-themed Wagon Wheel Hotel and Restaurant. These changes would be notable primarily from Oxnard Boulevard adjacent to the site and by motorists on U.S. Highway 101 during the short time it takes to pass by. The greatest impression would be the change for motorists exiting U.S. Highway 101 on the Ventura Road and Oxnard Boulevard offramps, as the site would be among the first visual features seen from these "gateway" exits. The change would be one of greater massing, density and height as well as more European-themed architecture and more extensive landscaping. Proposed conceptual landscape and entry treatments are illustrated in Figures 4.1-3 through 4.1-5.

The proposed towers would be visible from some public viewpoints both within and outside of the City of Oxnard. Figures 4.1-1 and 4.1-2 show the Specific Plan area as seen from selected locations that represent the most dramatic public views of the site. The project would be most prominently visible to motorists on the adjacent major roads, particularly Oxnard Boulevard and U.S. Highway 101. The site would also be visible from a short stretch of Ventura Road at the site's western boundary. (From most other public viewpoints within and outside of the City, the project would be entirely or almost entirely obscured by intervening structures,

NOT TO SCALE

Simulated View of Project Site from Northbound Hwy 101

Source: SJI Concept, May 2007

Figure 4.1-2a

City of Oxnard

Simulated View of Project Site Looking West from HWY 101 and Rose Avenue

Source: SJI Concept, May 2007

Figure 4.1-2b

City of Oxnard

NOT TO SCALE

Simulated View of Project Site from
Wagon Wheel and Ventura Road Intersection

Source: SJI Concept, May 2007

Figure 4.1-2c

City of Oxnard

NOT TO SCALE

Simulated View of Project Site Looking North
Along Wagon Wheel Road

Figure 4.1-2d

Source: SJI Concept, May 2007

City of Oxnard

NOT TO SCALE

Simulated View of Project Site Looking East from Hwy 101

Source: SJI Concept, May 2007

Figure 4.1-2e

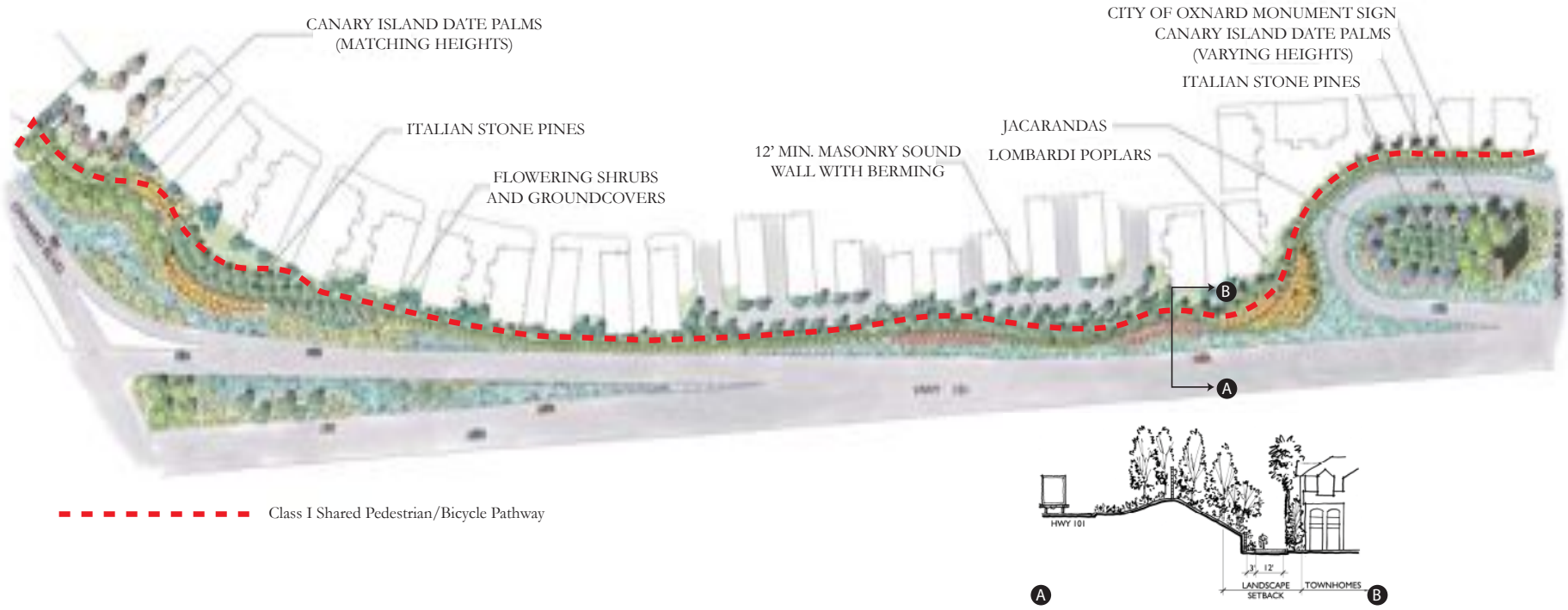
City of Oxnard

Simulated View of Project Site
from Wagon Wheel Road

Source: SJI Concept, May 2007

Figure 4.1-2f

City of Oxnard

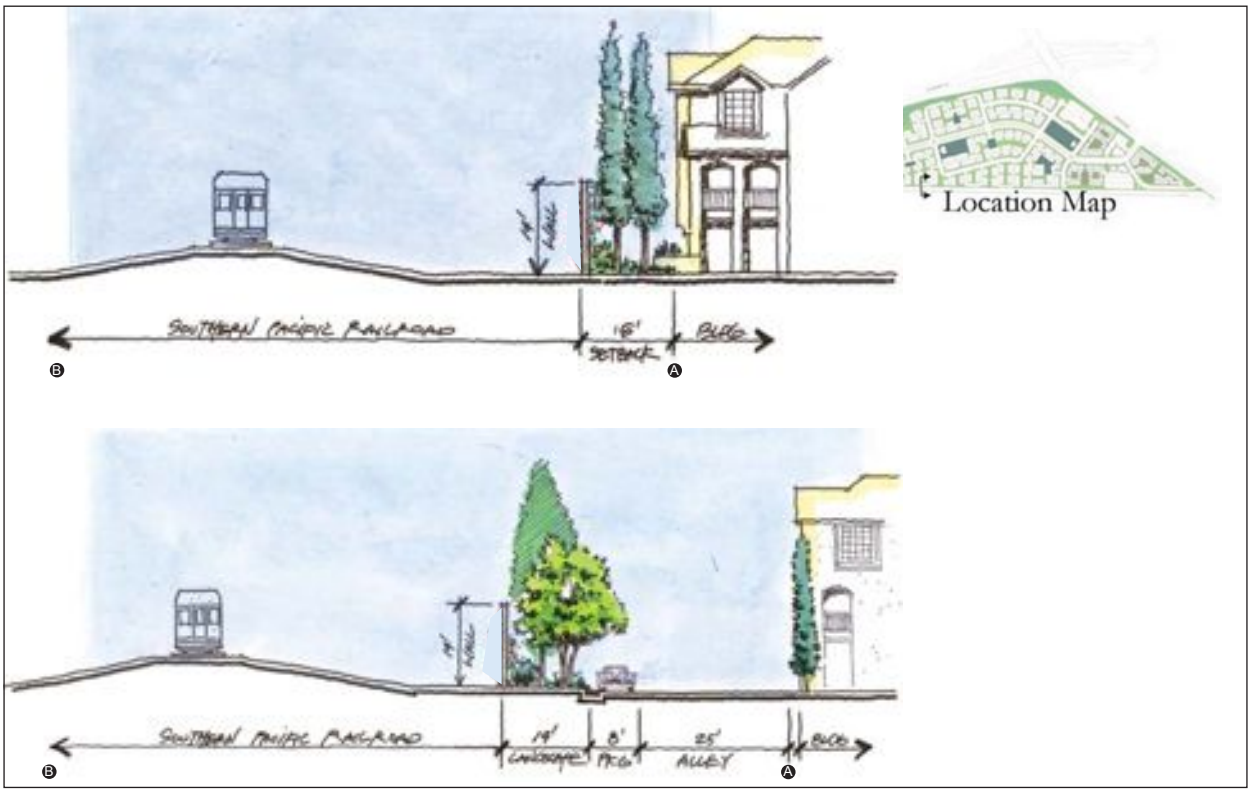


Source: DalyOwens Group 2008.

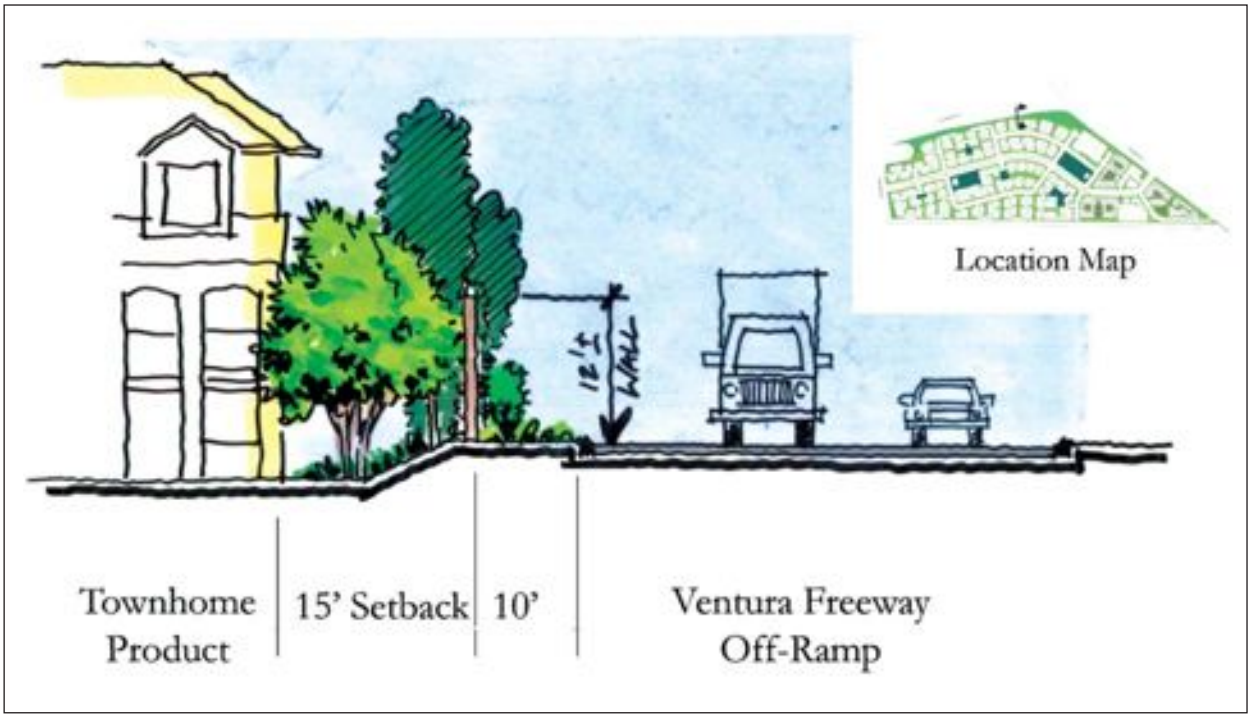
101 Freeway Edge Landscaping

Figure 4.1-3

City of Oxnard



Southern Pacific Railroad Cross-Section



Ventura Freeway Cross-Section

Frontage Cross-Sections

Source: DalyOwens Group 2008.

Figure 4.1-4

City of Oxnard

Key Map

Source: *DalyOwens Group 2008.*

Oxnard Boulevard Entry Landscaping

Figure 4.1-5A

City of Oxnard

Key Map

Source: DalyOwens Group 2008.

Ventura Road Entry Landscaping

Figure 4.1-5B

topography or vegetation.) From a distance, particularly from the east and west, the towers would join the Oxnard Financial Towers, which are of comparable height and located close to the site, expanding the visible high-rises in Oxnard from two to five in number. (Although not a high-rise by most definitions, the six-story, glass-clad Nordman/Smith Barney building on the north side of U.S. Highway 101 could also be seen as part of the high-rise grouping.) Thus from a distance, where visible, the site would change from low-profile development surrounding the existing towers to including towers that would add to a nascent "skyline" effect for northern Oxnard.

The proposed architectural styles, greater density and height profile and more extensive landscaping would change the visual character of the site substantially. As a whole, the site does not currently exhibit a unified aesthetic value that would be substantially degraded by the proposed project. Pursuant to Community Design Element Policy 6, the project requires review by the Staff Design Review Committee prior to approval, which would ensure that the Specific Plan's design guidelines meet the City's aesthetic goals and do not produce an aesthetically offensive development. In addition, proposed extensive landscaping on and at the borders of the site, including tall-stature trees, would offset the loss of the tall eucalyptus trees, scattered ornamental trees and other existing site landscaping, which is currently minimal. Finally, Community Design Element Policy 14 identifies the project area as suitable for high-rise development. Thus, some observers might view the changes to the visual character of the project site as improving its general aesthetic character and furthering adopted General Plan goals for the immediate project area. However, because of the magnitude of the proposed changes and the unique scale and density of the proposed project, changes to the visual character of the site are considered significant, even if not universally viewed as adverse.

Mitigation Measures. Mitigation measures are not available to reduce the impact to the visual character of the site, short of a substantial reduction in intensity and height of proposed development. Please see Section 6.0 *Alternatives* for an analysis of the potential impacts of a reduced project alternative.

Significance After Mitigation. The proposed project would completely alter the visual character of the site by increasing the intensity and profile of site development as well as architecture. Impacts would be significant and unavoidable.

Impact AES-2 **Views of the Transverse Ranges to the north, and of the Santa Monica Mountains to the east, would be partially blocked by the proposed structures from certain public roads including two of those identified as view corridors in the City's General Plan. This is considered a Class I, *significant and unavoidable*, impact.**

As discussed above, the proposed high-rise towers would be visible from a number of roads and viewpoints in the greater project vicinity. As illustrated in Figures 4.1-1 and 4.1-2, mountain views from the east, particularly from South Victoria Road in the City of Ventura as well as from U.S. Highway 101 southbound, and from the south, particularly from the Wagon Wheel Road Bridge over Oxnard Boulevard, would be affected by the project.

From South Victoria Road and U.S. Highway 101 southbound, the proposed towers would be visible against the backdrop of the Santa Monica Mountains. This is illustrated by Figure 4.1-1, Photo 1, with visual reference to the existing Financial Towers, which are of a similar height and general location as the proposed residential towers. However, because the view is already affected by the existing towers; the proposed towers would be in roughly the same location; and the vast majority of the mountain view would remain (due primarily to the intervening distance), the relatively small increment of additional obstruction would be less than significant.

From the Wagon Wheel Bridge over Oxnard Boulevard, and to a lesser extent from Oxnard Boulevard northbound south of the project site, the proposed low-rise residential buildings along Oxnard Boulevard and the proposed towers would completely block existing mountain views to the west and northwest (Figure 4.1-2 d). Existing mountain views in this direction through the site are partially blocked by the one-story development currently on the site; with project implementation the remaining view of the tops of the mountains would be blocked. In general, the mountain view from Oxnard Boulevard, which is a designated view corridor to the mountains, and the Wagon Road Wheel Bridge is best when looking directly up the road to the north; this portion of the view would be unaffected by the project. However, the new structures would remove a substantial portion of what is now a view of a nearly contiguous stretch of mountain tops.

Ventura Road, which forms the site's western border, is also designated as a view corridor. The mountain view eastward through the site from Ventura Road is currently blocked by existing site development and as a result of the higher elevation of the site in relation to the road, and would not be degraded or further blocked by the project. The existing views towards the mountains north and west from Ventura Road would remain.

As previously mentioned, the towers would be visible from other public and private viewpoints in the general vicinity from perspectives that do not block mountain views but from where the towers would intrude into the skyline. Three such perspectives are shown in Photos 2, 3 and 4 in Figure 4.1-1). However, this change in the City skyline is not considered significant, as the view is already affected by the existing towers and as the proposed towers would be in roughly the same location, adding to an emerging "skyline." The skyline is envisioned in the Community Design Element in Policy 14, which states that "High-Rise development…shall be limited to the following areas: Financial Plaza/Oxnard Town Center/Wagon Wheel, Mandalay Bay Specific Plan Area, and Rice Avenue/Highway 101 Interchange." Although not a high-rise by most definitions, the six-story, glass-clad Nordman/Smith Barney building on the north side of U.S. Highway 101 could also be seen as part of a group of "towers."

Mitigation Measures. No mitigation is available the impact to views of the mountains from Oxnard Boulevard.

Significance After Mitigation. The impact would be significant and unavoidable.

Impact AES-3 The proposed project would result in new sources of light and glare on and around the project site, due primarily to the increased density and height of structural development. This is considered a Class II, *significant but mitigable*, impact.

Lighting. Implementation of the proposed project would eliminate some existing light and glare sources and introduce new ones. Potential sources of lighting include the windows of the residential units and ground floor commercial space as well as spillover of light onto the street from the illumination of the proposed towers during the nighttime hours. In addition, building signs including those used to identify the ground floor uses could result in light and glare impacts.

The site vicinity is urban in character, with relatively high levels of existing lighting. The densest lighting is in and around the Esplanade Mall and Financial Plaza. Although the proposed project would not substantially alter this condition, mitigation measures are required to minimize the potential for project-generated nighttime lighting that could adversely affect neighboring areas, particularly adjacent residences and the biological resources of the Santa Clara River.

Glare. Potential sources of glare would consist of glazing (windows) and other reflective materials used in the façades of the proposed structures. Due to the increased height and scale of development, this potential would be greater than other structures in the vicinity and would therefore be a substantial new source of glare when compared to overall development in the area. Glare from the high-rise structures would be especially visible to motorists on Highway 101 and some surrounding surface streets. The overall development may decrease glare over time on some areas of the site compared to existing conditions, as existing surface parking and vehicle sales lots would be replaced by landscaping and structural development, and any surface lots would be better shaded by landscape trees (the proposed Specific Plan calls for parking lot trees to shade at least 30 percent of surface parking areas).

As noted above, the project site is in an urban environment with numerous existing sources of glare. The proposed project would not substantially alter this condition. Nevertheless, mitigation measures are required to minimize the glare effects of the towers on neighboring properties.

Mitigation Measures. The following mitigation measures would reduce potential lighting and glare impacts associated with the proposed project. These measures would apply to all phases of project construction.

AES-3(a) **Lighting Plans and Specifications.** Prior to the issuance of any building permits, the applicant shall submit lighting plans and specifications for all exterior lighting fixtures and light standards to the Planning Department for review and approval. The plans shall include a photometric design study demonstrating that all outdoor light fixtures to be installed are designed or located in a manner as to contain the direct rays from the lights on-site and to minimize spillover of light onto surrounding properties, roadways or the Santa Clara River. All parking structure lighting shall be shielded and directed away from residential uses. Such lighting shall be primarily located and directed so as to provide adequate security.

AES-3(b) **Building Material Specifications.** Prior to the issuance of any discretionary permits for construction under the adopted Specific Plan, the applicant shall submit plans and specifications for all

building materials and colors to the Planning Department for review and approval. All structures facing any public street or neighboring property shall use minimally reflective glass and all other materials and colors used on the exterior of buildings and structures shall be selected with attention to minimizing reflective glare.

AES-3(c) **Light Fixture Shielding.** Prior to the issuance of any building permits, the applicant shall demonstrate to the Planning Department that all night lighting installed on private property within the project site shall be shielded, directed away from residential uses, and confined to the project site. Rooftop lighting shall be limited to security lighting or aviation warning lights in accordance with Airport/Federal Aviation Administration (FAA) requirements. Additionally, all lighting shall comply with all applicable airport safety policies and FAA regulations.

AES-3(d) **Window Tinting.** Prior to the issuance of any building permits, the applicant shall submit plans and specifications showing that building windows are tinted with an antireflective material in order to minimize glare.

Significance After Mitigation. With incorporation of recommended mitigation measures, impacts of the proposed project related to night lighting and glare would be reduced to a less than significant level.

Impact AES-4 **The proposed residential towers would not cast shadows onto existing offsite shadow-sensitive land uses. However, the towers would cast shadows onto proposed residences adjacent to the towers, particularly in the wintertime when shadows are most extreme. However, as shadows from the project would fall on sensitive residential uses for less than three hours per day, shadow impacts would be Class III, *less than significant.***

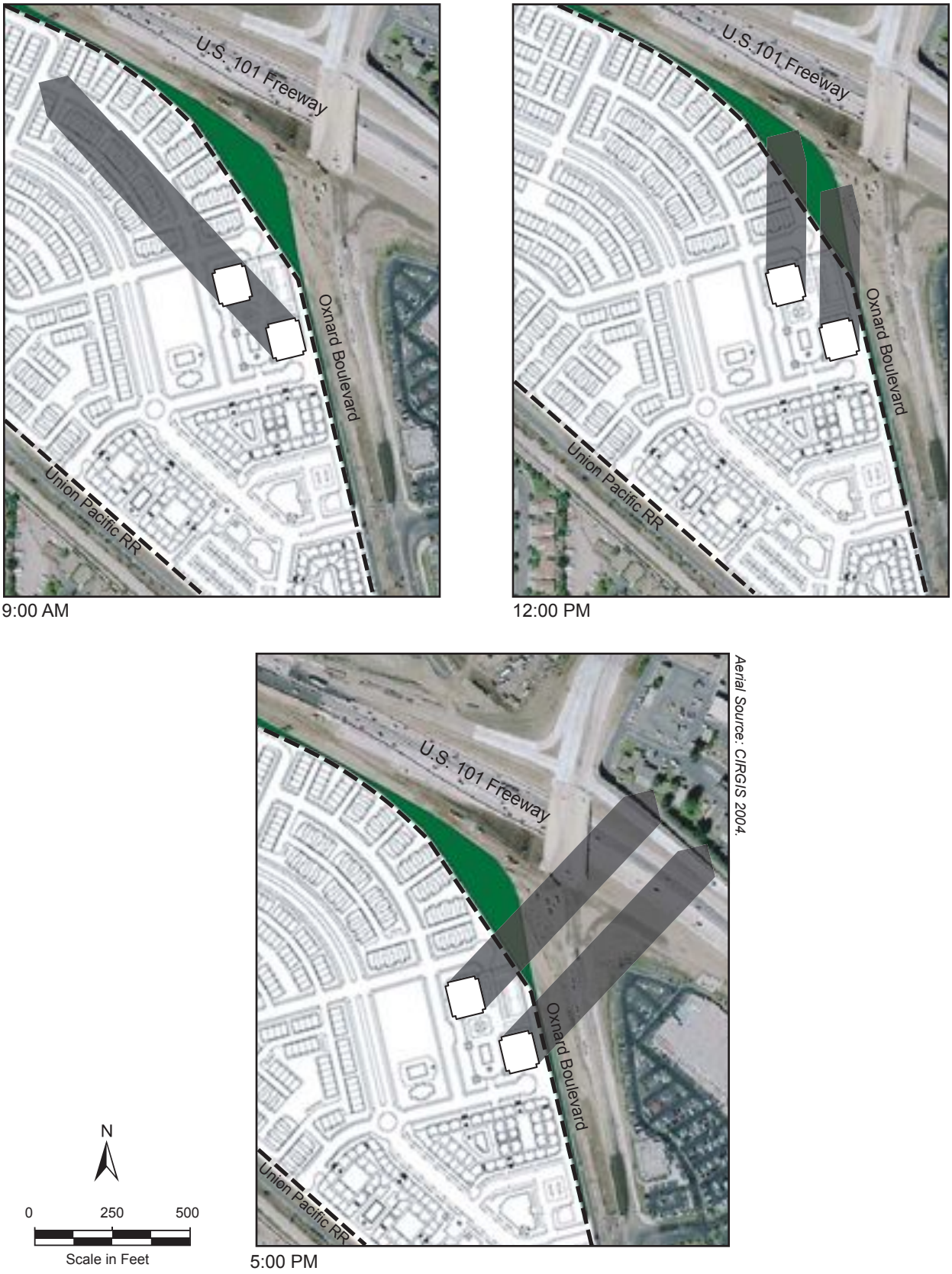
The projected summer solstice (June 21) shadows are illustrated on Figure 4.1-6a. During most of the day in the summer months, shadows would fall primarily on the site. In the morning, a portion of the proposed community park adjacent to the towers would be shaded for less than four hours; although parks are considered a shadow-sensitive use, because the duration of shading would be relatively short, impacts would be less than significant. From late-morning throughout the remainder of the day, shadows would fall only on the parking lot, which is not a

Aerial Source: CIRGIS 2004.

Shadow Affects
June 21st- Summer Solstice

Source: DalyOwens Group 2006.

Figure 4.1-6A



Shadow Affects
December 21st - Winter Solstice

Source: DalyOwens Group 2006.

Figure 4.1-6B

City of Oxnard

shadow-sensitive use, and portions of the courtyards of the towers, which may be considered shadow-sensitive. Again, impacts would be less than significant due to the nature of the uses and the relatively short duration of the shading. Afternoon and evening shadows would fall partially offsite, but onto non-sensitive uses (Oxnard Boulevard). In summary, shadow impacts would not be significant in the summer months.

The estimated winter solstice (December 21) shadows generated by the proposed project are illustrated on Figure 4.1-6b. As shown in the figure, shadows from the towers would be cast several hundred feet to the northwest in the morning, to the north at midday, and to the northeast in the afternoon. Although these shadows would not fall on existing off site shadow-sensitive uses, they would fall on proposed on site shadow-sensitive uses, the proposed three-story townhomes, in the winter months. However, as no residence would be shaded for over three hours per day, impacts would be less than significant. The tower parking lots and portions of the tower courtyards would also be shaded throughout the day, but impacts would again be less than significant as courtyards would only be partially shaded and parking lots are not a shadow-sensitive use.

Mitigation Measures. None required.

Significance After Mitigation. Shadow impacts would be less than significant without mitigation.

Impact AES-5 Phased construction would leave large expanses of the site graded but otherwise unimproved and unlandscaped between phases. This would result in a Class II, *significant but mitigable*, aesthetic impact.

Construction of the basic "backbone infrastructure" for the site, demolition of all existing uses east of the Mobile Home Park, and mass grading of pads for residential development are all part of the proposed first phase of the project. This approach would mean that large expanses of the site would be cleared and graded at the start, while structures, hardscape and landscaping are installed in later phases, which would take place over a period of up to seven years. As a result, areas of the site could remain essentially as "bare dirt," which could be considered visually unattractive.

Mitigation Measures. Mitigation Measure HWQ-1 in Section 4.7 *Hydrology and Water Quality* requires that "during and between all phases of construction, all exposed graded and/or disturbed surfaces shall be reseeded with ground cover vegetation to minimize erosion if construction of structures and/or paving or installation of project landscaping is not scheduled to occur within four (4) weeks of completion of grading." With adherence to this measure, the open areas would appear more like a grassy field, which would be a great improvement over bare dirt and debris.

Significance After Mitigation. With adherence to Mitigation Measure HWQ-1, impacts would be less than significant without further mitigation.

c. Cumulative Impacts. The proposed project combined with other planned and pending projects near the Wagon Wheel site (see Table 3-1 in Section 3.0, *Environmental Setting*) would contribute toward creating a denser and "taller" urban environment in northern Oxnard.

Three of the most prominent projects in the vicinity include 1) RiverPark (under construction), which consists of relatively dense low- to mid-rise development almost directly across U.S. Highway 101, north of the Oxnard Village site; 2) Channel Islands Center (proposed), which consists of three high-rise towers approximately 0.5 miles south/southeast of the site; and 3) the approved but not yet built Financial Tower III in the Esplanade/Financial Center area within 0.5 miles southeast of the site. As discussed above, these projects, particularly the four additional approved and proposed towers, would change the profile of Northern Oxnard by creating a larger grouping of high-rises and a "skyline" effect. In total this area would include an assemblage of nine high-rise towers (two existing towers, one approved and un-built tower as part of the Oxnard Financial Plaza, three towers proposed as part of Channel Islands Development, and three towers proposed as part of this Oxnard Village project), as well as the six-story Nordman/Smith Barney office building to the north. The resulting change in aesthetic character in the northern area of Oxnard is considered cumulatively significant.

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4.2 AIR QUALITY

This section assesses the impacts of the proposed Oxnard Village Specific Plan Project upon local and regional air quality. Both temporary impacts relating to onsite construction activity and long-term impacts associated with operation of the proposed project are discussed. Please note that discussions regarding global climate change and greenhouse gas emissions are contained in Section 5.2 of this EIR.

4.2.1 Setting

The physical and regulatory air quality settings of the area are described in detail in the Ventura County Air Quality Management Plan (AQMP) and the Ventura County Air Quality Assessment Guidelines (October 2003). The current AQMP was adopted in 1994, and revised in 1995, 1997, and 2004. A Final Draft 2007 AQMP has been developed and is currently undergoing public review (http://www.vcapcd.org/Draft2007AQMP.htm). This plan presents Ventura County's strategy for attaining the federal 8-hour ozone standard, and presents the VCAPCD Triennial Assessment and Plan Update required by the California Clean Air Act of 1988.

These documents are herein incorporated by reference and are available for review at the Ventura County Air Pollution Control District (VCAPCD) at 669 County Square Drive, Ventura, California, 93003. Information regarding air quality is also available online at the VCAPCD's website (www.vcapcd.org). The following section briefly summarizes information from the AQMP and other pertinent materials.

a. Climate and Meteorology. The semi-permanent high-pressure system west of the Pacific Coast strongly influences California's weather. It creates sunny skies throughout the summer and influences the pathway and occurrence of low-pressure weather systems that bring rainfall to the area during October through April. As a result, wintertime temperatures in Oxnard are generally mild while summers are warm and dry. During the day, the predominant wind direction is from the west and southwest, and at night, wind direction is from the north.

These predominant wind patterns are occasionally broken during the winter by storms coming from the north and northwest and by episodic Santa Ana winds. Santa Ana winds are strong northerly to northeasterly winds that originate from high-pressure areas centered over the desert of the Great Basin. These winds are usually warm, very dry, and often full of dust. They are particularly strong in the mountain passes and at the mouths of canyons.

Average daytime summer temperatures in the area are usually in the high 70s to 80s (Fahrenheit). Nighttime low temperatures during the summer are typically in the high 50s to low 60s, while the winter high temperature tends to be in the 60s. Characteristic of Oxnard's semi-marine microclimate, typical winter low temperatures are in the 40s. Annual average rainfall in Oxnard is about 14 to 16 inches.

Two types of temperature inversions (warmer air on top of colder air) are created in the Ventura County area: subsidence and radiational (surface). The subsidence inversion is a regional effect created by the Pacific high in which air is heated as it is compressed when it

flows from the high-pressure area to the low-pressure areas inland. This type of inversion generally forms at about 1,000 to 2,000 feet and can occur throughout the year, but is most evident during the summer months. The more rapid cooling of air near the ground at night, especially during winter, forms surface inversions. This type of inversion is typically lower and is generally accompanied by stable air. Both types of inversions limit the dispersal of air pollutants within the regional airshed. The primary air pollutant of concern during the subsidence inversions is ozone, while carbon monoxide and nitrogen oxides are of greatest concern during winter inversions.

b. Regulatory Jurisdiction. The federal and state governments have been empowered by the federal and state Clean Air Acts to regulate the emission of airborne pollutants and have established ambient air quality standards for the protection of public health. The United States Environmental Protection Agency (USEPA) is the federal agency designated to administer air quality regulation, while the Air Resources Board (ARB) is the state equivalent in the California Environmental Protection Agency. Local control in air quality management is provided by the ARB through county-level Air Pollution Control Districts (APCDs) and multi-county Air Quality Management Districts (AQMDs). The ARB has established state air quality standards and is responsible for control of mobile emission sources, while the local APCDs and AQMDs are responsible for enforcing standards and regulating stationary sources. The ARB has established 14 air basins statewide. The project site is located in the South Central Coast Air Basin and is within the jurisdiction of the VCAPCD.

The proposed project would include a temporary aggregate recycling facility (see Section 2.4.7). Operation of the aggregate recycling facility would require a permit either through the California Air Resources Board (ARB) or the Ventura County Air Pollution Control District (VCAPCD). If the recycling facility resides at one location for less than 12 consecutive months, a permit is required under ARB's Portable Equipment Registration Program. If the facility resides at one location for more than 12 consecutive months, the VCAPCD's Permit to Operate-Authority to Construct permit is required.

c. Air Quality Standards. Federal and state standards have been established for ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulates less than 10 microns and 2.5 microns in diameter (PM_{10} and $PM_{2.5}$), and lead (Pb). California has also set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility reducing particles. Table 4.2-1 (following page) lists the current ambient air quality standards. The federal primary standard for eight-hour ozone was recently decreased from 0.08 ppm to 0.075 ppm on March 27, 2008.

Air pollution is hazardous to health, diminishes the production and quality of many agricultural crops, reduces visibility, degrades soils materials, and damages native vegetation. Of these effects, human health effects are of the greatest concern and are the key determinant for the establishment of the primary air quality standards discussed in this section of the EIR. The health and safety effects of air pollutants are described in the VCAPCD Air Quality Assessment Guidelines (October 2003). The criteria pollutants and their potential health effects are described below.

Carbon Monoxide. Carbon monoxide, a colorless, odorless, poisonous gas, is a local pollutant that in high concentrations is found only very near the source. Carbon monoxide is a

Table 4.2-1 Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standards	California Standard
Ozone	1-Hour	---	0.09 ppm
	8-Hour	0.075 ppm	0.07 ppm
Carbon Monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.03 ppm
	1-Hour	---	0.18 ppm
Sulfur Dioxide	Annual	0.03 ppm	---
	24-Hour	0.14 ppm	0.04 ppm
	1-Hour	---	0.25 ppm
PM_{10}	Annual	---	20 g/m^3
	24-Hour	150 g/m^3	50 g/m^3
$PM_{2.5}$	Annual	15 g/m^3	12 g/m^3
	24-Hour	35 g/m^3	--
Lead	30-Day Average	---	1.5 g/m^3
	3-Month Average	1.5 g/m^3	---

ppm = parts per million
$\mu g/m^3$ = micrograms per cubic meter
Source: California Air Resources Board, www.arb.ca.gov/research/aaqs/aaqs2.pdf, April 1, 2008.

by-product of fuel combustion, but is generally not a concern with typical residential stationary sources (gas water and space heaters, gas dryers) since these are required by law to be properly vented. Automobile traffic is a major source of carbon monoxide with elevated concentrations usually found only near areas of high traffic volumes. Carbon monoxide's health effects are related to its affinity for hemoglobin in the blood. At high concentrations, carbon monoxide reduces the amount of oxygen in the blood, causing heart difficulties in people with chronic diseases, reduced lung capacity and impaired mental abilities.

Ozone. Ozone is produced by a photochemical reaction (triggered by sunlight) between nitrogen oxides (NO_x) and reactive organic gases (ROG).[1] Nitrogen oxides are formed during fuel combustion while reactive organic gases are formed during combustion and evaporation of organic solvents. Because ozone requires sunlight to form, it mostly occurs in concentrations considered serious between the months of May and October. Ozone is a pungent, colorless toxic gas that can cause detrimental health effects including respiratory and eye irritation and possible changes in lung functions. Groups most sensitive to ozone include children, the elderly, persons with respiratory disorders, and people who exercise strenuously outdoors.

[1] *Organic compound precursors of ozone are routinely described by a number of variations of three terms: hydrocarbons (HC), organic gases (OG), and organic compounds (OC). These terms are often modified by adjectives such as total, reactive, or volatile, and result in a rather confusing array of acronyms: HC, THC (total hydrocarbons), RHC (reactive hydrocarbons), TOG (total organic gases), ROG (reactive organic gases), TOC (total organic compounds), ROC (reactive organic compounds), and VOC (volatile organic compounds). While most of these differ in some significant way from a chemical perspective, from an air quality perspective two groups are important: non-photochemically reactive in the lower atmosphere, or photochemically reactive in the lower atmosphere (HC, RHC, ROG, ROC, and VOC). VCAPCD uses the abbreviations ROG and ROC interchangeably to denote organic precursors.*

Nitrogen Dioxide. Nitrogen dioxide (NO_2) is a by-product of fuel combustion, with the primary source being motor vehicles and industrial boilers and furnaces. The principal form of nitrogen oxide produced by combustion is nitric oxide (NO), but NO reacts rapidly to form NO_2, creating the mixture of NO and NO_2 commonly called NO_x. Nitrogen dioxide is an acute irritant, but at typical atmospheric concentrations, it is only potentially irritating. A relationship between NO_2 and chronic pulmonary fibrosis may exist, and an increase in bronchitis in young children at concentrations below 0.3 parts per million (ppm) may occur. Nitrogen dioxide absorbs blue light and causes a reddish brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of PM_{10} and acid rain.

Suspended Particulates. PM_{10} is small particulate matter measuring no more than 10 microns in diameter, while $PM_{2.5}$ is fine particulate matter measuring no more than 2.5 microns in diameter. Suspended particulates are mostly dust particles, nitrates, and sulfates. Suspended particulates are a by-product of fuel combustion and wind erosion of soil and unpaved roads, and are directly introduced into the atmosphere through these processes. Suspended particulates are also created in the atmosphere through chemical reactions. The characteristics, sources, and potential health effects associated with the small particulates (those between 2.5 and 10 microns in diameter) and fine particulates ($PM_{2.5}$) can be very different. The small particulates generally come from windblown dust and dust kicked up from mobile sources. The fine particulates are generally associated with combustion processes as well as being formed in the atmosphere as a secondary pollutant through chemical reactions. Fine particulate matter is more likely to penetrate deeply into the lungs and poses a serious health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the small and fine particulate matter that is inhaled into the lungs remains there, which can cause permanent lung damage. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an adsorbed toxic substance.

The Air Resource Board (ARB) currently recommends that local agencies avoid siting new sensitive land uses, including residences, within 500 feet of a freeway (ARB, *Air Quality and Land Use Handbook*, April 2005). However, the report states that that the recommendation are strictly advisory and that local agencies are expected to balance them with other considerations, which presumably include the land use context and local land use priorities including housing needs.

d. Current Ambient Air Quality. The local air quality management agency is required to monitor air pollutant levels to assure that the applicable air quality standards are met and, in the event they are not, to develop strategies to meet these standards. Depending on whether the standards are met or exceeded, the local air basin is classified as being in "attainment" or "nonattainment." Ventura County, within which the project site lies, is designated under the federal standard as nonattainment for 1-hour and 8-hour ozone (Draft AQMP, 2007). State nonattainment designations are in effect for ozone, $PM_{2.5}$, and PM_{10} within Ventura County.

To identify ambient concentrations of criteria pollutants, the Ventura County APCD operates eight air quality monitoring stations throughout the County. The monitoring station located closest to the proposed project and most representative of air quality within the City of Oxnard is the El Rio station (about 2.3 miles northeast of the project site). This station currently monitors the ambient concentration levels of O_3, CO, NO_2, SO_2, and suspended particulates (PM_{10} and $PM_{2.5}$). Table 4.2-2

summarizes the annual air quality data for 2002-2006 in the local airshed for the criteria pollutants of greatest concern in Ventura County.

Table 4.2-2 Ambient Air Quality at the El Rio Monitoring Station *

Pollutant	2002	2003	2004	2005	2006
Ozone, ppm - maximum hourly concentration (ppm)	0.086	0.081	0.084	0.076	0.089
Number of days of state exceedance (>0.09 ppm)	0	0	0	0	0
Number of days of federal exceedance (>0.12 ppm)	0	0	0	0	0
Ozone, ppm – maximum 8 hour average	0.067	0.071	0.079	0.067	0.070
Number of days of federal 8-hour average exceedance (>0.075 ppm)	0	0	*0* **	0	0
Carbon Monoxide - maximum 8-hour concentration (ppm)	1.2	3.5	1.5	N/a	N/a
Number of days of state 8-hour exceedance (>9 ppm)	0	0	0	N/a	N/a
Particulate Matter <10 microns, maximum 24-hour average concentration in $\mu g/m^3$	97.4	123.8	59.6	54.4	119.4
Number of state 24-hour average exceedance (>50 $\mu g/m^3$) sampled/calculated	2	5	1	2	4
Number of federal 24-hour average exceedance (>150 $\mu g/m^3$) sampled/calculated	0	0	0	0	0
Particulate Matter <2.5 microns, maximum 24-hour average concentration in $\mu g/m^3$	29.4	81.7	28.2	35.2	29.8
Number of federal 24-hour exceedances (65 $\mu g/m^3$)	0	1	0	0	0

N/a = Not available
Source: California Air Resources Board, Air Quality Data Statistics, http://www.arb.ca.gov/adam/cgi-bin/db2www/adamtop4b.d2w/start
** California standards for ozone, carbon monoxide, and particulate matter are not to be exceeded. Federal standard for CO not to be exceeded more than once per year. Federal ozone standard is attained when the fourth highest eight hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m3 is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. [Source: ARB, April 2008]*
*** Did not exceed the 1997 federal 8-hour standard; unknown number of days exceeding the March 2008 revised standard.*

Concentrations of ozone, carbon monoxide, and PM_{10} at the El Rio Monitoring Station in Oxnard achieved (did not exceed) state standards during the past five years, and were also below the then federal standards. In 2004, the newly adopted (March 2008) federal eight-hour ozone standard was exceeded an unknown number of days. The federal 24-hour standard for $PM_{2.5}$ was exceeded once in 2003 for the El Rio Monitoring Station. Although the El Rio Station recorded pollutant levels that were below federal and state standards for ozone and PM_{10}, Ventura County as a whole exceeds state and federal standards for ozone and PM_{10} (as monitored in Ojai and Simi Valley). Ozone is a secondary pollutant that is not produced directly by a source, but rather is formed by a reaction between oxides of nitrogen (NO_x) and reactive organic compounds in the presence of sunlight. Reductions in ozone concentrations are dependent upon reducing emissions of these precursors. The major sources of ozone precursors in Ventura County are motor vehicles and other mobile equipment, solvent use, pesticide application, the petroleum industry, and electric utilities. The major sources for PM_{10} are road dust, construction equipment and activities, mobile sources, and farm operations.

e. Ventura County Air Quality Management Plan. The Federal Clean Air Act Amendments (CAAA) mandates that states submit and implement a State Implementation

Plan (SIP) for areas not meeting air quality standards. The SIP includes pollution control measures to demonstrate how the standards will be met through those measures. The SIP is established by incorporating measures established during the preparation of AQMPs and adopted rules and regulations by each local APCD and AQMD, which are submitted for approval to the ARB and the USEPA. The goal of an AQMP is to reduce pollutant concentrations below the National Ambient Air Quality Standards (NAAQS) through the implementation of air pollutant emissions controls.

The 1994 VCAPCD AQMP, revised in 1995, was approved by the USEPA in September 1996 and is the current approved AQMP. It includes multiple air pollution control measures to reduce emissions and bring the region into compliance with the federal ozone standard. EPA designated Ventura County a moderate nonattainment area for the 8-hour ozone standard based on Ventura County's ozone levels over the previous three years on June 15, 2004. Moderate ozone nonattainment areas are required to obtain the federal 8-hour ozone standard by June 15, 2010. On February 14, 2008, ARB formally requested that EPA reclassify Ventura County to a serious 8-hour ozone nonattainment area. This means that Ventura County must meet the federal 8-hour ozone standard by June 15, 2013. VCAPCD has released a Final Draft 2007 AQMP (March 2008), which presents new control measures intended to bring the County into compliance by that date.

The 2007 AQMP also presents the 2003 – 2005 Triennial Assessment and Plan Update required by the California Clean Air Act (CCAA). The goal of the CCAA is to achieve more stringent health-based state air quality standards at the earliest practicable date. Ventura County is designated a severe nonattainment area under the CCAA and must meet many of the most stringent requirements under this act.

While the Final Draft 2007 AQMP contains some additional local control measures, most of the emissions reductions that Ventura County needs to attain the federal 8-hour ozone standard and continued progress to the state ozone standard will come from the ARB's 2007 SIP. This SIP contains comprehensive emission reduction programs that focus on reducing emissions from mobile sources, consumer products, and pesticides to significantly improve air quality. Based on photochemical modeling and the use of the local and state control measures, Ventura County is projected to attain the federal ozone standard by the required 2013 date.

f. Sensitive Receptors Near the Project Area. The proposed project area encompasses 64 contiguous acres and sensitive receptors are located primarily south of the project area, and also within the project site at the mobile home park. Sensitive receptors in the project vicinity are Rio Del Norte School (~1/2 miles from project site) and Sierra Linda School (~1 mile from project site), and the residential neighborhood bordering the site on the south. The nearest hospital is St. Johns Regional Medical Center, located approximately three miles to the east from the project site. Children and elderly people are at the greatest health risk from air pollutants, and are present within the surrounding neighborhoods.

4.2.2 Impact Analysis

a. Methodology and Significance Thresholds. The City of Oxnard Threshold Guidelines (1995) for air quality impacts are derived from those of the VCAPCD. The most

recent VCAPCD comprehensive publication regarding air quality assessment is the Ventura County *Air Quality Assessment Guidelines* (October 2003).

The VCAPCD's *Air Quality Assessment Guidelines* recommend significance thresholds for projects proposed in Ventura County. Under these guidelines, projects that generate more than 25 lbs per day of ROG or NO_x are considered to individually and cumulatively jeopardize attainment of the federal ozone standard and thus have a significant adverse impact on air quality.

The VCAPCD's 25 lbs per day thresholds for ROG and NO_x does not apply to construction emissions since such emissions are temporary. For construction impacts, the VCAPCD recommends imposition of mitigation if emissions of either pollutant exceed 25 pounds per day. The VCAPCD also recommends minimizing fugitive dust through various dust control measures.

The VCAPCD has not established numeric thresholds for particulate matter. However, a project that may generate fugitive dust emissions in such quantities as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons, or which may endanger the comfort, repose, health, or safety of any such person, or which may cause or have a natural tendency to cause injury or damage to business or property is considered to have a significant air quality impact by the VCAPCD. This threshold is particularly applicable to the generation of fugitive dust during construction grading operations. As outlined in the VCAPCD's *Guidelines for the Preparation of Air Quality Impact Analyses*, the project's impact is considered significant if it would:

- *Generate daily emissions exceeding 25 lbs of reactive organic compounds (ROC/G) or nitrogen oxides (NO_x);*
- *Cause an exceedance or making a substantial contribution to an exceedance of an ambient air quality standard;* [2]
- *Directly or indirectly cause the existing population to exceed the population forecasts in the most recently adopted AQMP;*
- *Be inconsistent with the Ventura County AQMP and emit greater than two lbs of ROC/G or NO_x per day; or,*
- *Create a human health hazard by exposing sensitive receptors to toxic air emissions.*

<u>Construction and Operational Emissions Estimates</u>. URBEMIS 2007 (Version 9.2.4) was used to perform emissions estimates. Default assumptions were used to calculate construction, area, and operational emissions associated with the project, when project specific information was not available. In addition, the VCAPCD indicated that construction emissions associated with the operation of the aggregate recycling facility did not need to be quantified, due to their temporary nature (personal communication, Alicia Stratton, VCAPCD, April 2007). Measures to reduce air emissions from this source would be required as part of the operational

[2] *"Substantial" is defined as making measurably worse an existing exceedance. Since the VCAPCD does not provide a numerical value for "substantial contribution," changes in carbon monoxide concentrations were determined to be significant and substantial for this analysis if concentrations including project traffic caused an exceedance of the California one-hour standard of 20 parts per million (ppm) carbon monoxide or the federal and state eight-hour standard of 9.0 (ppm) is exceeded. This latter standard follows the South Coast Air Quality Management District (SCAQMD) definition of significance for CO impacts (SCAQMD, CEQA Handbook,1993).*

permitting process. Therefore, the air quality modeling for construction emissions did not include emissions from the aggregate recycling facility. The estimated number of vehicle trips used to estimate air quality impacts is from the EIR traffic study and represents a net increase (proposed use minus existing use; see Section 4.13, *Transportation & Circulation*).

Carbon Monoxide "Hot Spot" Analysis. According to the Ventura County *Air Quality Assessment Guidelines*, a CO screening analysis should be conducted for intersections that would be significantly affected by a proposed project and that experience, or are anticipated to experience, level of service (LOS) E or F. "Hot spots" are defined as locations where local ambient CO concentrations exceed the State or Federal ambient air quality standards. Such concentrations typically occur near heavily congested roadway intersections.

Diesel Particulate Matter. Diesel particulate matter impacts associated with onsite construction and long term operations on local roadways were assessed based in part on the scenarios developed by the ARB for the *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles* (October 2000). In addition to the criteria discussed above, a screening level health risk analysis was conducted with regard to diesel exhaust particulate matter emissions (identified by the ARB as a toxic air contaminant [TAC]) as requested by the VCAPCD (memorandum of November 6, 2006). The significance threshold differs from the above analysis in that no specific air quality standards have been established for diesel particulate emissions or many other toxic pollutants. Instead, significance thresholds are determined based on an analysis of the number of excess cancers relative to a chosen risk level. Excess cancer risks are defined as those occurring in excess of or above and beyond those risks that would normally be associated with a location or activity if toxic pollutants were not present.

The USEPA considers for risk management those pollutants that could cause carcinogenic risk between one in 10,000 (1.0×10^{-4} or 1.0E-04) and one in one million (1.0×10^{-6} or 1.0E-6), with the latter criteria generally used for development of Preliminary Remediation Goals (PRG's). Passage of Proposition 65 (encoded in California Health and Safety Code Section 25249.6) in 1986 prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning. For a chemical that is listed as a carcinogen, the "no significant risk" level under Proposition 65 is defined as the level which is calculated to result in not more than one excess case of cancer in 100,000 individuals (1×10^{-5}) exposed over a 70-year lifetime. The VCAPCD recommends that this cancer risk level (also reportable as 10 in one million) be used as the significance threshold for toxic air contaminants (VCAPCD, October 2003). The American Cancer Society (2007) reports that in the U.S., men have a one in two chance (0.5 probability) and women about one in three chance (0.3) probability of developing cancer during a lifetime, with one in four deaths (0.23) in the U.S. attributed to cancer. Given this background carcinogenic risk level in the general population, application of a 10^{-5} excess risk limit means that the contribution from a toxic hazard should not cause the resultant risk for the exposed population to exceed 0.5001 for men and 0.33001 for women. In addition, the VCAPCD recommends that the non-carcinogenic hazards for TACs at ground level should not exceed a hazard index of greater than one.

Construction equipment emissions were based on the ARB *Offroad Emissions Model* parameters (June 1999) and the EPA (1998) *Exhaust Emission Factors for Nonroad Engine Modeling*.

Approximate equipment numbers and operational hours were obtained from the applicant's engineer and ARB modeling estimates.

Diesel particulate matter impacts associated with onsite construction and long term operations on local roadways were assessed based in part on the scenarios developed by the ARB for the *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles* (October 2000). The construction scenario included developing estimates of the number and activity pattern of the equipment to be used at the site and the maximum amount of land area likely to be under construction at one time. An overall emission rate was developed and the SCREEN3 model was run based on an area source scenario. SCREEN3 is a screenline model intended to determine under a worst-case basis whether or not emissions have the potential to result in concentrations of concern. Typically, this model will predict concentrations an order of magnitude (10 times) or more greater than if a more detailed and complex model were used. This level of accuracy is considered sufficient for the purpose of this CEQA analysis.

b. Project Impacts and Mitigation Measures.

Impact AQ-1 Project construction would generate temporary air pollutant emissions of ozone precursors ROG and NOx, as well as fugitive dust (PM_{10} and $PM_{2.5}$). Temporary construction-related air quality impacts would be Class II, *significant but mitigable*.

As discussed in Section 2.0, *Project Description*, buildout of the Oxnard Village Specific Plan would occur in four phases, with full buildout estimated to occur sometime between 2014 and 2015. Construction activity and associated emissions of ozone precursors (ROG and NO_x) and dust (PM_{10}) would occur periodically over the five to seven years during construction.

The proposed project would develop 1,500 single-family homes on approximately 64 acres. Emissions under a "worst-case" scenario were determined by calculating construction emissions separately for each phase and including the individual activities for each phase (Table 4.2-3). For example, demolition and mass grading will occur only during the first two phases, with only fine grading required for the remaining two phases. Earth import and all major paving is also planned to occur during the first two phases only. Maximum NOx emissions would occur in Phases 1 and 2 during demolition, while maximum dust production would occur during the overlap of demolition and mass grading during Phase 1. The greatest exhaust particulate emissions occur during demolition activities, while the greatest fugitive dust particulate emissions occur during mass grading. Maximum ROG emissions are associated with the evaporation of paint solvents from architectural coatings and are greatest in Phase 4 for the high-rise residential units.

Table 4.2-3 Estimated Worst-Case Unmitigated Daily Emissions During Construction

Phase	Maximum Emissions (lbs/day)					
	ROG	NO_x	PM_{10} Dust	PM_{10} Exhaust	$PM_{2.5}$ Dust	$PM_{2.5}$ Exhaust
Phase 1 (includes demolition and mass grading)	78.9	102.5	144.5	4.9	30.2	4.5
Phase 2 (includes demolition and mass grading)	41.7	132.8	176.1	6.6	36.8	6.1
Phase 3 (building construction)	106.3	26.4	100.0	1.5	20.9	1.4
Phase 4 (building construction)	494.1	22.0	24.0	1.2	5.0	1.1

Emission estimates calculated using URBEMIS 2007 computer model. Maximum emissions are per construction phase for worst case year and construction activity. See Appendix B for emission calculations.

The VCAPCD does not classify short-term construction impacts as significant because of their temporary nature. Nevertheless, mitigation is required for all construction activity to minimize emissions of ozone precursors and fugitive dust.

The proposed project would also include the use of an aggregate recycling facility to process construction and demolition debris, primarily pavement but also masonry materials, wood materials, earth and rock materials, metals and roofing materials. Operation of the aggregate recycling facility would require a permit from either the California Air Resources Board (ARB) or the VCAPCD. The type of permit would depend on how long the facility stays in one location. This facility would be required to comply with all measures identified within the appropriate operating permit. Its emissions are included in Phase 1 and 2 construction emissions.

If the recycling facility stays in one location for less than 12 consecutive months, the applicant would need to get a permit under the ARB's Portable Equipment Registration Program (PERP). General provisions under this permit would require that emissions from the aggregate facility not interfere with the attainment of California or federal ambient air quality standards, or cause an exceedance of any air quality standards (Emergency Regulation Order, April 27, 2007). Under this permit, the applicant would be subject to specific conditions of approval. Conditions may include, but would not be limited to, measures identified in Section 2457 of the Emergency Regulation Order (2007). These measures require the following: no air contaminate may be discharged into the atmosphere for a period (or periods) more than three minutes in any one hour which is as dark or darker than Ringelmann 1 equivalent 20% opacity; emissions can not be visible beyond the property line; all transfer points and crusher must be ducted through a fabric or cartridge type filter dust collector or be equipped with a wet suppression system maintaining a minimum moisture content (unless there are no visible emission), all conveyors must be covered(unless material is being transferred); and manufactures specification or engineering data must be submitted to demonstrate a minimum particulate matter control of 99 percent for the fabric dust collection equipment. In addition, operation of

the recycling facility would have to comply with of the California Health and Safety Code (Section 41700, Article 1, Chapter 3, Part 4, Division 26).

If the facility stays at one location for more than 12 consecutive months, the applicant would need to get a "Permit to Operate-Authority to Construct" from the VCAPCD. The permit system involves reviewing equipment design, followed by inspections, to ensure that the equipment will be built and operated in compliance with APCD regulations. The District has a two-step permit processing system. An Authority to Construct must be obtained before initiating construction or installation of the equipment or operations subject to APCD permit requirements. The second step of the process requires the applicant to apply for a Permit to Operate upon completion of construction or installation authorized by an Authority to Construct. The VCAPCD Air Quality Assessment Guidelines states that the emissions from equipment or operations requiring APCD permits are not counted towards the air quality significance thresholds for two reasons. First, such equipment or processes are subject to the District's New Source Review permit system, which is designed to produce a net air quality improvement. Second, facilities are required to mitigate emissions from equipment or processes subject to APCD permit by using emission offsets and by installing Best Available Control Technology (BACT) on the process or equipment (Air Quality Assessment Guidelines, 2003). BACT may include, but would not be limited to, measures that prohibit the use of stationary or portable diesel engines and emission control measures that would reduce particulate matter. Compliance with either ARB's or VCAPCD permit would reduce temporary air quality impacts associated with the aggregate recycling facility to a less than significant level.

Mitigation Measures. The Ventura County Air Quality Assessment Guidelines (October 2003) recommends various techniques to reduce construction-related emissions. Mitigation measures AQ-1(a) and (b) are recommended by the VCAPCD to minimize emissions of ozone precursors ROG and NO_x, as well as PM_{10} during construction. Mitigation measure AQ-1(c) is recommended by this EIR.

AQ-1(a) **Dust Control Measures.** The following shall be implemented during grading and construction to control dust.

1. *The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.*
2. *Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavating activities. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.*
3. *Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:*
    a. *All trucks shall be required to cover their loads as required by California Vehicle Code Section 23114.*
    b. *All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to,*

periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.

4. *Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area within three weeks, it shall be seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.*
5. *Signs shall be posted on-site limiting traffic to 15 miles per hour or less.*
6. *During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to affect adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust from being an annoyance or hazard, either off-site or on-site.*
7. *Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.*
8. *Personnel involved in grading operations, including contractors and subcontractors, shall wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.*
9. *Shaker plates shall be installed at all truck exits from the site.*
10. *Dust control requirements shall be shown on all grading plans.*

AQ-1(b) **Construction Equipment Controls.** The following shall be implemented during construction to minimize emissions of ozone precursors.

1. *Construction contractors shall minimize equipment idling time throughout construction. Engines shall be turned off if idling would be for more than five minutes.*
2. *Equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.*
3. *The number of pieces of equipment operating simultaneously shall be minimized.*
4. *Construction contractors shall use alternatively fueled construction equipment (such as compressed natural gas, liquefied natural gas, or electric) when feasible.*
5. *The engine size of construction equipment shall be the minimum practical size.*
6. *Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated clean diesel engines) shall be utilized wherever feasible.*
7. *During the smog season (May through October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time.*

AQ-1(c) **Low Volatile Paints**. Wherever feasible, non-painted exterior surfaces and low volatile interior and exterior paints shall be used for architectural coatings.

Significance After Mitigation. Table 4.2-4 provides the worst-case daily emissions during construction activities with implementation of the mitigation measures discussed above that could be quantified in URBEMIS. In addition, these mitigated emissions include an estimate of the use of diesel oxidation catalysts to reduce NOx and diesel particulate filters on large diesel-powered equipment (Tier I engines) (see mitigation measure AQ-4(a)). It also includes the use of low VOC architectural coatings to substantially reduce ROG emissions. Implementation of the measures would reduce construction-related air emissions, and impacts would be considered less than significant due to their temporary nature.

Table 4.2-4 Estimated Worst-Case Mitigated Daily Emissions During Construction

Phase	Maximum Mitigated Emissions (lbs/day)					
	ROG	NO_x	PM_{10} Dust	PM_{10} Exhaust	$PM_{2.5}$ Dust	$PM_{2.5}$ Exhaust
Phase 1 (includes demolition and mass grading)	43.8	96.3	44.2	3.4	9.2	3.1
Phase 2 (includes demolition and mass grading)	37.9	124.9	75.8	4.1	15.8	3.8
Phase 3 (building construction)	96.2	25.0	30.6	1.1	6.4	1.0
Phase 4 (building construction)	444.6	22.0	7.3	0.8	1.5	0.7

Emission estimates calculated using URBEMIS 2007 computer model. Maximum emissions are per construction phase for worst case year and construction activity. See Appendix B for emission calculations.

Impact AQ-2 **Operational emissions of ROG and NO_x would exceed VCAPCD's daily thresholds. However, these impacts are mitigable with payment of Transportation Demand Management (TDM) fees. Therefore, the project would have a Class II, *significant but mitigable*, impact to regional air quality.**

Worst-case daily emissions of ozone precursors ROG and NO_x were estimated based on the proposed uses of the project, as well as the estimated number of project-generated vehicle trips. The area source and vehicle trips (mobile sources) represent a net change (proposed land use minus existing land use). Vehicle trips are discussed in detail in Section 4.13, *Transportation & Circulation*. The analysis year chosen was 2010 as this would be a worst case condition.

Table 4.2-5 includes the results of the calculated air emissions and provides the VCAPCD significance thresholds for comparison. As indicated, the increase in ROG emissions would exceed the VCAPCD 25 pounds per day threshold. In addition, the increase in NO_x emissions,

which are due almost entirely to project-generated traffic, would also exceed the VCAPCD 25 pounds-per-day threshold. This would be a potentially significant impact.

Table 4.2-5 Estimated Operational Emissions

Emission Source	Emissions Estimate (lbs/day)	
	ROG	NO_x
Areas Source (natural gas, consumer products, architectural coatings)		
Proposed Use	85.4	11.9
Existing Use	10.8	3.9
Subtotal Area (Proposed use – Existing)	*74.6*	*8.0*
Mobile Sources (motor vehicles)		
Proposed Use	88.7	75.1
Existing Use	28.8	28.3
Subtotal Mobile	*59.9*	*46.8*
Total (Area + Mobile)	**134.5**	**54.8**
VCAPCD Significance Threshold	*25*	*25*
Exceeds Threshold?	**Yes**	**Yes**

Source: Calculations using URBEMIS 2007. See Appendix B for calculations.

Chapter 6.10 of the Specific Plan discusses design features of the proposed project that would reduce operational emissions include (1) a sub-transportation center with bus stops for SCAT and VISTA bus services, shuttle service to Riverpark, The Esplanade, the Oxnard Transit Center and Metrolink, and other local areas; (2) pedestrian network connection to residential neighborhoods, neighborhood commercial and mixed uses, recreational facilities, and the sub-transportation center; and (3) an internal bikeway connected to regional bikeway system in Oxnard. Residents and patrons may also have access to electric vehicle charging stations and local use Personal Electric Vehicles (PEVs). This would further reduce project-related emissions, if implemented.

Per Chapter 6.10 of the Specific Plan, the programs and services planned as part of the Northern Oxnard TDM Program include:

- **Introductory Transportation Info. Packet:** provided to all residents and employees, outlining TDM programs, routes, schedules, carpools/vanpools, shuttle/bus service maps, menu of incentives, etc.

- **Carpool/Vanpool/Ridematching Services:** This program would match residents and employees of Northern Oxnard District in carpools and vanpools to reduce drive alone trips. A Guaranteed Ride home service would provide reimbursement for immediate transportation home via taxi or other similar mode to those in an emergency.

- **Subsidized Transit Pass:** Transit passes would be purchased in bulk so that bus and rail passes could be provided for residents and employees within northern Oxnard.

These passes typically provide unlimited rides on local or regional transit for low monthly fees.

- **Priced Commercial Street Parking**: Multi-Spaced parking meters are planned within on commercial streets with rates calibrated to ensure an 85% occupancy rate. This will provide a high level of convenience for parkers and largely eliminates circling for parking and will ensure turnover of the most convenient curb-parking spaces and availability for customers.

- **Parking Cash-Out:** Parking cash-out provides an equal transportation subsidy to employees who ride transit, carpool, vanpool, walk, or bicycle to work. Employees can be offered financial incentives such as free transit passes or a cash bonus to carpool, vanpool, bicycle, or walk, thus decreasing the demand for parking and ultimately reducing traffic congestion.

It is noted that the above are envisioned services without specific details as to funding or requirements. Chapter 6.10.3 of the Specific Plan further states that a Transportation Management Association (TMA) is envisioned as the entity responsible for managing and funding the TDM Program for the project site, but no specific requirements or enforceable standards have been provided in the Specific Plan. The TMA (or the City of Oxnard) could serve as the recipient of the TDM funds discussed in mitigation measure AQ-2(a) below.

Several of the Specific Plan design features discussed above are still in the early stage of development and details have not been worked out; thus, to provide a conservative estimate the sub-transportation center and the PEVs were not accounted for in the URBEMIS model. However, the pedestrian network and internal bikeways were accounted for in the emissions calculations.

Mitigation Measures. The following mitigation measures would reduce air emissions associated with operation of the project.

AQ-2(a) **TDM Fees.** The project shall provide payment of fees to a suitable Transportation Demand Management Plan Fund. The fees will be based on the exceedance of the threshold for ROG and NOx, prior to operation of Phase 5. The fees shall be based on the unit cost for ROG and NOx, in effect at the time the fee is to be paid using the VCAPCD guidelines formula of:

- *(excess emissions lbs/day) x (unit cost ROG) x (days in operation) x (3 years) = Total cost*
- *(excess emissions lbs/day) x (unit cost NOx) x (days in operation) x (3 years) = Total cost*

Payment of fees is required prior to operation of Phase 5

AQ-2(b) **Increased Efficiency.** Residential and commercial land use shall increase efficiency 20% beyond Title 24. Applicant shall provide documentation of energy savings associated with materials proposed for use at time of building permit application.

Significance After Mitigation. Implementation of the recommended mitigation measures would reduce ROG and NO_x emissions associated with the operation of Oxnard Village. Payment of TDM fees by the completion of Phase 5 would mitigate the impacts to a level of insignificance provided that the final square footage of commercial spaces does not exceed 50,400 square feet, and the final number of dwelling units does not exceed 1,500 units. Using the current inflation rate and the Year 2006 cost to mitigate, the TDM fee estimate would be $1,126,269 for a 2010 completion year (see Appendix B).

Impact AQ-3 Project traffic, together with cumulative traffic growth in the area, would not create carbon monoxide concentrations exceeding state or federal standards. Localized air quality impacts would therefore be Class III, *less than significant*.

Areas with high vehicle density, such as congested intersections, have the potential to create high concentrations of CO. These areas are known as CO "hot spots." A project's localized air quality impact is considered significant if CO emissions create a hot spot where either the California one-hour standard of 20 ppm or the federal and state eight-hour standard of 9.0 ppm is exceeded. This typically occurs at severely congested intersections (LOS E or worse). As discussed in Section 4.13, *Transportation & Circulation*, of the 18 intersections in the project vicinity that were analyzed in the traffic study, four intersections would be expected to operate at LOS E or lower during the weekday p.m. peak hour under the cumulative + project conditions. However, only one of these intersections would be substantially affected by project-related traffic:

- Oxnard Boulevard and Vineyard Avenue (p.m. peak hour at LOS E)

The CALINE 4 air dispersion model was used to estimate the potential CO impacts at the above intersection during the peak period most affected by the proposed project. The nearest receptors to the intersection are commercial buildings, a gas station, and three bus stops located adjacent the roads. Traffic data for the cumulative 2014-with-project scenario were used to represent maximum traffic congestion anticipated for the area[3]. Truck traffic percentage was based on Caltrans 2005 truck data. Data sheets containing the model inputs and detailed results are included in Appendix B.

The results of the CALINE modeling are shown in Table 4.2-6. The concentration listed is the highest calculated for all receptor locations. As shown, cumulative + project traffic would not cause an exceedance of either the state or federal CO standards in build out year 2014 and project-related CO impacts would be less than significant. It is further noted that traffic flow would increase to LOS D with mitigation, thereby further reducing the potential for CO concentration.

[3] *Emissions factors were derived using EMFAC2007.*

Table 4.2-6 Carbon Monoxide Modeling Results

Intersection	2014 Cumulative + Project 1-Hour Concentration*	California 1-Hour Standard*	Federal and State 8-Hour Standard*	Significant Impact?
Oxnard Blvd/Vineyard (pm)	3.4	20	9	**No**

** All concentrations in parts per million (ppm).*

Mitigation Measures. No mitigation measures would be required.

Significance after Mitigation. Carbon monoxide concentrations would not exceed state and federal thresholds, and would therefore be less than significant without mitigation.

Impact AQ-4 Heavy duty construction equipment used during mass grading could cause significant health risks to onsite receptors because of diesel exhaust emissions. The proposed project exceeds significance thresholds for the health risk associated with inhalation of diesel particulate emissions. Impacts would be Class II, *significant but mitigable*.

Diesel particulate emissions were identified by the ARB as a toxic air contaminant in 1998. Diesel particulate emissions would occur primarily during project construction because of heavy-duty vehicle operations and construction equipment during the grading, earthmoving, and excavation phases of project construction. The ARB (April 2007) estimates that in 2005, off-road diesel vehicles were responsible for 24 percent of the total statewide diesel mobile source PM emissions, and 19 percent of the total statewide diesel mobile source NOx emissions. Consequentially, the ARB recently adopted in July 2007 a regulation that would require owners of in-use off-road diesel vehicles to modernize their fleets by replacing engines with newer, cleaner ones (re-powering), replacing vehicles with newer vehicles equipped with cleaner engines, retiring older vehicles, operating higher emitting vehicles less often (designating them as low-use vehicles) and applying exhaust retrofits that capture and destroy pollutants before they are emitted into the atmosphere. The regulation establishes fleet average emission rate targets for both diesel PM and NOx. By the applicable compliance date each year, the regulation would require each fleet to demonstrate either that it meets the fleet average emission rate target for diesel PM or that it has applied the highest level verified diesel emission control system (VDECS) to 20 percent of the total horsepower of its fleet in the past year. The regulation is expected to reduce 48 tons per day (tpd) NOx and 5.2 tpd of PM statewide in Year 2020. These reductions represent a 32 percent reduction in NOx and a 74 percent reduction in PM from the Year 2020 emissions that would otherwise occur in the absence of the regulation. As part of this regulation, no equipment would be allowed to idle for greater than 5 minutes unless necessary for the operation of that equipment. The limit on unnecessary idling would become effective as soon as the regulation is certified by the Secretary of State, which is expected to occur in spring of 2008. Large fleets (more than 5,000 total hp) would have to begin meeting the fleet average targets on March 1, 2010. Medium fleets would need to begin meeting the fleet average on March 1, 2013, and small fleets (less than or equal to 1,500 hp, as defined below) would have until March 1, 2015. The fleet average

targets would decline over time until 2020 (or until 2025 for small fleets). Small fleet requirements are generally delayed by 5 years behind those for medium fleets. As this regulation is applied over the construction timeframe for this Specific Plan, the potential for impact will decline as cleaner equipment will be in use

The diesel particulate emissions that would be associated with mass grading of the Specific Plan site were quantified using the current estimate of numbers and types of construction equipment expected to be used during the grading phase. Grading in a particular area is estimated to cause diesel particulate emissions of 0.031 grams/second within the grading area (see Appendix B for calculations). The SCREEN3 model was then used to determine a concentration level in micrograms/cubic meter [$\mu g/m^3$] on the project site. The maximum one-hour concentration was calculated at 27.39 $\mu g/m^3$. Next, downwind dispersal of PM_{10} was determined. The nearest downwind receptor was identified as the residents living in mobile homes on the project site. As the mobile homes would not be removed until construction Phase 3, residents would be approximately 16 feet away from the grading activity during construction activity taking place during Phase 1. Based on the downwind dispersal model, the diesel particulate emissions concentration level at the nearest receptor during the grading could be 20.4 $\mu g/m^3$. As discussed in detail in Appendix B, these estimates of concentrations are highly conservative, and are not a specific prediction of the actual concentration that would occur at any one point over the course of the construction period. Actual average concentrations are dependent on many variables, particularly the number and type of equipment working at specific distances during time periods of adverse meteorology. The SCREEN3 and downwind dispersal estimates are intended to be a conservative estimate concentration that is unlikely to be exceeded for use in the health risk computation.

A health risk computation was done to determine the potential risk that may result from the maximum one-hour concentration of diesel particulate matter. The health risk analysis and its uncertainties are discussed in greater detail in Appendix B. The maximum one-hour concentration was annualized for an expected one year grading period and the risk of developing an excess cancer calculated on a 70-year lifetime basis. In addition, the chronic health risk associated with the diesel particulates was estimated based on the reference dose for chronic oral exposure for diesel engine emissions (USEPA, IRIS, 2001). The chronic risk is separate from the carcinogenic risk in that it considers impacts to the respiratory system, such as the buildup of material in the lungs and inflammation of lung tissue. The carcinogenic and non-carcinogenic health risks at the nearest sensitive receptor are contained in Table 4.2-8. As indicated in the table, children are more affected by diesel emissions because of the relatively greater amount of air that they breathe on a daily basis as compared to their body weight. The health risks associated with onsite grading exceed the Ventura County APCD thresholds and would be a significant impact. It is noted that over time as the Specific Plan area is constructed, the health risks associated with grading operations would move further to the west, with grading operations conducted during Phase 3 of the Specific Plan development. This in turn could affect the future residents living in the areas that would be completed during construction Phases 1 and 2. These areas include several High Density Residential Planning areas, the Village Green area, and the Mixed Use Planning area. However, the health risk at these areas is not anticipated to be greater than the risk values presented in Table 4.2-7.

Table 4.2-7 Health Risks Associated With Mass Grading Operations

Scenario	Excess Cancer Risk	Chronic Health Risk
Grading during Phase 1		
adult	1.04E-05*	0.45
child	2.34E-05*	1.04*
Significance Threshold	*>1.0E-05*	*≥1*
Exceeds Threshold?	*Yes*	*Yes*

**Indicates and exceedance of the thresholds*
Scientific notation is sometimes expressed as E (for exponent) as in 1.12E-4 (meaning 1.12 x 10 raised to the negative 4).

While the health risks associated with the grading operations at the site would be significant, it is informative to compare this risk with other health risks. Table 4.2-8 compares the level of health risk associated with exposure to various toxic chemicals and the chance of dying from other causes. Note that the toxic chemical risks are in terms of developing an excess cancer, namely, additional cancers than would be associated with the normal level of cancer found in the population. This risk includes the development of both terminal and non-terminal cancers, as compared to the annual health risk of terminal cancer of 1.9E-03. Note also that there is a difference between the annual health risk of developing terminal cancer, and the lifetime risk of dying of cancer (0.25 [2.5E-01] for the United States; American Cancer Society, 2007). Toxic chemical excess cancer risks listed in the table are also based on the unit risk associated with continuous exposure to 1 $\mu g/m^3$ over a lifetime and can be used as an example of the overall toxicity of the chemical. For example, the inhalation of PCBs (found in large electrical transformers) is about two orders of magnitude more dangerous than inhaling dry cleaning solvent (TCEs) over a long period of time. It should be noted that these are very small amounts and that sites that have been contaminated with industrial chemicals can contain and release much greater quantities and consequently have much greater chronic and carcinogenic health risks.

As part of the documentation for the new off-road diesel regulation, the ARB prepared a health risk assessment for generic urban construction scenarios (ARB, April 2007b, Appendix D). Based on construction operations within a city block area (3.5 acres), operations over 365 days per year, eight hour days, and exposure duration of nine years, the calculated risk at the PMI located 65 feet from the edge of the construction area was 97 per million for the West Los Angeles mixed emission factors scenario. Risk levels higher than 10 per million were calculated to occur within a 17 acre oblong area approximately 1,400 feet long by 900 feet and including the construction area. While this estimated risk level is conservative (for example, construction typically does not occur for more than 260 days per year), it does illustrate that

Table 4.2-8 Comparative Health Risks

	Annual Risk 1 chance in:	Annual Probability	Lifetime Probability Over 70-Year Span	Chances per Million Over 70 Years
Risk of dying due to: [a]				
Heart disease	450	2.22E-03	1.56E-01	155,556
Cancer	530	1.89E-03	1.32E-01	132,075
Stroke	1,957	5.11E-04	3.58E-02	35,769
Accident	2,625	3.81E-04	2.67E-02	26,667
Suicide	9,091	1.10E-04	7.70E-03	7,700
Alcohol (not including motor vehicle – 2003 data)	14,195	7.04E-05	4.93E-03	4,931
Homicide	16,949	5.90E-05	4.13E-03	4,130
Risk of developing excess cancer due to exposure to:				
High volume freeway at PMI (high end) [b]	41,176	2.43E-05	1.70E-03	1,700
1μg/m^3 Chromium VI (used for plating metals and dyes) [c]	84,483	1.18E-05	8.29E-04	829
Year 2001 California statewide ambient air pollutant concentrations [d]	92,105	1.09E-05	7.60E-04	760
1μg/m^3 PCBs (transformer insulator) [c]	122,500	8.16E-06	5.71E-04	571
Distribution center (high end)[b]	127,273	7.86E-06	5.50E-04	550
Year 2000 statewide diesel particulate matter 1.26 μg/m^3 [b]	184,211	5.43E-06	3.80E-04	380
1μg/m^3 DDT (banned pesticide) [c]	720,588	1.39E-06	9.71E-05	97
ARB West Los Angeles Construction Area HRA at 60 feet from edge of site [e]	721,649	1.39E-06	9.70E-05	97
Idling school buses (mid-point)[b]	1,400,000	7.14E-07	5.50E-05	50
Site grading during Phase 1 (adult risk)	***7,142,857***	***1.4E-07***	***1.00E-05***	***10***
VCAPCD and Prop 65 significance criteria	**7,000,000**	**1.43E-07**	**1.00E-05**	**10**
1μg/m^3 Benzene (naturally in gasoline, cigarettes) [c]	9,074,074	1.10E-07	7.71E-06	8
1μg/m^3 TCE (dry-cleaning solvent) [c]	40,833,333	2.45E-08	1.71E-06	2
EPA significance criteria (low end)	70,000,000	1.43E-08	1.00E-06	1

[a] *Source: National Center for Health Statistics, Leading Causes of Death, 2004 data.*
[b] *Source: ARB, October 2000.*
[c] *Source: Based on inhalation slope factors, USEPA, November 2000*
[d] *Source: Ca. EPA, Office of Environmental Health Hazard Assessment, 2001*
[e] *Source: ARB, April 2007b*

significant health risks could occur to adjacent residences as a consequence of nearby diesel engine operations using those typically found in current construction fleets.

Mitigation Measures. The following mitigation measure would reduce the potential for health risks associated with toxic diesel engine exhaust emissions.

AQ-4(a) Alternative Fuels. During grading the applicant shall use alternative fuels and/or retro-fitted filters on construction equipment if feasible. Alternative fuels and retrofitted filters may include, but are not limited to low sulfur diesel fuel and/or catalyzed diesel particulate filters. These measures can reduce generation of PM_{10} by 63-80%. Applicant shall provide documentation to the City of Oxnard regarding the availability (or lack of same) of the alternative fuels (such as biodiesel and E-85) and the number of vehicles equipped with diesel particulate filters and or that meet Tier III and IV engine standards prior to each construction phase.

AQ-4(b) Equipment Limitations. Diesel-powered equipment under 75 hp located within 100 meters (325 feet) of the edge of the construction area shall be required to have engines that meet California Tier 4 emission standards. Diesel-powered equipment over 75 hp and operating within 100 meters (325 feet) of the edge of the construction area shall meet, at a minimum, California Tier 2 emission standards until the year 2010, at which time Tier 4 standards are applicable. The applicant shall provide to the City an inventory of the vehicles so equipped prior to each construction phase and each one shall be marked with an identification number that matches the inventory and that can easily be seen during equipment operation.

Significance After Mitigation. Implementation of mitigation measures AQ-4(a) and AQ-4(b) would reduce temporary construction emission of diesel exhaust particulate matter emissions (identified by the ARB as a toxic air contaminant [TAC]) below thresholds (see Table 4.2-9 and Appendix B for modeling results). Therefore implementation of the above mitigation measure would reduce the health risk associated with toxic diesel engine emission to a less than significant level.

Table 4.2-9 Health Risks Associated With Mass Grading Operations with Mitigation Measures

Scenario	Excess Cancer Risk	Chronic Health Risk
Grading during Phase 1 (B20 Only)		
adult	3.85 E-06	0.11
child	8.98 E-06	0.27
Grading during Phase 1 (Tier 4 Equip Only)		
adult	3.29 E-06	0.10
child	7.69 E-06	0.23
Grading during Phase 1 (Tier 4 + B20)		
adult	2.88 E-06	0.09
child	6.72 E-06	0.20
Significance Threshold	*>1.0E-05*	*≥1*
Exceeds Threshold?	*No*	*No*

Scientific notation is sometimes expressed as E (for exponent) as in 1.12E-4 (meaning 1.12 x 10 raised to the negative 4).

Impact AQ-5 The Specific Plan would locate residential neighborhoods along US Highway 101, which is a source of toxic air pollutants associated with high volumes of truck traffic, which could cause significant health risks to onsite receptors because of diesel exhaust emissions. Impacts would be Class II, *significant but mitigable*.

The Air Resource Board (ARB) currently recommends that local agencies avoid siting new sensitive land uses, including residences, within 500 feet of a freeway (ARB, *Air Quality and Land Use Handbook*, April 2005). The project site already includes numerous units within the mobile home park that are within that distance, but the proposed project would place 281 new residential units (Planning Areas 1, 7, and 8) within 500 feet of US Highway 101. Based on the South Coast Air Quality Management District MATES II report on toxic exposures (March 2000), those residential areas located adjacent to freeways are already exposed to comparatively high excess cancer risks. In this instance based on the US 101 traffic volume, the excess cancer risk is estimated to be about 300 - 400 in one million for those residences located nearest the freeway, or 30- 40 times greater than the VCAPCD significance threshold of 10 in one million. The inclusion of the sound wall and landscaping proposed under the Specific Plan will reduce a portion of this effect as about 70% of the toxicity is associated with diesel exhaust particulates and both of these features will aid in removing particulate matter from the air. Nonetheless, this is considered a significant effect of the project.

Mitigation Measures. The following mitigation measure would reduce the potential for health risks associated with toxic contaminants associated with high volume traffic on US Highway 101.

AQ-5 **Air Ventilation Specifications.** Forced air ventilation with filter screens on outside air intake ducts shall be provided for all residences in Planning Units 1, 7, and 8. Windows and doors shall be fully weatherproofed with caulking and weather-stripping that is rated to last at least 20 years.

Significance After Mitigation. The ARB is implementing an ongoing risk reduction program that will result in substantial decreases in the amount of toxic contaminants associated with diesel exhaust emissions. This will result in the long term in a substantial decrease in the health risks associated with the project's location near to US Highway 101. Implementation of the above mitigation measure in addition with the ARB's ongoing efforts would reduce the health risk associated with toxic contaminants from the freeway to a less than significant level.

Impact AQ-6 **The proposed project would not generate population growth beyond AQMP forecasts. Impacts relating to AQMP consistency are therefore considered Class III, *less than significant*.**

A significant impact to air quality would occur if the proposed project would conflict with or obstruct implementation of the Ventura County AQMP. Although any development project would represent an incremental negative impact on air quality in the basin, of primary concern is that project-related impacts have been properly anticipated in the regional air quality planning process and reduced whenever feasible.

Per the VCAQMD Assessment Guidelines project consistency with the AQMP can be determined by comparing the actual population growth in the county with the projected growth rates used in the AQMP. However, if there are more recent population forecasts that have been adopted by the Ventura Council of Governments (VCOG) where the total county

population is lower than that included in the most recently adopted AQMP population forecasts, lead agencies may use the more recent VCOG forecasts for determining AQMP consistency.

The current City population is estimated at 194,905 (California Department of Finance, 2008). Therefore, the proposed project would result in a total population of 200,341persons (194,905 + 5,436). This population increase is below the 2015 RTP Baseline Growth Forecast (SCAG, 2008; see Section 4.10, Table 4.10-2) of 220,000 people for the City of Oxnard. Thus, the project is consistent with the current SCAG population growth forecasts and those used in the Draft 2007 AQMP. Since the project would be consistent with the SCAG population growth forecasts, and because local air quality planning is based on SCAG forecasts, planned and pending development within the City would not generate emissions exceeding that accounted for in the AQMP. The proposed project would be consistent with the AQMP, and impacts would be less than significant.

It should be noted that the project area is listed as one of the key redevelopment properties on the Historic Enhancement and Revitalization of Oxnard (HERO) Redevelopment Projects lists. Originally established in 1998, the HERO Redevelopment Project encompasses several areas throughout the City of Oxnard focused along Saviers Road, Oxnard Boulevard, Fifth Street and Highway 101. The primary objective of the HERO Redevelopment Project is to strengthen the economic base of the HERO Project Area through elimination of blight, economic revitalization, infrastructure improvement, structural rehabilitation, and hazardous waste cleanup assistance.

Development of the proposed project would be consistent with the goals and policies of the Mission of the HERO Redevelopment Project and relevant strategic planning documents. Project implementation would contribute to long-range development goals identified by the City's HERO Redevelopment Project.

Mitigation Measures. None required.

Significance After Mitigation. Impacts would be less than significant without mitigation.

c. Cumulative Impacts. The Ventura County Air Basin is currently a non-attainment area for both the federal and state standards for ozone and the state standard for PM_{10}. Exceedance of air quality standards is the result of past and ongoing urban and rural development that has caused emissions to exceed the air basin's capacity for dispersal and removal of the air pollutants. However, the Ventura County AQMP predicts attainment of state and federal standards through imposition of various control mechanisms and, as discussed under Impact AQ-6, the proposed project is consistent with the AQMP. Consequently, although emissions associated with the vehicle trips generated by the Oxnard Village Specific Plan (during worst-case events) exceed VCAPCD thresholds, this increase in emissions is not expected to delay attainment of air quality standards. Cumulative impacts are therefore considered less than significant and the project's contribution to cumulative air quality impacts is not considered cumulatively considerable. Discussion of the project's cumulative effect with respect to Global Climate Change and the emission of greenhouse gases are contained in Section 5.2 of this EIR.

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4.3 BIOLOGICAL RESOURCES

This section assesses potential impacts to biological resources onsite and in the Village Specific Plan site vicinity. The discussion is based on review of the California Natural Diversity Database, United States Geologic Service (USGS) topographic maps, and a site survey conducted by a Rincon Consultants biologist on February 13, 2007.

4.3.1 Setting

The Village Specific Plan area is fully developed and is bordered on three sides by developed areas. Development consists of paved parking lots, industrial and commercial buildings, and a mobile home park. The site has been graded and is nearly flat. Railroad and freeway bridges border the site to the south and north, respectively.

The Santa Clara River is directly west of the project site, across Ventura Road. This portion of the river is approximately five miles upstream from the mouth of the Santa Clara River at the Pacific Ocean. Although disturbance to the river bank and channel have occurred, including recent construction activities associated with the reconfigured Highway 101 bridge as well as trespassing and illegal dumping, the Santa Clara River corridor near the site is of high biological value and supports several sensitive wildlife species and habitats (United States Fish and Wildlife Service (USFWS), response to The Village Specific Plan Notice of Preparation (NOP), November 2006).

a. Vegetation. Existing vegetation on the project site consists of ornamental trees, shrubs, and groundcover planted in parking lots, along street frontages, and near some storefronts. The planted areas are small and scattered on site. Because of the ornamental nature of the vegetation onsite and the scattered locations, this vegetation has very low biological value.

b. Wildlife. The project site is almost entirely developed with commercial and industrial uses and is virtually devoid of native vegetation, and is therefore unsuitable for most native wildlife species**.** Because of the lack of native vegetation or habitats on site, only a few common species (primarily birds) that have adapted to urbanized conditions utilize the site. Birds observed during the February 13, 2007 site survey include common species such as house finch (*Carpodacus mexicanus*), song sparrow (*Melospiza melodia)*, mourning dove (*Zenaida macroura*), and crows (*Corvus americanus*). No nests were observed, but it is probable that ornamental and non-native trees throughout the landscaped areas serve as foraging, nesting, and/or roosting habitat for these common birds.

Two groups of eucalyptus trees are found within the project site. The first grouping is a row of seven mature eucalyptus trees located near the corner of Saddle Avenue and Wagon Wheel Road, behind existing structures. The second grouping is a single row of five mature eucalyptus trees situated southwest of the first location and behind the Wagon Wheel Restaurant and Motel. Eucalyptus groves along the coast of central and southern California are sometimes used as clustering sites during migration of monarch butterflies. However, the use of the two groupings of eucalyptus trees on the project site by monarch butterflies as roosts is very unlikely, as the positioning of the tree line makes these trees susceptible to high wind exposure, trees were recently pruned and trimmed, and trees are located in an area that

experiences high human activity. Clustering activity normally occurs from November through February on the California coast. No monarch butterflies or clusters were observed at either of the eucalyptus groupings during the site visit conducted on February 13, 2007.

c. Regulatory Setting. Regulatory authority over biological resources is shared by Federal, State, and local authorities under a variety of statutes and guidelines. Primary authority for general biological resources lies within the land use control and planning authority of local jurisdictions (in this instance, the City of Oxnard). The California Department of Fish and Game (CDFG) is a trustee agency for biological resources through the state under CEQA and also has direct jurisdiction under the Fish and Game Code of California. Under the State and Federal Endangered Species Act, the CDFG and the USFWS also have direct regulatory authority over species formally listed as Threatened or Endangered. The U.S. Department of Army Corps of Engineers (Corps) has regulatory authority over specific biological resources, namely wetlands and waters of the United States, under Section 404 of the Federal Clean Water Act. Statutes within the Clean Water Act, California Fish and Game Code, and Regional Water Quality Control Boards protect wetlands and riparian habitat.

In response to legislative mandates, regulatory authorities have defined sensitive biological resources as those specific organisms that have regionally declining populations such that they may become extinct if declining population trends continue. Habitats are also considered sensitive biological resources if they have limited distributions, have high wildlife value, include sensitive species, or are particularly susceptible to disturbance.

Sensitive species are classified in a variety of ways, both formally (e.g., State or Federally Threatened and Endangered Species) and informally ("Special Animals"). Species may be formally listed and protected as Threatened or Endangered by the CDFG or USFWS or as California Fully Protected (CFP). Informal listings by agencies include California Species of Special Concern (CSC) (a broad database category applied to species, roost sites, or nests); or as USFWS Candidate taxa. CDFG and local governmental agencies may also recognize special listings developed by focal groups (i.e., Audubon Society Blue List; California Native Plant Society [CNPS] Rare and Endangered Plants; U.S. Forest Service regional lists). Section 3503.5 of the Fish and Game Code of California protect birds of prey, and their nests and eggs against take, possession, or destruction.

Vegetation in California is accorded sensitivity ranking by the CDFG using the community classification system of Holland (1986, 1990), and the more recently accepted series concepts of Sawyer and Keeler-Wolf (1995).

Goals and policies contained in the Open Space and Conservation Element of the City of Oxnard's General Plan address the protection of natural resources in the City. Biological resource protection is achieved in large part by designating habitat areas as Open Space. Neither the site nor surrounding areas are designated Open Space. The Santa Clara River, across Ventura Road from the project site, is outside of the City Limits. As a result, few specific City management or development policies address the river itself. One exception is Natural Resources Policy #1 of the Open Space and Conservation Element:

> *The City should encourage the preservation and enhancement of the riparian habitat along the Santa Clara River and in the McGrath Lake vicinity.*

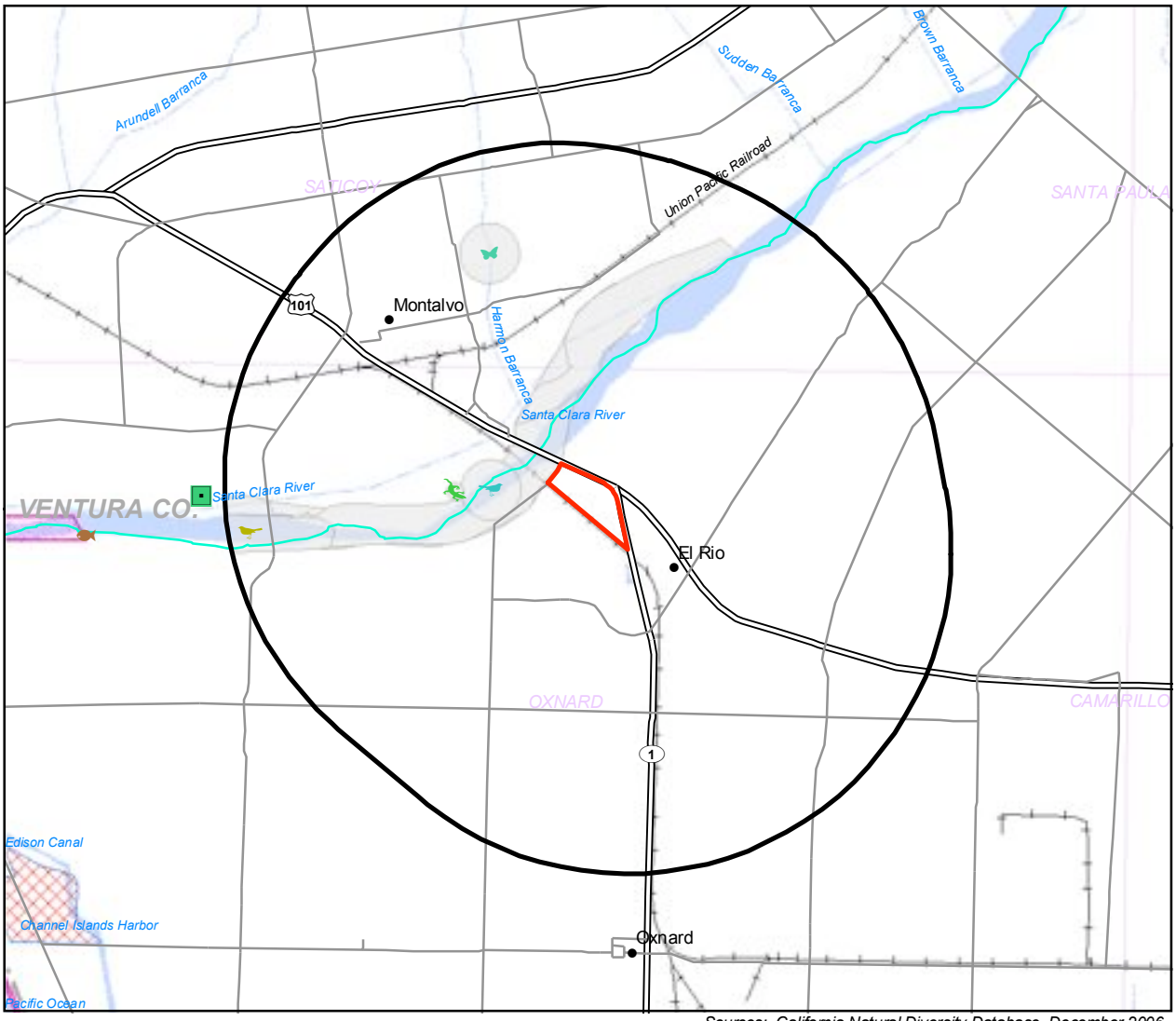
d. Special-Status Species. Special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS under the Federal Endangered Species Act (FESA); those considered "species of concern" by the USFWS; those listed or proposed for listing as rare, threatened, or endangered by the CDFG under the California Endangered Species Act (CESA); animals designated as "Species of Special Concern" by the CDFG; and CDFG Special Plants, specifically those occurring on lists 1B and 2 of the CNPS's *Inventory of Rare and Endangered Vascular Plants of California*, *Sixth Edition* (CNPS On-line 2005). A number of special-status wildlife species are also considered to be of "local concern." Animals in this category are of concern because they have limited distributions, are experiencing local or regional population declines, are vulnerable to current or future threats to their preferred habitat, and/or are of unusual scientific, recreational, or educational value.

A target list of special-status plant and animal species that could potentially occur onsite was developed, based on review of the California Natural Diversity Database (CNDDB), previous knowledge of the vicinity of the site and other sources, including general knowledge of the regional area. The CNDDB information is shown in Figure 4.3-1. A Rincon Consultants biologist conducted a site visit on February 13, 2007 by to identify habitat types, and helped refine the target list of species and focus the assessment on the actual or potential for occurrence of special-status species on the project site. No sensitive plants were identified on the project site. Table 4.3-1 lists sensitive animal species known to occur within a 3-mile radius of the project site.

Special-Status Plants. The CNDDB did not identify any special-status plant species within a 3-mile radius of the project site. In addition, no special-status plant species were observed within the project boundaries, nor are any anticipated given the high degree of urbanization on the site and lack of suitable habitat (Rincon Consultants, site visit, February 13, 2007).

Sensitive Habitat Communities**.** The CNDDB identified southern riparian scrub as a sensitive community within a 3-mile radius of the project site. The sensitive riparian scrub community is located on the western side of the Santa Clara River, approximately 2.25 miles southwest of the project site. No southern riparian scrub habitat or other sensitive habitats are located within or immediately adjacent to the project site (Rincon Consultants, site visit, February 13, 2007).

Final Critical Habitat. Within a 4-mile radius of the project site, the CNDDB identified Final Critical Habitat for Southern California Steelhead (*Oncorhynchus mykiss*), Ventura Marsh Milk-Vetch (*Astragalus pycnostachyus var. lanosissimus*) and Western Snowy Plover (*Charadrius alexandrinus nivosus*). No Final Critical Habitat is located within the project site. The Final Critical Habitat for the southern California steelhead is located within the Santa Clara River, 100 feet to the west of the project site across Ventura Road. The Final Critical Habitat for the Ventura Marsh Milk-Vetch is located 3.5 miles southwest of the project site near the Channel Island Harbor and Edison Canal. The Final Critical Habitat for the Western Snowy Plover is located at the mouth of the Santa Clara River 2.5 miles southwest of the project site. Because of the high human use of the project site, the distance between the identified Final Critical Habitats and the project site, and the low biological value of ornamental and non-native vegetation on the project site, the presence of the above listed species would be unlikely within the project site (Rincon Consultants, site visit, February 13, 2007).



N

0 0.25 0.5 0.75 1 Mile

Sources: California Natural Diversity Database, December 2006, U.S.Fish and Wildlife Service, December 2006, Rincon Consultants, 2007, U.S. Bureau of the Census TIGER 2000 data, and ESRI, 2002.
Note: Markers represent approximate locations where species may be found. Critical habitat shown is that most recently available from U.S. FWS. Check with U.S. FWS or Federal Register to confirm.

Legend

- Project Boundary
- Two-Mile Buffer
- ABNRB02022, western yellow-billed cuckoo
- ABPBW01114, least Bell's vireo
- AFCQN04010, tidewater goby
- ARACF12021, Coast (San Diego) horned lizard
- CTT63300CA, Southern Riparian Scrub
- IILEPP2010, monarch butterfly

Critical Habitat

- S Calif Steelhead FCH
- Ventura Marsh Milk-Vetch FCH
- Western Snowy Plover FCH

Sensitive Elements Reported by the California Natural Diversity Database

Figure 4.3-1

Special Status Wildlife. A search and review of the CNDDB identified 5 special-status animal species as potentially occurring within a 4-mile radius of the project site. Potential occurrence of these species is based on the availability and quality of suitable habitat. The basic characteristics and likelihood of special-status wildlife species with the potential to occur on-site are outlined below in Table 4.3-1. No special-status wildlife species were identified within the project site or observed during the field reconnaissance.

Table 4.3-1 Special-Status Wildlife Species in the Regional Vicinity of the Project Site

Species	Common Name	Current Federal/State Status [a]	Habitat Requirements	Potential for Occurrence
BIRDS				
Coccyzus americanus occidentalis	Western yellow-billed cuckoo	FC/SE	Found in Riparian Habitat, nests in low woody riparian vegetation.	Suitable habitat not present on-site.
Vireo bellii pusillus	Least Bell's vireo	FE/SE	Shrubby and riparian areas; nest in low dense scrubby vegetation	Suitable habitat not present on-site.
INVERTEBRATES				
Danaus plexippus	monarch butterfly (wintering sites)	None/None	Winters in groves of trees along the coast with low-hanging branches including oaks, sycamore, and eucalyptus.	Suitable habitat not present on-site.
FISH				
Eucyclogobius newberryi	Tidewater goby	FE/CSC	Shallow water along Pacific coastal streams and lagoons.	Suitable habitat not present on-site.
REPTILES				
Phrynosoma coronatum	Coast (San Diego) horned lizard	None/CSC	Open vegetation such as chaparral or coastal sage scrub	Suitable habitat not present on-site.

Source: California Department of Fish and Game (CDFG) CNDDB Rarefind, December 2004.
CFP = CDFG Fully Protected
CSC = California Species of Special Concern
FC = Federal Candidate Species
FE = Federally Endangered
FSC = Federal Species of Special Concern
FT = Federally Threatened
SE = State Endangered
ST = State Threatened
SR = State Rare
N/A = no status but included in Rarefind database as deserving of concern

4.3.2 Impact Analysis

a. Methodology and Significance Thresholds. Data used for this analysis included aerial photographs, topographic maps, the CNDDB, accepted scientific texts to identify species, and a field survey conducted February 13, 2007. The purpose of the field visit was to generally characterize habitats and the potential for special-status species to be located on the site.

Chapter 1, Section 21001(c) of CEQA states that it is the policy of the state of California to "Prevent the elimination of fish and wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities." Environmental impacts relative to biological resources may be assessed using impact significance criteria encompassing

the *CEQA Guidelines* and federal, state, and local plans, regulations, and ordinances. Project impacts to flora and fauna may be determined to be significant even if they do not directly affect rare, threatened, or endangered species. The project would have a significant impact if it were found to:

- *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service*
- *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service*
- *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means*
- *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites*
- *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance*
- *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan*

b. Project Impacts and Mitigation Measures.

Impact BIO-1 Project development would not have direct effects on any federally or state listed endangered species. Project implementation could have indirect effects on the federally and state listed endangered Least Bell's vireo which is known to nest in the riparian habitat found in the Santa Clara River across Ventura Road from the project site. However, impacts would be Class III, *less than significant*.

The proposed project site does not contain any native habitat and does not support any endangered species of animal or plant. Therefore, the proposed project would not have any substantial direct effect on any rare or endangered species of animal or plant, or the habitat of theses species.

The federally endangered Least Bell's vireo *(Vireo bellis pusillus*) is known to occur and nest in the riparian habitat along the Santa Clara River (CNDDB, 2007, and USFWS NOP response, 2006). The project site is 100 feet west of the Santa Clara River and is separated from the river by North Ventura Road. The proposed project's development footprint is well outside of the Santa Clara River; thus, project implementation would not have any direct effect on the Least Bell's vireo. However, the Least Bell's vireo has been sighted in the riparian areas of the Santa Clara River approximately 500 feet southwest of the project site (CNDDB, 2007). Increased human activity and the introduction of additional residential homes in close proximity to the

river bottom as a result of project implementation is not anticipated to result in indirect effects to the Least Bell's vireo with respect to increased recreational use of the river bottom, introduction of pets, night lighting, noise, or increased surface runoff and pollutants in surface water. Each of these issue areas is discussed in more detail below.

Recreational Use of the River Bottom. Human activity in Least Bell's vireo breeding habitat such as hiking and exploring can flush birds away from nests (USFWS, NOP Response, 2006). However, it is not anticipated that the proposed project would substantially increase the amount of human activity such as hiking or walking along or within the river bottom. The Rincon Consultants site visit conducted on February 13, 2007 included a visit to the Santa Clara River bottom across Ventura Road from the project site. Within the river bottom there was evidence of dumping, paintball use and graffiti, and several homeless encampments were observed. It is not anticipated that a substantial number of residents from the proposed project would choose to recreate in this area, due to its degraded state and general lack of active recreational opportunities. (It is possible that dumping, litter and illegal camping may cease in the future due to heightened enforcement of existing laws, and that in that event more residents may visit the area. In that event, the overall impact of new low-impact visitors would be offset by the decrease in high-impact dumping, camping etc.) In addition, planned new and readily available recreation areas such as parks and open space would be provided within the project site for use by future residents. Thus, it is anticipated that residents would choose to recreate in these areas over the degraded river bottom. For these reasons, secondary impacts to the Least Bell's vireo from recreational use of the river bottom by future project residents would be less than significant.

Introduction of Pets. Walking unleashed dogs can flush Least Bells vireo from nests or disturb adults to such a degree that reproductive attempts are unsuccessful. Free-roaming cats belonging to residents may prey on Least Bell's vireo adults, young, and eggs (USFWS, NOP Response, 2006). The existing project site vicinity is urban in character. A mobile home park exists within the project site, and a relatively high level of residential development is located to the south of the project site. Thus, under existing conditions, cats and dogs are currently present within the project site and within surrounding residential communities. While the proposed project would incrementally introduce additional pets such as cats and dogs into the area, it is not anticipated that this incremental increase would be substantial. The types of homes proposed under the project are exclusively attached dwelling units, including high-rise towers. These types of homes tend to have fewer pets associated with them than detached houses with yards, and those pets are more likely to remain indoors. In addition, it is not anticipated that dog owners would walk dogs in the river bottom as the river bottom is not an ideal place to recreate, due to the lack of an organized access, lack of developed facilities, and generally disturbed nature of this area. Furthermore, parks, open space and an extensive pedestrian network are proposed within the project site and would provide more desirable alternative locations for residents walking dogs. While cats could become introduced predators to birds living in the river bottom, North Ventura Road, which carries several thousand trips per day, would be an effective barrier to pet movement from the project to the river. In addition, new pets associated with the proposed project would be only a modest increase of such predators in relation to those likely to frequent the area from existing single family residences to the south and elsewhere. Overall, the proposed project would incrementally increase the number of cats and dogs within the project area; however, this incremental increase

would not substantially affect wildlife in the riparian corridor for the reasons discussed above. Impacts would be less than significant.

Night Lighting. Night lighting can lead to spatial disorientation and can interrupt migration patterns of migratory birds such as the Least Bell's vireo. Within the portion of the project site that is near the Santa Clara River, the potential sources of lighting from the proposed project include the windows of the residential units as well as spillover light from street lighting. The project site vicinity is urban in character, with relatively high levels of existing lighting. Although the proposed project would not substantially alter this existing condition, especially near the river where high-rise development is not proposed, mitigation measures AES–3(a) and AES-3(c) identified in Section 4.1, *Aesthetics*, would minimize the potential for project-generated nighttime lighting to effect habitat areas within the river corridor. This would reduce any lighting impacts which could adversely affect biological resources within the Santa Clara River including, if present, the Least Bell's vireo to less than significant levels.

Noise. Construction and traffic noise can interfere with the auditory signals Least Bell's vireo rely on by making these sound inaudible, changing their perceived location, or reducing the distance over which the signal can be heard or interpreted (TranSafety, Road Engineering Journal, 1997). Construction activities have the potential to generate high noise levels and ground borne vibration. Mitigation measures N-1(b) through N-1(f) identified in Section 4.9, *Noise*, would reduce noise impacts associated with construction which could adversely affect biological resources within the Santa Clara River including, if present, the Least Bell's vireo.

Onsite operations would generate noise levels that may periodically be audible to areas surrounding the project site. For biological resources in the Santa Clara River, the predominate noise source would be from project-generated traffic along North Ventura Road. The noise level increase along North Ventura Road (50 feet from the centerline of North Ventura Road) from project related traffic would be 0.5 dBA (see Section 4.9, *Noise*). In general, a 3 dB change in community noise levels is noticeable, while 1-2 dB changes generally are not perceived. It should also be noted that this portion of the river corridor is adjacent to Highway 101 and an active railroad corridor. Any animals that occur in the river corridor are tolerant of the existing high noise levels and would not be affected by the relatively minor if not imperceptible increase that would result from project implementation. Therefore, impacts from operational noise associated with the proposed project on biological resources within the Santa Clara River including, if present, the Least Bell's vireo would be less than significant.

Surface Water Runoff, and Increased Pollutants in Surface Water. Pollutants in surface water can disrupt the balance within an ecosystem by killing off some species and promoting others to grow out of control. This could indirectly affect the riparian habitat that Least Bell's vireo use for nesting and foraging. In addition, some pesticides can cause birds to lay eggs with very thin shells, reducing the chance for successful reproduction. The proposed project would result in the replacement of the large expanses of surface parking areas and commercial development into residential areas with associated landscaping, subterranean parking garages and parks and open space. Residential yards, parks and open space would help reduce the volume of urban runoff that is currently generated by impermeable surfaces on the site. Therefore, the project would reduce offsite storm water flows compared to those generated by existing conditions.

Paved surfaces are known to accumulate deposits of pollutants such oil, grease, and other vehicle fluids that contain hydrocarbons. Urban development creates pollution sources that are associated with an increased density of humans. This brings proportionately higher levels of pesticides, household hazardous wastes, pet wastes, trash, and other anthropogenic pollutants. While the proposed project would introduce pollutants associated with increased residential density, it would also replace existing surface parking areas with open space, landscaped areas, residential yards, and updated storm water treatment facilities. As discussed in Section 4.7, *Hydrology and Water Quality*, the long-term surface water quality of runoff from the project site would be expected to improve over existing conditions with the removal of existing facilities and replacement with the proposed project's open space areas, landscaping, and residential yards. As further discussed in Section 4.7, this is considered an overall beneficial effect of the project. Therefore the proposed project, with incorporation of the mitigation measures in Section 4.7 *Hydrology and Water Quality*, would have a less than significant effect with respect to surface runoff, and a beneficial impact by reducing surface water pollution. Therefore, the proposed project would not result in significant impacts to biological resources within the Santa Clara River including, if present, the Least Bell's vireo.

Mitigation Measures. Mitigation measures AES–3(a) and AES-3(c) identified in Section 4.1, *Aesthetics* would reduce secondary impacts associated with night lighting to the to the least Bells vireo to a less than significant level. Measures N-1(b) through N-1(f) identified in Section 4.9, *Noise*, would reduce secondary impacts associated with construction noise to the least Bells vireo to a less than significant level. Secondary impacts to the Least Bells vireo associated with recreational use of the Santa Clara River bottom, introduction of pets, increased surface water runoff and increased pollution in surface water would be less than significant without mitigation.

Significance After Mitigation. The proposed project would not have a substantial direct effect on any rare or endangered species of animal or plant, or the habitat of these species. Implementation of mitigation measures AES-3(a), AES-3(b), in Section 4.1 and measures N-1(b) through N-1(f) in Section 4.9, would reduce secondary impacts associated with lighting and noise to a less than significant level. Impacts associated with recreational use of the Santa Clara River bottom, introduction of pets, increased surface water runoff and increased pollution in surface water would be less than significant without mitigation.

Impact BIO-2 Site development would remove existing trees that may be used by nesting birds or by migratory birds as nesting habitat. This would be a Class II, *potentially significant but mitigable*, impact.

The CNDDB did not identify any special-status species raptors or birds as potentially occurring within the project site. In addition, it is not anticipated that special status species of raptors or birds would be present on the site due to the lack of appropriate foraging and nesting habitat for the individual species (Rincon Consultants, site visit, February 13, 2007). However, large mature landscape trees such as ficus, myoporum, and eucalyptus are located within the project area and may provide habitat for common species bird nests and/or migratory bird nests. Construction activity, including tree removal, could potentially disturb active nests. All bird nests are protected under California Fish and Game Code Section 3503, and are therefore considered protected biological resources. Additionally, the federal Migratory Bird Treaty Act

has been incorporated into the California Fish and Game Code, and protect nesting birds, eggs and young. Therefore, disturbance of active birds nests (if present), would be a violation of the Fish and Game Code and would be a significant, but mitigable impact.

Mitigation Measures. The following measures are intended to mitigate potentially significant impacts relating to the presence of nesting birds and/or migratory birds and to ensure compliance with the Migratory Bird Treaty Act and California Fish and Game Code. These measures would apply to all phases of project construction.

BIO-2(a) **Nesting Bird Survey.** If tree removal is to occur during the bird-breeding season (February 15- September 15), surveys shall be conducted prior to tree removal by a City approved biologist (a person with a biology degree and/or established skills in bird recognition). Surveys shall occur within two weeks prior to initial tree removal. A copy of the contracts and reports for these services shall be submitted to the Planning Department for review and approval prior to issuance of grading permits permits.

BIO-2(b) **Establishment of Appropriate Buffers.** In the event that nesting birds are observed within 250 feet of a construction area, species-specific exclusion buffers shall be determined by a City-approved biologist, and construction timing and location adjusted accordingly until the nestlings have fledged.

BIO-2(c) **Construction During the Bird Nesting Season.** Construction activities that would have a direct impact on bird nesting areas such as large trees, shall be conducted between October and February when nesting birds are least likely to occur.

BIO-2(d) **Incorporation of Trees into Landscape Plan.** The project landscape plans shall include an inventory of mature trees that currently exist on the project site and shall include replacement of mature trees at a minimum of a 1:1 ratio. At maturity, landscape trees shall be of a comparable height and massing to the existing trees on the property so as not to diminish the bird nesting capacity of the property compared to current conditions. An arborist report shall be submitted, and the value of trees removed shall be added to the landscape plan to augment tree plantings.

Significance After Mitigation. With implementation of the above measures, potential impacts to nesting birds and raptors would be reduced to a less than significant level.

Impact BIO-3 **Non-native plants introduced by the project landscaping may invade nearby native plant communities within the Santa Clara River. This would be a Class II, *potentially significant but mitigable* impact.**

Introduction of non-native plant species may occur through the use of non-native ornamental plant species for landscaping purposes. Non-native plants can displace native species, resulting in the loss of suitable foraging or nesting habitat for wildlife, and changing the overall floral composition of the area of which non-native species are introduced. Of particular importance is that certain horticultural species readily release seeds and other reproductive agents that may crowd out and replace native vegetation. Examples of such plants include giant cane (*Arundo donax*), various ivies and other trailing vines, and tamarisk. The introduction of invasive non-native ornamental plants from the project site may diminish the quality of native habitat in the Santa Clara River bottom, which is across Ventura Road from the project site. Given the project site's close proximity to the Santa Clara River, impacts would be potentially significant unless mitigated.

Mitigation Measures. The following measure is intended to mitigate potentially significant impacts relating to the introduction of non-native plants. These measures would apply to all phases of project construction.

BIO- 3 **Native Landscape Plan.** Non-native species or invasive plant species listed in the most updated version of the 1999 Cal-IPC Exotic Pest Plants of Greatest Ecological Concern in California shall not be planted within the project site or along the borders of the project site. This restriction shall also apply to private yards within the project through homeowners Association rules or covenants, conditions and restrictions (CC&R). The developer shall submit landscape plans reflecting this restriction for approval prior to issuance of grading permits.

Significance After Mitigation. With implementation of the above measures, potential impacts associated with the introduction of non-native plants would be reduced to a less than significant level.

c. Cumulative Impacts. Cumulative development in the City would continue to disturb sensitive biological resources, including nesting birds. Cumulative buildout in the City of Oxnard would add about 10,468 new residential dwelling units and approximately 12.5 million square feet of non-residential development (see Table 3-2 in Section 3.0, *Environmental Setting*). Each development proposal is reviewed by the City and undergoes environmental review when it is deemed appropriate. Significant impacts to biological resources are minimized through this development review process, which requires mitigation to reduce significant impacts to the greatest extent feasible and below significance thresholds in most cases. The biological impacts associated with the proposed project will be mitigated to levels of insignificance. Therefore cumulative biological impacts associated with implementation of this project would be less than significant.

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4.4 CULTURAL RESOURCES

This section analyzes potential impacts to archaeological and historical resources. The archaeological resource analysis included a records search with the South Central Coastal Information Center (SCCIC), a field visit to the site, and Native American consultation.

The Historical resource discussion summarizes the findings of a Historic Resources Report that was prepared by Post/Hazeltine Associates (PHA) dated September 30, 2005 and two peer reviews of this report. An initial peer review was conducted San Buenaventura Research Associates (SBRA; December 15, 2006). A second peer review of the Post/Hazeltine Report and the SBRA Review report was conducted by Applied Earthworks Inc. (AE, May 22, 2007). The full report and peer reviews are contained in Appendix C. The SBRA and AE peer reviews were augmented by site reconnaissance to examine the project area and to provide a reference base for peer reviewing the Post/Hazeltine report which is based on information obtained from a field investigation and research.

4.4.1 Archaeological Setting

a. Archaeological Overview. The project area is located within the historic territory of the Native American Indian group known as the Chumash. The Chumash occupied the region from San Luis Obispo County to Malibu Canyon on the coast, and inland as far as the western edge of the San Joaquin Valley, as well as the four northern Channel Islands. The Ventureño were the southernmost Chumash group, occupying most of the area of present day Ventura County and the southwest corner of Los Angeles County. Nine known Chumash names have been reported for places on the Oxnard Plain, including:

- *Muwu village/rancheria, located near the shore of Mugu Lagoon, an important Chumash capitol and ceremonial center*
- *Simo'mo village/rancheria, located inland from Mugu Lagoon*
- *Wene'mu, translated as "sleeping place," a temporary camp used as a rest stop for canoe trips to and from Anacapa Island, located at present day Hueneme*

However, based on the results of the archaeological records search, outlined below, there is no evidence that any of the known Chumash places are located within or adjacent to the project site.

b. Records Search Results. A records search was conducted by faculty at the South Central Coastal Information Center (SCCIC), California State University, Fullerton, the results of which are dated January 16, 2007 and can be found in Appendix C. There is record of two previous archaeological investigations within the project boundaries, and 14 previous archaeological studies performed within a 0.5-mile radius of the site. No prehistoric or historic archaeological sites were identified on the project site or within a 0.5-mile radius of the site. No isolates have been identified on the project site or within a 0.5-mile radius of the site. Four ethnographic place names, Katshup, Kama'oq, Ponom, and Kamakaqmu were listed within a one-mile radius of the project site.

Listings from the National Register of Historic Places (NRHP), California Historical Landmarks, California Historical Property Data File, California Points of Historical Interest, and Ventura

County Landmarks were searched as part of the cultural resources assessment. No properties listed on City, County, State or National lists of historic resources were identified on the project site or in the immediate vicinity. Neither the project site, nor the structures on it were included in the listings of the any of these registers. The California Historic Resources Inventory (2006) lists four properties that have been evaluated for historical significance within a 0.5-mile of the project site. All of these sites are on the subject property and were evaluated in March of 2000 (SCCIC, 2007). These sites include: Wagon Wheel Motel & Restaurant, El Ranchito Restaurant, Wagon Wheel Bowl, and Wagon Wheel Market

c. Native American Consultation. Native American consultation was conducted in accordance with State Bill SB-18 and the California Tribal Consultation Guidelines (OPR 2005). According to the letter received from the Tribal Elders Council Governing Board the project site was not known as a spiritual or ceremonial resource. As outlined in the California Tribal Consultation Guidelines, project notification letters were sent to various Native American contacts for further input on the proposed project (note that the project file at the City of Oxnard Department of Planning and Environmental Services contains the contact list and written responses of Native American representatives).

4.4.2 Historical Setting

a. Historic Overview. In 1769, the Portola Expedition departed the newly established San Diego settlement, and marched northward toward Monterey with the objective to secure that port and establish five missions along the route. The closest mission to the project site is Mission San Buenaventura, founded by Father Serra in 1782. In 1822 Mexico gained its independence from Spain, and in the 1830s, the Missions were secularized and their lands granted as rewards for loyal service or in response to an individual's petition.

The project site is located within the historic territory of the large Mexican land grant *Rancho El Rio de Santa Clara y La Colonia.* Granted in 1837, this Rancho covered approximately 49,000 acres, including the present day cities of Port Hueneme and Oxnard. During the early American Period, the Rancho lands were sold off. With the drilling of artesian wells in 1871 and the construction of the Port Hueneme Wharf in 1872, the Oxnard Plain quickly developed into a major agricultural region. In 1897, sugar beets became the major crop in the area following the construction of a large sugar beet factory by the Oxnard brothers on a flat stretch of lightly populated agricultural land known as Rancho La Colonia. A town site was developed and named in honor of the Oxnard brothers, and was incorporated as the City of Oxnard in 1903. The establishment of military bases at Port Hueneme and Point Mugu during World War II, and the rise of electronic, aerospace and other manufacturing industries have contributed to the City's growth since World War II.

After California became part of the United States following the Mexican-American War, the Rancho lands were sold off incrementally. Former owners of the project site include Thomas Scott who purchased 32,000 acres in 1864. Scott, who intended to establish an oil industry in Ventura County, promptly sold some of his landholdings to newly arrived farmers and ranchers, many of whom had recently immigrated from Ireland and Germany. This included Christian Borchard, a German, who began to purchase land in Ventura County shortly after his arrival in 1867. Borachard purchased land that would include the area later developed as Wagon Wheel Junction. By the 1920s, the road linking western Ventura County with Los

Angeles had been paved and a new two-lane bridge spanning the Santa Clara River had been built for use by automobiles. In June of 1929, a two-lane roadway linking Santa Monica to Oxnard was completed. Named the Roosevelt Highway, (VEN-60-B) (later changed to Pacific Coast Highway), the road formed a junction near the east bank of the Santa Clara River (later named Wagon Wheel Junction). The construction of the bridge, improvements to the highway, and the proximity of a junction linking two of Ventura County's most important roads, made the Wagon Wheel Junction an attractive location for roadside services. By the mid-1940s, a few roadside businesses, including, a service station, café, and small motel, were located at the crossroads of the two highways. The hostelry, known as the Junction Motel, was sited along the triangular-shaped area created by the intersection of the two highways. Much of the residual acreage, however, remained in the possession of the Borchard family, who continued to farm the land. In the immediate years following the end of World War II, expansion in the area began to increase, driven by an increasingly mobile population and new improvements to the highway system. These developments provided the impetus for Martin V. Smith, a local businessman, to buy portions of the surrounding farmland and to transform it into an enclave of commercial and industrial buildings.

In 1946, Martin V. "Bud" Smith purchased 50 acres of farmland from the Borchard family in the area later known as Wagon Wheel Junction. In that same year, Smith, working with Fred Humphrey, began construction on a 45-unit western themed motel and restaurant. Both motel and restaurant were remodeled from surplus barrack buildings purchased by Smith from the nearby navel base at Port Hueneme. Like a number of roadside businesses, built between 1945 and circa-1960, Smith's development was designed around a western architectural theme which conflated elements of the popular California Ranch residential style with motifs that evoked the Old West of the nineteenth century. Like other western themed buildings of the time, Smith's Wagon Wheel development employed exaggerated architectural motifs that drew inspiration from, rather than attempting to re-create the authentic regional vernacular architecture of the late nineteenth century (the development also included a driving range and nursery (neither were designed with a western theme). A 1949 photograph of the complex depicts the improvements to Smith's property, including the 46-unit Wagon Wheel Motel, the 18-unit Junction Motel, the Wagon Wheel Restaurant, the Wagon Wheel Nursery, and Gay's Golf Driving Range.

Shortly after the completion of Smith's motel, the State began work on the first phase of a long-range project to transform State Route 101 (SR 101) and the Pacific Coast Highway into freeways. The construction in the postwar period of an expanded 101 Freeway in Ventura was part of an extensive program of road improvements undertaken by the State of California. As built by the State, in 1949, the Wagon Wheel segment of SR 101 was comprised of a divided highway, flanked on either side by an undivided frontage road, or outer highway. The project required the partial acquisition of 13 properties and 21 leaseholds. Construction of the freeway also required the relocation of six units of the Junction Motel (then owned by Martin Hansen who had purchased the property in 1946, it was later sold to Smith, in 1949) and the Alternate Inn Café, owned by C. A. Markel. In 1953, Smith leased both the Wagon Wheel and El Ranchito Restaurants to Ralph Smith (no relation) and Colonel William Long. Two years later, in 1955, Smith leased the motel to the Humphrey Brothers. Throughout the period between mid-1950s and the mid-1960s Smith continued to expand Wagon Wheel Junction. He purchased additional parcels in the Wagon Wheel area, developing a commercial/industrial park and a mobile home park (circa-1954) on the acreage behind the hotel and restaurant complex. A grid

of streets, with western-themed names, such as Buckaroo, Cactus and Spur, were laid out in the tract.

During this period a number of office, industrial, warehouse, and entertainment venues were constructed, including, among others, a bowling alley (1953), a skating rink (1956), a warehouse building (its first wing completed in 1955), and a bottling plant for the Seven-Up Company (1955). With the exception of the street names and the use of old wagon wheels for mailbox supports, the buildings did not employ the western motif used in the motel/restaurant complex. Instead, most of the buildings were functional and utilitarian in design, and rarely referenced any particular architectural style. In a few cases the buildings, most particularly the skating rink and former store at 306 Cactus Avenue, were inspired, though in a very reductive fashion, by post-World War II Second Generation Modernism. In another notable exception, the Tradewinds Restaurant, located on Wagon Wheel Road, employed an exotic motif.

By the late-1960s Wagon Wheel Junction began to slowly decline as a commercial/retail and tourist hub for Oxnard. A number of factors, including improvements to U.S. 101, the development of upscale hotels and motels at the nearby Channel Islands Harbor, and the construction of the Esplanade Mall on an adjacent parcel, played a role in its decline. By the late 1960s almost all development at Wagon Wheel Junction had ceased (the last large building was constructed on Cactus Avenue in 1967). In the early 1980s the parcel located west of the trailer park was redeveloped as a multi-tenant retail center. The retail center, with its relatively poor access to the freeway, proved not to be a success. Eventually, its anchor store, Zody's, was transformed into a skating rink. Shortly after the death of Smith in 2001, his family sold Wagon Wheel Junction, its new owners proposing to redevelop the property with a mix of retail and residential development. Planned improvements to the 101 Freeway, which began in the early 2000s, would improve circulation and access to Wagon Wheel Junction, the redevelopment of the nearby Esplanade shopping center, and the construction of an expansive mixed-used development on the north side of the freeway had increased the desirability of Wagon Wheel Junction for redevelopment.

b. Existing Conditions. The project site has been known as Wagon Wheel Junction since the construction of a motel and restaurant complex in the late 1940s. Located on an approximately 64-acre parcel at the intersection of U.S. 101 and Oxnard Boulevard, Wagon Wheel Junction is sited on a roughly triangular-shaped parcel on the east bank of the Santa Clara River. As shown in Table 4.4-1 the project site is developed with a range of commercial, industrial, retail, and residential buildings, including warehouses, offices, stores, and a trailer park. The majority of the buildings were constructed in an approximately 25-year period between circa-1947 and the mid-1970s. A network of streets arranged on a grid divides the site into a series of blocks. The following section describes the individual structures located within the project area that may have potential to meet historical significance criteria. For further information on the other buildings onsite, see the Historic Resources Report provided as Appendix C.

Table 4.4-1 Existing Onsite Structures

Address	Name/Use	Date of Construction	Potential to Meet Significance Criterion	Potential Eligibility*
2700 Buckaroo Ave.	retail store	c. 1950-1956	X	
2730 Buckaroo Ave.	retail store	post 1956		
2731 Buckaroo Ave.	Roller rink	1956	X	
2737 Buckaroo Ave.	commercial/retail	post 1956		
304 Cactus Ave. (also 2705 Saddle Ave.)	industrial/warehouse	c. 1950-1956	X	
306 Cactus Ave.	commercial/retail	1955	X	
311 Cactus Ave.	commercial/retail	1956	X	
314-320 Cactus Ave.	commercial/industrial	1966		
329 Cactus Ave.	industrial/warehouse	post 1956		
330 Cactus Ave.	industrial/warehouse	c. 1950-1956	X	
331 Cactus Ave.	industrial/warehouse	post 1956		
333 & 333 1/2 Cactus Ave.	commercial/industrial	1956	X	
350 Cactus Ave.	commercial/industrial	1971		
2640 Saddle Ave.	commercial/industrial	c. 1950-1956	X	
2601 Underpass Rd.	commercial/industrial	1960		
2603-2609 Underpass Rd. (also 2611-2645 Saddle Ave. & 342-350 Winchester Ave.)	commercial/industrial	1963, 1964		
2555 Wagon Wheel Rd.	retail	moved to property in 1958	X	
2575 Wagon Wheel Rd.	commercial/industrial	c. 1964		
2603 Wagon Wheel Rd.	commercial/industrial	c. 1968		
2605 Wagon Wheel Rd.	commercial/industrial	c. 1972		
2611 Wagon Wheel Rd.	commercial/industrial	c. 1968		
2615 Wagon Wheel Rd.	commercial/industrial	1963		

Table 4.4-1 Existing Onsite Structures

Address	Name/Use	Date of Construction	Potential to Meet Significance Criterion	Potential Eligibility*
2635-2639 Wagon Wheel Rd.	American Legion Hall	c. 1955 with later additions	X	
2705 Wagon Wheel Rd.	commercial	1964 with later additions		
2751 Wagon Wheel Rd.	Junction and Wagon Wheel Motels	1947-1962	X	Landmark
2755 Wagon Wheel Rd.	Wagon Wheel Restaurant	1947-1962	X	Landmark
2765 Wagon Wheel Rd.	El Ranchito Restaurant	1947-1953 with later additions	X	Landmark Area
2801 Wagon Wheel Rd.	Wagon Wheel Bowling Alley	1953	X	Landmark Area
2821 Wagon Wheel Rd.	commercial	1966		
2851 Wagon Wheel Rd.	Western Trailer Park	1953 with later additions	X	
800-884 Wagon Wheel Rd.	commercial	1980		
300 Winchester Ave.	commercial/industrial	c. 1965		
301 Winchester Ave. and 2640 & 2644 Saddle Ave.	commercial/industrial	1956	X	
310 Winchester Ave.	commercial/industrial	c. 1966		
334 Winchester Ave.	commercial/industrial	c. 1957		
338 Winchester Ave.	commercial/industrial	c. 1958		

The table summarizes the properties evaluated by Post/Hazeltine Associates and reviewed by SBRA and AE.
Note that this table is based on Table 1 in the Post/Hazeltine Associates report and the Table in the SBRA report.
** Potential eligibility based on determinations by SBRA and AE (See Appendix C for full reports)*

2751-2755 Wagon Wheel Road.

Buildings:

Junction Motel (later the Western Motel). Please refer to Figure 2-4C in Section 2.0, *Project Description,* for a photo of the Motel. The former Junction Motel is comprised of a freestanding wing and a row of five duplex units and a single triplex arranged around a triangularly shaped lawn. The duplex units are wood frame buildings capped by moderately-pitched side gable roofs covered in composition shingles. The exterior walls are sheathed in stucco with horizontal wood siding on the lower third of the primary elevation (west elevation). Fenestration is comprised of metal frame sliders. Panel doors placed at either end of the primary elevation provide access to the units. A shed roof supported by angular brackets shelter the doors. Raised brick planter beds flank the doorways. The triplex, which is located at the north end of the row of units, is embellished with a brick fireplace. Another one-story motel wing is located northwest of the freestanding duplexes. It is a one-story wood frame building capped by moderately-pitched side gable roofs covered in composition shingles. The west elevation functions as the building's primary façade. Its fenestration is comprised of metal frame sliders that flank panel doors that provide access to the individual units. Small gable-roofed roofs, supported by angled braces shelter each of the doors. Originally these units were comprised of small units flanked by covered carports. Sometime in the mid-1950s to early 1960s the carports were enclosed to form additional living space. It is likely that this was the same time that the motel's original horizontal siding was covered with stucco, the original wood sash windows were replaced with metal sliders, and the small porches were altered. A large pole sign, placed on a brick plinth, is located on the triangular lawn near the entrance on Wagon Wheel Road.

Wagon Wheel Motel. Please refer to Figure 2-4C in Section 2.0, *Project Description,* for a photo of the Motel. The Wagon Wheel Motel is comprised of eight free standing buildings, a pool, and a lobby (attached to the adjacent Wagon Wheel Restaurant). The main motel complex is comprised of a two concentric rings of u-shaped detached or semi-detached wings that face toward Wagon Wheel Junction. The motel, with the exception of a two-story wing at the northeast corner of the complex, and a second floor manager's apartment located behind the restaurant, is one-story in height.

An inner ring of three detached wood frame buildings surrounds the motel's pool. Their exterior walls are sheathed in board-and-batten style siding set on a brick veneered plinth. Chimneys embellish several of the elevations. Moderately-pitched side or front gable roofs cap each of the buildings. Exposed rafters support the roofs' extended eaves. The fenestration is comprised of metal frame sliders set flush with the wall plane. A concrete deck surrounds the pool. Several existing elements of these three buildings, including most of the doors and the metal frame windows, most likely represent post-1955 alterations to the buildings.

The outer ring is comprised of five detached or semi-detached wings housing guestrooms and a lobby wing. A two-story rectangular cinderblock and wood frame building built in 1952 forms the east end of the outer ring of buildings. It is covered by a low-pitched gable roof clad in composition shingles. The roof is capped by two square vents capped by diminutive pyramidal roofs and a neon sign spelling "Motel". At the center of the wing a porte-cochere extends through the building to a rear parking area. The first floor of the building is exposed concrete

block and the second floor is sheathed in a combination of horizontal wood siding and stucco. A cantilevered second floor porch runs the length of the north and south elevations' second floor. An x-style railing extends along the length of both porches. The street façade's porch is flanked on the east by a slight projection capped by a front gable roof. Its most notable feature is a brick chimney that extends above the eave line. The fenestration is primarily comprised of multi-light metal casements. On the north and south elevations the windows are flanked by panel doors that provide access to the individual units. An open staircase placed at the west end provides access to the second floor. The building's western style embellishments are relegated to a scalloped bargeboard placed at the base of the second floor. The east and west elevations are linear in configuration with multi-light metal frame windows.

A one-story, wood frame wing, capped by a shed roof, projects from the rear (south) elevation of the two-story wing (built in 1947-1948). The building is clad in horizontal wood siding. The extended eave of the primary façade (west elevation) is supported by wood posts and forms the wing's porch. Its scalloped bargeboard is one of the building's few decorative embellishments. The wing's fenestration is comprised of metal sliders that flank panel doors providing access to the individual units. A smaller detached one-story wing forms the south end of the u-shaped wing (built in 1947-1948). Its design mimics that of the adjacent wing. The smaller wing is flanked on its northwest by a long one-story wing that also mimics the design of the other two wings. At its north end the wing is linked to the restaurant/lobby building by a two-story porte-cochere. Built in 1962, the porte-cochere's second floor houses the manager's apartment. Capped by a pyramidal roof covered in wood shingles, the apartment's exterior is sheathed in board-and-batten style siding. Fenestration is comprised of metal sliders set flush with the wall plane. A small freestanding building is placed behind the u-shaped wing. This wood frame building with metal frame windows was built sometime between mid-1950s or early 1960s (it is possible that this building was relocated in 1953-1954 to its current location from the adjacent Junction Motel).

Wagon Wheel Restaurant and Motel Lobby. Please refer to Figure 2-4C in Section 2.0, *Project Description,* for a photo of the Restaurant and Motel lobby. The restaurant is a v-shaped, one-story, wood frame building with a small second floor wing at its east end. It is capped by a complex side gable roof covered in wood shingles, with shed roof wings projecting off of the rear elevation. Its original wing was constructed in 1947-1948. The north elevation forms the restaurant's street elevation. Its shed-roof is embellished with dovecote style vents capped by diminutive pyramidal and gable roofs. Air conditioning vents obscure part of the roof. At the east end of the elevation a small tower, capped by a pyramidal roof, projects above the ridgeline (the tower houses the manager's apartment). A shed-roofed projection with fixed glazing, runs along part of the elevation (this was originally an open porch supported by wood posts; in circa-1962 it was transformed into interior space). The former porch is flanked on its northwest side by a used-brick fireplace built in the early 1960s. The fireplace, which is embellished with a neon sign that reads "Breakfast, Lunch, Dinner," is flanked on its north side by shed-roofed wing capped by an extended eave. Supported by wood posts the extended eave forms a shallow porch that shelters a secondary entrance to the restaurant.

The north elevation's eave line is embellished with a scalloped bargeboard. The east end of the enclosed porch is flanked by another brick chimney. A canvas awning that shelters the main entrance to the restaurant flanks the chimney. At the east end of the elevation a wing capped by a front gable roof projects from the main block of the restaurant. Its most notable element is

its angled gable roof and large plate glass windows and clerestory. The large windows are flanked on their east by a glazed door that provides access to the motel lobby. The windows are flanked on their east side by a corner fireplace made of used brick. At its south end the office wing is linked to the adjoining wing by a porte-cochere capped by a second floor. Its fenestration is comprised of metal sliders. The primary elevation (north elevation) is embellished with several decorative embellishments including wagon wheels, scalloped bargeboards, horseshoes, and branding irons.

Clad in board-and-batten style siding, the south, west, and east elevations of the restaurant are more utilitarian in design. The west elevation, with its wood frame windows, scalloped bargeboard, brick planter and porch is the most elaborate of the building's secondary elevations. The south and east elevations are primarily clad in board and batten style siding. Fenestration is confined to a number of small metal frame windows. At the west end of the south elevation (rear of the building), a concrete ramp leads to a panel door that provides access to the restaurant's kitchen.

Signage at Wagon Wheel Motel/Restaurant Complex (including former Junction Motel). Several neon signs are placed on or near the restaurant. They include the following:

- A large pole sign placed adjacent to the north elevation. Supported by three metal poles the sign is embellished with depictions of a buckboard and team of horses capped by the words "Wagon Wheel Restaurant" in Western style script (this sign was installed in circa-1955).
- A small vacancy/no vacancy sign placed on a wood pole capped by a metal lantern is located near the northeast corner of the restaurant.
- A neon sign spelling out "Restaurant" in Western style script caps the enclosed porch.
- A small neon sign with the words "Breakfast, Lunch, Dinner," is placed on the exterior of the fireplace at the west end of the restaurant's north elevation.
- A wood sign embellished with the words "Wagon Wheel" is placed at the east complex (at the location of the former Junction Motel).
- A metal and neon sign spelling "Motel" is located on the roof of the motel's two-story wing.

The existing motel complex comprises elements of two motels, the Junction Motel (later called the Western Motel) and the Wagon Wheel Motel. Built sometime before 1945, the 16-unit Junction Motel was originally located in a triangular-shaped piece of land between Highway 1 and U.S. 101. In 1948 the construction of the freeway junction required the relocation of the motel slightly to the southwest of its original location (at the time the motel was owned by A. E. Hanson). The relocated Junction Motel featured duplex units separated by covered carports. When Martin V. Smith acquired the property in 1946 he initiated construction on the Wagon Wheel Motel and restaurant, as well as making substantial changes to the Junction Motel. Smith used three surplus military barracks from Port Hueneme Navel Base to construct the u-shaped 45-unit Wagon Wheel Motel. Several features of the buildings' original architectural scheme, including their one-over-one wood sash windows and horizontal wood siding were preserved by Smith. It is not clear as whether the buildings' shed roofs were an original feature of the barracks, or represent an alteration made by Smith after he moved the buildings to Wagon Wheel Junction. The motel's references to the western style theme chosen for the motel/restaurant complex were confined to the eave's scalloped bargeboard and the wagon

wheels used to embellish the facade. A triangular-shaped lawn, surrounded by a paved driveway, filled the area between the motel's three wings. The lawn was surrounded by a paved drive that linked the motel with the adjacent restaurant and frontage road. In front of the motel and restaurant a series of planter beds, landscaped with succulents and cacti, delineated the boundary between Smith's property and the outer highway.

Between 1949 and the early 1960s the motel complex underwent a series of alterations and modifications that expanded both the Junction Motel and the Wagon Wheel Motel. The first significant alterations were made in 1951 when a freestanding twelve-unit two-story wing was added to the hotel. In 1952 a 1,800 square-foot addition was made to the Wagon Wheel Motel. In 1953-1954 three wings of the Junction Motel were moved. The relocation was necessitated by the reconfiguration of the outer road (now Wagon Wheel Road). The units were relocated to the adjacent Wagon Wheel Motel according to permits issued in 1953 and 1954 for the relocation of a six-unit motel and a five-unit apartment building. A year later in 1955, permits were issued for the construction of a swimming pool, flanked on three sides by detached one-story wings that were constructed at the street-side of the triangular lawn facing Wagon Wheel Road. Further alterations were made in 1955 when a freestanding building housing an employee apartment was constructed behind the Wagon Wheel Motel. In 1962, a new lobby and two-story manager's apartment were built off of the east elevation of the adjacent Wagon Wheel Motel. Other alterations were made to the motel complex after 1952; these included the replacement of most of the motel's original wood sash windows with metal frame sliders and the replacement of the some of the original wood panel doors with new doors. Sometime in the mid-to-late 1950s a large over-scaled neon wagon wheel sign was placed just southeast of the Junction Motel. The programmatic sign depicted a gigantic wagon wheel placed on top of a tower. The sign was emblazoned with the words "Wagon Wheel." In 1981 fire damage to the roof of one building was repaired. Twenty years later, in 2001, part of the complex was re-roofed.

<u>2765 Wagon Wheel Road (El Ranchito Restaurant).</u> This one-story wood frame and cinderblock building has an irregular footprint. A complex roof, made up of a number of shed roof elements, caps the building. Its exterior is covered in a variety of cladding types including clapboard, board-and-batten, and brick veneer. Window types include fixed wood and metal frame windows. The north side of the building, which faces toward Wagon Wheel Road functions as the restaurant's primary elevation. This elevation is L-shaped in configuration with a 2/3 length recessed porch, supported by wood posts, running along the east end of the façade's projecting wing. A shed roof, covered in c-shaped terra cotta tiles, runs the length of the façade. A set of recessed double doors, set at the east end of the elevation, is the main entrance to the restaurant. Two pairs of oversized windows covered with decorative wood grills flanked the doors. The west end of the elevation is clad in brick veneer, board-and-batten style siding and horizontal clapboard. Its fenestration is comprised of two windows covered in decorative wood grills. At the west end of the elevation a brick fireplace projects above the eave line. At the east end of the elevation a recessed wing, clad in board-and-batten style siding, projects from the building. The wing is sheltered by a tile-clad shed roof, capped with a parapet. A brick planter runs the length of the wing. The wing's fenestration is comprised of a single window covered by a decorative wood grill. The remaining elevations are utilitarian in design and lack the western style embellishments of the street façade.

A site map of Wagon Wheel published in 1949 depicts a garage at the location of the restaurant. Like several other buildings constructed at Wagon Wheel Junction in the immediate post-World War II period, the garage appears to have been a surplus World War II military building that was moved onto the property by Martin V. Smith. In 1952, a few years after its construction, the garage was remodeled to serve as a restaurant named "El Ranchito" (City of Oxnard Permit File for 2765 Wagon Wheel Junction). Like the adjacent Wagon Wheel Restaurant, the building had a Western themed exterior, with board-and-batten siding and shingled roofs, and "used" brick veneer. Other embellishments included the use of wagon wheels (some transformed into window frames) and branding irons that furthered the building's western theme. Smith operated the restaurant until 1953, in that year he leased both the El Ranchito and Wagon Wheel restaurants to Ralph Smith and William Long. Over the years the restaurant underwent a number of modifications, including additions to the east, west, and south elevations. Under various names, including most recently, Hacienda del Oro, the restaurant operated until its closure in 2003.

2801 Wagon Wheel Road (Wagon Wheel Bowling Alley). Please refer to Figure 2-4C in Section 2.0, *Project Description,* for a photo of the Bowling Alley. The bowling alley is a one-story concrete block building with a rectangular footprint. The building is comprised of the following four elements: 1) A one-story wing, capped by a shed roof, that forms the street elevation; 2) A rectangular wing, capped by an arched truss roof that forms the east elevation (this element of the building houses the bowling lanes); 3) A flat-roofed wing that forms the west elevation; and 4) A small shed-roofed wing that runs along the east end of the south elevation. Single and multi-light metal frame windows are the dominant window types. Functional and utilitarian in design, the building is an example of the type of industrial/commercial buildings built in great numbers in the period between circa-1950 and the mid-1960s. The street façade (north elevation), as well as the north end of the east elevation, with their plate glass windows, brick veneer, and planer walls employ minimal references to the postwar Modernist style. The secondary elevations, with their flat, planar walls, are broken only by several doors and a series of single and multi-light metal frame windows. A neon pole sign in the shape of a bowling pin and ball is located at the west end of the parking lot. Over the last 52 years, the building has undergone a number of alterations and modifications. The most significant of these were the following:

- Removal of the original pole sign and its replacement with the current sign (In 1980 the replacement sign was lowered 20 feet).
- The interior underwent unspecified alterations after a fire in 1976.
- The wing wall was modified and its neon signage was removed (date unknown).
- The street façade was modified when a "false front" was added to the shed roof (sometime after circa-1960).

A permit to build a 32-lane bowling alley was issued on May 22, 1953. Designed by the Beverly Hills architect A. Froehlich, the building, with its planer walls surfaces, over-scaled wing wall and plate glass windows is an example of the type of reductive Modernism that enjoyed great popularity between circa-1950 and 1965. Known as Hoberg's after its proprietor, Ed Hoberg, the bowling alley included a restaurant and banquet room. The building has continued to operate as a bowling alley since its construction in 1953.

4.4.3 Impact Analysis

a. Methodology and Significance Thresholds. This assessment is based on the information gathered and analyzed in the historic resources report (Post/Hazeltine Associates 2005), a peer review of that report (SBRA 2006), and a second peer review of both reports (AE, 2007). The archeological assessment is based on an archival records search, field survey, and Native American consultation. As described in the *Setting*, a records search was conducted at SCCIC located on the CSU Fullerton campus. Native American consultation was conducted in accordance with the California Tribal Consultation Guidelines (OPR 2005).

Cultural resource impacts are considered significant if the proposed project would:

- *Cause a substantial adverse change in the significance of a historic or archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines*
- *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature*
- *Disturb any human remains, including those interred outside of formal cemeteries*

For purposes of this analysis, cultural (archaeological and historic) resources include the following:

- *A resource listed, or determined to be eligible by the State Historical Resources Commission for listing, in the California Register of Historical Resources*
- *A resource included in a local register of historical resources or identified as significant in an historical resource survey*
- *Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California*

A resource is eligible for listing on the California Register of Historical Resources if it meets any of the criteria for listing, which are:

1. *Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
2. *Is associated with the lives of persons important in our past;*
3. *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
4. *Has yielded, or may be likely to yield, information important in prehistory or history.*

By definition, the California Register of Historical Resources also includes all "properties formally determined eligible for, or listed in, the National Register of Historic Places," and certain specified State Historical Landmarks. The majority of "formal determinations" of NRHP eligibility occur when properties are evaluated by the State Office of Historic Preservation in connection with federal environmental review procedures (Section 106 of the National Historic Preservation Act of 1966). Formal determinations of eligibility also occur when properties are nominated to the NRHP, but are not listed due to owner objection.

The criteria for determining eligibility for listing on the National Register of Historic Places (NRHP) have been developed by the National Park Service. Properties may qualify for NRHP listing if they:

a. *Are associated with events that have made a significant contribution to the broad patterns of our history; or*
b. *Are associated with the lives of persons significant in our past; or*
c. *Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
d. *Have yielded, or may be likely to yield, information important in prehistory or history.*

According to the National Register of Historic Places guidelines, the "essential physical features" of a property must be present for it to convey its significance. Further, in order to qualify for the NRHP, a resource must retain its integrity, or "the ability of a property to convey its significance."

The seven aspects of integrity are: Location (the place where the historic property was constructed or the place where the historic event occurred); Design (the combination of elements that create the form, plan, space, structure, and style of a property); Setting (the physical environment of a historic property); Materials (the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property); Workmanship (the physical evidence of the crafts of a particular culture or people during any given period of history or prehistory); Feeling (a property's expression of the aesthetic or historic sense of a particular period of time), and; Association (the direct link between an important historic event or person and a historic property).

The relevant aspects of integrity depend upon the National Register criteria applied to a property. For example, a property nominated under Criterion A (events), would be likely to convey its significance primarily through integrity of location, setting and association. A property nominated solely under Criterion C (design) would usually rely primarily upon integrity of design, materials and workmanship. The California Register procedures include similar language with regard to integrity.

The minimum age criterion for the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR) is 50 years. Properties less than 50 years old may be eligible for listing on the NRHP if they can be regarded as "exceptional," as defined by the NRHP procedures, or in terms of the CRHR, "if it can be demonstrated that sufficient time has passed to understand its historical importance" (Chapter 11, Title 14, §4842(d)(2)).

In April 1991, the City of Oxnard adopted the Ventura County Cultural Heritage Ordinance (§§1360-1374, as amended) by resolution (City of Oxnard Resolution No. 10135), including eligibility criteria and procedures, substituting references in the Ordinance to the County of Ventura with the City of Oxnard. Since that time, the Ventura County Cultural Heritage Board

has acted as the City's Cultural Heritage Board. The criteria for designating properties for listing are:

1. *It exemplifies or reflects special elements of the County's social, aesthetic, engineering, architectural or natural history;*
2. *It is identified with persons or events which are significant in national, state or local history;*
3. *It shows evidence of habitation, activity or the culture of prehistoric man;*
4. *It embodies elements of architectural design, details, materials or craftsmanship which represents a significant structural or architectural achievement or innovation;*
5. *It is representative of the work of a master builder, designer, architect or artist;*
6. *It is imbued with traditional or legendary lore;*
7. *It has a unique location or singular physical characteristics or is a view or vista representing an established and familiar feature associated with a neighborhood, community or the County of Ventura;*
8. *It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen.*

Unlike the NRHP and CRHR, this resolution does not provide for a minimum age for listing, or criteria for the level of integrity required for a property to be eligible for landmark designation. However, the resolution does provide for designating a Point of Interest, which specifically includes altered properties which may not be eligible for landmark designation. A Point of Interest is defined as a property:

a. *That is the site of a building, structure or object that no longer exists but was associated with historic events, important persons or embodied a distinctive character or architectural style; or*
b. *That has historic significance, but has been altered to the extent that the integrity of the original workmanship materials or style has been substantially compromised; or*
c. *That is the site of a historic event which has no distinguishable characteristics other than that a historic event occurred at that site, and the site is not of sufficient historical significance to justify the establishment of a landmark.*

Although the Ordinance provides no specific analytical standards for determining the level of integrity required for the designation of local landmarks, read together, these two sets of designation criteria suggest that at least a general standard of design integrity should be applied to the designation of landmarks.

b. Resource Eligibility.

The buildings on the Wagon Wheel Junction property were evaluated by Post/Hazeltine Associates (PHA) individually for the NRHP, CRHR, Ventura County Landmarks, and as potential contributors to a "vernacular cultural landscape." Although they were found to be associated with the post-War era of commercial and industrial development of Oxnard, and to be associated with an historically important individual (Martin V. Smith), none of the buildings on the property were found by PHA to be eligible for any designation, primarily on the basis of a lack of age and/or integrity. San Buenaventura Research Associates, in their peer review of the PHA report, determined two properties to be potentially eligible for listing as City of

Oxnard Landmarks, and, in conjunction with two other properties, as a City of Oxnard Landmark Area. Applied Earthworks (AE), in their peer review of both reports, concurred with the findings and recommendations of SBRA. The following discussion includes analysis of the potential eligibility of elements within the proposed project site.

National Register of Historic Places and California Register of Historical Resources. In their peer review San Buenaventura Research Associates (SBRA) generally concurs with Post/Hazeltine Associates (PHA) with respect to the eligibility of the properties within the survey for individual listing on the NRHP or CRHR. Of the 36 properties identified within the survey area, 21 are of insufficient age to be regarded as potentially eligible, even after taking into account the passage of one year since the completion of the PHA survey. Of the remaining 15 properties, only four properties appear to be potentially eligible in the opinion of SBRA and AE:

2751 Wagon Wheel Road (Junction and Wagon Wheel Motels)
2755 Wagon Wheel Road (Wagon Wheel Restaurant)
2765 Wagon Wheel Road (El Ranchito Restaurant)
2801 Wagon Wheel Road (Wagon Wheel Bowling Alley)

All of these properties are potentially eligible under Criterion a/1 (historical events) for their association with the post-War commercial development of Oxnard, and under Criterion c/3 (design), as examples of roadside commercial architecture. In addition, 2751 and 2755 Wagon Wheel Road may be eligible under Criterion b/2 (historic individual) for their association with Martin V. Smith, who started, owned and ran these businesses for a number of years during the late 1940s and early 1950s. However, all of these properties have been somewhat to significantly altered within the last 50 years, to the extent that none have the ability to convey their significance, in terms of the NRHP and CRHR standards, and the overall integrity of setting has been substantially diminished. SBRA and AE concur with PHA that none of the properties within the project area should be considered eligible for the NRHP or CRHR.

Cultural Landscape and Historic District. The PHA report evaluates the Wagon Wheel Junction area as a potential cultural landscape, and finds it to be ineligible for listing on this basis. Disagreeing with PHA, AE concurred with SBRA's opinion that a more conventional approach to evaluating a grouping of buildings which may not be individually eligible for listing but may be eligible in combination with each other, is as a potential historic district. Within the National Register procedures, an historic district is defined as "a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development." At a minimum, a simple majority of buildings and structures should have the ability to contribute to the historic district. A stronger case for eligibility can be made if two-thirds or more contribute.

Of the 36 properties located within the Wagon Wheel Junction area, a maximum of 15, or substantially less than half, could potentially contribute to the formation of an historic district on the basis of age considerations alone. Fewer properties would be likely to contribute to the formation of a district if the design integrity of the buildings was also taken into consideration. Consequently, it does not appear that a NRHP or CRHR historic district could be supported in the study area.

Properties Less Than 50 Years of Age. Properties less than 50 years of age may be eligible if they can be found to be "exceptional." While no hard and fast definition for "exceptional" is provided in the NRHP literature, the special language developed to support nominating these properties was clearly intended to accommodate properties which demonstrate a level of importance such that their historical significance can be understood without the passage of time. In general, according to NRHP literature, eligible "exceptional" properties may include, "resources so fragile that survivors of any age are unusual. [Exceptionalness] may be a function of the relative age of a community and its perceptions of old and new. It may be represented by a building or structure whose developmental or design value is quickly recognized as historically significant by the architectural or engineering profession [or] it may be reflected in a range of resources for which the community has an unusually strong associative attachment."

None of the subject properties in the study area which are less than 50 years of age, or have been attained their current appearance within the last 50 years, appear to rise to the "exceptional" level of significance required to list a property which is not presently 50 years of age. None of the properties were designed by architects who have made important, documented contributions to their profession or represent a style of architecture which has been identified in the literature as being of exceptional importance to the state, nation or region.

Association With an Important Individual. For properties associated with an important individual to be regarded as having exceptional significance, documentation to support a nomination would be required to demonstrate both the transcendent importance of the individual, and their intimate association with the property. While Martin V. Smith is clearly a significant individual within the post-War developmental history of Oxnard, the magnitude of his importance is currently not documented to the extent that it could be used to sustain an argument for exceptional significance. Further, the currently available evidence suggests that his association with the properties in question was primarily as a real estate owner and developer, and only briefly or sporadically as a business operator.

City of Oxnard Landmark. PHA evaluated the eligibility of buildings within the Wagon Wheel Junction area for designation as Ventura County Cultural Heritage Sites. They found two properties to be potentially eligible under criteria 1, 3 and 5:

- 2751 Wagon Wheel Road (Junction and Wagon Wheel Motels)
- 2755 Wagon Wheel Road (Wagon Wheel Restaurant)

PHA found neither property to be eligible due to a lack of design integrity resulting from the alterations which occurred to the buildings after 1955, and a loss of setting integrity resulting from the construction of the freeway.

The basis for their evaluation was the current Ordinance governing the designation of Landmarks and Sites of Merit within unincorporated Ventura County. However, while the Ventura County Cultural Heritage Board convenes and acts as the Oxnard Cultural Heritage Board, the City of Oxnard has not adopted the landmarks criteria currently utilized by the County of Ventura. In April 1991, the City of Oxnard adopted the Ventura County Cultural Heritage Ordinance (§§1360-1374, as amended) by resolution (City of Oxnard Resolution No. 10135), including eligibility criteria and procedures, substituting references in the Ordinance to

the County of Ventura with the City of Oxnard. Since that time, the Ventura County Cultural Heritage Board has acted as the City's Cultural Heritage Board.

When acting as the Oxnard Cultural Heritage Board, the Ventura County Cultural Heritage Board employs the Ventura County landmarks criteria that were in effect when they were adopted by the City of Oxnard by resolution in 1991. The most notable difference between the two sets of criteria is the addition of explicit integrity standards to the current Ventura County Ordinance, but which remain absent from the Oxnard resolution. In practice, a more general standard for evaluating integrity applies within the City of Oxnard. Further, neither the Ventura County nor the City of Oxnard standards include a fifty year cut-off for eligibility.

AE and SBRA do not concur with the local eligibility determination for these properties made by PHA. According to SBRA and AE, both of these properties are significant for their association with Martin V. Smith and particularly as the oldest known extant properties to have been owned, developed and operated by Smith (Criterion 2). They are also notable as relatively scarce local examples of roadside architecture, and may remain eligible despite alterations which occurred to the motel lobby and restaurant in 1962 (criteria 1, 4 and 8).

The motel and restaurant complex apparently attained much of their present appearance by the mid-1950s. The 1962 enlargements and alterations appear to be limited primarily to the lobby area and the restaurant porch. These changes maintained the overall architectural scheme which was established for the property during the late 1940s and continued through the expansions of the mid-1950s, and which gives rise to one aspect of its local significance. Based on the available documentation, it appears that no further major alterations to the buildings occurred after 1962. Although the property's relationship with U.S. 101 was altered with the construction of the freeway, the motel and restaurant maintain their original, important physical and functional relationship with frontage road (now Wagon Wheel Road, originally known as Outer Highway).

Although the Oxnard landmark standards make no specific provisions for the establishment of historic districts, the Oxnard City Council, on the recommendation of the Ventura County Cultural Heritage Board acting as the Oxnard Cultural Heritage Board, designated 137 properties within the F and G Streets residential district as a "landmark area" in 1999. Given this precedent, in the opinion of SBRA and AE, two additional buildings along with the properties above may be locally eligible within a potential historic landmark grouping supporting the roadside architecture theme:

- 2765 Wagon Wheel Road (El Ranchito Restaurant)
- 2801 Wagon Wheel Road (Wagon Wheel Bowling Alley)

At their hearing of March 26, 2007, the Ventura County Cultural Heritage Board, acting as the Oxnard Cultural Heritage Board, unanimously voted to forward a recommendation of landmark designation for the four structures (Junction and Wagon Wheel Motels, Wagon Wheel Restaurant, El Ranchito Restaurant, & Wagon Wheel Bowling Alley) on these properties to the Oxnard City Council. The project applicant has appealed this action, and as of publications of this draft EIR the matter has not come before the City Council. The City Council has the ultimate discretion whether to designate these structures or others on the site as City landmarks.

c. Project Impacts and Mitigation Measures.

It should be noted that three qualified professional historical research firms have provided opinions on the potentially eligibility of the historic resources on the project site, two of which concurred in their opinions, SBRA and AE. In order to take the conservative approach this analysis treats these resources as potentially eligible in accordance with the findings of SBRA and AE.

Furthermore, during the initial scoping process for this document there was substantial public interest regarding the significance of the motels, restaurants and bowling alley as historic resources. This further suggests that in order to assess all potential impacts, the buildings should be analyzed as potential historical resources.

Impact CR-1 **The proposed project would not disturb any recorded archaeological resources. However, site development has the potential to disturb as-yet undetected areas of prehistoric archaeological significance. This is considered a Class II, *significant but mitigable*, impact.**

As discussed in the *Setting*, no recorded prehistoric archaeological sites are present on or adjacent to the project site. In addition, the surveys conducted in conjunction with the cultural resources analysis did not identify any significant or potentially significant surface remains of a prehistoric or historic archaeological nature. Therefore, project implementation would not affect any known cultural resources.

The extensive ground disturbance that occurred on-site during past development and agricultural activities prior to any structural development, in association with the lack of natural surface water features reduces the likelihood that intact prehistoric cultural resources are present. However, poor surface visibility and the developed nature of the site renders the survey results inconclusive as to the absence of archaeological resources. By its nature, an archaeological reconnaissance can only confidently assess the potential for encountering surface cultural resource remains. As proposed grading activity would involve ground disturbance of much of the site, and the record search did find four ethnographic place names listed within a one-mile radius of the project site (Katshup, Kama'oq, Ponom, and Kamakaqmu), the project would have the potential to disturb as-yet undetected areas of prehistoric archaeological significance. Therefore, although no significant archaeological resources are known to occur on-site, potential impacts to as-yet undetected archaeological resource impacts are considered significant.

Mitigation Measures. The following measure is incorporated in accordance with the City of Oxnard's standard condition of approval for all new development projects. The measure is intended to mitigate potentially significant impacts relating to the possible discovery of intact cultural resources during site grading. These measures would apply to all phases of project construction.

CR-1(a) **Native American Monitoring.** Developer shall contract with a Native American monitor to be present during all subsurface grading,

trenching or construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning Manager for review and approval prior to grading activities on site. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permits.

CR-1(b) **Procedures for Discovery of Intact Cultural Resources.** In the event that archaeological resources are unearthed during project construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. After the find has been appropriately mitigated, work in the area may resume. A Chumash representative shall monitor any mitigation work associated with Native American cultural material.

CR-1(c) **Procedures for Discovery of Human Remains.** If human remains are unearthed, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the California Native American Heritage Commission.

Significance After Mitigation. With implementation of the above measures, potential impacts to as-yet unknown archaeological resources would be reduced to a less than significant level.

Impact CR-2 **Site development for the proposed project involves the demolition of all onsite buildings. This would include the buildings at 2751 Wagon Wheel Road (Junction and Wagon Wheel Motels) and 2755 Wagon Wheel Road (Wagon Wheel Restaurant), which are potentially eligible for listing as City of Oxnard Landmarks. Site development would also involve the demolition of 2765 Wagon Wheel Road (El Ranchito Restaurant) and 2801 Wagon Wheel Road (Wagon Wheel Bowling Alley), which are potentially eligible in conjunction with the other two properties as a City of Oxnard Landmark Area. With the demolition of these four buildings, impacts to historic resources are considered Class I, *significant and unavoidable.***

All of these properties are significant for their association with Martin V. Smith, particularly the Junction Motel, Wagon Wheel Motel, and Wagon Wheel Restaurant, as the oldest known extant properties to have been owned, developed and operated by Smith, pursuant to Criterion 2 of the Ventura County Cultural Heritage Ordinance as adopted the by City of Oxnard. They are also notable as relatively scarce local examples of roadside architecture, despite alterations

which occurred to the motel lobby and restaurant in 1962, pursuant to Criteria 1, 4 and 8 of the Ventura County Cultural Heritage Ordinance as adopted the by City of Oxnard.

The motel and restaurant complex underwent enlargements and alterations in 1962. Largely because these were primarily limited to the lobby area and the restaurant porch, much of their present appearance that was attained by the mid-1950s was preserved. These changes also maintained the overall architectural scheme which was established for the property during the late 1940s and continued through the expansions of the mid-1950s, and which gives rise to one aspect of its local significance. Based on the available documentation, it appears that no further major alterations to the buildings occurred after 1962. With the construction of the freeway the property's relationship with U.S. 101 was altered. However, the motel and restaurant maintain their original, important physical and functional relationship with frontage road, now known as Wagon Wheel Road, and originally known as Outer Highway.

Although no specific provisions are made for the establishment of historic districts in the Oxnard landmark standards, the Oxnard City Council, on the recommendation of the Ventura County Cultural Heritage Board acting as the Oxnard Cultural Heritage Board, designated 137 properties within F and G Streets residential district as a "landmark area" in 1999. This designation sets a precedent for "landmark area" designation within the City. Given this precedent, the Junction Motel, Wagon Wheel Motel, Wagon Wheel Restaurant, along with the Wagon Wheel Bowling Alley, and El Ranchito Restaurant, may be locally eligible within a potential historic landmark grouping supporting the roadside architecture theme. The complex of western themed, commercial roadside architecture is potentially eligible as a City of Oxnard Landmark Area. Furthermore, the Ventura County Cultural Heritage Board, acting as the Oxnard Cultural Heritage Board, unanimously voted to forward a recommendation of landmark designation for these four structures to the Oxnard City Council.

The proposed demolition of all buildings currently onsite, including the Junction Motel, Wagon Wheel Motel, Wagon Wheel Restaurant, Wagon Wheel Bowling Alley, and El Ranchito Restaurant would result in a significant and unavoidable adverse impact to historical resources. Although the mitigation measures listed below would help preserve the memory of the Wagon Wheel roadside complex, and reduce the impact, significant adverse impacts to historical resources would remain unavoidable with demolition of the structures (*Architectural Heritage Association, et al. v. County of Monterey, et al.*, 2004).

Mitigation Measures. The structures to be demolished derive their historical significance and eligibility from both architectural and historical themes. The mitigation program includes documentation, design and interpretive measures. The following measures shall be incorporated into the project design and mitigation program for this project. The measures are based upon the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (Weeks and Grimmer, 1995).

CR-2(a) **Documentation.** Prior to demolition, a Documentation Report shall be prepared by a qualified historic preservation professional, consisting of archival quality photographs (using large-format photography) and measured drawings of the significant buildings and structures to be demolished and a historic resources report shall

be prepared for the property. Documentation shall include, but not be limited to, the exterior elevations of the motel complex, the bowling alley, and the restaurants. The level of documentation should be sufficient to preserve a visual record of the buildings and the surviving elements of the original landscaping. Documentation of the Wagon Wheel and El Ranchito Restaurants shall include their signage using large-format photography. The dining rooms and bars shall be photo-documented using large-format photography. Copies of the Documentation Report shall be submitted to the Ventura County Museum upon completion.

CR-2(b) **Design.** In consultation with a qualified historic preservation professional, and based on a comprehensive inventory of historic architectural features, the design of the project shall preserve and incorporate significant features of the historic properties, which should include but not necessarily be limited to freestanding and attached signs and other notable character-defining architectural elements of the historic properties. At the very minimum the design shall preserve the motel's neon "horse and buckboard" sign and may incorporate it into the new development. This would require its relocation. As the existing architectural elements are not necessarily compatible with the European-themed architecture of the proposed development, their incorporation shall be designed to avoid theme-related and visual/architectural conflict; the proposed plan for these elements shall be reviewed and approved by Planning staff. Suitable signage identifying the history of the sign and the Wagon Wheel area should be incorporated into the design of the relocated neon sign. Additional character-defining architectural elements for which development design incorporation is infeasible shall be offered as a donation for retention in the Ventura County Museum of History and Art. These could include elements, such as the wagon wheel windows, or the wrought branding iron fixtures. Decorative elements from the interior of the restaurant such as lighting, photographs, and furniture, also should be included in the donation offer.

CR-2(c) **Interpretation.** In consultation with a qualified historic preservation professional, a permanent on-site interpretive display describing the property's significant historic themes shall be designed and incorporated into the project.

CR-2(d) **Oral History.** A video-based oral history project shall be undertaken for the purpose of documenting the recollections of individuals with knowledge of the property's history and the life and work of Martin V. Smith. This project shall be directed by a qualified historic preservation professional and be submitted to an appropriate Ventura County museum upon completion.

CR-2(e) **Television Specials.** Two television programs of at least 30 minutes in length shall be produced on the history of the Wagon Wheel Junction and the life and work of Martin V. Smith for broadcast on the Oxnard public access channel. The programs shall be completed in consultation with a qualified historic preservation professional and based at least in part on the historic resources report and oral history program required in mitigations measures CR-2(a) and CR-2(d), above.

Significance After Mitigation. Development of the proposed project would result in an unavoidably significant impact because potentially eligible historic structures would be demolished. Implementation of the mitigation measures above would reduce but not eliminate the significant and unavoidable impact of demolishing these structures.

d. Cumulative Impacts. Cumulative development in the City would continue to disturb areas with the potential to contain as-yet undiscovered cultural resources, including archaeological resources and historical resources.

In the project site vicinity, planned and pending development includes 2,171,016 square feet of commercial development, and 10,468 residential units. Each development proposal is reviewed by the City and undergoes environmental review when it is determined that potential for significant impacts exist. Development Policies 38, 39, and 40 of the Open Space/Conservation Element of the Oxnard General Plan (City of Oxnard, 1990) states that significant historical and archaeological resources in the City shall be identified and preserved intact whenever possible. In addition, as required by Development Policy 39, the City will continue to require archaeological investigations to determine whether or not cultural resource remains are present in areas proposed for future development.

In the event that significant resources are discovered, impacts to such resources would be mitigated on a case-by-case basis in accordance with the requirements of the City's General Plan and CEQA, to the extent possible. However, as with the proposed project, there will be cases where the avoidance or preservation of historical resources is not feasible in order to attain a project's objectives. The project's incremental loss of historical resources is considered to be significant and unavoidable at both the project level and also from a cumulative perspective.

4.5 GEOLOGY AND SOILS

A Geotechnical Engineering Study was prepared for the proposed project by GeoSoils Consultants, Inc. (GSC) in April of 2007. The report was peer reviewed by Fugro West, Inc. (FWI) and comments were prepared by Fugro dated June 2007. The following analysis is based on the GeoSoils report and the Fugro West review comments, both of which are on file and available for review at the City of Oxnard Planning and Environmental Services Department.

4.5.1 Setting

a. Regional Geologic and Hydrogeologic Conditions. The City of Oxnard is located on the Oxnard Plain, an alluvial plain that covers over 200 square miles in the southern portion of Ventura County. The Oxnard Plain is comprised of alluvial deposits of sands, silts and clays, which extend approximately 500 feet below the City. Historical deposition on the plain is related to Santa Clara River flood patterns. The San Pedro geologic formation is predominant in the region and underlies alluvium to a depth of 4,500 feet. The San Pedro formation is comprised of moderately indurated sandstones and conglomerates. The soils on-site are mapped as Metz Loamy Sand, Mocho Loam, and Mocho Clay Loam and were alluvially deposited. Onsite subsurface soil consists of artificial fill (af) and alluvium (Qal). The Oxnard region is relatively flat, with elevations ranging from sea level to about 40 feet above mean sea level. Drainage is generally to the south toward the Pacific Ocean.

The site is located in the western part of the Transverse Ranges geomorphic province of California. The Transverse Ranges consist of generally east-west trending mountains and valleys, which contrast with the overall north-northwest structural trend elsewhere in the state. The valleys and mountains of the Transverse Ranges are typically bounded by a series of east-west trending, generally north dipping reverse faults with left-lateral, oblique movement. Bedrock beneath this area consists of Miocene-aged, volcanic, and marine sedimentary rocks.

The project site is located within the Oxnard Plain Pressure Basin, part of the Oxnard Plain Ground Water Basin. The Oxnard Plain Pressure Basin consists of three distinct hydrogeologic units (from top to bottom) - the semi-perched aquifer and clay cap, the Upper Aquifer System, and the Lower Aquifer System. The semi-perched aquifer extends from the base of developed soil horizons to an average depth of approximately 75 feet over most of the Oxnard Plain (Ventura County Department of Public Works, Flood Control District; 1975). This aquifer consists primarily of geologically recent stream-deposited sands and gravels, with minor silt and clay interbeds. The semi-perched zone is generally of poor water quality and limited quantity. The clay cap underlies the semiperched aquifer zone and acts as an aquitard for the underlying Upper Aquifer System. The Upper and Lower Aquifer Systems have historically been used for water supply although water quality varies throughout the Basin as a result of sea water intrusion.

Near surface ground water is associated with an unconfined aquifer extending from the surface to a depth of about 7.5 feet (CGS, 2002). This upper semi-perched groundwater zone is separated from deeper aquifers by a clay-rich zone that averages over 80 feet in thickness. Ground-water recharge in the Oxnard Plain originates mainly from surface and near-surface water flow of the Santa Clara River.

At the time of subsurface exploration for the geotechnical study (June through September 2006), groundwater was encountered between depths of 13.5 to 21 feet below existing grade. According to the California Geological Survey (CGS) Seismic Hazard Evaluation of the Oxnard 7.5 minute Quadrangle, Seismic Hazard Zone Report 052, the historical high groundwater table is approximately between 10 and 20 feet below grade.

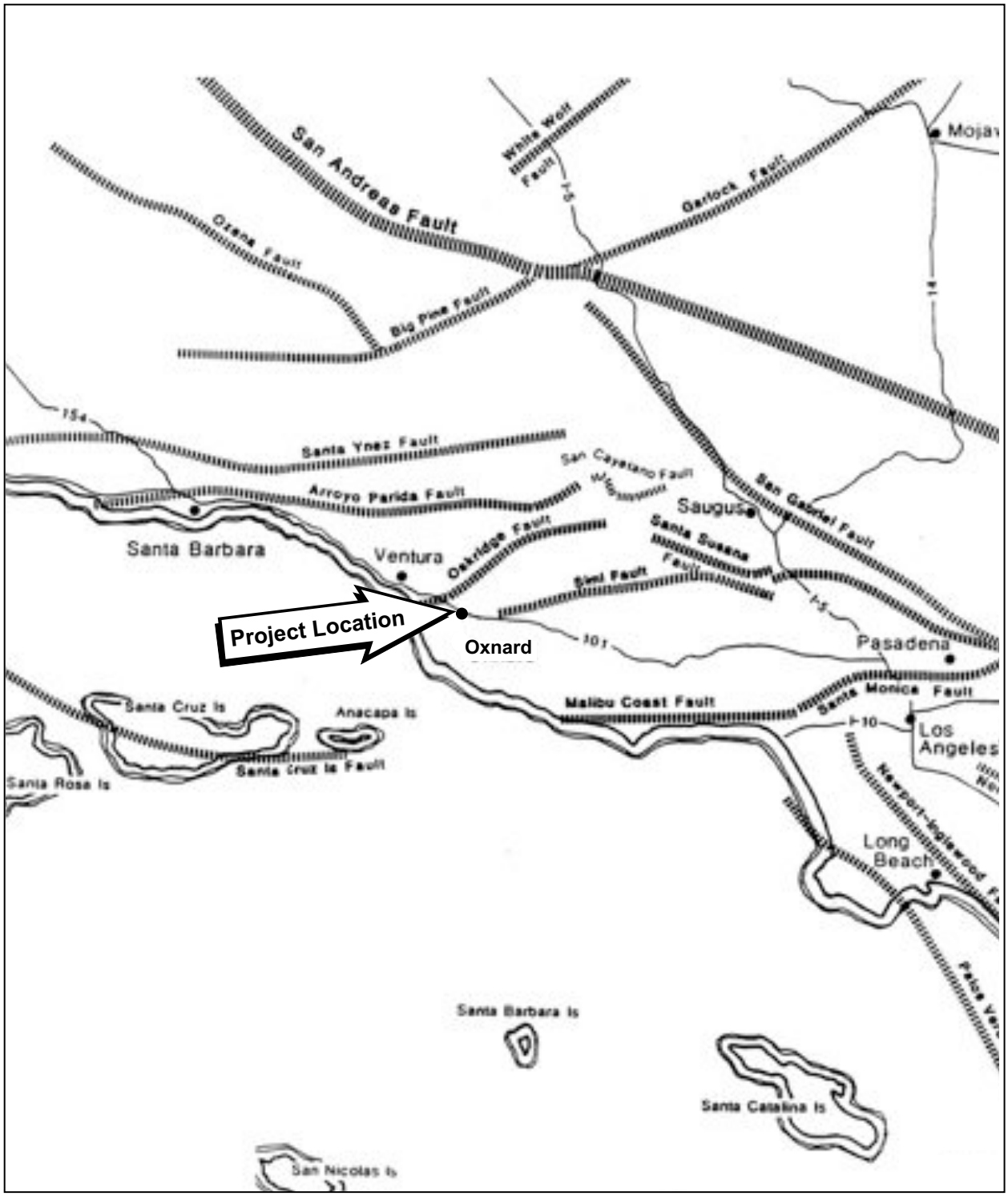
b. Seismic Setting. Similar to much of California, the project site is located within a seismically active region. The Transverse Ranges are characterized by east-west trending structural features in contrast to the dominant northwest-southeast structural trend of California. The faults and folds throughout the area are considered active. Regional faults are depicted on Figure 4.5-1, and the seismic and fault hazards relevant to the project site are described below.

The faulting and seismicity of this area is dominated by the intersection of the San Andreas Fault and the Transverse Ranges fault systems. Seismic activity along the San Andreas Fault is in response to differential movement between the Pacific geologic plate (west of the fault) and the North American geologic plate (east of the fault). The Transverse Ranges faults generally reflect crustal shortening (reverse) faulting patterns. The Ventura Basin and Santa Barbara Channel are the result of the interplay of these two fault regimes. The highest rates of tectonic uplift within the Transverse Ranges have been measured along the coast west of Ventura, in an area of intense seismicity, active folding, and reverse faulting. Compression along the Ventura Basin is estimated at 7 to 10 millimeters per year (US Geological Survey (USGS), 1994).

No active faults have been mapped within the City of Oxnard; however there are seven active and 25 potentially active faults within 42 miles of the project site. The range of maximum probable magnitudes for earthquakes emanating from these faults ranges from 6.0 to 8.1. Ground shaking has affected and will continue to affect the Oxnard area The regional faults most likely to affect the City include the Oak Ridge fault, the Simi fault, the Santa Cruz fault, the Santa Ynez fault, the Santa Susana fault, and the San Andreas fault (see Figure 4.5-1). Faults generally produce damage in two ways: surface rupture and seismically induced ground shaking. Surface rupture is limited to areas very near the fault, while ground shaking can affect a wide area.

c. Seismic Hazards. Faults generally produce damage in two ways: ground shaking and surface rupture. Seismically induced ground shaking covers a wide area and is greatly influenced by the distance of a site to the seismic source, soil conditions, and depth to groundwater. Surface rupture is limited to very near the fault. Other hazards associated with seismically induced ground shaking include earthquake-triggered landslides, liquefaction, settlement, etc. The Uniform Building Code identifies the Specific Plan area as being in Seismic Zone 4, which is characterized as having the highest earthquake risk.

<u>Faulting</u>. The U.S. Geological Survey defines active faults as those that have had surface displacement within Holocene time (about the last 11,000 years). Holocene surface displacement can be recognized by the existence of cliffs in alluvium, terraces, offset stream courses, fault troughs and aligned saddles, sag ponds, and the existence of steep mountain fronts. Potentially active faults are those that have had surface displacement during Quaternary time, within the last 1.6 million years. Inactive faults have not had surface displacement within the last 1.6 million years.



Source: California Division of Mines and Geology, 1982

N

0 20 40

Scale in Miles

Regional Faults

Figure 4.5-1

The most likely active faults to seismically affect the City and the Plan area are the Oak Ridge, Ventura, Simi, and San Andreas faults (Figure 4.5-1).

- *Oak Ridge Fault, located approximately one mile to the north of the site, is considered active.*
- *Ventura Fault, located approximately 3.5 miles north of the site, is considered active,*
- *Simi-Santa Rosa Fault, located approximately five miles to the southeast, is considered active.*
- *San Andreas Fault, located approximately 42 miles to the northeast of the City, is considered active. Much of the trace of this fault is mapped as an Alquist-Priolo Earthquake Fault Zone.*

Oak Ridge Fault. The Oak Ridge Fault is located northwest of the City along the northern flank of Oak Ridge. The fault is a steep south-dipping reverse fault that forms the boundary between Oak Ridge to the south and the Santa Clara River to the north. The fault extends approximately 65 miles from offshore in the Santa Barbara Channel eastward to the Santa Susana Mountains. The eastern part of the fault is overridden by the Santa Susana Fault. The fault is concealed with Holocene and Pleistocene deposits of the Oxnard Plain, and its surface project is located approximately one mile north of the northern site boundary. In this area the fault is not located within a designated Fault Hazard Zone. Activity along the Oak Ridge Fault is known to have occurred during the late Quaternary time (2 to 5 million years ago) (USGS, 1987). The fault has an estimated slip rate of approximately 4 millimeters (mm) per year, and a calculated maximum moment magnitude of 6.9 for both the eastern and western parts of this fault (California Division of Mines and Geology (CDMG), 1999).[1] The magnitude 6.7 Northridge earthquake (in 1994) is thought to have occurred along the eastern end of the Oak Ridge fault.

Ventura Fault. The Ventura fault is located approximately 3.5 miles north of the site. This fault is located within an Alquist-Priolo Special Study Zone. The fault is approximately 6.2 miles long and consists of a north-dipping reverse fault that extends eastward along the south flank of the Ventura Avenue Anticline (YERKES, 1987). Evidence of activity includes a long linear, south-facing topographic scarp as high as 39.4 feet with abrupt crest and toe. The fault consistently juxtaposes older soils and geologic units on the north with younger soils on the south. The fault has an estimated slip rate of 1 mm per year, and a maximum moment magnitude of 6.8 (California Department of Conservation, 1988).

Simi-Santa Rosa Fault. The Springville segment of the Simi-Santa Rosa Fault is located approximately five miles southeast of the site. The Simi-Santa Rosa Fault consists of a north dipping reverse fault with left-lateral oblique movement, and is located within an Earthquake Fault Zone. The fault has a general northeast-southwest strike and northern dip. The fault has an estimated displacement of 5,300 feet with the northern block uplifted relative to the southern block. The fault is approximately 30 miles long and extends southwest from the northeastern end of Simi Valley to the east edge of the Oxnard plain, within the hanging-wall of the Oak Ridge fault system (Dolan et al., 1995). The fault zone consists of the Simi, Santa Rosa, Springville, and Camarillo faults. The fault has an estimated slip rate of 1 mm per year.

[1] *The California Division of Mines and Geology (CDMG) is now the California Geological Survey.*

San Andreas Fault Zone. The San Andreas Fault Zone is the dominant active fault in California. It is located approximately 42 miles northeast of the City. It is the primary surface boundary between the Pacific and the North American tectonic plate. There have been numerous historic earthquakes along the San Andreas Fault. This fault is capable of producing a magnitude 7.8 earthquake (CDMG, 1996).

Blind Thrust Faults. In addition to these faults, there is the potential for ground shaking from blind thrust faults. Blind thrust faults are low angle detachment faults that do not reach the ground surface. Recent examples of blind thrust fault earthquakes include the 1994 Northridge (Magnitude 6.7), 1983 Coalinga (Magnitude 6.5), and 1987 Whittier Narrows (Magnitude 5.9) events. As described in Dolan et al (1995), much of the Los Angeles area is underlain by blind thrust faults. In their seismic model for Los Angeles, blind thrust faults are found at a depth of about 6 to 10 miles below ground surface and have the ability to produce magnitude 7.5 earthquakes.

Seismic Risk and Ground Acceleration. The California Geological Survey (2003) classifies faults into two categories in their modeling of California's seismic risk. These categories are:

- *Type A faults – faults that have slip rates greater than 5 millimeters per year and well constrained paleoseismic data. The San Andreas Fault is an example of a Type A fault.*

- *Type B faults – all other faults not classified as Type A faults. Type B faults lack paleoseismic data necessary to constrain the recurrence interval of large events. The Oak Ridge fault is a Type B fault.*

The proximity of active faults is such that the Specific Plan area has experienced strong seismically induced ground motion and will probably experience strong seismically induced ground motion in the future.

Earthquakes are characterized by magnitude, which is a quantitative measure of the strength of the earthquake based on strain energy released during a seismic event. The magnitude of an earthquake is constant for any given site and is independent of the site in question. The intensity of an earthquake at a given site, however, is not constant and is subject to variations. The intensity is an indirect measurement of ground motion at a particular site and is affected by the earthquake magnitude, the distance between the site and the hypocenter (the location on the fault at depth where the energy is released), and the geologic conditions between the site and the hypocenter. Intensity, which is often measured by the Mercalli scale, generally increases with increasing magnitude and decreases with increasing distance from the hypocenter. Topography may also affect the intensity of an earthquake from one site to another. Topographic effects such as steep sided ridges or slopes may result in a higher intensity than sites located in relatively flat-lying areas.

Seismically induced ground acceleration is the shaking motion that is produced by an earthquake. Probabilistic modeling is done to predict future ground accelerations. Probabilistic modeling generally considers two scenarios, design basis earthquake ground motion or upper-bound earthquake ground motion. Design basis earthquake ground motion calculations are

typically applied for residential and commercial sites. This ground motion is defined as a ground motion that has a 10 percent chance of exceedance in 50 years. Upper-bound earthquake ground motion calculations are applied to public schools, hospitals, skilled nursing facilities, and essential services buildings, such as police stations, fire stations, city hall, and emergency communication centers. Upper-bound earthquake ground motion is defined as the ground motion that has a 10 percent chance of exceedance in 100 years.

The probabilistic approach attempts to model the probability that seismically induced ground shaking would affect a specified area. In this approach, the models predict the possibility of a specified ground acceleration affecting a site within a specified timeframe. This is done by identifying faults that are active, determining the frequency of earthquake activity along modeled faults, the strength of the earthquakes, and attenuation relationships as described above.

Research of historical earthquake events that have occurred in the general study area can be analyzed using a deterministic and probabilistic evaluation of seismic parameters for potential on-site ground motions. These analyses were evaluated using the following computer programs: EQSEARCH, EQFAULT, and FRISKSP.

Historical Analysis. The computed maximum site acceleration from EQSEARCH during the time period of 1850 to 2007 is 0.17 percent gravity (g) and resulted from a 5.9 magnitude earthquake located about 15 miles from the site. This earthquake also resulted in the computed maximum site intensity during the time period 1850 to 2007 of VII (Mercalli Scale). The maximum magnitude earthquake affecting the site since 1850 is 7.9 (Richter Magnitude). The earthquake was located about 81 miles from the site and had an estimated site acceleration of 0.08g. The results from the EQSEARCH program for all earthquakes within a 100-mile radius are available in the geotechnical report on file with the City.

Although this historical analysis gives earthquake information from past seismic activity, it should be noted that, according to the current standard of practice, parameters for seismic design should be estimated by performing deterministic and probabilistic seismic analyses.

Deterministic Seismic Analysis. The deterministic seismic analysis was generated using the computer program EQFAULT. This program utilizes the most recent fault geometry, location, estimated slip rates, magnitudes, and other important fault-related measurements that have been provided by the California Division of Mines and Geology (CDMG). EQFAULT is considered a "standard of practice" method for performing a seismic analysis in Southern California.

The results of the EQFAULT analysis indicate that the maximum potential site acceleration is 1.14g. This acceleration represents "peak horizontal ground acceleration" and could occur from a magnitude 6.9 earthquake on the Oak Ridge fault, which is approximately one mile from the site. The results from the EQFAULT program for all faults within a 100-mile radius are available in the geotechnical report on file with the City.

Although considered a "standard of practice" method for performing seismic analysis, the deterministic analysis estimates the maximum ground acceleration expected at the site and is

not usually used for design purposes. A probabilistic seismic hazard analysis should be used to evaluate design accelerations for the site.

Probabilistic Seismic Hazard Evaluation. The probabilistic seismic hazard evaluation considers all the magnitudes and potential earthquake locations believed to be applicable to the site. Unlike the deterministic approach which considers only one seismic scenario, the probabilistic method considers all possible scenarios, which includes the rate of occurrence and the probabilities of earthquake magnitudes, locations, and rupture dimensions. In addition, the possible ground motions for each earthquake and their corresponding probabilities of occurring are considered in the analysis based on the variability of the ground motion attenuation relation.

The California Division of Mines and Geology (CDMG, 1996 and 1999) developed a state-wide model that takes these variables into consideration. The model depicts peak accelerations that have a 10% probability of being exceeded in 50 years.

To perform the probabilistic analysis using the CDMG 1996 model, one can look up the ground acceleration on the maps included in that report. CDMG (1999) has updated the state model figure, providing more detail than what is shown in CDMG 1996. Alternatively, site-specific information (latitude and longitude) can be input into the model. Soil types and other variables are input as defined in the California Building Code (1998). The model will then generate a probabilistic ground acceleration. The accelerations are for peak horizontal ground acceleration in units of gravity.

As a minimum, GeoSoils recommended that design acceleration be based upon probabilistic seismic hazard analysis using the 1997 UBC prescribed design basis ground motion that has a 10 percent chance of being exceeded in 50 years. GeoSoils evaluated the prescribed design basis ground motion using the CDMG Probabilistic Seismic Hazard Map for the Oxnard 7.5 Minute Quadrangle, which is contained in the CDMG Seismic Hazard Zone Report 052, and by performing a site-specific probabilistic seismic hazard analysis.

The Probabilistic Seismic Hazard Map indicated an expected peak acceleration of 0.67g (10 percent probability in 50 years) to occur at the site, and a predominant moment magnitude (M_W) 6.9 earthquake.

As seen in Table 4.5-1, the site-specific analysis indicated a design basis peak horizontal ground acceleration of 0.58g based on the magnitude-weighted (M_W = 7.5) case and 0.74g based on the non magnitude-weighted case. Since the FRISKSP program is based on a probabilistic analysis, an individual fault was not identified.

Table 4.5-1 Probabilistic Seismic Hazard Prescribed Design Basis Ground Motion

Peak Horizontal Ground Acceleration (10% Probability in 50 years)	Earthquake Magnitude (M_W)
CDMG Probabilistic Seismic Hazard Map	
0.67 g	6.9
Site-Specific Probabilistic Seismic Hazard	
0.58 g	Magnitude - Weighted (M = 7.5)
0.74 g	Non Magnitude - Weighted (5<M<7.5)

Source: GeoSoils Consultants Inc. 2007

A comparison of the results from the Probablilistic Seismic Hazard Map and GeoSoils site-specific analyses indicate similar peak ground acceleration values for the design basis ground motion.

The level of ground shaking to which an area is subject is primarily a function of the distance between the area and the seismic source, the type of material underlying a property, and the motion of fault displacement. In addition, the Northridge (1994) earthquake showed how peculiarities in basin effects can play a significant role in ground accelerations at particular areas. For instance, ground accelerations exceeding 1 g were recorded at areas far from the epicenter of the Northridge earthquake. It is possible that accelerations near or over the upper bound earthquake ground motion could occur anywhere within or adjacent to Oxnard's city limits, including the plan area.

Ground shaking can also cause seismic settlement and subsidence, lurch cracking, and lateral spreading. The seismic settlement and subsidence is caused by the compaction of low density alluvium and soils. Lurch cracking is the development of ground fractures, cracks, and fissures produced by ground shaking, settlement, compaction, and sliding that can occur due to seismic ground acceleration. These features can occur if high ground accelerations affect an area. Lateral spreading is the horizontal movement or spreading of soil towards an open slope face, such as a stream bank. Lateral spreading is most likely to occur where inappropriately designed artificial fill slopes have been built.

d. Other Geologic and Soil Hazards. Additional soil hazards potentially related to seismic activity are discussed below.

Ground Rupture. Ground surface rupture results when the movement along a fault is sufficient to cause a gap or rupture along the upper edge of the fault zone on the surface. Since there are no known active faults that cross the site, the potential for ground rupture is considered remote.

Landsliding. Landslides are slope failures that occur where the horizontal seismic forces act to induce soil and/or bedrock failures. The most common affect is reactivation or movement on a pre-existing landslide. Existing slides that are stable under static conditions (i.e., factor-of-safety above one) become unstable and move during strong ground shaking. The

site is located in a flat area (slopes <2%); therefore earthquake-induced landslides are not considered a hazard at the proposed project site.

Ground Lurching. Ground lurching is defined as earthquake motion at right angle to a cliff or bluff, or more commonly to a stream bank or artificial embankment that results in yielding of material in the direction in which it is unsupported. The initial effect is to produce a series of essentially parallel cracks separating the ground into rough blocks. These cracks are generally parallel with the top of the slope or embankment. There are no steep natural slopes near the proposed project site; therefore, ground lurching does not represent a hazard to the site.

Lurching is also sometimes used to describe undulating surface waves in the soil that have some similarities to ground oscillation as discussed in relation to liquefaction, but generally occurs in soft, saturated, fine-grained soils during seismic excitation. When this phenomena occurs adjacent to bodies of water, lurching can continue for a short time after the seismic shaking stops. The soil conditions on site are not typical of those associated with lurching, thus this type of lurching is not considered to be a risk on site.

Liquefaction and Compaction. Liquefaction is defined as the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from seismic ground shaking. Liquefaction potential is dependent on such factors as soil type, depth to groundwater, degree of seismic shaking, and the relative density of the soil. When liquefaction of the soil occurs, buildings and other objects on the ground surface may tilt or sink, and lightweight buried structures (such as pipelines) may float toward the ground surface.

Liquefied soil may be unable to support its own weight or that of structures, which could result in loss of foundation bearing or differential settlement. Liquefaction may also result in cracks in the ground surface followed by the emergence of a sand-water mixture. The potential for liquefaction to occur is greatest in areas with loose, granular, low-density soil, where the water table is within the upper 40 to 50 feet of the ground surface. Liquefaction can result in slope and foundation failure. Other effects of liquefaction include lateral spread, flow failures, ground oscillations, and loss of bearing strength. Liquefaction is intrinsically linked with the depth of groundwater below the site and the types of sediments underlying an area. This phenomenon occurs only below the water table, but after liquefaction has developed, it can propagate upward into overlying, non-saturated soil as excess pore water escapes. Descriptions of each of the phenomena associated with liquefaction are described below:

Lateral Spreading: Lateral spreading is the lateral movement of stiff, surficial blocks of sediments as a result of a subsurface layer liquefying. The lateral movements can cause ground fissures or extensional, open cracks at the surface as the blocks move toward a slope face, such as a stream bank or in the direction of a gentle slope. When the shaking stops, these isolated blocks of sediments come to rest in a place different from their original location and may be tilted.

Ground Oscillation: Ground oscillation occurs when liquefaction occurs at depth but the slopes are too gentle to permit lateral displacement. In this case, individual blocks may separate and oscillate on a liquefied layer. Sand boils and fissures are often associated with this phenomenon.

Flow Failure: A more catastrophic mode of ground failure than either lateral spreading or ground oscillation, involves large masses of liquefied sediment or blocks of intact material riding on a liquefied layer moving at high speeds over large distances. Generally flow failures are associated with ground slopes steeper than those associated with either lateral spreading or ground oscillation.

Bearing Strength Loss: Bearing strength decreases with a decrease in effective stress. Loss of bearing strength occurs when the effective stresses are reduced due to the cyclic loading caused by an earthquake. Even if the soil does not liquefy, the bearing of the soil may be reduced below its value either prior to or after the earthquake. If the bearing strength is sufficiently reduced, structures supported on the sediments can settle, tilt, or even float upward in the case of lightly loaded structures such as gas pipelines.

Ground Fissuring and Sand Boils: Ground fissuring and sand boils are surface manifestations associated with liquefaction and lateral spreading, ground oscillation, and flow failure. As apparent from the above descriptions, the likelihood of ground fissures developing is high when lateral spreading, ground oscillations, and flow failure occurs. Sand boils occur when the high pore water pressures are relieved by drainage to the surface along weak spots that may have been created by fissuring. As the water flows to the surface, it can carry sediments, and if the pore water pressures are high enough, create a gusher (sand boils) at the point of exit.

Research has shown that saturated, loose sands with silt content less than about 25 percent are most susceptible to liquefaction, whereas other soil types are generally considered to have a low susceptibility. According to the SCEC (1999) publication Recommended Procedures for Implementation of DMG Special Publication 117 Guidelines for Analyzing and Mitigating Liquefaction in California, any material having more than 15 percent finer than 0.005 millimeters (clay) was considered not subject to liquefaction. Liquefaction susceptibility is related to numerous factors, and the following conditions must exist for liquefaction to occur:

- Sediments must be relatively young in age and must not have developed large amounts of cementation;
- Sediments must consist mainly of cohesionless sands and silts;
- The sediment must not have a high relative density;
- Free groundwater must exist in the sediment; and
- The site must be exposed to seismic events of a magnitude large enough to induce straining of soil particles.

The Safety Element (Oxnard 2020 General Plan) states there is a potential for liquefaction throughout the City because the Oxnard Plain has a high ground water table and is underlain by several saturated aquifers. The project site is located in an area with high to moderate liquefaction potential.

Based on subsurface explorations, the site is underlain by predominately multilayers of sandy and clayey silts interbedded with occasional thin layers of sand and silty sand. The silts vary from soft to hard, whereas the sands are predominately in a medium-dense to dense state. At the time of exploration (June through September 2006), groundwater was encountered between depths of 13.5 to 21 feet below existing grade. This depth corresponds with the high groundwater map of the area. However, GSC considered a groundwater depth of 10 feet below

existing ground in our liquefaction and seismically-induced settlement analyses based on the shallowest groundwater depth indicated on the high groundwater map.

Results of sieve and hydrometer tests indicate that the soil underlying the site consists primarily of silty clays, clayey silts and sand layers. The clay content varied from 2 to 56 percent in the samples that were tested. Therefore, after reviewing the gradation curves any material with clay content greater than 15 percent was removed from liquefaction consideration.

The method to determine liquefaction potential utilized in the Geotechnical Report was based on the "Simplified Procedure" originally developed by Seed et al. (1985). A detailed description of this procedure is presented in the geotechnical report on file with the City. Based on the seismic analysis described above a magnitude-weighted earthquake magnitude of 7.5 and a peak ground acceleration of 0.58g were used in liquefaction analysis.

As recommended in SCEC (1999), a correlation was performed for the Cone Penetrometer probings (CPT) and the mud-rotary borings (B) conducted by GeoSoils. The purpose of the correlation was to determine whether, or not, the results obtained from the boring and CPT explorations were consistent with one another so that the results from the CPT explorations could be used to evaluate liquefaction and seismic settlement potential on a more closely spaced interval. The correlations are included in the Geotechnical Report as Plates CORR-1 through CORR-6.

Based on the correlations, the two different exploration methods, generally, characterized the subsurface soils consistently. The strongest support for the findings comes from the fact that the Ic index classification of the soils was consistent with the results of laboratory testing. Although no correlation is exact, the results of the correlations, for the most part, provide justification to use the results of the CPT to evaluate liquefaction and seismic settlement potential. However, it was noted that the results of the liquefaction analyses should be considered conservative due to the fact that the CPT interpreted blow counts (an indicator of soil density) are consistently lower than the SPT-derived blow counts (see correlations). Because of this, liquefaction potential based on the CPT data will be greater than if performed using the SPT-derived blow counts. The results of the correlations can be found in the geotechnical report on file with the City.

The results of the liquefaction analyses indicated that the potential for liquefaction within the area of study exists. There are thin (generally less than 3 feet thick), isolated layers of sand and silty sand beneath the site which possess a potential for liquefaction during large seismic events. The thickest deposit of potentially liquefiable material (approximately 6 feet) was encountered near the center of the site (CPT-9) at approximately 14 to 20 feet below existing grade. Additionally, near the middle northern area of the site (CPT-11) a potentially liquefiable layer of approximately 5 feet was encountered at approximately 11 to 16 feet below existing grade.

It was also that the soils at this site have been subjected to significant seismic shaking in the past, which increases the resistance to liquefaction.

Liquefaction-Induced Lateral Spreading. Lateral spread phenomenon is described as the lateral movement of stiff, surficial mostly intact blocks of sediment displaced down slope

towards a free face along a shear zone that has formed within the liquefied sediment. The resulting ground deformation typically has extensional fissures at the head of the failure, shear deformations along the side margins, and compression or buckling of the soil at the toe. The extent of lateral displacement typically ranges from half inch to several feet. Two types of lateral spread can occur: (1) lateral spread towards a free face (e.g. drainage canal or embankment) and (2) lateral spread down a gentle ground slope where a free face is absent. Factors such as earthquake magnitude, distance form the seismic energy source, thickness of the liquefiable layers, and the fines content and particle size of those sediments also correlated with ground displacement.

Subsidence and Settlement. Subsidence involves deep-seated settlement due to the withdrawal of fluid (oil, natural gas, or water). When fluids are removed from the subsurface, the overburden weight, which the water had previously helped support through buoyant forces, is transferred to the soil structure. Subsidence typically occurs over a long period of time and results in a number of structural impacts. Facilities most affected by subsidence are long, surface infrastructure, such as canals, sewers, and pipelines.

Seismically induced settlement occurs in loose to medium dense unconsolidated soil above groundwater. These soils compress (settle) when subject to seismic shaking. The settlement can be exacerbated by increased loading, such as from the construction of onsite buildings. Settlement can also result solely from human activities, including improperly placed artificial fill, and structures built on soils or bedrock materials with differential settlement rates. In addition, settlement can occur in areas of alluvial deposits.

The potential for seismically-induced settlement was evaluated for the site by GSC. The seismic parameters used in the liquefaction analysis were also used for the seismically induced settlement calculations (see discussion on Liquefaction above). The seismically-induced settlement analyses were based on the procedures of Tokimatsu and Seed (1987), as recommended in the SCEC (1999) publication Recommended Procedures for Implementation of DMG Special Publication 117 Guidelines for Analyzing and Mitigating Liquefaction in California, which provide separate methodologies for soils above groundwater (Unsaturated Method) and for soils at or below the static groundwater elevation (Saturated Method).

As stated above, the historic high groundwater elevation obtained from the State Map is approximately 10 to 20 feet below ground surface. However GSC used 10 feet in their liquefaction and seismic settlement analyses.

The seismically induced settlement analyses were performed to a depth of 120 feet (maximum) below existing ground surface and were based on information from CPT probings and laboratory data from borings. The computed seismically-induced settlement ranged from 0 to 0.1 inch in the unsaturated materials and from 0 to 2.3 inches in the saturated materials. The total settlement ranged from 0 to 2.3 inches in the CPTs probed across the site. The output data of the analyses and a detailed description of the seismically-induced settlement methodology are discussed in the geotechnical report on file with the City.

The Oxnard 2020 General Plan states that the available records show that the City soils have settled one to 1.5 feet. The project site is located between an area known to have settled 1.5 feet

and an area known to have settled one foot. The settlement rate is approximated at 0.05 feet/year.

Soil Erosion. Soil erosion is the removal of soil by water and wind. The rate of erosion is estimated from four soil properties: texture, organic matter content, soil structure, and permeability. Other factors that influence erosion potential include the amount of rainfall and wind, the length and steepness of the slope, and the amount and type of vegetative cover. According to the Soil Survey for the Ventura Area (U.S. Department of Agriculture, 1970), Metz Loamy Sand, Mocho Loam, and Mocho Clay Loam are classified as having no erosion potential.

e. Regulatory Setting. The City of Oxnard requires that every building or structure be designed and constructed in conformance with the 1997 Uniform Building Code, and the 2001 California Building Code. These building codes set procedures and limitations for design of structures based on seismic risk. The City of Oxnard, along with all of Southern California, is within Seismic Zone 4, the area of greatest risk and subject to the strictest building standards.

4.5.2 Impact Analysis

a. Methodology and Significance Thresholds. The assessment of geologic impacts is based on the revised Geotechnical Engineering Study by GeoSoils Consultants Inc. (GSC, April 2007), and a peer review of the study by Fugro West, Inc. (FWI, June 2007) as well as a review of site information and conditions, and information contained in the City of Oxnard General Plan Safety Element. Project implementation would create a significant impact relative to geologic resources if it would result in any of the following conditions:

- *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides;*
- *Result in substantial soil erosion or the loss of topsoil;*
- *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; or*
- *Be located on expansive soil, creating substantial risks to life or property.*

b. Project Impacts and Mitigation Measures.

Impact GEO-1 Seismically-induced ground shaking could damage onsite structures, resulting in loss of property and risk to human health. However, as the design and construction of the proposed structures and infrastructure facilities would be required to implement all recommendations of the geotechnical report and to comply with all applicable provisions of the 1997 Uniform Building Code and the 1998 California Building Code, impacts would be Class II, *significant but mitigable.*

Nearby active and potentially active faults can generate groundshaking that could affect the project area. The proximity of active faults is such that the area has experienced strong seismically induced ground motion and will likely experience strong seismically induced ground motion in the future. The project site is located approximately 42 miles from the San Andreas fault, about 3.5 miles from the Ventura Fault, and about one mile from the Oakridge fault.

Earthquake-generated ground shaking is the greatest cause of widespread damage in an earthquake. Ground shaking is a term used to describe the vibration of the ground during an earthquake. Ground shaking is caused by body waves and surface waves. As a generalization, the severity of ground shaking increases as magnitude increases and decreases as distance from the causative fault increases. Although the physics of seismic waves is complex, ground shaking can be explained in terms of body waves, compressional, or P, and shear, or S, and surface waves, Rayleigh and Love.

P waves propagate through the Earth with a speed of about 15,000 miles per hour and are the first waves to cause vibration of a building. S waves arrive next and cause a structure to vibrate from side to side. They are the most damaging waves, because buildings are more easily damaged from horizontal motion than from vertical motion. The P and S waves mainly cause high-frequency vibrations; whereas, Rayleigh waves and Love waves, which arrive last, mainly cause low-frequency vibrations. Body and surface waves cause the ground, and consequently a building, to vibrate in a complex manner. The objective of earthquake-resistant design is to construct a building so that it can withstand the ground shaking caused by body and surface waves (Hayes, W.W. ed, 1981).

When a fault ruptures, seismic waves are propagated in all directions, causing the ground to vibrate at frequencies ranging from about 0.1 to 30 Hertz. Buildings vibrate as a consequence of the ground shaking; damage takes place if the building cannot withstand these vibrations. Compressional waves and shear waves mainly cause high-frequency (greater than 1 Hertz) vibrations which are more efficient than low-frequency waves in causing low buildings to vibrate. Rayleigh and Love waves mainly cause low-frequency vibrations which are more efficient than high-frequency waves in causing tall buildings to vibrate. Because amplitudes of low-frequency vibrations decay less rapidly than high-frequency vibrations as distance from the fault increases, tall buildings located at relatively great distances (60 miles) from a fault are sometimes damaged. Complex vibration of tall building can lead to loss of strength in building materials and joints, and could compromise building foundations and piles.

GSC modeled peak horizontal ground acceleration with a 10% probability of occurring onsite in 50 years as 0.74g. Besides the direct physical damage to structures caused by ground shaking, marginally stable landslides, slopes, and inadequately compacted fill material could move and cause additional damage. Gas, water, and electrical lines could be ruptured due to groundshaking, or broken during movement of earth caused by the earthquake, which could jeopardize public safety.

Development of the project site would be subject to the requirements of the Uniform Building Code (UBC) and the California Building Code (CBC), which would ensure that the design and construction of new structures are engineered to withstand the expected ground acceleration that may occur on-site. Foundation design and building construction would be required to

adhere to all recommendations contained within the specific plan geotechnical report (GSC, 2007), and all phase or building specific geotechnical engineering studies. Adherence to established building codes would further ensure that potential impacts relating to seismic groundshaking could be mitigated to a less than significant level.

Mitigation Measures. In addition to all applicable codes, and all recommendations contained within the specific plan geotechnical report, and building specific design studies, the following mitigation measure would ensure that impacts resulting from seismically induced ground shaking would be less than significant.

GEO-1 **Individual Geotechnical Engineering.** The applicant shall retain a certified engineer to perform geotechnical engineering for each building in each phase. The applicant shall incorporate the design contained within the geotechnical engineering plans into all buildings, structures, foundations and utilities, as applicable. The geotechnical engineering plans shall include the recommendations of the geotechnical reports and shall be submitted to Development Services Department and the Building and Engineering Services Department for review prior to issuance of grading or building permits. GeoSoils recommends using the value obtained from the site specific probabilistic seismic hazard analysis (0.74g) for the design basis ground motion to use for a 10 percent probability of exceedance in 50 years. This value should satisfy the minimum Uniform Building Code (UBC) requirements for seismic structural design.

Significance after mitigation. The risk of sustaining an earthquake with higher ground accelerations can never be completely eliminated. Any structure built in California is susceptible to failure due to seismic activity. However, the potential for structural failure due to seismic ground shaking would be considered less than significant through implementation of the most recent industry standards for structural design, as required in the Uniform Building Code and the California Building Code, and adherence to all recommendations in the current and future geotechnical reports.

Impact GEO-2 **Soils on the project site are considered to have high- to moderate potential for liquefaction and settlement. Therefore, development of the project site has the potential to create soil-related hazards; this is considered to be a Class II, *significant but mitigable*, impact.**

As discussed above, the results of the liquefaction analyses indicated that there is potential for liquefaction within the area. There are thin (generally less than three feet thick), isolated layers of sand and silty sand beneath the site which possess a potential for liquefaction during large seismic events. The thickest deposit of potentially liquefiable material (approximately six feet) was encountered near the center of the site at approximately 14 to 20 feet below existing grade. Additionally, near the middle-northern area of the site a potentially liquefiable layer of approximately five feet in thickness was encountered at approximately 11 to 16 feet below existing grade. Furthermore, the Safety Element of the Oxnard 2020 General Plan indicates that the project site is located in an area with high to moderate liquefaction potential. The potential for groundshaking, in combination with the presence of alluvial soils and shallow groundwater

tables that are predominant in the Oxnard area, create the risk of liquefaction and settlement. Settlement occurs in alluvial soils, as well as in areas where structures have been placed on improperly compacted artificial fill. Therefore, the project is located on soils that may be or may become unstable, creating a substantial risk to life or property; this is considered a potentially significant impact.

Liquefaction is not a type of ground failure; it is a physical process that takes place during some earthquakes that may lead to ground failure. As a consequence of liquefaction, clay-free soil deposits, primarily sands and silts, temporarily lose strength and behave as viscous fluids rather than as solids. Liquefaction takes place when seismic shear waves pass through a saturated granular soil layer, distort its granular structure, and cause some of the void spaces to collapse. Disruptions to the soil generated by these collapses cause transfer of the ground-shaking load from grain-to-grain contacts in the soil layer to the pore water. This transfer of load increases pressure in the pore water, either causing drainage to occur or, if drainage is restricted, a sudden buildup of pore-water pressure. When the pore-water pressure rises to about the pressure caused by the weight of the column of soil, the granular soil layer behaves like a fluid rather than like a solid for a short period. In this condition, deformations can occur easily. When the soil supporting a building or some other structure liquefies and loses strength, large deformations can occur within the soil, allowing the structure to settle and tip (Hayes, W.W. ed, 1981). This can be detrimental to tall buildings because of the mass of a high rise; the building material is less likely to survive when the structural bearing is not directly below the building.

The potential for liquefaction exists in the study area due to the thin layers (generally less than three feet) and depth of the potentially liquefiable deposits. Provided that the mitigation measures below and recommendations in all geotechnical reports and engineering plans are implemented, neither liquefaction nor any related phenomena will pose a significant risk to site development. Based on Ishihara (1985), if liquefaction should occur, the surface should not experience any manifestation of liquefaction (GSC, 2007). However, some of the proposed buildings will be founded on a deepened foundation system. Because of this, the piles may experience downdrag forces as a result of settlement associated with liquefaction. This could result in increased risk of structural instability onsite, and is considered a potentially significant impact.

As presented in the liquefaction analyses, the potentially liquefiable soils underlying areas of the site (Tract 5745) appear to be vertically and laterally discontinuous throughout the tract. Also, the N160 blow counts associated with those potentially liquefiable layers are generally greater than 15, as illustrated in the borings and CPTs drilled on the site. For liquefaction-induced lateral spread to occur, vertically and laterally continuous layers with N160 blow counts less than 15 need to exist. Since these factors do not exist, liquefaction-induced lateral spread poses a low risk to the proposed site development. Additionally, removals have been recommended to mitigate potential liquefaction in the soils that may possibly daylight toward the Santa Clara River, thus providing additional protection against lateral spreading.

The guidelines presented in SCEC 1999 require, in the absence of extensive site investigation, that a minimum differential settlement, on the order of one-half the total settlement, be used in design for level ground sites with underlying natural soils. Table 4.5-2 presents the amount of total settlement calculated from the borings and CPTs that were performed on the site.

Table 4.5-2 Total Calculated Settlement

Boring/CPT	Hydroconsolidation (in.)	Static Settlement (in.)	Seismic Settlement (in.)	Total Settlement (in.)
B-1-07 / CPT-17	Negligible	1.5	0	1.5
B-2-07 / CPT-20	Negligible	0.8	0.5	1.3
B-3-07 / CPT-24A	Negligible	Negligible	1.6	1.6
B-4-07 / CPT-23	Negligible	Negligible	0.3	0.3
B-5-07 / CPT-7	Negligible	1.9	1.5	3.4
B-6-07 / CPT-1	Negligible	Negligible	0.3	0.3
CPT-2	Negligible	Not Calculated in CPT	0.4	0.4
CPT-3	Negligible	Not Calculated in CPT	0.5	0.5
CPT-4	Negligible	Not Calculated in CPT	0.1	0.1
CPT-5	Negligible	Not Calculated in CPT	0.6	0.6
CPT-6	Negligible	Not Calculated in CPT	0.1	0.1
CPT-8	Negligible	Not Calculated in CPT	0.5	0.5
CPT-9	Negligible	Not Calculated in CPT	1.9	1.9
CPT-10	Negligible	Not Calculated in CPT	0.2	0.2
CPT-11	Negligible	Not Calculated in CPT	0	0
CPT-12	Negligible	Not Calculated in CPT	0.4	0.4
CPT-13	Negligible	Not Calculated in CPT	0.9	0.9
CPT-14	Negligible	Not Calculated in CPT	0.3	0.3
CPT-15	Negligible	Not Calculated in CPT	0.5	0.5
CPT-16	Negligible	Not Calculated in CPT	2.3	2.3
CPT-18	Negligible	Not Calculated in CPT	0.8	0.8
CPT-19	Negligible	Not Calculated in CPT	0.9	0.9
CPT-21	Negligible	Not Calculated in CPT	1.5	1.5
CPT-22	Negligible	Not Calculated in CPT	0.1	0.1
CPT-24	Negligible	Not Calculated in CPT	0.8	0.8

Source: GeoSoils Consultants Inc., 2007

Therefore, based on the calculated total seismic settlement, static settlement, and negligible hydroconsolidation, the anticipated settlement across the site ranges from 0.1 to 3.4 inches. Based on the maximum anticipated total settlement (3.4 inches), the maximum differential settlement will be approximately 1.7 inches. This could result in a significant impact, however according to GSC, this degree of differential settlement can be mitigated to a less than significant level with proper foundation/floor system design.

Mitigation Measures. Implementation of all recommendations within the current specific plan geotechnical report, adherence to all applicable requirements of the UBC and CBC, compliance with Measure GEO-1 and the following mitigation measures would reduce potential impacts form liquefaction to a less than significant level. These measures would apply to all phases of project construction.

GEO-2(a) Soil Removal. There are thin (generally less than three feet thick), isolated layers of sand and silty sand beneath the site which possess a potential for liquefaction during large seismic events. In addition, thick deposits of potentially liquefiable material (approximately six feet) were encountered near the center of the site at approximately 14 to 20 feet below existing grade and near the middle northern area of the site at approximately 11 to 16 feet

below existing grade. In order to reduce the potential for surface manifestation associated with these two thick layers, soil removals in these areas shall occur prior to foundation construction; in accordance with the geotechnical recommendations, soil shall be removed to approximately 16 feet below existing grades. The excavated soil shall be utilized for onsite fills after any organic matter, debris, or individual particles greater than six inches in diameter are removed.

GEO-2(b) **Pile Casing.** Some of the proposed buildings will be founded on a deepened foundation system and the piles may experience downdrag forces as a result of settlement associated with liquefaction. Prior to foundation construction, drilling and casing of the upper 40 to 45 feet of the pile shall be implemented in order to reduce the effects of downdrag on the piles.

Significance After Mitigation. Properly designed and constructed structures, foundations, and utilities would adequately mitigate the potential for problems caused by soil-related hazards associated with liquefaction and settlement, thereby reducing impacts to less than significant levels.

Impact GEO-3 **Excavation and grading onsite could encounter groundwater beneath the site surface requiring removal for foundation construction. This may require temporary or permanent dewatering; this is considered to be a Class II, *significant but mitigable*, impact.**

Grading and site preparation would require approximately 231,000 cubic yards of excavation and fill; these quantities would almost balance earthwork onsite, with likely total export at about 200 cubic yards. Excavation where deepest—for subterranean parking and foundations for the high-rise structures—would reach a maximum depth of approximately 17 feet.

At the time of subsurface exploration for the geotechnical study (June through September 2006), groundwater was encountered between depths of 13.5 to 21 feet below existing grade. According to the California Geological Survey (CGS) Seismic Hazard Evaluation of the Oxnard 7.5 minute Quadrangle, Seismic Hazard Zone Report 052, the historical high groundwater table is approximately between 10 and 20 feet below grade.

Therfore, there is potential for encountering groundwater during excavation and grading. In the event that dewatering is necessary for the completion of the site grading and subterranean garage and building footings, there is potential for residual contamination in groundwater to present a potential impact to the site workers and environment. For a complete discussion of groundwater contamination hazards please see Section 4.6, *Hazards and Hazardous Materials*.

If groundwater dewatering is required, appropriate discharge permits must be obtained from the Regional Water Quality Control Board. In addition to compliance with the county NPDES permit, an individual National Pollutant Discharge Elimination (NPDES) Permit would be required. The project design would be required to comply with all requirments of the NPDES permit, and identifiy methods for conveying and treating groundwater onsite, including but not limited to detenion basins, grassy swales, infiltration basins, and or reclamation for onsite

irrigation. If the dewatering activity results in more than 0.15 acre feet of groundwater extracted annually this could result in a potentially significant impact.

Mitigation Measures. Adherence to all discharge permits and requirements for dewatering, in conjunction with Mitigation Measures HAZ-2 (a) through HAZ-2 (e), HWQ-1, and HWQ-3(e), the following mitigation measure would reduce impacts from encountering groundwater during excavation to a less than significant level. These measures would apply to all phases of project construction.

GEO-3(a) Dewatering Program. Prior to the issuance of any grading permits a qualified hydrologist shall estimate from the final engineering plans the volume of dewatering necessary for the proposed project. If dewatering is required a dewatering program shall be designed to properly convey and treat dewatering discharge, in accordance with the NPDES permits, as well as state and local regulations. The program shall be subject to the approval of the Ventura County Flood Control District and the City of Oxnard Public Works Department. The program shall include site design methods for treatment and conveyance of temporary, and permanent if required, dewatering discharge, including but not limited to infiltration ponds, vegetated swales, and or reuse for landscape irrigation. Prior to the implementation of any dewatering program, groundwater sampling shall be performed to ensure that the system is adequately designed and permitted to address onsite groundwater conditions.

GEO-3(b) Groundwater Recharge. If the volume of groundwater extracted annually in association with the Oxnard Village Specific Plan exceeds 0.15 acre-feet, a groundwater recharge contribution shall be required. The project engineer shall consult with the City of Oxnard Public Works Department, and Ventura County Flood Control District to determine appropriate methods for contributing to the recharge of the groundwater basin.

Significance After Mitigation. Implementation of all requrments of the NPDES permits and local regualtions, in conjunction with Mitigation Measures HAZ-2(a) through HAZ-2(e), HWQ-1, and HWQ-3(e), the Mitigation Measure above would reduce impacts from encountering groundwater during excavation and grading to a less than significant level.

c. Cumulative Impacts. The proposed project plus cumulative projects would increase development in the City of Oxnard by adding approximately 10,468 dwelling units, 2,171,016 square feet of commercial space, and 5,150,030 square feet of industrial square footage. Such development would expose new residents and property to seismic hazards in the area. The proposed project would incrementally contribute to these cumulative impacts. However, seismic and soil issues would be addressed on a case-by-case basis through preparation of required soils and geotechnical engineering studies, as well as adherence to existing City and state regulations including the respective universal building codes, to mitigate impacts resulting from individual projects. Cumulative impacts are less than significant.

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4.6 HAZARDS and HAZARDOUS MATERIALS

This section evaluates potential hazard impacts relating to hazardous materials in the soil and groundwater, and hazardous material transport and airport operation. Geologic hazards are discussed in Section 4.5, Geology and Soils of this EIR.

4.6.1 Setting

a. Hazardous Materials Regulatory Setting. Federal, state, and/or local government laws define hazardous materials as substances that are toxic, flammable/ignitable, reactive, or corrosive. Extremely hazardous materials are substances that show high or chronic toxicity, carcinogenic, bioaccumulative properties, persistence in the environment, or that are water reactive. Hazardous materials impacts are normally a result of project related activities disturbing or otherwise encountering such materials in subsurface soils or groundwater during site grading or dewatering. Other means for human contact with hazardous materials are transportation accidents associated with the transportation on hazardous materials along highways and railroads.

Soil Contamination Health Risk Assessment. Regulatory agencies such as the United States Environmental Protection Agency (EPA), California Department of Toxic Substance Control, and California Office of Environmental Health Hazard Assessment set forth guidelines that list concentration thresholds over which contaminants pose a risk to human health. The EPA combines current toxicity values of contaminants with exposure factors to estimate what the maximum concentration of a contaminant can be in environmental media before it is a risk to human health. These concentrations set forth by the EPA are termed Preliminary Remediation Goals (PRGs) for various pollutants in soil, air, and tap water (USEPA Region IX, Preliminary Remediation Goals Tables, 2002). PRG concentrations can be used to screen pollutants in environmental media, trigger further investigation, and provide an initial cleanup goal. PRGs for soil contamination have been developed for both industrial and residential land uses. Residential PRGs are more conservative and take into account the possibility of the contaminated environmental media coming into contact with sensitive receptor sites such as nurseries and schools. PRGs consider exposure to pollutants by means of ingestion, dermal contact, and inhalation, but do not consider impacts to groundwater.

Soil Contamination Groundwater Protection. The Los Angeles Regional Water Quality Control Board (RWQCB) has developed an interim guidance document that contains numerical site screening levels to determine the need for remediation of gasoline and volatile organic compound (VOC) contaminated soils (Los Angeles RWQCB, 1996). The guidance document has been used to determine when a site may require remedial action or to establish an acceptable clean up standard for a particular constituent. The document was developed to simplify the remediation process by facilitating the selection of soil cleanup levels for gasoline and VOC impacted sites.

Groundwater Contamination. Both the EPA and the California Department of Health Services (DHS) regulate the concentration of various chemicals in drinking water. The DHS thresholds are generally stricter than the EPA thresholds. Primary maximum contaminant levels

(MCLs) are established for a number of chemical and radioactive contaminants (Title 22, Division 4, Chapter 15 California Code of Regulations). MCLs are often used by regulatory agencies to determine cleanup standards when groundwater is affected with contaminants.

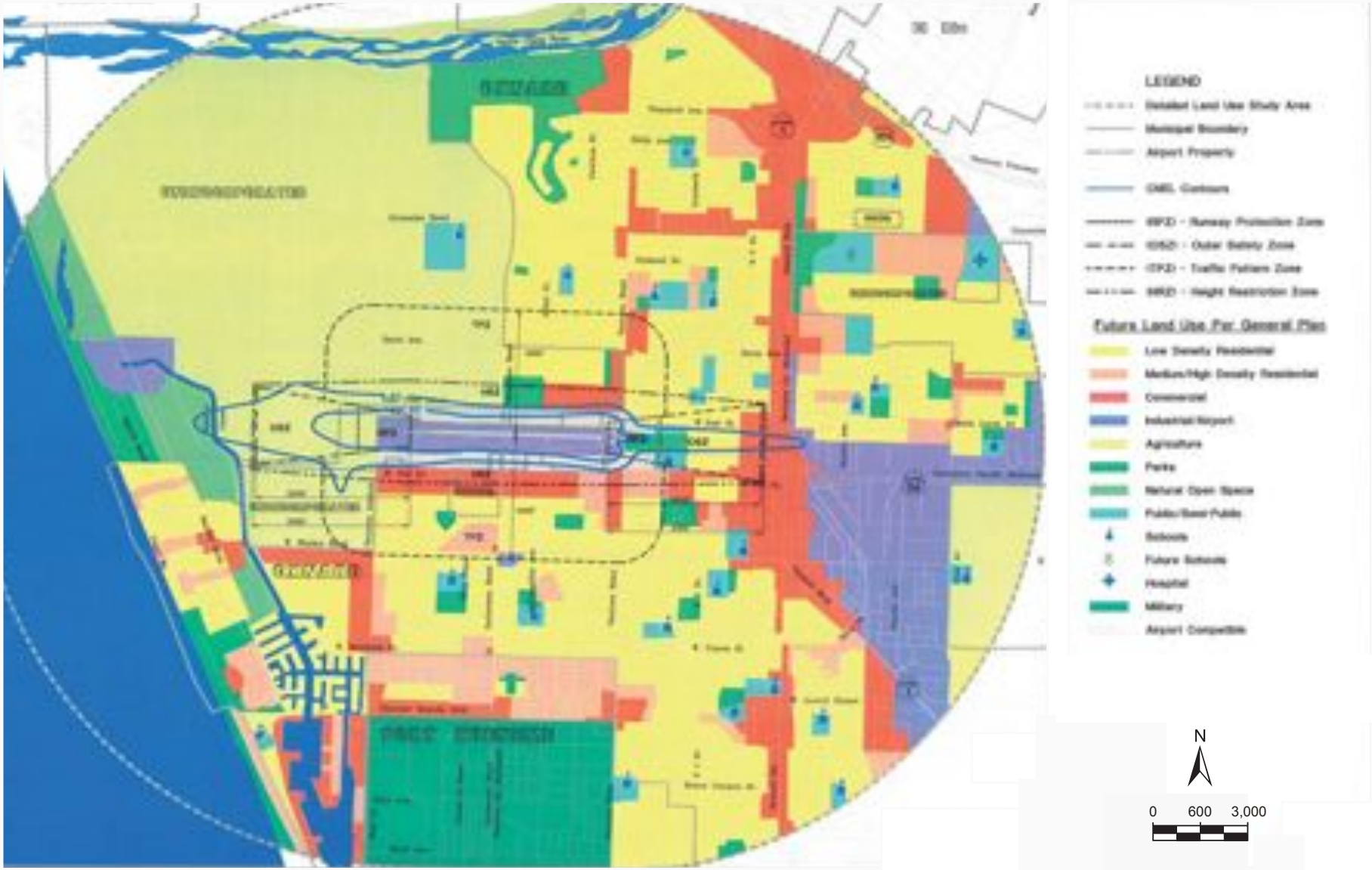
b. Transportation Regulatory Setting

Airports. The proximity of the Oxnard Airport to populated areas of the City presents some inherent land use conflicts that are addressed by both City and County planning programs. In order to minimize conflicts between airports and surrounding uses, each county in California is required to have an Airport Land Use Commission (ALUC). The purpose of the ALUC is to work towards ensuring compatible land use surrounding airports with respect to noise and safety. The Ventura County ALUC has developed the Ventura County Airport Comprehensive Land Use Plan (VCACLUP), a document that governs all aviation facilities in the County. The VCACLUP establishes planning boundaries, use restrictions, and development standards based on the State Aeronautics Program 1993 Airport Land Use Planning Handbook, and the California Public Utilities Code.

The VCACLUP, has established comprehensive land use policies applicable to Oxnard Airport. These specific land use restrictions comply with the Federal Aviation Administration (FAA) regulations. The VCACLUP has established three general areas of concern with regard to land use planning around the county airports. These include building height restrictions, air traffic safety, and aircraft noise. These planning constraint areas have been mapped for that area affected by current and future aircraft activities anticipated at Oxnard Airport. Figure 4.6-1 illustrates the City's current airport height and safety zones and where these protective zones are relative to the project site. The airport noise impacts are discussed in this EIR in Section 4.9, Noise.

Height Restricted Zone. The 2000 Ventura County Cumulative Airport Land Use Plan uses the Federal Aviation Regulations (FAR) Title 14 Part 77, Objects Affecting Navigatable Airspace. These regulations establish notification requirements for objects within navigable airspace and are utilized by the FAA as a preemptive measure to identify potential flight hazards prior to their construction. FAA established "imaginary surfaces" at specific altitudes and specific distances from the runway in order to identify where future structures may constitute hazard to safe aviation.

The Code of Federal Regulations (Title 14, Chapter I, part 77.25) requires that an object introduced within 4,000 feet of a runway should not exceed a height, which is greater than an imaginary surface extending outward and upward from the periphery of the runway at a slope of 20 to 1. Similar requirements are established around the runway approach zone. The imaginary approach surface starts at the at the east end of the primary runway surface at the same width as the runway and expands directly east at uniform width to 16,000 feet over a distance of 50,000 feet. Initially the slope of the approach surface imaginary shape is 50 to 1 for 10,000 feet then drops to a slope of 40 to 1 for the remaining 40,000 feet. The project site is approximately 2.32 miles (12,250 feet) northeast of the Oxnard Airport runway and is outside of the height restricted zone and the runway approach zone (USGS, Oxnard Quadrangle, 1967).



Source: P&D Aviation, 1991 General Plans of Oxnard; Port Hueneme; and Ventura County

City of Oxnard Airport

Figure 4.6-1

Safety Zones. There are three Safety zones, two of which are overlay zones for areas outside of airport boundaries. The three zones are the runway protection zone (RPZ), outer safety zone (OSZ), and the Traffic Pattern Zone (TPZ). None of these zones overly the project site.

Hazardous Materials Transportation. Both the U.S. EPA and the U.S. Department of Transportation (DOT) regulate the overall transportation of hazardous waste and material, including transport via highway and rail. The EPA administers permitting, tracking, reporting, and operations requirements established by the Resource Conservation and Recovery Act (RCRA). DOT regulates the transportation of hazardous materials through implementation of the Hazardous Materials Transportation Act. This Act administers container design, and labeling and driver training requirements. These established regulations are intended to track and manage the safe interstate transportation of hazardous materials and waste.

Highways Health Risk Protection. Transportation of hazardous materials on highways falls under federal legislation; however, authority is relegated to various state and local agencies that are focused on specific aspects of hazardous materials and transportation. The Hazardous Waste Control Act establishes the California Department of Health Services as the lead agency in charge of the implementation of the RCRA program. State and local agencies such as the California Highway Patrol (CHP), State of California Department of Transportation (Caltrans), and the City of Oxnard Fire Department are responsible for the enforcement of state and federal regulations and responding to hazardous materials transporting emergencies. The CHP establishes state and federal hazardous material truck routes and has lead responsibility over hazardous material spills on State highways. If coordination of additional agencies is required at the scene of a transportation accident. The Oxnard Fire Department is responsible for their coordination. Local law enforcement agencies and the California Highway Patrol are continually assessing strategies to prevent and reduce the impact of accidents involving hazardous material transport.

Due to the utilization of leaded fuel in motor vehicles prior to the mid-1980s, the shoulders of highways have the potential for toxic levels of aerially deposited lead (ADL). No specific guidelines, policies or standards related to ADL hazards have been established for siting commercial or residential uses near transportation infrastructure. However, due to the health hazards associated with high lead concentrations, appropriate sampling and precautions should be taken prior to grading and disposing of soils along the shoulders of highways.

Railroad Health Risk Protection. The transportation of hazardous materials via railway is federally regulated by the Federal EPA and the Federal Railroad Administration, a branch of DOT. As stated above, federal legislation governs the safe transport of hazardous materials through establishment of permitting, tracking, and reporting programs and container and labeling requirements. On the state and local level, the California Department of Health Services is in charge of the implementation of the RCRA program, and rail agencies such as the State of California Public Utilities, South Coast Area Transit, and City of Oxnard Transportation Center, are responsible for the investigating and implementing improvements of railroads. If coordination of additional agencies is required at the scene of a transportation accident Oxnard Fire Department is responsible (City of Oxnard General Plan, 2006: Ventura County General Plan, 2005).

c. Site Hazards Setting. Environmental site assessments were conducted for the project site in 2002, 2004, and 2007. The Phase II environmental site assessment (ESA) prepared by SECOR in 2002 included soil sampling and geophysical surveys of suspect areas throughout the Wagon Wheel properties. The Phase I ESA prepared by SECOR in 2004 covered the entire area of the Wagon Wheel Industrial Properties and Plaza Retail Center. Environmental Assessment Review and Aerial Deposited Lead Survey of the property were completed by Criterion Environmental Inc. in 2007. The Environmental Assessment Review included a site reconnaissance and review of the historical environmental records related to environmental work performed at the site, including the SECOR documents. The Aerial Deposited Lead Survey analyzed soil samples collected adjacent to the 101 Freeway, Oxnard Boulevard, and Wagon Wheel Road. The findings of these reports are summarized below.

Historic Land Use**.** According to a Phase I Environmental Site Assessment completed by SECOR in 2004, at least part of the on-site structures are 40 years old or older. SECOR reviewed aerial photographs, historic topographic maps, files, and other reports to determine past uses of the project site. As depicted on a 1945 aerial photograph of the area, the project site was primarily comprised of agricultural uses. By 1959, the mobile home park, bowling alley and roller-skate rink, the Wagon Wheel Motel, and Industrial Properties were in place. The surrounding properties to the northeast and south remained in agricultural use until the late 1980s, when the Neighborhood Retail Center was constructed.

The site consists of residential, commercial, industrial sales, manufacturing, and storage structures situated on 64 acres, located between US 101 Freeway, Ventura Road, and the Union Pacific Railroad. The northern portion of the site consists of the Neighborhood Retail Center, comprised of a shopping mall, skating rink, mobile home park, bowling alley, furniture outlet, and Wagon Wheel Motel. The Wagon Wheel Industrial Properties in the southeastern portion of the site were constructed in the 1950s and 1960s. They are primarily single story buildings utilized as industrial manufacturing, service and sales. According to the Geotechnical Feasibility Study (GeoSoils Consultants, Inc. January 15, 2007), groundwater is estimated to be located at between 13 and 21 feet below grade.

According to SECORs 2004 Phase I and Criterions Environmental Assessment Review, within the Wagon Wheel Plaza there and have been historically several properties operating underground storage tanks (USTs). Additionally, many of the properties industrial uses have included the use and storage of hazardous materials. Soil samples were collected at specific sites by various consultants and analyzed for various contaminants under regulatory oversight by the City of Oxnard Fire Department, Ventura County Environmental Health, or the Regional Water Quality Control Board. According to regulatory documentation, appropriate assessment and remediation efforts were performed and regulatory closure was granted to the specific sites.

In 2002, SECOR conducted Phase II (sampling) assessment at a number of locations with in the site, including:

- 2821 Wagon Wheel Road-Granada Oak Furniture
- 334 Winchester Drive- Limons Metal Finishing

- 2645 Wagon Wheel Road-Hermitage Homes
- 311 Cacutus Drive- Yama Lawnmowers

The Phase II assessment analyzed soil for possible contamination associated with industrial uses at the site. Additionally, geophysical surveys were conducted on two sites to locate possible hidden USTs. No groundwater sampling was included as part of the Phase II assessment. No USTs or magnetic anomalies were detected during the surveys. The results of the Phase II assessments indicated that no contamination above laboratory detection limits was detected in samples collected at the Granada Oak Furniture location. Indications of metal contamination, above laboratory detection levels were detected in all of the soil samples collected at Limons Metal Finishing, and hydrocarbon contamination, above laboratory detection levels were detected in soil samples collected at Hermitage Homes, and Yama Lawnmowers. However, for all three of these sites where indications of soil contamination were found, concentrations were determined to be below PRGs for residential use and the RWQCB Maximum Soil Screening Levels. Based on the results of the assessment, no further assessment was recommended by the consultant.

An Aerial Deposited Lead in Soil Survey was conducted by Criterion on October 16, 2007. A total of 24 shallow soil samples were collected along the north/northeast side of the Wagon Wheel Road and adjacent to the 101 Freeway and Oxnard Boulevard. All 24 samples were analyzed for total threshold limit concentration (TTLC) by EPA Method 6010. All samples with lead concentrations in excess of 50 milligrams per kilogram (mg/kg) but less than 1,000 mg/kg were tested for soluble threshold limit concentration (STLC) by EPA Method 6010B. All 24 of the samples were below regulatory cleanup levels established by the EPA's PRGs and California Department of Health Services. However, analytical results indicated total lead concentrations above 50 mg/kg in six samples. One of the samples with concentrations above 50 mg/kg was collected from the shoulder of Oxnard Boulevard and the other five samples were collected from the shoulder of Wagon Wheel Road. Only one of the six samples analyzed for STLC, collected along Wagon Wheel Road, detected lead levels above 5.0 mg/L, indicating a concentration above hazardous waste concentrations. Criterion recommended waste stream characterization sampling be conducted for excavated stockpiles to ensure a more representative profile of the soil.

The proposed project requires substantial changes to the current structures and landscape of the area. As stated in Section 2.0, Project Description, virtually all existing structures and infrastructure onsite will be demolished or removed. The entire 64-acre project area will then be re-graded to meet the needs of the new development. In order to develop two subterranean parking areas and foundations for the three proposed high rise buildings, approximately 142,731 cubic yards of soil will be excavated and removed. According to the preliminary grading plans, the excavations would be to a maximum depth of approximately 17 feet.

The combination of physical characterization of the site area, the historical site uses and intended structural and grade changes present a range of potential impacts associated with the proposed project. These potential impacts are addressed further below.

Site Hazards Associated With Building Demolition.

Asbestos and Lead Based Paints. No record of asbestos or lead bases paint surveys have been identified as part of this analysis. The Neighborhood Retail Center was constructed in the 1980's; however, the Wagon Wheel Industrial Properties, and the Wagon Wheel Motel and Trailer Park were built in the 1950s. Buildings constructed prior to 1980 are considered at risk of having asbestos containing material and lead based paint. Therefore, asbestos and lead based paint are considered a potential environmental condition in the Wagon Wheel Industrial Properties, Wagon Wheel Motel, and Trailer Park.

Polychlorinated Biphenyls (PCBs). SECOR and Criterion noted during their site reconnaissance that a number of pole and pad mounted electrical transformers, hydraulic equipment, and florescent lighting fixtures are present throughout the site. Due to the age of many of the industrial buildings, PCBs may be present throughout the site. Though SECOR noted that all the fixtures appeared to be in good condition, undocumented leaks and/or spills may have occurred. SECOR, as part of their study, recommended that suspect lighting fixtures be removed and disposed according to the appropriate state and federal regulations. Additionally, SECOR and Criterion recommended that following their removal, subsurface soil samples be collected around the existing hydraulic hoists located at the former Texaco Station (2705 Wagon Wheel Road).

Known Hazards Associated with Site Grading.

Limon Metal Finishing. In December 2002, SECOR conducted a limited soil investigation that focused on the former fuel dispenser, dip tanks and a hazardous waste storage building. A total of six Geoprobe boring to approximately 21 feet below grade were completed. No detectable concentrations were reported in any of the soil samples collected from the former dispenser area. The analytical results indicate detectable concentrations of metals in all six borings. SECOR concluded that all metal concentrations were below the state hazardous waste threshold limit and should not pose a threat for leaching. Metal fabrication continued after the assessment, so it is unknown whether or not such activities may have impacted the site from 2002 until present. Based on regulatory records, Limon Metal Finishing has a record of receiving past violations from VCEHD for the improper handling and storage of hazardous chemicals. Additionally, Criterion recommended in their 2007 Assessment Review, that subsurface soil and groundwater sampling be conducted under the acid dip tanks and vats. The continued use of the metal finishing and the utilization of hazardous materials are considered a recognized environmental condition that has the potential to have resulted in subsurface contamination.

Nine Fuel Underground Storage Tanks (USTs). VCEHD records indicated that nine USTs were abandoned and removed from the four locations within the Wagon Wheel Properties. The sites were located at 2611 Wagon Wheel Road, 2705 Wagon Wheel Road, 358 Winchester Drive, and 373 Winchester Drive. VCEDH reports indicate that leaks were detected from USTs at each of the sites. Assessment activities were completed at each site and remediation was conducted at 2705 Wagon Wheel Road, 358 Winchester Drive, and 373 Winchester Drive. All of these locations received regulatory closure from VCEHD. SECOR did not conduct groundwater

sampling as part of their 2002 Phase II ESA. Therefore, due the shallow groundwater and the indication of spills reported in the VCEHD tank closure documents, there is potential for residual soil and groundwater contamination to be associated with these sites.

Aerial Deposited Lead. In October 2007, Criterion conducted a soil assessment for ADL along the north/northeast side of the Wagon Wheel Road and adjacent to the 101 Freeway and Oxnard Boulevard. A total of 24 shallow soil samples were collected. All 24 of the samples were below regulatory cleanup levels established by the EPA's PRGs and California Department of Health Services. However, analytical results indicated total lead concentrations above 50 mg/kg in six samples. All samples with lead concentrations in excess of 50 mg/kg were tested for STLC by EPA Method 6010B. One of the samples with concentrations above 50 mg/kg was collected from the shoulder of Oxnard Boulevard and the other five samples were collected from the shoulder of Wagon Wheel Road. One of the six samples analyzed for STLC detected lead levels above 5.0 mg/L, indicating a concentration above hazardous waste concentration thresholds.

Unknown Hazards Associated with Site Grading.

Solid Waste Dumps. As part of this study program, VCEHD was contacted to identify if unauthorized landfills were documented for the project site or immediate area. In addition to consultation with VCEHD, the following County and State databases were searched as part of this study and aerial maps were reviewed.

- County of Ventura Environmental Health Division's Currently inspected Closed, Illegal, & Abandoned (CIA) sites database
- County of Ventura Environmental Health Division's Archived (non-inspected) CIA site database
- County of Ventura Environmental Health Division's Record search database
- California Integrated Waste Management Board's (CIWMB's) searchable Solid Waste Information System (SWIS) database

Based on consultation with Ms. Erin O'Connell of the County of VCEHD, an abandoned but unmapped landfill was reported to be in the vicinity of the subject property. However, based on the research performed as part of this analysis, no onsite landfills were identified. However, three historic dump sites were found to have been located within ½ mile of the site:

- Santa Clara Landfill, 1954
- Wagon Wheel
- Ballard

Additionally, two sites were identified in the Ventura County Environmental Health website for archived (non-inspected sites) as closed refuse disposal sites along the Santa Clara River at an unknown locations in Oxnard. Following inspection of historical aerial maps of the area, there appears to be site use along the western portion of the site between 1964 and 1977, which has the potential to have been a small waste dump. Therefore, during site grading activities, there is potential for the onsite workers to encounter soil and groundwater contamination

associated with solid waste dumps and therefore, presents a potential impact to the site workers and the environment.

Undocumented Spills. Undocumented spills of hazardous materials, potentially resulting in on-site soil or groundwater contamination, may have occurred periodically over the more than 40-year operation period. Various hazardous materials have been used on the site by a broad range of historical uses that have occupied the property.

Groundwater Hazards. In the event that dewatering is necessary for the completion of the site grading and subterranean garage and building footings, there is potential for residual contamination in groundwater to present a potential impact to the site workers and environment. According to a Second Quarter 2006 Groundwater Monitoring Report, dated July 27, 2006, prepared by URS for the property located at 301 Esplanade Drive, depth to groundwater was measured between approximately 16.32 and 20.45 feet below surface grade. Proposed grading includes excavating portions of the site to approximately 17 feet below surface grade. Therefore, there is potential for contacting ground water that has been impacted with contamination associated with onsite industrial uses. In order to complete development and to protect subterranean structures, temporary or permanent dewatering measures may be necessary. Therefore, there is potential for contaminated groundwater to be discharged from the site.

Transportation Hazards.

Airport Safety. The Oxnard Airport is owned and operated by the County of Ventura and is classified as a primary commercial service airport. The airport was opened in 1934 and is located within the central portion of the City of Oxnard. The airport is bounded by Teal Club Road on the north, Victoria Avenue on the west, Ventura Road on the east, and West Fifth Street on the south. The airport encompasses a total of 216 acres and provides a single asphalt runway (Runway 7-25) which is 5,950 feet long by 100 feet wide (Airport Land Use Plan for Ventura County, 2000). The Oxnard Airport is located approximately 2.32 miles (12,250 feet) northeast of the subject property (USGS, Oxnard Quadrangle1967). The project site is outside of the height limitations zone, and designated safety zones for the airport. However, due the height of the proposed towers, the development is required to obtain clearance by the FAA prior to receiving a building permit from the City.

Highways. The proposed development site is bordered by U.S. Highway 101 along the northern property line. According to the 1989 Ventura County Hazardous Waste Management Plan, U.S. Highway 101 is designated as one of two routes for the transport of hazardous wastes and materials through the Oxnard Planning area. The City of Oxnard General Plan 2020 states that an average of 160 trucks per hour travel on U.S. Highway 101. The California Highway Patrol estimates approximately 5.5% of these carry hazardous materials and an additional 2.5% carry hazardous wastes. Accidents could result in spills of such materials. However, all transport of hazardous materials would be subject to Federal, State, and Local regulations put into place to minimize impacts associated with the transportation of hazardous materials along the highway.

Railroad Operations. The Union Pacific Railroad extends along the entire length of the property, from the northwestern corner to the southeastern corner. According to the City of Oxnard General Plan 2020, approximately 60 to 70 tank cars per week containing hazardous materials are transported through Oxnard on the Southern Pacific Railroad. Accidents on these facilities could result in future spills of Hazardous materials materials. According to Ventura County General Plan through appropriate design and set back the risk presented by accidents associated with railways is minimized. Additionally, through the application of the current federal legislation regulating the transportation of hazardous materials and the implementation of the appropriate response and mitigation by State and Local agencies, impacts relating to accidents involving hazardous material transportation on railroads is minimized to the extent practical.

4.6.2 Impact Analysis.

a. Methodology and Significance Thresholds.

The methodology used in this assessment includes review of previous environmental reports for the project site and other readily available information to assess the potential presence of hazards and contamination sources within the project area. Potentially significant human health and safety impacts would occur if project implementation would expose current or future site residents/employees/visitors or construction workers to concentrations of toxic chemicals that exceed regulatory action levels. Air traffic impacts were considered significant if the project would be located within identified hazard areas or would exceed published regulatory thresholds as defined by the Ventura County Airport Land Use Plan. Impacts were considered less than significant if the project was determined to be consistent with the Ventura County Airport Land Use Plan as adopted by the Ventura County Airport Land Use Commission and the Federal Aviation Administration. For the purpose of this analysis, a significant effect would occur if the project would:

- *The project would create or be exposed to a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment*
- *Be located on a site included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment*
- *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area*

b. Project Impacts and Mitigation Measures.

Impact HAZ-1 The proposed project would require the demolition of structures that could contain asbestos or lead based paints. The release of these materials has the potential to adversely affect human health and safety. However, compliance with both locally adopted Ventura County Air Pollution Control

District (VCAPCD) and State regulations regarding the handling and disposal of these materials would reduced these potential impacts to Class II, *significant but mitigable*.

Construction of the project would involve demolition of the existing buildings, which, due to their age, may contain asbestos and lead. The removal of any asbestos and lead-containing materials would be required to comply with all pertinent existing rules and regulations, including Ventura County Air Pollution Control District Rule 62.7 (Asbestos Demolition and Renovation). In addition, the proposed project would have to comply with California Occupational Safety and Health Administration (CalOSHA) regulations regarding lead-based materials. California Code of Regulations, §1532.1, requires testing, monitoring, containment, and disposal of lead-based materials such that exposure levels do not exceed CalOSHA standards.

Mitigation Measures. The following measures are required to mitigate potential impacts related to the release of asbestos or lead during building demolition. These measures would apply to all phases of project construction.

HAZ-1(a). **Asbestos and Lead Based Paint Surveys.** Prior to issuance of a demolition permit for any structure, a lead-based paint and asbestos survey shall be performed by a qualified and appropriately licensed professional. All testing procedures shall follow recognized local standards as well as established California and Federal assessment protocols. The lead-based paint and asbestos survey report shall quantify the areas of lead –based paint and asbestos containing materials.

HAZ-1(b). **Asbestos Abatement.** Prior to any demolition or renovation, onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant and as required by the VCAPCD. All abatement activities shall be in compliance with California and Federal OSHA, and with the VCAPCD requirements. Only asbestos trained and certified abatement personnel shall be allowed to perform asbestos abatement. All asbestos containing material removed from onsite structures shall be transported by a licensed to handle asbestos-containing materials and disposed of at a licensed receiving facility and under proper manifest. Following completion of the asbestos abatement, the asbestos consultant shall provide a report documenting the abatement procedures used, the volume of asbestos containing material removed, where the material was disposed. This report shall include transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the VCAPCD and the City of Oxnard.

HAZ-1(c). **Lead Based Paint Removal.** Prior to the issuance of a permit for the renovation or demolition of any structure, a licensed lead-based paint professional shall be contracted to evaluate the structure for lead-based paint. If lead-based paint is discovered, it shall be removed according to proper abatement procedures recommended by the consultant and in accordance with VCAPCD, State of California and Federal requirements. Only lead-based paint trained and certified abatement personnel shall be allowed to perform abatement activities. All lead-based paint removed from these structures shall be hauled and disposed of by a transportation company licensed to transport this type of material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept the waste. Following completion of the lead based paint abatement, the lead based paint consultant shall provide a report documenting the abatement procedures used, the volume of lead based paint removed, where the material was moved to, and include transportation and disposal manifests or dump tickets. The abatement report shall be prepared for the property owner or other responsible party, with a copy submitted to the VCAPCD and the City of Oxnard.

Significance After Mitigation. With implementation of the above mitigation measures, the impacts related to exposure to asbestos containing material and lead based paint would be less than significant.

Impact HAZ-2 **Historically, the project site has been occupied by a broad range of industrial uses, some of which have involved and the use, storage, or generation of hydrocarbons, heavy metals, and acids. These historical uses including the possibility of an undocumented landfill in the general project area, and have the potential to have resulted in undocumented releases of hazardous materials into the soil and groundwater beneath the site. The discovery of such materials during construction has the potential to result in Class II, *significant but mitigable* impacts.**

The project site is in an area that has been developed since at least the 1950s with land uses that have involved use, storage, and generation of hazardous materials. Although investigation of known contaminant sources within the study area has been performed and there is no evidence of soil contamination above regulatory thresholds, there is potential for yet unknown contaminants to be present in soil and groundwater as a result of the long history of commercial and industrial uses on the site.

The project would require about 230,000 cubic yards of cut and fill with excavation to a maximum depth of 17 feet below surface grade. If undocumented soil or groundwater contamination is present at the site, these contaminants would likely be disturbed during site

development. Exposing contaminated materials, hazardous materials storage or waste disposal areas could result in health risks to construction workers or the public, and if left in place, could result in adverse health risks to occupants of buildings, as well as users of the active recreational field and parks constructed over such materials. This is considered a potentially significant impact.

Mitigation Measures. The following mitigation measures are required and would apply to all phases of project construction.

HAZ-2(a). **Site Development.** Prior to demolition or remodeling of any existing buildings, a California Certified Environmental Assessor or other qualified environmental professional shall conduct a walk-through of the building to determine if there are any structures or features (such as an underground storage tank or sump) within or near the building that could have been used to store, contain, or dispose of hazardous materials. If such a feature is found, the applicant shall obtain all necessary permits from the City of Oxnard or County of Ventura to abandon these structures as part of the demolition. If required by the abandonment permit issued by the City or County, the applicant shall perform soil sampling and analysis in the area of the removed feature. Any identified contamination shall be reported to the lead regulatory agency and remediated in accordance with the requirements of the lead agency.

HAZ-2(b). **Contingency Plan.** Prior to issuance of any grading or dewatering permits the applicant shall prepare a contingency plan that outlines measures that will be implemented in the event that presently undocumented contaminants, structures, or features are suspected or discovered during grading. The contingency plan shall identify appropriate measures to be followed if contaminants are found or suspected. The appropriate measures shall identify personnel to be notified, emergency contacts, and a procedural protocol to be implemented. The excavation and demolition contractors shall be made aware of the possibility of encountering unknown hazardous materials, and shall be provided with appropriate contact and notification information. The contingency plan shall include a provision stating at what point it is safe to continue with the excavation or demolition, and identify the person authorized to make that determination. The contingency plan shall be reviewed and approved by the City Fire Department or VCEHD prior to the issuance of the grading permit.

HAZ-2(c) **Construction Monitoring.** During all site grading activities, monitoring will be conducted by a qualified environmental professional to determine if any suspected contaminated material are encountered. If contaminants are detected during grading, all

work shall be stopped and the appropriate personnel, as determined by the contingency plan, shall be notified

HAZ-2(d) **Work Plan.** A work plan shall be completed to address the sampling protocols to be followed as well as the number of samples to be taken and the chemical analysis required. Upon lead agency approval, the work plan shall be implemented and the results of the soil or groundwater sampling shall be forwarded to the lead regulatory agency (City of Oxnard, VCEHD, RWQCB, or the EPA Department of Toxic Substances Control, DTSC). The agency should review the data determine if any additional investigation or remedial activities are deemed necessary. No work shall resume in that area until the lead local regulatory agency has provided written authorization that the area does not warrant any additional action.

HAZ-2(e). **Remediation Program.** If concentrations of contaminants warrant remediation, contaminated materials shall be remediated either prior to or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation and under the direction of the lead oversight agency. The remediation program shall also be approved by a regulatory oversight agency, such as the City of Oxnard, VCEHD, RWQCB, or the DTSC. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

HAZ-2(f). **Groundwater Sampling.** Prior to the implementation of any dewatering program, groundwater sampling shall be performed to ensure that the system is adequately designed and permitted to address onsite groundwater conditions. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards such as PRGs, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (VCEHD, RWQCB, or the DTSC). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary. The applicant shall obtain appropriate discharge permits required for the dewatering system.

Significance After Mitigation. With implementation of the mitigation measures above, impacts related to contaminated soil and groundwater would be reduced to less than significant.

Impact HAZ-3 **Surficial soil along Wagon Wheel Road adjacent to the Wagon Wheel property was assessed for aerially deposited lead (ADL). The results indicate that one sample contained contamination above hazardous material threshold levels. The discovery of hazardous material adjacent to the project site is considered Class II, *significant but mitigable*.**

Mitigation Measure. The following mitigation measures are required to reduce potential human health impacts, and would apply to all phases of project construction.

HAZ-3 **ADL Adjacent to Highways.** Following grading adjacent to Wagon Wheel Road, soil should be stockpiled, sampled and analyzed in conformance the Los Angeles- Regional Water Quality Control Board, stockpile sampling requirements. If lead levels are detected above the hazardous material thresholds, the soil shall be hauled and disposed of by a transportation company licensed to transport hazardous materials material. In addition, the material shall be taken to a landfill or receiving facility licensed to accept hazardous waste. Documentation of the appropriate sampling, transportation and disposal must be prepared and include the volume of soil removed, where the material was moved to, and include soil profiling, and transportation and disposal manifests. The soil removal documentation shall be prepared for the property owner or other responsible party, with a copy submitted to the City of Oxnard.

Significance After Mitigation. With implementation of the mitigation measures above, impacts related to contaminated soil would be reduced to less than significant levels.

Impact HAZ-4 **The proposed development lies outside the height to distance ratios set forth by the FAA. However, because the towers are greater than 200 feet in height the development is required to obtain clearance by the FAA prior to receiving a building permit from the City (VCACLUP). Impacts related to airport safety clearance are therefore Class II, *significant but mitigable*.**

Mitigation Measure. The following mitigation measures are required to reduce potential human health impacts:

HAZ-4 **FAA Notification.** The regulation "requires any person/organization who intends to sponsor any of the following construction or alterations to notify the Administrator of the FAA. " Notification must be made in the form of a completed FAA form 7460-1.

Significance After Mitigation. With implementation of the mitigation measures above, impacts related to contaminated soil would be reduced to less than significant levels.

Impact HAZ-5 **The project site is adjacent to U. S. Highway 101 and the Union Pacific Railroad. These operations could expose site workers and future residents to potentially harmful chemicals and materials resulting from accidents along these transportation routes. However, existing regulations pertaining to the transportation of hazardous materials would reduce these impacts to a Class III, *less than significant* level.**

As discussed previously, the site is bound to the north and south by U. S. Highway 101 and Southern Pacific Railroad, respectively. In the case that there was an accident along either of these routes involving the transportation of hazardous materials there is the potential to create health hazards for site worker, future residents, and visitors.

As discussed above, both the U.S. EPA and the DOT regulate the overall transportation of hazardous waste and material, including transport via highway and rail. The EPA administers permitting, tracking, reporting, and operations requirements established by RCRA. DOT regulates the transportation of hazardous materials through implementation of the Hazardous Materials Transportation Act. This act administers container design, and labeling and driver training requirements. These established regulations are intended to track and manage the safe interstate transportation of hazardous materials and waste. Additionally, State and Local agencies enforce the application of these acts and provide coordination of safety and mitigation responses in the case that accidents involving hazardous materials occur. Enforcement of these acts and rapid response by local agencies would be expected to reduce hazardous materials transportation health hazards to a less than significant level. Additionally, buffers between transportation routes and residential development would further contribute to reducing the hazard to site workers, future residents, and visitors from hazardous materials.

Mitigation Measures. None required.

Significance After Mitigation. No significant health hazard associated with the transportation of hazardous materials is anticipated, assuming enforcement of applicable regulations pertaining to the transporting hazardous materials are applied.

c. Cumulative Impacts.

Cumulative development in the City of Oxnard and the surrounding area has potential to expose future area residents, employees, and visitors to current and historical use of hazardous materials and hazards associated with the transportation of hazardous materials. As indicated in Table 3-1 in Section 3.0, *Environmental Setting*, build out of the planned, pending, and approved residential, commercial, and industrial projects within the City, would add an estimated 4,087 residences and approximately 4 million square feet of non-residential development to the existing land use inventory in the City. Continued urban development in the City of Oxnard will cumulatively increase the potential for exposure to existing hazards associated with hazardous materials, airports, and freeways. Therefore, an overall increase in the potential for human health hazards will occur as urbanization occurs. However, the magnitude of hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. Implementation of appropriate mitigation measures, including remedial action on contaminated sites, would avoid potential hazard impacts associated with cumulative development in the City.

As discussed above the transportation of hazardous materials will continue to be regulated by federal, state and regional agencies, and all new development will be subject to independent environmental review and regulations in place to minimize any potential health risks associated with the transport of hazardous materials on freeways and rail lines. Therefore, through appropriate regulation potential health impacts associated with the development of the proposed project and other future projects will be less than significant.

Development within Airport safety zones is regulated by the FAA and VCALUC and is required to comply with the Caltrans Aeronautical Handbook. Compliance with these regulations would reduce project-specific and cumulative impacts to a less than significant level.

Overall, hazards and hazardous materials impacts associated with individual developments are site specific in nature and must be addressed on a case-by-case basis. Since hazards and hazardous materials are required to be examined as part of the permit application and environmental review process, it is anticipated that potential impacts associated with individual projects will be adequately addressed and mitigated prior to permit approval. With the implementation of site-specific mitigation measures, as outlined above for the project, no significant cumulative human health impacts are anticipated.

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4.7 HYDROLOGY and WATER QUALITY

A Preliminary Drainage Plan/Standard Urban Stormwater Mitigation Plan (SUSMP) was prepared for the proposed project by Huitt-Zollars, Inc. in January of 2007. The report was reviewed by Diamond West Engineering, Inc. (DWE) and a subsequent Hydrology & Water Quality Technical Appendix was prepared by DWE dated May 2007. The following analysis is partially based on the Huitt-Zollars report, and the DWE review comments and report, all of which can be found in their entirety in Appendix D.

4.7.1 Setting

a. Hydrology and Storm Drain Facilities. The Oxnard Village Specific Plan area contains roughly 64 acres of watershed in the City of Oxnard. The plan area is divided into five sub-basin watersheds. As shown in Figure 4.7-1, these watersheds are defined by the physical constraints and topographic features that exist as well as predominant points of interest in the plan area. The natural slopes with the sub-basin areas are relatively flat, and most of the area has a grade of less than two percent. The maximum elevation differential of the plan area is about 10 feet, ranging from an elevation of approximately 75 feet above sea level on the southeast end to approximately 65 feet above sea level on the northwest end.

Currently storm water runoff generated on site generally drains in a northwesterly direction as overland flow and as concentrated flow. Concentrated flow generally occurs within the lower elevations. The overland flow from the sub-basins cascades down to their respective low points. At each low point, the storm water either enters a drainage system, or is further conveyed through downstream sub-basins to the north and west. The plan area is currently developed with buildings and surface parking lots. Most of the site is covered with impermeable surfaces, except for the intermittent landscaping within parking lots and along building frontages.

The El Rio Drain, which is a Ventura County Watershed Protection District (VCWPD) facility, is located on the south side of the Union Pacific Railroad tracks that are located along the site's southwestern boundary. Based on a field investigation by DWE, this drain currently receives runoff from only about five percent of the project site area. Based on a review of available documents from the County, the El Rio Drain appears to be currently undersized and over-capacity based on design standards and the existing tributary area (DWE, 2007). A majority of the remainder of the project site drains to an unnamed drain associated with the construction of the existing shopping center on site which shall be referred to as P.D. 346, and is a City of Oxnard drainage facility. This drain is located on-site, adjacent to the railroad, near the southwest corner of the mobile home park currently onsite. Both drains use the Santa Clara River as their terminal outlet.

There are currently no substantial flooding or drainage problems on the project site. However, localized, occasional seasonal flooding does occur adjacent to the site, affecting Ventura Road just south of the location of the proposed western access point to the Specific Plan area. As discussed under Project Impacts and Mitigation Measures below, the proposed project would not contribute to or otherwise exacerbate this offsite flooding. As the flooding may affect project-generated traffic flow, it is discussed in Section 4.13, *Transportation and Circulation*.

b. Water Quality. The protection of water quality in the watercourses of Ventura County is under the jurisdiction of the Los Angeles Regional Water Quality Control Board (RWQCB). The RWQCB establishes requirements prescribing discharge limits and establishes water quality objectives through the Ventura County Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) Permit. The Storm Water Quality Urban Impact Mitigation Plan (SQUIMP), which is part of the NPDES Permit, addresses specific stormwater pollution requirements for new developments. As co-permittee, the City of Oxnard is responsible for assuring that new developments are in compliance with the SQUIMP. As a result, the City requires all new construction to mitigate onsite runoff to a storm event equal to ¾ of an inch of rainfall within a consecutive 24-hour period.

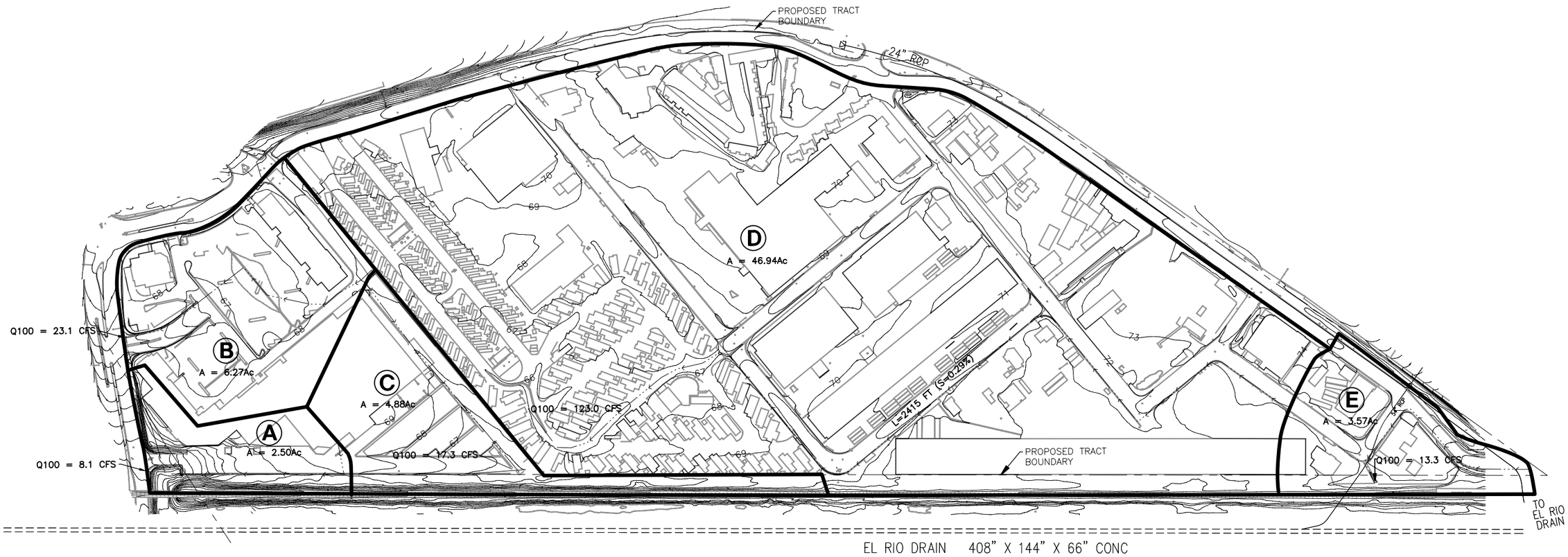
The SQUIMP requires that all development projects implement various control techniques (termed best management practices, or BMPs) to minimize the amount of pollutants entering surface waters. The following requirements apply to all new development:

- *Control post-development peak stormwater runoff discharge rates to maintain or reduce pre-development downstream erosion and to protect stream habitat*
- *Conserve natural areas*
- *Minimize stormwater pollutants of concern*
- *Protect slopes and channels*
- *Provide storm drain system stenciling and signage*
- *Properly design outdoor material and trash storage areas*
- *Provide proof of on-going best management practice (BMP) maintenance*
- *Implement structural or treatment BMPs that meet design standards*

b. Flood Insurance Map. The project area is located on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for the City of Oxnard, California, community panel number 060417 0010 C, October 15, 1985. The project area is located in Special Flood Hazard Area (SFHA) Zone A13, Zone B, and Zone C. Zone C is defined as areas of minimal flooding or outside the 500-year floodplain. Zone B is defined as areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; areas protected by levees from 100-year flood; and areas inundated by 0.2% annual chance flooding. Zone A13 is defined as an area inundated by 1% annual chance flooding, for which Base Flood Elevations (BFEs) have been determined. Any construction in Zone A will require a Conditional Letter of Map Revision from FEMA prior to issuance of grading permits. A Letter of Map Revision will be required prior to building occupancy.

4.7.2 Impact Analysis

a. Methodology and Significance Thresholds. The assessment of drainage effects is based on the *Preliminary Drainage/SUSMP Report for The Village, Oxnard, CA* by Huitt-Zollars, Inc (2007) and the review of the report by Diamond West Engineering, Inc. and subsequent *The Village Hydrology & Water Quality Technical Appendix* by Diamond West Engineering, Inc. (2007).



DRAINAGE CALCULATION SUMMARY

DRAINAGE AREA	EXISTING Q5 (CFS)	EXISTING Q10 (CFS)	EXISTING Q25 (CFS)	EXISTING Q50 (CFS)	EXISTING Q100 (CFS)	PROPOSED Q5 (CFS)	PROPOSED Q10 (CFS)	PROPOSED Q25 (CFS)	PROPOSED Q50 (CFS)	PROPOSED Q100 (CFS)
A	2.6	4.1	5.5	6.9	8.1	20.4	31.3	42.3	53.3	62.7
B	7.5	11.6	15.6	19.6	23.1	19.0	29.2	39.4	49.7	58.4
C	5.6	8.6	11.7	14.7	17.3	1.2	1.8	2.5	3.1	3.7
D	40.0	61.5	83.0	104.6	123.0	8.0	12.3	16.6	20.9	24.6
E	4.3	6.6	9.0	11.3	13.3	1.7	2.7	3.6	4.6	5.4
TOTAL	60.1	92.4	124.7	157.1	184.8	50.3	77.4	104.5	131.6	154.8

DECREASE IN FLOW		
Q5	9.8	CFS
Q10	15.0	CFS
Q25	20.3	CFS
Q50	25.5	CFS
Q100	30.0	CFS

LEGEND

HYDROLOGY SUBAREA BOUNDARY

SUBAREA FLOW PATH

EXISTING STORM DRAIN

(A) SUBAREA IDENTIFICATION

N

0 150 300
Scale in Feet

Existing Drainage

Figure 4.7-1

Source: Huitt-Zollars, Inc., May 2007

City of Oxnard

All of these can be found in their entirety in Appendix D. Hydrology and water quality effects of the project development are considered significant if the project would:

- *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site;*
- *Modify a wash, channel creek or river;*
- *Substantially degrade water quality;*
- *Contaminate a public water supply;*
- *Change the rate of flow, currents, or the course and direction of surface water;*
- *Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems;*
- *Place within 100-year flood hazard area structures, which would impede or*
- *redirect flood flows;*
- *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam;*
- *Be inundated by seiche, tsunami, or mudflow;*
- *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;*
- *Cause a significant environmentally harmful increase in the flow velocity or erosive volume of stormwater runoff; and/or*
- *Cause a significant and environmentally harmful increase in erosion of the project site or surrounding areas.*

b. Project Impacts and Mitigation Measures.

Impact HWQ-1 During construction of the Oxnard Village Specific Plan, the soil surface would be subject to erosion and the downstream watershed could be subject to temporary sedimentation and discharges of various pollutants. This is considered a Class II, *significant but mitigable* impact.

Implementation of the proposed project would involve the development of residential, commercial, and mixed use buildings and associated parking structures, as well as transit infrastructure arranged around various landscaped, grassy courtyards and open space and recreation areas. Site preparation for project development would include demolition of all onsite structures and removal of large expanses of paved surface parking lots.

Preparation of the site for the proposed new construction would require approximately 231,000 cubic yards of excavation and fill; these quantities would almost balance earthwork onsite, with likely total export estimated at about 200 cubic yards. Excavation where deepest—for subterranean parking and foundations for the high-rise structures—would reach a maximum depth of approximately 17 feet. During the geotechnical investigation conducted for the proposed project, groundwater was encountered at depths between 13.5 feet and 21 feet below existing grade. Therefore, excavation for foundations and piles could encounter groundwater, and dewatering could be required. All dewatering activities would be required to comply with

City regulations, and requirements of the NPDES permit. For further discussion of groundwater dewatering please see Section 4.5, *Geology and Soils*. Excavation and grading could result in erosion of on site soils and sedimentation, with consequent temporary impacts to surface water quality. The project would involve the removal of soil from the site for the laying of structural foundations and construction of subterranean parking garages. This would likely necessitate temporary onsite storage of excavated soils. During grading and soil storage, there is a potential for soil migration off-site via wind entrainment and/or water erosion. In addition, structural and concrete residue/dust from demolition of surface parking lots and buildings could potentially migrate off-site and adversely impact water quality. This is considered a potentially significant impact.

The City requires standard erosion control practices to be implemented for all new construction. Requirements of the ordinance include the use of drainage controls such as down drains, detention ponds, filter berms, or infiltration pits; removal of any sediment tracked offsite within the same day that it is tracked; containment of polluted runoff onsite; use of plastic covering to minimize erosion from exposed areas; and restrictions on the washing of construction equipment.

Regulations under the federal Clean Water Act and California state law require construction activity that disturbs more than one acre, or that disturbs less than one acre but is part of a larger common plan of development, to comply with the NPDES State General Construction Permit. Therefore, compliance with the NPDES State Permit would be required for development of the Oxnard Village Specific Plan. The Permit requires the preparation of a Storm Water Pollution Prevention Plan (SWPPP) that contain specific actions, termed best management practices (BMPs), to control the discharge of pollutants, including sediment, into local surface water drainages. A Notice of Intent (NOI) to perform work under the Permit must be filed with the State.

The preparation of an SWPPP requires the developer to select a suite of BMPs that are designed to specifically address the potential pollution risks that will be incurred during project construction. BMPs are selected from an approved list of documents (i.e., the California Storm Water BMP Handbook, the Caltrans Storm Water Handbook, Ventura County Stormwater Quality Standard Sheet, the EPA database, and the ASCE database) which describe practices that have a proven track record of effectively preventing stormwater pollution from construction sites. BMPs appropriate for construction activities are organized into four major categories:

1. *Erosion Control: Measures that prevent erosion and keep soil particles from entering stormwater, lessening the eroded sediment that must be trapped, both during and at completion of construction*
2. *Sediment Control: Feasible methods of trapping eroded sediments so as to prevent a net increase in sediment load in stormwater discharges from the site*
3. *Site Management: Methods to manage the construction site and construction activities in a manner that prevents pollutants from entering stormwater, drainage systems or receiving waters*
4. *Materials and Waste Management: Methods to manage construction materials and wastes that prevent their entry into stormwater, drainage systems, or receiving waters*

The BMPs to be implemented during construction would be developed as part of the SWPPP. Implementation of the SWPPP is the responsibility of the construction site contractor with oversight and inspection by the City of Oxnard and the Regional Water Quality Control Board. Specific measures in the SWPPP must comply with NPDES General Construction Permit requirements, ensuring that construction associated with buildout of the Oxnard Village Specific Plan project would not violate applicable waste discharge requirements.

Mitigation Measures. The following mitigation measure is recommended to reduce temporary construction-related water quality impacts.

HWQ-1 **Stormwater Pollution Prevention Plan.** Prior to initiation of grading for any phase of development of the Oxnard Village Specific Plan, a California Registered Civil Engineer shall prepare a Stormwater Pollution Prevention Plan (SWPPP) for the site. The SWPPP shall fully comply with RWQCB requirements and shall contain specific BMPs to be implemented during project construction to reduce erosion and sedimentation to the maximum extent practicable. The plans shall identify conveyance and treatment methods for any groundwater encountered during excavation for piles and foundations. Dewatering treatments shall be subject to the approval of City. BMPs that could be implemented include, but shall not be limited to, the following:

- *Use of silt fences, hay bales, sand bags, berms, and/or silt and debris basins to retard movement of water and separate sediment and other contaminants.*
- *Use of slope stabilizers, including natural fiber erosion control blankets of varying densities according to specific slope/ site conditions, to reduce erosion.*
- *Watering of graded areas with an adequate yet conservative amount water*
- *Cessation of grading operations in high winds (i.e., greater than 15 mph).*
- *Proper recycling of construction-related materials and equipment fluids (e.g., concrete dust, cutting slurry, motor oil and lubricants).*
- *During and between all phases of construction, all exposed graded and/or disturbed surfaces shall be reseeded with ground cover vegetation to minimize erosion if construction of structures and/or paving or installation of project landscaping is not scheduled to occur within four (4) weeks of completion of grading.*

Significance After Mitigation. Implementation of a SWPPP and required BMPs during construction would reduce temporary water quality impacts during the construction phases of the Oxnard Village project to a less than significant level.

Impact HWQ-2 Implementation of the Oxnard Village Specific Plan would incrementally decrease the amount of impervious surfaces onsite, thereby incrementally decreasing stormwater runoff flows. However, if any additional storm water runoff is directed to the El Rio Drain, this would result in volumes exceeding the capacity of the existing storm drain facilities. Construction of onsite storm water detention, storm drain improvements and infrastructure, as well as direction of no net increase in runoff through the City of Oxnard's drain referred to as P.D. 346 would ensure that runoff does not exceed the capacity of existing and proposed facilities. Therefore, this is considered a Class II, *significant but mitigable,* impact.

The existing land uses at the project site include some residential, commercial and office uses, with a significant portion of the site covered by impervious surfaces. The project would result in the replacement of the large expanses of surface parking areas with residential and other structures, subterranean parking garages, a limited amount of surface parking and parks and open space. Parks and open space as well as smaller scattered landscaped areas would help reduce the volume of urban runoff that is generated by impermeable surfaces on the site. Therefore, the project would reduce offsite storm water flows over those generated by existing conditions. According Huitt-Zollars the proposed project would reduce the peak storm flow from a 10 year event by about 25%, from approximately 78 cubic feet per second (cfs) to approximately 57 cfs, and the peak flow from a two year event from approximately 19.6 cfs to approximately 14.3 cfs. It should be noted that although DWE does not disagree that onsite storm flows would be reduced with the implementation of the proposed project, they do state that "Hydrologic calculations to evaluate surface water runoff associated with the design storm events were performed for both off-site and on-site areas [by Huitt-Zollars]. These calculations were performed using the City of Oxnard Cook's Method. This hydrology method only produces peak runoff rates. It is not sufficient to perform time dependent, volumetric hydrologic analysis."

Although the project would result in a decrease in the volume of surface runoff from the site, if all the flow is directed to the El Rio Drain it could result in volumes in excess of design capacity of the drain. According to a Ventura County Watershed Protection District report titled *El Rio Drain Hydrology Study,* the El Rio Drain is over design conveyance capacity upstream of the project area (VCWPD, 1994). Using the El Rio Drain for the entire project area would be diverting a watershed area from its historic runoff condition (DWE, 2007). This could create adverse hydrologic conditions in the El Rio Drain and on the surrounding properties, as well as the project site.

The project would be required to comply with the City's Storm Water Quality Management Ordinance (Oxnard Municipal Code, § 22-Article XII), as well as all applicable rules and regulations including the City requirement that all new construction mitigate runoff to a storm event equal to ¾ of an inch of rainfall within a consecutive 24-hour period. Improper conveyance and discharge of storm water could result in a potentially significant impact.

However, onsite infrastructure for storm water runoff must be designed to properly treat, convey and discharge surface water to reduce adverse effects.

Mitigation Measures. Implementation of mitigation measure HWQ-2 would ensure that onsite storm water treatment, conveyance and discharge result in less than significant impacts.

HWQ-2 **Drainage and Flood Control Improvement Plan.** A Drainage and Flood Control Improvement Plan shall be prepared by a California Registered Civil Engineer and shall identify all required construction related and permanent drainage and flood control improvements necessary to comply with the City's regulations as well as the County's standard of "no net increase" in storm flow discharge rates into the El Rio Drain and the Santa Clara River. This analysis is required to document the existing and proposed runoff rates versus time. Not only shall the peak runoff rate be the same or less than the existing, but the time of the peak rate shall also be substantially the same. This plan shall also identify the intended use of the drain referred to as P.D. 346 to convey stormwater runoff.

This plan shall be prepared in consultation with the City Supervising Civil Engineer and the Ventura County Watershed Protection District to facilitate required interagency coordination. The capacity, location, and size of all culverts, collection devices, conveyance facilities, energy dissipaters, detention basins, debris basins and related improvements shall be designed to the satisfaction of the City Supervising Civil Engineer and in consultation with the Ventura County Watershed Protection District. All necessary permits required to implement the Improvement Plan shall be obtained from the Ventura County Watershed Protection District prior to City issuance of a permit for mass grading. No grading permits shall be issued until the Drainage Plan is approved and no grading shall begin until construction related improvements are in place.

Significance After Mitigation. Implementation of this mitigation measure would reduce impacts related to water quantity of surface runoff to a less than significant level.

Impact HWQ-3 **Operation of the proposed project could generate fewer pollutants in surface water runoff than current land uses. However, the proposed project would still contribute urban pollutants associated with vehicles and parking lots, as well as increased pollutants associated with landscaping, parks and open space. Such pollutants could adversely affect the quality of surface runoff leaving the Oxnard Village site, flowing into the Santa Clara River and eventually the Pacific Ocean, due to increased sediment and pollutants such as oil, pesticides, and herbicides. This is considered a Class II, *significant but mitigable,* impact.**

The current land uses onsite include paved surface parking lots, which contribute to runoff of pollutants such as oil and grease, and very few pervious areas. The conversion of surface parking lots to residential uses, subterranean parking garages and open space/park areas would ultimately reduce the existing potential for contaminated runoff from surface parking areas to the storm drain system. Therefore, long-term surface water quality of runoff from the project site would be expected to improve over existing conditions with the removal of these facilities and replacement with more open space and landscaped areas than are currently on the site. This is considered an overall beneficial effect of the project.

However, the proposed project includes the development of new impermeable surfaces such as rooftops, sidewalks, roads, parking lots, and driveways. These surfaces have the potential to accumulate deposits of oil, grease, other vehicle fluids and hydrocarbons, or other potentially hazardous constituents. Traces of heavy metals deposited on streets and parking areas from auto operation and/or fall out of airborne contaminants are also common urban surface water pollutants. During storms, these deposits would be washed into and through the drainage systems, the Santa Clara River, and ultimately to the Pacific Ocean. In addition, the proposed project could potentially increase the amount of fertilizers and herbicides in runoff that could potentially enter the Santa Clara River through the storm drain system. The addition of fertilizers, pesticides and other chemicals to the proposed park and green spaces has the potential to include higher than natural concentrations of trace metals, biodegradable wastes (which affect dissolved oxygen levels), and excessive major nutrients such as nitrogen and phosphorus. While recent advances in landscape irrigation techniques generally minimize the amount of water that deep-percolates, return water losses are nonetheless estimated at 15% of applied water. This percolating water has the potential to carry any leachable materials from the ground surface to the underlying groundwater.

Urban runoff can have a variety of deleterious effects. Oil and grease contain a number of hydrocarbon compounds, some of which are toxic to aquatic organisms at low concentrations. Heavy metals such as lead, cadmium, and copper are the most common metals found in urban stormwater runoff. These metals can be toxic to aquatic organisms, and have the potential to contaminate drinking water supplies. Nutrients from fertilizers, including nitrogen and phosphorous, can result in excessive or accelerated growth of vegetation or algae, resulting in oxygen depletion and additional impaired uses of water.

The proposed project would be required to comply with the City's Storm Water Quality Management Ordinance (Oxnard Municipal Code, § 22-Article XII), which outlines practices for all developments in the City and runoff control requirements for all new development. "Good housekeeping" practices identified in the ordinance include (1) collection, storage, and minimization of urban runoff; (2) maintenance of equipment; (3) removal of debris; and (4) prohibition of the use of any pesticides and fungicides that are banned by the US Environmental Protection Agency. As part of the runoff control requirements for new developments, all new developments in the City must prepare a Storm Water Quality Urban Impact Mitigation Management Plan that must address one or more of the following goals: (1) maximization of permeable areas for infiltration of runoff; (2) maximization of the amount of runoff directed toward permeable areas or stored for reuse; and (3) removal of pollutants through installation of treatment control BMPs. Compliance with the City's Storm Water

Quality Management Ordinance would ensure that the project does not adversely affect offsite water quality.

The overall effect of the proposed project would be to ultimately reduce pollutants from surface parking lots that enter the storm drain system, resulting in an overall beneficial effect. However, because of the continued potential for adverse impacts to surface and groundwater quality due to the application of pesticides and fertilizers on the park, and from oil and grease from newly designed parking lots, mitigation is recommended to reduce these impacts to a less than significant level.

Mitigation Measures. The proposed project would be subject to the Ventura County Municipal Storm Water NPDES Permit and to the specific requirements of the Storm Water Quality Urban Impact Mitigation Plan (SQUIMP). Multiple measures can be used to reduce the amount of pollutants in surface runoff from the site and thus reduce impacts to surface water.

Implementation of the mitigation measure under Impact HWQ-2 would ensure that the anticipated stormwater discharge rates associated with full Specific Plan buildout could be accommodated. Implementation of the following mitigation measure would further reduce the potential for adverse water quality effects.

HWQ-3(a) Biofilter, Bioswale, or Bioretention. Biofilters, bioswales or bioretention areas shall be designed and constructed for the parks and new surface parking lots to allow for treatment of stormwater runoff from the site. These facilities shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that retention is adequate to reduce concentrations of targeted pollutants. The biofilter, bioswale or bioretention area shall be depicted on grading and drainage plans and shall include a maintenance plan.

HWQ-3(b) Park Maintenance Plan. The developer shall submit a park maintenance plan to the City that limits the use of herbicides and inorganic fertilizers applied onsite to those quantities necessary to treat specific problems. The park maintenance plan shall include, but not be limited to: provisions for mechanical weed control to be used wherever and whenever possible as the first choice; determination of the probable cause of a disease problem and correction as necessary (i.e.: soil nutrient problems, irrigation, water quality, plant type, etc.) prior to chemical use; provisions that herbicides are to be used only when necessary to cure a problem and not as a preventative measure or as a regular, periodic application; and, guidelines for use of chemical forms that have a low potential for leaching from the site.

HWQ-3(c) Stormwater Management Plan. On behalf of the developer, a California Registered Civil Engineer shall prepare a Stormwater Management Plan that satisfies the requirements of the SQUIMP. The plan should include, but is not limited to, the following measures that are designed to address areas of concern identified in the SQUIMP and

the hydrological study (Huitt-Zollars, 2007) and the review of that report and subsequent technical appendix (DWE, 2007) prepared for the proposed project:

- *Control of peak stormwater runoff discharge rates*
- *Conservation of natural areas*
- *Minimization of stormwater pollutants of concern*
- *Proprietary treatment devices placed in the main storm drain infrastructure*
- *Grass swale filters*
- *Extended impoundment facilities that allow sedimentation of pollutants to occur*
- *Provision of storm drain system stenciling and signage*
- *Proper design of outdoor material storage areas*
- *Proper design of trash storage areas*
- *Proof of ongoing BMP maintenance*
- *Proper design and treatment of runoff from parking lots*

The stormwater management plan shall be submitted to the City Development Services Department for review prior to issuance of grading permits, in order to ensure that the drainage system improvements satisfy the requirements of the SQUIMP.

Significance After Mitigation. Operational impacts to water quality would be further reduced to a less than significant level after mitigation.

c. Cumulative Impacts. The proposed project would decrease impermeable surface on site, and thus incrementally decrease impermeable surface area in the City and greater County area. Other new development in the general vicinity would increase impermeable surface area, thereby potentially increasing peak flood flows and overall runoff volumes. However, both the City of Oxnard and the Ventura County Watershed Protection District require that post-development peak discharges are reduced to at or below pre-development peak discharge rates for individual developments. Implementation of this requirement on all new development would reduce cumulative impacts to area hydrology to less than significant. As discussed above, the drainage system proposed for the Oxnard Village Specific Plan would result in a net reduction in peak stormwater flows. Thus, the project would not contribute to any potential cumulative increases in peak runoff or associated flooding impacts.

With respect to surface water quality, construction activity associated with cumulative development would increase sedimentation relating to grading and construction. In addition, new development would increase the generation of urban pollutants that may adversely affect water quality in the long term. However, like the proposed project, all future significant development would be subject to implementation of appropriate Best Management Practices in accordance with NPDES permit and SQUIMP requirements. The NPDES Permit and the SQUIMP are specifically designed to develop, achieve, and implement a timely, comprehensive, and cost-effective stormwater pollution control program. The ultimate goal is to reduce pollutants in Ventura County stormwater discharges to the Maximum Extent Practicable (MEP).

Thus, implementation of applicable requirements on all development in the area would reduce cumulative impacts to a less than significant level. With implementation of the BMPs recommended in Measure HWQ-3(d), the project's contribution to increased pollutant loads in area surface water would not be cumulatively considerable.

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4.8 LAND USE and PLANNING

4.8.1 Setting

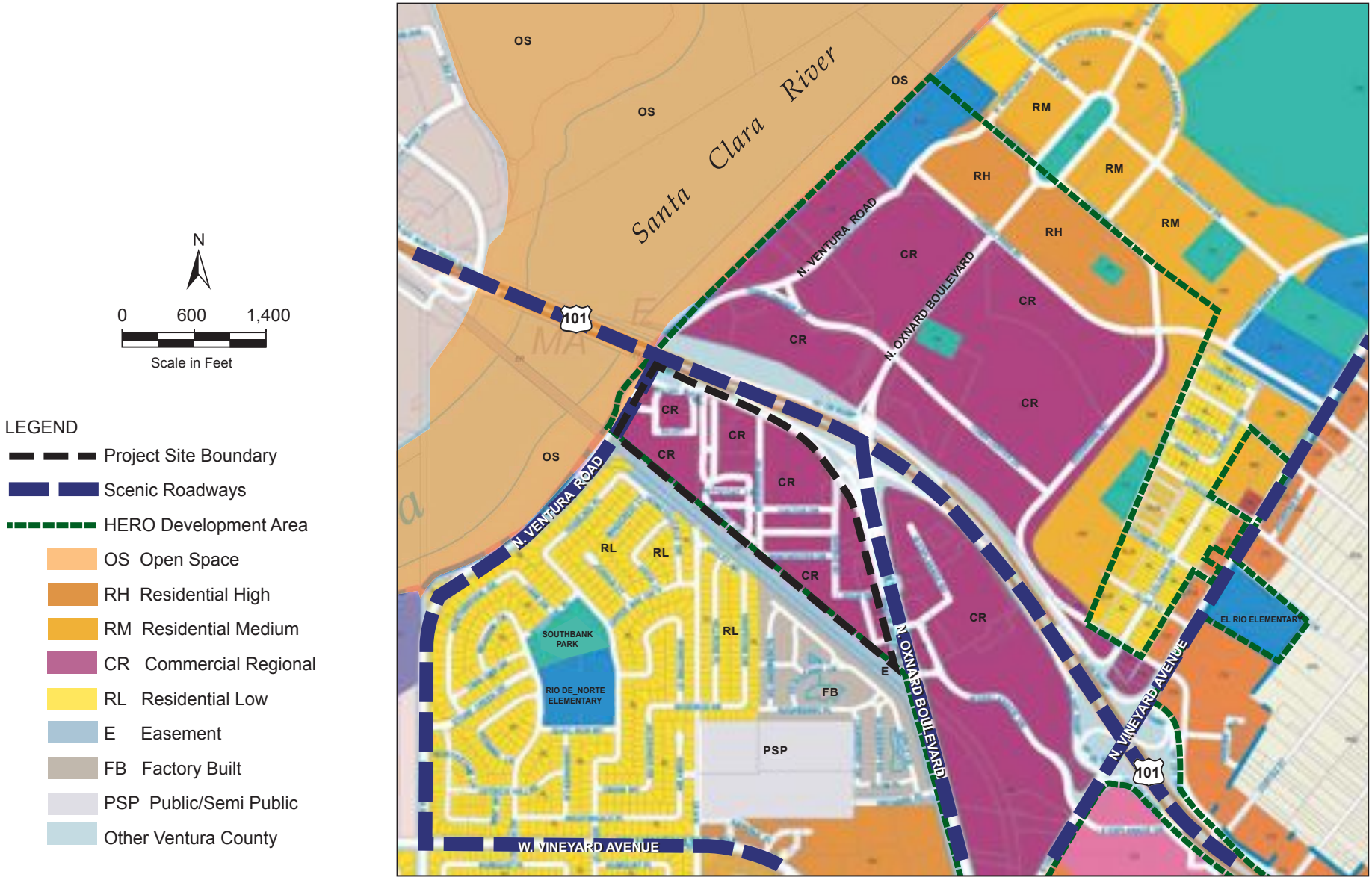
a. Citywide Land Use. The City of Oxnard has an incorporated area of approximately 24 square miles. Bordered by the farmland of the Oxnard plain and the Pacific Ocean, the City's urban development is clustered in a core area surrounded by rural open areas and agriculture. The predominant land use in the City is residential, though the community includes a variety of commercial, industrial, and institutional uses.

b. Site and Surrounding Land Uses. The 64-acre project site is located in the City of Oxnard, near the City's northern edge, and is bounded by U.S. Highway 101 to the north, Oxnard Boulevard to the east, the Union Pacific Railroad and El Rio Drain to the south, and North Ventura Road to the west. The project site is fully developed with a mobile home park and various industrial and commercial facilities, as described in detail in Section 2.0, *Project Description*. Surrounding land uses to the north consist of the U.S. Highway 101 corridor and the 702-acre RiverPark Towne Center master-planned community on the north side of the highway. RiverPark, currently under construction, includes up to approximately 2,800 residential units, over two million square feet of commercial uses, parks and schools (RiverPark Draft EIR, 2002). To the east, across Oxnard Boulevard (State Route 1), is the Esplanade Shopping Center and the Oxnard Financial Plaza to the east; the Financial Plaza includes two existing high-rise buildings of 14 and 22 stories respectively. An existing low-density residential area known as South Bank is located across the Union Pacific railroad tracks and El Rio Drain to the south. North Ventura Road, the City of Oxnard's border with the County of Ventura, and the Santa Clara River are to the west.

c. Regulatory Setting. Development in the City is subject to the policies and development guidelines contained within several planning policy documents. The project is also subject to the City's zoning regulations, including parking requirements.

The site is zoned General Commercial Planned Development (C-2-PD) and Commercial and Light Manufacturing (C-M), and is within the General Plan's Commercial Regional (CR) District. General Plan-designated scenic roads border the site on three sides. The site is also designated in the General Plan as an "Infill/Modification Area." Finally, the site is also located within the General Plan/Mineral Resources Management Plan's "non-designated MRZ-2" Zone. This indicates that potentially useable sand and gravel deposits associated with the adjacent Santa Clara River channel may exist underneath the developed site. However, because the site is not in the designated MRZ-2 area, land use controls allowing flexibility for mineral extraction do not apply. The existing Oxnard *2020 General Plan* land use map designations for the proposed Specific Plan and surrounding areas are shown in Figure 4.8-2.

Implementation Measure 3 of the 1990 General Plan calls for preparation and adoption of a specific plan for the Wagon Wheel site. The project application includes a proposed Specific Plan (the Oxnard Village Specific Plan) for the project area. As the proposed project is inconsistent with the land use designation and zoning in several respects, including residential density and building height, the project includes a General Plan Amendment to change the site's land use designation from Commercial Regional to Specific Plan, which would allow a range of uses

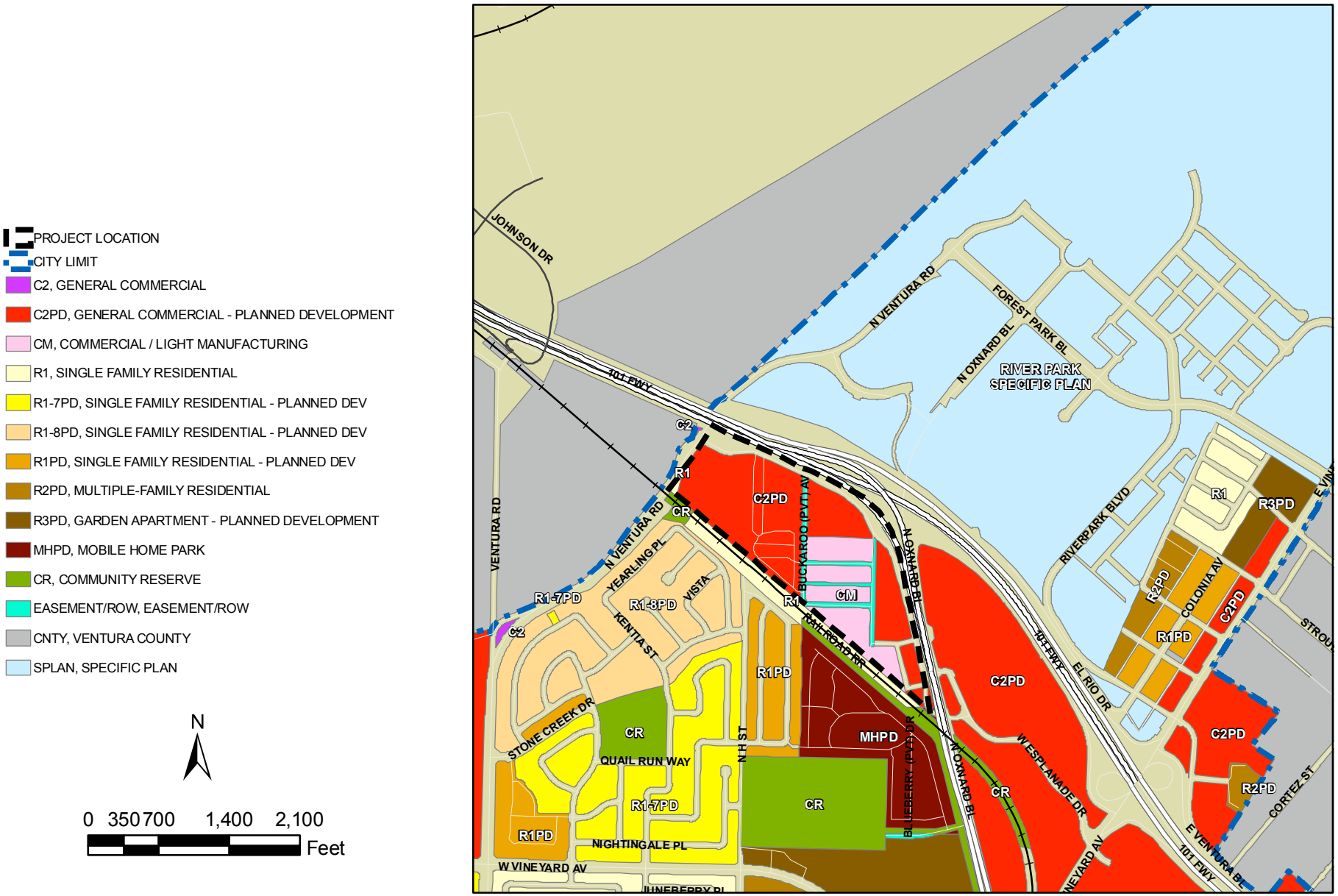


Source: City of Oxnard Planning Department, 2006

Project Site and Surrounding Existing Land Use Designations

Figure 4.8-1

City of Oxnard



Source: City of Oxnard, 2007, and US Bureau of the Census TIGER 2000 data.

Project Site and Surrounding Existing Zoning

Figure 4.8-2

City of Oxnard

including residential densities of up to 100 units per acre, Mixed Use, Live/Work, Transit Center, and Parks and Open Space and would also allow for departures from standard Zoning Ordinance requirements such as building height and residential density.

The site is within the Historic Enhancement and Revitalization of Oxnard (HERO) redevelopment area. The HERO Area provides a mechanism by which the Community Development Corporation can utilize a range of projects and programs to alleviate blight conditions.

General Plan. The General Plan is the fundamental planning policy document of the City, providing a "blueprint" for the identification of the location of land uses, the basic design and function of circulation, open space, and infrastructure policies, and public service needs. The City of Oxnard 2020, adopted in 1990, provides goals, objectives, and policies that guide City decision makers in directing future growth and development. The General Plan includes these statements of vision for the City

1. *A quality living environment*
2. *Quality City services*
3. *A strong and healthy economy*
4. *Quality public facilities and amenities, and*
5. *A quality image that will be a source of pride to the community.*

The General Plan also includes an overall summary of its goals, as follows:

Growth Management Element

1. *Sensible urban growth based on the ability to provide the necessary governmental services and municipal utilities.*
2. *Maintain the quality of life desired by the residents of Oxnard.*

Land Use Element

1. *A balanced community that meets housing, commercial and employment needs consistent with the holding capacity of the City.*
2. *Preservation of scenic views, natural topography, natural physical amenities, and air quality.*
3. *A balance between jobs and housing within reasonable commuting distance from each other.*

Circulation Element

1. *A transportation system that supports existing, approved and planned land uses throughout the City while maintaining a level of service "C" on all streets and at all intersections.*
2. *A public transportation system which serves the needs of residents and workers of Oxnard.*
3. *Safe, accessible routes for bicyclists and pedestrians.*
4. *A regional airport in Ventura County sufficient for commercial air carrier service.*

5. *Reduced dependency on automobiles for travel needs.*

Public Facilities Element

Public facilities and services adequate to serve existing and future development within the City.

Open Space/Conservation Element

Maintenance and enhancement of natural resources and open space.

Safety Element

Maintenance and enhancement of a safe community.

Noise Element

A quiet environment for the residents of Oxnard.

Economic Development Element

1. *A stable, diversified, well-balanced economy.*
2. *Optimum utilization of natural and man-made resources.*
3. *A variety of economic opportunities throughout the City.*
4. *A revitalized downtown area of the City.*
5. *Quality child and senior care services for all in the community.*

Community Design Element

1. *A unified and high quality visual image for the City.*
2. *A thoughtful and sympathetic relationship between the built environment and the natural environment.*

Parks and Recreation Element

A variety of quality recreation facilities and resources for Oxnard residents.

The planning Area defined by the City and addressed in the *2020 General Plan* is generally bounded by the Santa Clara River on the north, Los Angeles Avenue and the Beardsley Wash on the east, Mugu Lagoon on the south, and the Pacific Ocean on the west. The City's General Plan includes all elements mandated by State law. California law requires that the General Plan contain at least seven elements: Land Use, Transportation, Housing, Conservation, Noise, Open Space, and Safety. The City of Oxnard has also adopted Growth Management, Public Facilities, Economic Development, Community Design and Parks and Recreation elements. Each element contains official policies and programs that the City has adopted regarding each issue area. Policies and standards of the General Plan that are applicable to the Oxnard Village Specific

Plan, and discussions of project consistency with those policies and standards, are contained in Table 4.8-1 below.

Land Use Element. At the heart of the General Plan is the Land Use Element. This element regulates the types of use and land use intensity within the City. The Land Use Element specifies various districts which comprise the land use portion of the General Plan. The Land Use Element assigns a Land Use Designation of Commercial Regional (CR) to the Wagon Wheel site. The CR District allows for multi-story shopping centers as well as offices, hotels and other service uses, and specifies a floor-to-area ratio (FAR) of 60:1. Allowed residential densities within the land use districts are specified in the zone district standards (see below under Zoning Ordinance).

The Land Use Element also contains the following policies specific to the Wagon Wheel site:

Wagon Wheel Junction:

- *Land uses should be developed at a level of intensity comparable to the Town Center.*
- *Establish commercial and office land uses serving a regional market.*
- *Designate as a Specific Plan Area and implement a specific plan that would:*

  -- include reuse criteria
  -- include a mixed-use concept
  -- provide for unique architecture
  -- fit with the physical constraints of traffic circulation.
- *Consider designation as a redevelopment area if needed.*
- *Retain commercial land use and zoning designations for the entire Wagon Wheel junction, including the Wagon Wheel mobile home park.*
- *Establish policies for the relocation of the Wagon Wheel mobile home park.*

Transportation Element. The Transportation Element defines the City's overall transportation system. This Element identifies and establishes standards for the design and operation of the City's existing and future roadway system, public transit and bicycle routes. Additionally, the City's Transportation Element discusses existing air transportation as well as the harbor and port.

Growth Management Element. This element links residential, commercial and industrial development directly to the availability and capacity of public services and facilities through a Growth Management and Monitoring Program. The program requires that the public facilities necessary to serve all new development be in place at the time of need.

Housing Element. The Housing Element is a state-mandated General Plan element that "includes a comprehensive assessment of current and projected housing trends for all economic segments of the community. It embodies policy for providing adequate housing for all economic segments of the community, and includes a five-year action program." (Government Code 65302, et. seq.) The current Housing Element was adopted in 2000 and certified by the state in 2001.

Open Space/Conservation Element. Noting that the scope of the Open Space Element overlaps issues relating to preservation of natural resources and managed production of resources discussed in the Conservation Element, the City has combined the two in this component of the *2020 General Plan*.

Public Facilities Element. This element fulfills the state government code's requirement that the General Plan contain a description of the general location and extent of existing and proposed "local public utilities and facilities, all correlated with the land use element of the plan."

Safety Element. The Safety Element's purpose is to "reduce deaths, injuries, property damage, and economic and social dislocation" resulting from natural or man-made hazards. It is the primary vehicle for identifying the hazards that the City must consider when making land use decisions.

Noise Element. The Noise Element provides information on the City's current and future noise levels. This enables the City to identify locations where noise impacts may result to or from proposed development, as well as providing a basis for adoption and enforcement of noise standards.

Economic Development Element. This element describes existing and projected economic conditions in Oxnard and includes policies to help achieve the City's economic development goals, which include a stable, diversified, and well-balanced economy; optimum utilization of natural and man-made resources; a variety of economic opportunities throughout the City; a revitalized downtown area; and quality child and senior care services.

Community Design Element. Community design is defined in the element as "the quality of experiences that result from one's perception of the natural and the built environment and from the interrelationships between individuals, neighborhoods, the Planning Area, and the surrounding region." The Community Design Element identifies the aesthetic resources and land use activities that comprise Oxnard's image and visual character, and provides development policies to help further its goals of "a unified and high quality visual image for the City" and "a thoughtful and sympathetic relationship between the built environment and the natural environment."

Parks and Recreation Element. The Parks and Recreation Element is an optional element that assesses community parks and recreation needs and resources. By defining existing needs and resources and forecasting future needs and resources, the City is better able to develop and implement realistic policies for the long-term provision of park facilities. The element thus provides a framework for Oxnard to measure the effectiveness of current and future parks and recreation programs, and establish a balanced supply of parks and recreation facilities that satisfy the needs of all residents.

<u>HERO (Historic Enhancement and Revitalization of Oxnard) Project Area.</u> The objectives of the HERO Redevelopment Project Area include elimination of blight, economic revitalization, infrastructure improvement, structural rehabilitation, possible hazardous waste

cleanup assistance, and other types of assistance. Funding to achieve these objectives is generated partially through tax increment financing.

City of Oxnard Zoning Code. The City's Zoning Ordinance, Chapter 16 of the Oxnard City Code, implements the goals, policies, plans, principles and standards of the General Plan. The purpose of the Zoning Ordinance is to promote and preserve the public health, safety, comfort, convenience and general welfare of the people of Oxnard.

The site is zoned General Commercial Planned Development (C-2-PD) and Commercial and Light Manufacturing (C-M). The C-2 Zone District allows a broad range of commercial uses, including but not limited to retail, service, office and institutional uses. Building heights are limited to 35 feet and residential density is limited to a maximum of one dwelling unit for every 600 square feet of lot area (approximately 72 dwelling units/acre). The purpose of the C-M District is "to provide a zone for selected commercial retail sales and services and for light manufacturing, including warehousing, distributing and storage and wholesale activities, with development standards suitable for commercial and industrial districts." Residential uses are not permitted.

Southern California Association of Governments. The Specific Plan Area is located within the jurisdiction of Southern California Association of Governments (SCAG), which includes Los Angeles, Ventura, Orange, San Bernardino, Riverside, and Imperial Counties. To facilitate planning activities for such a large region, SCAG has divided its jurisdiction into a number of sub-regions. The Specific Plan Area is located within the Ventura Council of Governments Subregion, which includes the Cities of Agoura Hills, Camarillo, Fillmore Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, Thousand Oaks, and Westlake Village, as well as the County of Ventura.

To coordinate regional planning efforts and in response to Federal air and water quality laws, SCAG has prepared a Regional Comprehensive Plan and Guide (RCPG). The RCPG is a comprehensive planning document intended to serve the SCAG region as a framework for decision making over the next 20 years. The plan includes a set of broad goals for the region and identifies strategies designed to guide local decision-making.

4.8.2 Impact Analysis

a. Methodology and Significance Thresholds. Land use impacts were assessed based upon the level of physical impact anticipated in the various issues that can affect land use compatibility (e.g., air quality, noise, aesthetics, shadows, hazards and traffic). Impacts are considered significant under any of the following conditions:

- *The project is markedly incompatible in scale or use characteristics with any adjacent land uses;*
- *The project would disrupt or physically divide an established community; or*
- *The proposed project would conflict with any adopted land use plan, policy or regulation of an agency with jurisdiction over the project, adopted for the purpose of avoiding or mitigating an environmental effect.*

The first of these, potential incompatibility with surrounding development or land uses, was not discussed in the Initial Study for the project (Appendix A) as a potential impact. However, it is commonly used as an additional threshold in EIRs to determine whether projects will have significant Land Use impacts, and is identified as an assessment criterion for land use impacts in the City's CEQA Threshold Guidelines. The second, potential to divide an established community, was addressed and dismissed in the Initial Study (see discussion in Appendix A).

The City's CEQA Threshold Guidelines manual also specifically indicates that conversion or removal of mobile home parks that result in the removal of mobile home units and displacement of residents is considered a potentially significant land use impact.

b. Project Impacts and Mitigation Measures. EIR sections relating to aesthetics, air quality, noise, population and housing, shadows, hazards and traffic include issue-specific impacts and mitigation measures relative to land use. Impacts related to land use compatibility and the project's consistency with the City's adopted General Plan and Zoning Ordinance are discussed below.

Impact LU-1 **The proposed mixed use project would be generally compatible with existing adjacent commercial and residential uses, with incorporation of mitigation measures included in the transportation, air quality, and noise sections of this EIR. This is considered a Class III, *Less than significant*, impact.**

The project site is bordered by the U.S. 101 corridor to the north, Ventura Road and open space adjacent to the Santa Clara River to the west, and the Oxnard Boulevard corridor and Esplanade shopping mall to the east. To the south, across the railroad tracks and El Rio Drain, is a low-density residential neighborhood; this adjacent use would be the most sensitive to compatibility issues with the proposed project. The scale and density of the project has the potential to create land use conflicts with these adjacent residences due to traffic generation, an increase in ambient noise levels, and degradation of air quality resulting from use of the site primarily for high-density residential concentrations.

As discussed in Section 4.13, *Transportation and Circulation*, traffic impacts would be less than significant except for two intersections, U.S. 101 southbound off-ramp/Ventura Road and Ventura Road/proposed Village Parkway. However, mitigation measures are available to reduce those impacts to less than significant levels. Therefore, although traffic would increase around the project area, the increase would not reach levels where the proposed land use could conflict with surrounding uses.

As discussed in Section 4.9, *Noise*, the increase in ambient noise on neighboring land uses due to project operation, including increased traffic levels, would be less than significant with incorporation of the recommended mitigation measures. Increased noise levels would not be in conflict with surrounding uses. Impacts from construction noise on surrounding sensitive residences would be temporary and are not associated with the use of the property after construction, and are therefore not a land use compatibility issue.

The most localized and hence direct air quality impacts to residents near a project site are from areas with high vehicle density, such as congested intersections, that have the potential to create

high concentrations of carbon monoxide. As discussed in Section 4.2, *Air Quality*, for the Oxnard Village Specific Plan project, project-generated traffic, together with cumulative traffic growth in the area, would not create carbon monoxide concentrations exceeding state or federal standards. However, operation of the proposed project would generate other air pollutant emissions, particularly reactive organic compounds and nitrogen oxides, which would exceed the Air Pollution Control District's operational significance thresholds. These emissions detract more from citywide and regional air quality, and are not experienced as directly by neighboring land uses; as such, they are not considered a significant land use compatibility impact. In addition, several elements of the project, including its mixed-use and transit oriented nature, and its proximity to transportation corridors and employment centers, may increase the use of alternative forms of transportation, thus reducing the actual impacts of vehicular traffic on air quality. Finally, mitigation measures are included that require energy-efficient construction materials and techniques and payment of transportation management fees, further reducing operational emissions and their long term impact. In summary, although local air quality may be degraded by the introduction of the new, more intense use, the change would not reach levels where the proposed land use could be considered to be in conflict with surrounding uses.

Mitigation Measures. The mitigation measures recommended in Sections 4.2, 4.9 and 4.13 would reduce transportation, air quality and noise impacts to levels that would avoid significant land use compatibility impacts.

Significance After Mitigation. With implementation of recommended mitigation measures, compatibility conflicts relating to traffic, air quality, and noise would be reduced to below a level of significance.

c. Policy Consistency Analysis.

The City of Oxnard's *2020 General Plan* is the primary policy planning document that guides land use in the City. Proposed development projects must be consistent with the General Plan's Land Use Designation, goals, policies and objectives in order to be approved. Implementation Measure 3 of the General Plan calls for preparation and adoption of a specific plan for the Wagon Wheel site; accordingly, the proposed project includes a request that the City adopt the Oxnard Village Specific Plan for the project area.

Implementation of the proposed Specific Plan would require an amendment to the General Plan land use map, Figure V-5 and an amendment to various policies contained in various elements of the General Plan. The proposed land uses are primarily residential, in contrast to the existing commercial land use designation. The required General Plan Amendment would change the land use designation from Commercial Regional to Specific Plan, which would allow the range of uses proposed. Thus, although the development project is inconsistent with the existing land use designation, approval of the General Plan Amendment in conjunction with approval of the Specific Plan would result in consistency. Approval of the Specific Plan is a policy decision for the City; its physical environmental impacts are fundamentally the same as those analyzed throughout this EIR for buildout of the Specific Plan.

The project would exceed General Plan residential density maximums of 30 dwelling units per acre, as well as the General Plan floor-to-area ratio maximum of 1.1:1 for the Wagon Wheel site. Adoption of the proposed Specific Plan and associated General Plan Amendment by the City Council would resolve these inconsistencies. As noted elsewhere in this section, the General

Plan calls for preparation of a Specific Plan for the Wagon Wheel site. Thus the General Plan acknowledges that a unique development that may be expected to go beyond the existing General Plan standards may be appropriate for the Wagon Wheel site.

Table 4.8-1 contains a discussion of the proposed Specific Plan's consistency with applicable goals, objectives and policies of the City's *2020 General Plan*. Consistent with the scope and purpose of this EIR, the discussion primarily focuses on those General Plan and Zoning Ordinance requirements that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these standards creates a significant physical impact on the environment. The ultimate determination of whether the proposed project is consistent with the General Plan and Zoning Ordinance lies with the decision-making bodies (Planning Commission and City Council). Only policies relevant and applicable to the proposed Specific Plan are included. Policies that are redundant between elements are omitted, as well as policies that call for City actions that are independent of review and approval or denial of the proposed project.

Table 4.8-1 General Plan Policy Consistency

AESTHETICS	
General Plan Goal, Objective or Policy	**Discussion**
Land Use Element Goal 2. Preservation of scenic views, natural topography, natural physical amenities, and air quality. *Community Design Element Objective 8. Preserve important view corridors.*	As discussed in Section 4.1, *Aesthetics*, the natural topography of the site is relatively flat, and would remain so with project implementation. The site is entirely developed and does not possess substantial natural amenities. Although views of the Transverse Ranges to the north, and of the Santa Monica Mountains to the east, would be partially blocked by the proposed structures from certain public roads, including two of those identified as view corridors in the City's General Plan, obstruction of views would be only moderate, and the most of the mountain views would remain visible.
Community Design Element Objective 2. Preserve the visual identity and character of existing neighborhoods.	As discussed in Section 4.1, *Aesthetics*, the project site does not currently possess high aesthetic quality or a unique visual identity or character. Although the Wagon Wheel Motel and Restaurant structures visible from U.S. 101 are unique and of some visual interest, their degraded state and lack of high visual quality are not considered to contribute to a valuable identity or character for the site.
Community Design Element Objective 4. Revitalize areas of the City that are currently deteriorated or detract from the visual quality of the City. *Community Design Element Objective 5. Achieve quality architectural and landscape architectural design that recognizes its surrounding natural environment.* *Community Design Element Objective 6. Upgrade major entryways to the City with landscaping and/or signage to enhance the City's image and sense of place.*	The project would revitalize an underutilized site that is not of high aesthetic character. As required pursuant to Community Design Element Policy 6, the Staff Design Review Committee has reviewed the project for consistency with the City's development design policies and appropriateness for the proposed site. This review helps to ensure that the architectural and landscape design are of appropriate design and quality. The site is considered a City "gateway," and the proposed edge and gateway landscaping would improve the visual impression perceived by those entering the City from U.S. 101 adjacent to the project.

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Community Design Element Objective 7. Enhance the visual identity of the City's activity nodes. *Community Design Element Policy 2. Freeway corridors should be improved aesthetically through the use of landscaping and adjacent architectural treatment.* *Community Design Element Policy 6. The City shall continue to require that the Staff Design Review Committee review new development projects for consistency with the City's development design policies and appropriateness for the proposed sites.*	
Community Design Element Policy 7. Urban development on a human scale, especially in the three identified activity nodes (the Central Business District, the Town Center/Esplanade area and the Channel Islands Harbor Beach Community) shall be encouraged. These areas constitute the focus of pedestrian activity within the City and therefore should include pedestrian-oriented street furniture such as benches, planters and landscaping. *Community Design Element Policy 12. The design of new neighborhoods in specific plan areas is encouraged to consider themes and principals of design, such as neotraditional town planning, which will help achieve a sense of community and place that are often not found in standard single-family subdivisions. Elements may include central parks, schools and community and commercial facilities, strong pedestrian orientation and de-emphasis of automobile related elements, strong streetscape elements and residence orientation to the street.*	The proposed Specific Plan reflects the design principles and themes, including pedestrian and streetscape amenities that are contained in these policies, with the exception of a school site. Although Policy 12 only encourages rather than requires a school site, a project alternative including a school site is analyzed in Section 6.0 *Alternatives*. Please see Section 2.0 *Project Description*, for a discussion of the project design and proposed amenities.
Community Design Element Policy 14. High-rise development (which is considered to be any type of inhabitable structure that has nine or more stories) shall be limited to the following areas: Financial Plaza/Oxnard Town Center/Wagon Wheel, Mandalay Bay Specific Plan Area, and Rice Avenue/Highway 101 Interchange. *Community Design Element Policy 15. In order to achieve a varied and interesting skyline, high-rise development shall be required to provide roof features and caps that avoid a "flat-top" appearance, and provide relief of exterior vertical planes with*	The Community Design Element specifically cites the Wagon Wheel property as a suitable location for high-rise structures. The height of the proposed towers, at 25 stories, is consistent with the maximum prescribed in Policy 16. The conceptual elevations and roof features of the proposed towers appears to meet the design standards of Policy 15. In any event, the required review by the Design Review Committee (Community Design Element Policy 6) would ensure that the final design be consistent with the standards. The proposed high-rise towers would be sited at the opposite side of the Oxnard Village project area from existing residences to the south, at a distance of approximately 1,000 feet. The towers would be adjacent to residences proposed as part of the Village project; however virtually all of the mitigation measures referenced in Policy 18 are part of the project description (see Section 2.0 *Project Description*) and thus

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vertical setbacks. Specific plans and zoning ordinances shall be amended to provide appropriate design criteria. *Community Design Element Policy 16. High-rise buildings should be limited to 25 stories.* *Community Design Element Policy 18. Highrise buildings adjacent to residential areas shall be sited and developed so as to mitigate and minimize impacts on adjacent neighborhoods. Conditions of mitigation may include but are not limited to:* – *"Public utility improvements (water, sewer, drainage systems)* – *Street improvements (street surfaces, curbs, gutters, sidewalks)* – *Neighborhood improvements (street trees, entries, improved access, park maintenance)* – *Neighborhood security (streetlights, graffiti removal)* – *Freeway and interchange right-of-way landscaping* – *Contributions to affordable housing" (CC Reso. 10,504; Case # 92-2)*	reduce impacts on adjacent neighborhoods.
AIR QUALITY	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Land Use Element Objective 6. Ensure that all new development will be consistent with the Ventura County Air Quality Management Plan and other regional plans.	As discussed in Section 4.2 *Air Quality* and Section 4.10 *Population and Housing*, the project would be consistent with the Southern California Association of Governments' (SCAG) population growth forecasts. In addition, consistency with SCAG forecasts means that the project would also be consistent with the Air Quality Management Plan. Table 4.8-2 contains a discussion of the project's consistency with selected applicable SCAG policies.
Open Space/Conservation Element Policy 8. The City shall require as a condition of approval for new development, wherever a shortterm construction impact to air quality is identified, that dust control procedures and other measures designed to reduce the impact in ambient air quality are implemented. *Open Space/Conservation Element Policy 53. The City shall require all construction equipment to be maintained and tuned to meet appropriate EPA and CARB emissions requirements. At such time as new emission control devices or operational modifications are found to be effective, such devices or operational modifications shall be required*	Section 4.2 *Air Quality* includes dust control and construction vehicle emissions mitigation measures consistent with those called for in these policies.

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on all construction equipment operating pursuant to City permits. *Open Space/Conservation Element Policy 55. To minimize dust and air emissions impacts from construction impacts the City shall consider requiring the following as a condition of obtaining permits:* *a. Site dust suppression - including:* *- watering all excavated material to prevent wind erosion while it is on-site or being moved,* *- periodic watering of construction sites or use of APCD approved dust suppression compounds that bind with the surface layers of soil and prevent soil particles from being eroded,* *- controlling the number and activity of vehicles on-site at any given time,* *- seeding areas to be left inactive for a long enough period to secure the soil,* *- limiting the area excavated at any given time,* *- limiting on-site vehicle traffic to 15 miles per hour, and* *- sweeping streets adjacent to the construction site to remove dust caused by the construction activities;* *b. Installing an approved wind measuring device at the construction site and halting dust generating activities during high wind events (winds in excess of 20 miles per hour, averaged over one hour);* *c. Requiring vehicles hauling dirt or other material subject to wind erosion during transportation to be covered or watered down to prevent dust emissions;* *d. Limiting the ground area that is exposed to limit the amount of dust that can be generated in high winds even with no construction activity occurring; and* *e. Requiring construction activities to utilize feasible new technologies to control ozone precursor emissions, as they become available.* *f. Requiring any proposed development located adjacent to a property with dissimilar land uses or zoning (e.g., school next to industrial) and which has the potential to emit significant amounts of air pollutants to complete an air emissions inventory and site-specific air quality analysis to ensure that odor nuisances and/or TAC emissions would not reach significant levels, and comply with specific mitigation measures as appropriate.*	
Open Space/Conservation Element Policy 52. For new construction at congested	A screening level health risk analysis was conducted with regard to diesel exhaust particulate matter emissions. As discussed in Section

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intersections with the potential for excessive CO exposure to sensitive receptors, the City shall consider: *a. Requiring modeling or monitoring, as appropriate, of potential CO impacts prior to construction of all projects where project EIR analysis indicate that any intersection might*	4.2 *Air Quality*, health risks would be less than significant with implementation of proposed mitigation measures. In addition, no residences are proposed within 25 feet of studied high-volume intersections.
Open Space/Conservation Element Policy 54. During smog season (May though October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time.	Section 4.2 *Air Quality* includes this measure, consistent with this policy.
BIOLOGY	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Open Space/Conservation Element Objective 1. Protect unique biological habitats from development. *Open Space/Conservation Element Policy 1. The City should encourage the preservation and enhancement of the riparian habitat along the Santa Clara River and in the McGrath Lake vicinity.*	No development is proposed in areas that support unique or sensitive habitat. However, the project site is directly across Ventura Road from riparian habitat along the Santa Clara River. Section 4.3, *Biology* includes a discussion of potential secondary impacts on the nearby adjacent riparian habitat, and mitigation measures are recommended to reduce potential impacts to less than significant levels. With adoption of these measures, the project would be consistent with these habitat protection policies.
CULTURAL RESOURCES	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Open Space/Conservation Element Policy 39. The City shall require a cultural resources study that includes a field study component prior to the permitting of specific development plans that may affect significant historical resources. A qualified archaeologist should inspect development locations for surface evidence of archaeological deposits, and archaeological monitoring during grading should be required in areas where significant cultural resources have been identified or are expected to occur. If cultural resources are uncovered during construction, all work in the area should be halted and a qualified archaeologist consulted to determine the significance of the find. In the event that development threatens significant archaeological resources, alternatives should be considered, including planning construction to avoid archeological sites, deeding archaeological sites into permanent conservation easements, and planning parks, greenspace, or other open space to	Records searches and consultation with Native American groups pursuant to SB 18, in addition to the fact that the site is completely developed and has already been subject to major disturbance, indicate that probability of archaeological resources is low. In addition, Mitigation Measure CR-1 requires Native American monitoring and procedures to follow if unrecorded resources are discovered during grading, consistent with this policy.

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incorporate archaeological sites. experience CO concentrations in excess of state standards; and *b. Prohibiting the construction of residences or buildings serving the public lacking ventilation systems within 25 feet (or an appropriate distance established by further site-specific analyses) from the affected intersection.*	
Housing Element Policy 1.5. Support the preservation and maintenance of historically and architecturally significant buildings and neighborhoods. *Open Space/Conservation Element Objective 7. Protect and enhance areas of cultural and historic significance.* *Community Design Element Objective 3. Preserve the City's unique natural features and historic structures.*	As discussed in Section 4.4 *Cultural Resources*, the Wagon Wheel motel and restaurant complex, Wagon Wheel Bowling Alley and El Ranchito Restaurant are potential historic resources that may be eligible for City of Oxnard landmark designation. Demolition of these properties would be potentially inconsistent with these policies. However, City Council approval of the Specific Plan as an amendment to the General Plan would resolve this inconsistency by essentially overriding the existing policies as they apply to the Specific Plan area. In addition, the Specific Plan describes a plan to salvage and re-create certain iconic architectural features of the existing structures as part of the proposed Transit Center. Finally, mitigation measures contained in Section 4.4 *Cultural Resources* would help reduce cultural resources impacts.
GEOLOGY AND SOILS	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Safety Element Objective 1. Manage urban development to protect areas subject to geologic hazards. *Open Space/Conservation Element Policy 41. The City should encourage new development to be sited in areas other than areas with high geologic, tsunami, flood, beach erosion, fire or airport hazard potential.*	As discussed in Section 4.5 *Geology and Soils*, the site is subject to seismic hazards and associated hazards related to soils. However, mitigation measures identified in the geotechnical and soils reports prepared for the project and in Section 4.5 would reduce these hazards to less than significant levels. With implementation of the recommended mitigation measures, the project would be consistent with these policies.
Open Space/Conservation Element Policy 17. The City shall require by conditions of approval that silt and sediment from construction be either minimized or prohibited.	As discussed in Section 4.7 *Hydrology and Water Quality*, silt and sediment could leave the site during construction. However, mitigation measures identified to reduce these impacts to less than significant levels. With implementation of the recommended mitigation measures, the project would be potentially consistent with these policies.
HAZARDS AND HAZARDOUS MATERIALS	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Open Space/Conservation Element Policy 41. The City should encourage new development to be sited in areas other than areas with high geologic, tsunami, flood, beach erosion, fire or airport hazard potential.	As discussed in Section 4.6 *Hazards and Hazardous Materials*, the project site lies outside of the height to distance ratios from the Oxnard Airport set forth by the FAA. However, because the towers are greater than 200 feet in height, clearance by the FAA is required prior to receiving a building permit from the City. Provided that the project receives clearance from the FAA and complies with all mitigation measures, impacts related to airport safety clearance would be less

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	than significant and the project would be consistent with this policy.
HYDROLOGY AND WATER QUALITY	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Safety Element Objective 3. Minimize damage to public and private property from flooding.	As indicated in Section 4.7 *Hydrology and Water Quality*, potential impacts would be avoided by compliance with FEMA requirements for building within flood zones A13, B or C.
Open Space/Conservation Element Policy 23. The City shall require minimization of paved and impervious surfaces to the extent feasible in new developments. *Public Facilities Element Policy 22. New development shall be designed to avoid impacts to VCFCD facilities.*	As indicated in Section 4.7 *Hydrology and Water Quality*, the project would increase permeable surfaces on the site and is expected to decrease the quantity and improve water quality of runoff leaving the site. Mitigation Measure HWQ-3 (a-d) requires measures to further improve water quality that include use of additional pervious surfaces. Mitigation Measure HWQ-2 requires measures to avoid impacts to the El Rio Drain, a Ventura County Flood Control District (VCFCD) (now known as the Ventura County Watershed Protection District) facility.
LAND USE AND PLANNING	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Land Use Element Goal 1. A balanced community that meets housing, commercial and employment needs consistent with the holding capacity of the City.	As indicated in Section 4.10, *Population and Housing*, the potential population, housing and jobs growth associated with the project would be consistent with the Southern California Association of Governments' updated projected population and housing forecasts. The project includes some commercial uses that would meet a portion of the employment and retail demands of future residents.
Land Use Element Objective 1. Limit the urbanized area of the City and facilitate permanent greenbelts between Oxnard and Neighboring Cities. *Land Use Element Objective 3. Preserve permanent agricultural land within the Oxnard Planning Area.* *Open Space/Conservation Element Objective 3. Protect agricultural lands from premature and unnecessary urbanization.*	The project site currently entirely urbanized, is within the City limits, is not used for agriculture, and is not adjacent to agricultural land or operations. The adjacent Santa Clara River may be considered to function as a natural permanent "greenbelt" that would limit expansion of the urban area directly to the west. All other adjacent areas are currently developed.
Land Use Element Objective 6. Ensure that all new development will be consistent with the Ventura County Air Quality Management Plan and other regional plans.	As discussed in Section 4.2 *Air Quality* and Section 4.10 *Population and Housing*, the project would be consistent with the SCAG population growth forecasts. In addition, consistency with SCAG forecasts means that the project would also be consistent with the Air Quality Management Plan.
Land Use Element, Wagon Wheel Infill/Modification Area. Retain commercial land use and zoning designations for the entire Wagon Wheel junction, including the Wagon Wheel mobile home park.	The proposed project would be developed at a level of intensity comparable to the Town Center, as both are identified as areas suitable for high rise development. The proposed project does not include commercial and office land uses that would serve a regional market, nor would it retain the commercial

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Land Use Element, Wagon Wheel Infill/Modification Area. *Land uses should be developed at a level of intensity comparable to the Town Center.* *Establish commercial and office land uses serving a regional market.* *Designate as a Specific Plan Area and implement a specific plan that would:* *-- include reuse criteria* *-- include a mixed-use concept* *-- provide for unique architecture* *-- fit with the physical constraints of traffic circulation.* *Land Use Element Objective 10. Encourage the development of mixed uses in appropriate areas to reduce commuting.*	land use designations. However, these statements of the Land Use Element are not policies per se but statements of land uses that would be desirable on the site, among others. If the Specific Plan is approved, and by amendment made a part of the General Plan, it would establish the controlling General Plan policies for the Specific Plan area. The Specific Plan would specify the allowed uses; these approved uses would be consistent with other statements provided in this section of the Land Use Element, such as calling for a mixed-use concept, unique architecture and compatibility with the physical constraints of traffic circulation.
Land Use Element, Wagon Wheel Infill/Modification Area. Establish policies for the relocation of the Wagon Wheel mobile home park. *Housing Element Policy 3.6. Support the conservation of mobile home parks, historic neighborhoods, publicly-subsidized housing, and other sources of housing that is affordable to lower-income households.*	These two statements appear to present conflicting goals, however the site-specific statement of the Land Use Element would take precedence, as it addresses the site in question directly. Approval of the Specific Plan and associated General Plan amendment would ensure consistency with the Land Use Element Wagon Wheel area policy; approaches could include options other than outright relocation of the mobile home park. In addition, the project would provide 15% (225) of the total residential units as affordable housing units.
NOISE	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Noise Element Objective1. Provide acceptable noise levels for residential and other noise-sensitive land uses consistent with State guidelines.	Although the site is adjacent to two major transportation corridors, the Union Pacific railroad tracks and U.S. 101, calculations summarized in Section 4.9 *Noise* indicate that with adoption of the recommended mitigation measures, noise levels would be acceptable for proposed onsite uses.
Noise Element Policy 1. The City should encourage land uses that are not noise sensitive in areas that are permanently committed to noise producing land uses, such as transportation corridors.	
Noise Element Policy 4. The City shall promote, where feasible, alternative sound attenuation measures other than the traditional wall barrier. These may include berms, a combination of berms and landscaping, or locating buildings away from the roadway or other noise source.	Project noise attenuation techniques include a combination of berms and walls along U.S. 101.

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POPULATION AND HOUSING	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Land Use Element Goal 3. A balance between jobs and housing within reasonable commuting distance from each other.	As discussed further in this section below this table, the project would exacerbate the City's jobs/housing imbalance by constructing 1,500 residential units and a relatively small amount of commercial space, while removing existing onsite job-generating uses for a net reduction of employment opportunities. However, this is a citywide and regional issue that is intended to guide comprehensive planning efforts by the City's decision makers, and cannot be addressed by one project. It should also be noted that the approved Riverpark project, under construction directly to the north across Highway 101, includes a substantial square footage of commercial and office uses. The construction of Riverpark's regional commercial retail and commercial office uses and the existing regional commercial retail uses in Esplanade center, all in close proximity to the proposed Specific Plan area, all contribute to the applicant's decision to propose mostly residential uses on the Wagon Wheel site.
Land Use Element Objective 2. Provide a variety of housing types throughout the City. *Housing Element Policy 2.2. Encourage the production of housing that meets all economic segments of the population, including lower-, moderate- and upper-income housing to achieve a balanced community.*	The project includes a mix of bedroom counts in mid-rise and high-rise structures, and is anticipated to include a range of price levels. Approximately 225 affordable apartments and condominium units would be provided.
PUBLIC SERVICES	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Land Use Element Objective 4. Provide adequate space for schools, libraries, park and recreation areas, and the expansion needs of public facilities to enhance the quality of life for all citizens.	As discussed in Section 4.11 *Public Services*, impacts to schools and parks would be less than significant with payment of City and state required fees to fund schools and parks.
Safety Element Objective 5. Provide effective and efficient fire protection services. *Safety Element Objective 6. Provide effective and efficient police protection services.*	As discussed in Section 4.11 *Public Services*, impacts to police and fire protection services would be less than significant with recommended mitigation measures, including funding any necessary increases in service capabilities through a Community Facilities District for the Specific Plan Area.
Safety Element Objective 7. Provide for the operation of a safe airport.	As discussed in Section 4.6 *Hazards and Hazardous Materials*, the project site lies outside of the height to distance ratios from the Oxnard Airport set forth by the FAA. However, because the towers are greater than 200 feet in height, clearance by the FAA is required prior to receiving a building permit from the City. Provided that the project receives clearance from the FAA, the project would not affect the safe operation of the airport and the project would be consistent with this policy.

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RECREATION	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Land Use Element Objective 4. Provide adequate space for schools, libraries, park and recreation areas, and the expansion needs of public facilities to enhance the quality of life for all citizens. *Open Space/Conservation Element Objective 5. Provide adequate open space areas to satisfy the current and future recreation needs of the City.* *Open Space/Conservation Element Policy 36. The City should develop a comprehensive park system that provides adequate recreational opportunities for each area of the City as described in the Parks and Recreation Element.* *Parks and Recreation Element Objective 2. Build sufficient Neighborhood Parks, Community Parks and Special Purpose Facilities to meet the needs of the future residents of the City by the year 2020.* *Parks and Recreation Element Objective 1. Expand the variety of park types developed by the City.* *Parks and Recreation Element Objective 6. Reduce overuse of neighborhood parks where possible.*	As discussed in Section 4.11 *Public Services*, the project does not provide adequate parks to serve the proposed new population of the site. However, impacts to parks and recreation would be less than significant with required payment of City fees to fund additional parks and/or improve existing recreational facilities throughout the City.
Parks and Recreation Element Objective 7. Create a physical link for pedestrian and bicycle traffic between facilities.	As discussed in Section 2.0 *Project Description*, the project would provide pedestrian and bicycle links to surrounding land uses and existing pedestrian and bike networks.
Parks and Recreation Element Policy 5. The City shall explore ways to stimulate additional development of recreational facilities by the private sector.	This policy calls for the City to encourage private recreational facilities. As discussed in Section 4.11 *Public Services*, the project would result in the closure of two private recreational facilities, the on site bowling alley and skating rink. The closure of these facilities is not an environmental impact, as discussed in Section 4.11. However, City decision makers will evaluate this issue as part of their consideration of the requested entitlement permits.
Parks and Recreation Element Policy 9. The City shall attempt to create buffer zones between neighborhood park facilities and adjacent residences, minimize off-street parking, and discourage team and league play by eliminating skinned infields, raised mounds, lights, and spectator facilities in those neighborhood parks that cannot be	Most of the impacts that this policy is intended to address would not be expected to occur as pools and open green space is proposed for the two neighborhood parks rather than ball fields.

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buffered from surrounding areas.	
TRANSPORTATION AND TRAFFIC	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Circulation Element Objective 1. Minimize conflicts between automobiles, bicycles and pedestrians. *Circulation Element Policy 29. Public sidewalks (within the dedicated public right-of-way) shall be required on both sides of City streets in all types of future development.*	The project includes dedicated pedestrian paths and bicycle paths as well as sidewalks. The proposed Specific Plan calls for streets to have sidewalks on both sides, with tree plantings or other devices separating the pedestrian from the adjacent traffic; and for all critical intersections to include traffic calming mechanisms such as traffic circles, enhanced crosswalks and bulbouts.
Circulation Element Objective 2. Reduce congestion at major intersections within the City of Oxnard.	This is a citywide goal that can only be addressed through such comprehensive measures as continuing improvements of City facilities and encouraging transit use, short of a moratorium on development. It should also be noted that the proposed Specific Plan implements virtually all of the transit-oriented goals and policies adopted by the City, as discussed above and below.
Circulation Element Objective 3. Minimize vehicle miles traveled. *Circulation Element Objective 6. Reduce dependency on automobile use for travel needs and increase the use of alternative forms of transportation as a means of reducing energy consumption and vehicle emissions.* *Circulation Element Objective 7. Increase transit ridership through improved local transit service.*	The project includes some features of mixed-use development by including over 50,000 square feet of commercial area. The project also includes a transportation center that would offer various vehicle-use reduction opportunities, including bus stops, as well as other alternative transportation opportunities as discussed in Section 4.13 *Transportation and Circulation*. As further discussed in Section 4.13, a Transportation Demand Management concept has been developed by the applicant and is incorporated into the Specific Plan.
Circulation Element Objective 9. Provide a Citywide system of safe, efficient and attractive bicycle routes for commuter, school and recreational use. *Circulation Element Policy 25. The City shall continue to implement construction of the bicycle network.* *Circulation Element Policy 26. Plans for bicycle and pedestrian facilities shall give priority to providing continuity and closing gaps in the bike path and sidewalk network.* *Circulation Element Policy 27. Where appropriate, proposed developments shall be required to include bicycle paths or lanes in their street improvement plans.* *Circulation Element Policy 31. Pedestrian and bicycle paths shall be constructed between employment centers and contiguous residential areas.*	The project includes bike paths that would connect to the Citywide bicycle network at Ventura Road and at Oxnard Boulevard.

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Circulation Element Policy 4. The street improvement plans of new residential developments shall avoid geometric designs that encourage through vehicular traffic.	The proposed project includes one through street that would connect Ventura Road to Oxnard Boulevard and the Esplanade Mall/Financial Center. However, the street would replace an existing street, Wagon Wheel Road, that provides the same connection. In addition, this connection can be made via Vineyard Avenue as well as through the proposed project. Finally, the road design, which would include an interconnected network of streets and traffic calming mechanisms such as traffic circles, enhanced crosswalks and bulbouts, according to the proposed Specific Plan, would not be designed to encourage through traffic.
Circulation Element Policy 17. Proposed developments shall be required to include transit facilities, such as bus benches, shelters, pads or turnouts, where appropriate, in their improvement plans. *Circulation Element Policy 19. The City shall encourage improved rail passenger service to achieve more efficient energy usage and reduce vehicle emissions.*	The project includes a Transit Center, which could accommodate bus stops and would provide parking spaces for riders, as well as other opportunities for alternative transportation. The proposed Specific Plan, the area of which is adjacent to the Union Pacific railroad tracks, includes an option for a Metrolink stop.
UTILITIES AND SERVICE SYSTEMS	
General Plan Goal, Objective or Policy	**Consistency Discussion**
Open Space/Conservation Element Objective 2. Manage water resources to prevent overdraft and loss of water quality. *Growth Management Element Objective 1. Insure that public facilities are in place at the time of need or prior to the time new development occurs.* *Housing Element Policy 2.3. Ensure that sites for residential development have appropriate services and facilities, including sewage collection and treatment, domestic water supply, and other needed infrastructure.*	As discussed in Section 4.14 *Utilities and Service Systems*, based on a detailed cumulative water supply assessment the City's projected water supply is expected to be adequate to serve both the project demands as well as the cumulative demand of other anticipated future projects though the Year 2030. Project design features and proposed mitigation measures in Section 4.14 would further reduce water usage in the Specific Plan area. With adherence to the mitigation measures related to traffic and circulation in Section 4.13 *Transportation and Circulation* and those related to infrastructure improvements in Section 4.14 *Utilities and Service Systems,* access, wastewater and other critical infrastructure would be in place and adequate to serve the project prior to construction of the residential units and commercial space.
Public Facilities Element Policy 17. The City shall promote water conservation in landscaping for City, residential, commercial and industrial facilities and require that such developments incorporate low water demand and drought tolerant plants into landscaping plans. *Open Space/Conservation Element Policy 19. The City shall promote the use of water conservation measures, such as use of reclaimed water, efficient low flow fixtures and irrigations systems, drought tolerant landscaping, leak detection programs, water audits, and public awareness and education programs.*	With adoption of mitigation measures for water conservation specified in Section 4.14 *Utilities and Service Systems*, which include use of draught tolerant, low water-demand landscaping and provision of infrastructure for reclaimed water, the project would be consistent with this policy.

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Public Facilities Element Policy 1. Resource recovery shall be utilized to reduce the amount of solid waste that needs disposal. *Public Facilities Element Policy 3. The City shall require applicants for discretionary development approval to employ practices that reduce the quantities of wastes generated and promote resource recovery.*	The proposed project would be required to participate in existing City recycling programs. Preparation of a Solid Waste Management and Recycling Plan and Occupancy Recycling Plan are required. These require programs for recycling of construction waste as well as facilities that support tenant and occupant recycling and greenwaste recycling.

HERO (Historic Enhancement and Revitalization of Oxnard) Project Area. The purpose of the HERO Redevelopment Project Area is to provide a mechanism by which the Redevelopment Agency can utilize a range of projects and programs and work with residents, businesses and property owners to alleviate the blighted conditions which exist in the Project Area. The objectives of the HERO area that are applicable to the proposed Oxnard Village Specific Plan, and a discussion of the project's consistency with the objectives, follows.

> *Strengthen the economic base of the HERO Project Area through redevelopment, rehabilitation or reuse of key commercial properties such as Wagon Wheel, Carriage Square, Pleasant Valley Shopping Center, College Park Shopping Center, Channel Islands Shopping Center and former sites of Home Depot, Home Base, St. John's Hospital, and Oxnard High School.*

Discussion: As the project would redevelop and rehabilitate the entire Wagon Wheel site, much of which is underutilized or in disrepair, the project would be consistent with this objective.

> *Preserve and rehabilitate existing low-and moderate-income housing.*

Discussion: As discussed in Section 4.10 *Population and Housing*, the project would provide a greater number of affordable housing units than the total number of housing units the site currently supports (the mobile home park). In addition, among the options that would be available to mobile home park residents is relocation of the existing mobile homes to a different park in the region and opportunity to relocate to the proposed on-site affordable housing units.

City Of Oxnard Zoning Code. The site is zoned General Commercial Planned Development (C-2-PD) and Commercial and Light Manufacturing (C-M). The C-2 Zone District allows a broad range of commercial uses, including but not limited to retail, service, office and institutional uses. Building heights are limited to 35 feet and residential density is limited to a maximum of one dwelling unit for every 600 square feet of lot area (approximately 72 units/acre). The purpose of the C-M District is "to provide a zone for selected commercial retail sales and services and for light manufacturing, including warehousing, distributing and storage and wholesale activities, with development standards suitable for commercial and industrial districts." Residential uses are not permitted. Building heights are limited to 35 feet.

The development that would be allowed under the proposed Specific Plan is primarily residential, in contrast to the existing commercial zoning, a portion of which does not allow residential uses. In addition, the building heights, residential density and various other project characteristics exceed or otherwise fail to meet the requirements of the existing C-M and C-2

zoning. However, the required General Plan Amendment and the proposed Specific Plan would effectively rezone the site to allow the proposed uses and development, and make them subject to the standards specified in the Plan. As stated in the Specific Plan, the regulations of the Specific Plan are designed to be implemented in conjunction with the Zoning Code; where the Specific Plan specifies standards or regulations for particular uses it would be the regulatory authority. Where standards and regulations are not specified, the provisions of the City of Oxnard Zoning Code would be used to regulate development. Thus, although the development project is inconsistent with the existing zoning designations and standards, approval of the Specific Plan prior to project implementation would result in consistency.

Southern California Association of Governments. The Specific Plan Area is located within the area served by the Southern California Association of Governments (SCAG), which includes Los Angeles, Ventura, Orange, San Bernardino, Riverside, and Imperial Counties. The Specific Plan Area is located within the Ventura Council of Governments Subregion, which includes the Cities of Agoura Hills, Camarillo, Fillmore Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, Thousand Oaks, and Westlake Village, as well as the County of Ventura.

SCAG's Regional Comprehensive Plan and Guide (RCPG) is the agency's primary policy document for coordination of regional planning efforts and compliance with federal air and water quality laws. The RCPG includes a set of broad goals for the region and identifies strategies designed to guide local decision-making. SCAG's Regional Transportation Plan (RTP), and Compass Growth Visioning document also contain goals, policies and principals applicable to the proposed Oxnard Village Specific Plan. Table 4.8-2 contains a discussion of the proposed Specific Plan's consistency with selected applicable goals, objectives and policies of theses SCAG plans and documents.

Table 4.8-2 Consistency with SCAG Goals, Policies and Principles

Regional Comprehensive Plan and Guide	
Plan Goal or Policy	**Discussion**
Growth Management Policy 3.05. Encourage patterns of urban development and land use which reduce costs on infrastructure construction and make better use of existing facilities. *Growth Management Policy 3.09. Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.*	The project would involve redevelopment of an already urbanized site that is adjacent to existing major transportation corridors and is served by existing infrastructure.
Growth Management Policy 3.12. Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the number of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.	The project includes a Transit Center which could accommodate bus stops and would provide parking spaces for riders. Additional transportation amenities and options are also part of the project, as discussed in Section 4.13 *Transportation and Circulation*. The proposed Specific Plan, the area of which is adjacent to the Union Pacific railroad tracks, includes an option for a Metrolink stop. The project includes dedicated pedestrian paths and bicycle paths, and the proposed Specific Plan calls for streets to have sidewalks on both

Table 4.8-2 Consistency with SCAG Goals, Policies and Principles

Growth Management Policy 3.14. Support local plans to increase density of future development located at strategic points along the regional commuter rail, transit systems, and activity centers. *Growth Management Policy 3.15. Support local jurisdictions' strategies to establish mixed-use clusters and other transit-oriented developments around transit stations and along transit corridors.* *Growth Management Policy 3.16. Encourage developments in and around activity centers, transportation corridors, under-utilized infrastructure systems and areas needing recycling and redevelopment*	sides. The project site is adjacent to major transportation corridors including U.S. 101, State Route 1 and the Union Pacific railroad tracks
Growth Management Policy 3.20. Vital resources as wetlands, groundwater recharge areas, woodlands, productions lands, and land containing unique and endangered plants and animals should be protected. *Open Space and Conservation Core Action: Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.*	The project site is entirely urbanized and is virtually devoid of habitat. Impacts to nearby resources associated with the Santa Clara River would be less than significant, as discussed in Section 4.3 *Biological Resources*.
Growth Management Policy 3.23. Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.	Mitigation measures consistent with this policy are included in the EIR in the appropriate sections.
Growth Management Policy 3.24. Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment.	The project would increase the number of households on site and citywide. Inclusionary affordable housing units are incorporated into the project and would exceed the number of existing housing units on the site.
Regional Transportation Plan	
Plan Goal or Policy	**Consistency Discussion**
Regional Transportation Plan Goal: Maximize mobility and accessibility for all people and goods in the region. *Regional Transportation Plan Goal: Encourage land use and growth patterns that complement our transportation investments.*	The project is located along major transportation corridors including the Union Pacific railroad tracks, U.S. 101 and State Route 1.

Table 4.8-2 Consistency with SCAG Goals, Policies and Principles

Compass Growth Visioning	
Plan Principle	**Consistency Discussion**
Growth Visioning Principle 1: Improve mobility for all residents • *Encourage transportation investments and land use decisions that are mutually supportive.* • *Locate new housing near existing jobs and new jobs near existing housing* • *Encourage transit-oriented development* • *Promote a variety of travel choices*	The project is located along major transportation corridors including the Union Pacific railroad tracks, U.S. 101 and State Route 1. The project is near located directly adjacent to the Esplanade Mall, Rivperpark Town Center, and Oxnard Financial Plaza, which are existing job centers. A mixed-use commercial component is also proposed including some live/work condominium units. The project includes a transit center which could accommodate bus stops and would provide parking spaces for riders. Additional transportation amenities and options are also part of the project, as discussed in Section 4.13 *Transportation and Circulation*. The proposed Specific Plan, the area of which is adjacent to the Union Pacific railroad tracks, includes an option for a Metrolink stop. The project includes dedicated pedestrian paths and bicycle paths, and the proposed Specific Plan calls for streets to have sidewalks on both sides.
Growth Visioning Principle 2: Foster livability in all communities • *Promote infill development and redevelopment to revitalize existing communities.* • *Promote developments, which provide a mix of uses.* • *Promote "people scaled," walkable communities.* • *Support the preservation of stable, single family neighborhoods.*	The project would involve redevelopment of an already urbanized site. A mixed-use commercial component is also proposed including some live/work condominium units. The proposed Specific Plan includes dedicated pedestrian paths and bicycle paths, and the proposed Specific Plan calls for streets to have sidewalks on both sides.
Growth Visioning Principle 3: Enable prosperity for all people • *Provide in each community, a variety of housing types to meet the housing needs of all income levels.* • *Support educational opportunities that promote balanced growth.* • *Ensure environmental justice regardless of race, ethnicity or income class.* • *Support local and state fiscal policies that encourage balanced growth* • *Encourage civic engagement*	The project includes a mix of housing types in mid-rise and high-rise multi-family structures, and will include a range of purchase prices and rent levels. Approximately 225 affordable apartments and condominium units would be provided. (The last four bullet points of this policy are not applicable to approval or denial of the project.)
Growth Visioning Principle 4: Promote sustainability for future generations • *Preserve rural, agricultural, recreational and environmentally sensitive areas.* • *Focus development in urban centers and existing cities.* • *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste* • *Utilize "green" development techniques.*	The project would involve redevelopment of an already urbanized site that is virtually devoid of habitat. Impacts to nearby resources associated with the Santa Clara River would be less than significant, as discussed in Section 4.3 *Biological Resources*. The project would not affect agricultural lands or resources and would not displace public recreational resources.

Jobs/Housing Balance. In order to provide a comprehensive assessment of the potential changes to the City of Oxnard as a result of the proposed project, the following is a discussion of the City's jobs to housing balance and how it may be affected by project development.

According to the Ventura County Planning Division's 2004 report titled Economic/Transit/Mixed Use Strategies for Housing Rich Communities, "jobs/housing balance is a measure of the harmony between employment and dwelling units in a specific land use area." As discussed in Section 4.10, *Population and Housing*, the City currently has a jobs per household ratio of 1.2:1. This ratio is considered to be generally in balance as it falls within the Ventura Council of Governments' recommended range of 1.1 to 1.34 jobs per household. The proposed project would result in a net reduction of up to 257 jobs on the project site[1] and the net increase of 1,359 new housing units on the project site at buildout. (It should also be noted that additional jobs may be generated by the proposed residential component of the project, such as domestic workers, private security personnel, maintenance staff, landscapers etc.) Table 4.8-3 shows the estimated change in on-site employment at buildout of the proposed project.

Table 4.8-3 Estimated Change in On-Site Employment at Project Buildout[1]

Land Use	Building Area (square feet)	Employees/sf[b]	Estimated Jobs
Existing			
Light Industrial	359,965	1/1,500	240
Commercial	77,652	1/450	173
Subtotal	437,617		**413**
Proposed[a]			
Retail	19,150	1/450	43
Office	19,150	1/250	77
Eating/Drinking Establishments	12,000	1/333	36
Subtotal	**50,300**		**156**
		Total	**-257**

[a] The estimate of retail and office space assumes that half of the 4,000 square feet of "small commercial/retail below live/work townhouses" and the "34,300 square feet of the office/retail uses on the ground floor of the mixed-use component" is retail and the other half is office space.
[b] Employee generation factors from the City of Oxnard 2020 General Plan.

As shown in Table 4.8-4, development of the project site with the proposed residential and commercial uses would result in a net decrease in job opportunities within Oxnard and an increase in residential units. Although it is anticipated that a number of on-site businesses would move to other sites within the City of Oxnard, the development of the proposed specific plan would potentially decrease the jobs to housing ratio to 1.16:1; however, this ratio is within the Ventura Council of Governments' recommended range of 1.1 to 1.34 jobs per household.

[1] *Assumes a fully occupied industrial and commercial site. Actual number at the time of EIR publication will be lower.*

Table 4.8-4 Employment and Households Generated by the Proposed Project Compared to Current Conditions

	Current (2008)	Current Jobs/Housing Ratio	Current + Project	Current + Project Jobs/Housing Ratio
Employment[1]	61,000	1.2:1	61,257	1.16:1
Households	51,521		52,880	

[1]*Number of jobs*

Source: SCAG, 2008 RTP Baseline Growth Forecast, February, 2008.

Based on the number of households and jobs associated with current + cumulative + project conditions, as shown in Table 4.8-5, the jobs to housing ratio would further decline to 1.02:1. Such a ratio indicates that the City would be more housing rich than it is currently and slightly below the Ventura Council of Governments' recommended range of 1.1 to 1.34 jobs per household that is considered in "balance." This condition may be somewhat alleviated with future buildout of the commercial components of the Riverpark project.

Table 4.8-5 Employment and Housing Projections Compared to Project and Cumulative Development

	Current (2008)	Cumulative	Current + Cumulative	Current + Cumulative Jobs/Housing Ratio	Project	Current + Cumulative + Project	Current + Cumulative + Project Jobs/Housing Ratio
Employment	61,000	4,035	65,035	1.05:1	(257)	64,778	1.02:1
Households	51,521	10,468	61,989		1,359	63,348	

Source: SCAG, 2008 RTP Baseline Growth Forecast, February, 2008.

Conclusion. The project appears to be potentially consistent with goals, policies and objectives of the General Plan and other policy documents

c. Cumulative Impacts. Implementation of the proposed project, in conjunction with other related projects (see Table 3-1 in Section 3.0, *Environmental Setting*), would cumulatively result in an overall intensification and recycling of land uses in Oxnard. Although some of the projects considered in the cumulative impact scenario may require General Plan Amendments, Zone Changes, Variances, Conditional Use Permits, Tract Map approvals, or other discretionary land use actions, the merits of each project would be considered on a case-by-case basis. These projects may not be approved if they are found inconsistent with the General Plan, or if the required findings of approval, which typically address land use compatibility, cannot be made. Increased development densities from these projects would generate secondary cumulative impacts with respect to traffic, air quality, noise, and public services. These impacts are discussed in their respective sections of this EIR.

4.9 NOISE

This section addresses the impact of the noise generated by the proposed project on nearby noise-sensitive land uses, as well as the effect of current and pending future noise levels on the proposed project.

4.9.1 Setting

a. Overview of Sound Measurement. Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound power levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz).

The sound pressure level is measured on a logarithmic scale with the 0 dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dB, and a sound that is 10 dB less than the ambient sound level has no effect on ambient noise. Because of the nature of the human ear, a sound must be about 10 dB greater than the reference sound to be judged as twice as loud. In general, a 3 dB change in community noise levels is noticeable, while 1-2 dB changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40-50 dBA, while those along arterial streets are in the 50-60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than 65 dBA can interrupt conversations.

Noise levels typically attenuate (or drop off) at a rate of 6 dBA per doubling of distance from point sources such as industrial machinery. Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dBA per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dBA per doubling of distance.

In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time (essentially, the average noise level). Typically, Leq is summed over a one-hour period.

The actual time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the daytime. Two commonly used noise metrics – the Day-Night average level (Ldn) and the Community Noise Equivalent Level (CNEL) - recognize this fact by weighting hourly Leqs over a 24-hour period. The Ldn is a 24-hour average noise level that adds 10 dB to actual nighttime (10 PM to 7 AM) noise levels to account for the greater sensitivity to noise during that time period. The CNEL is identical to the Ldn, except it also adds a 5 dB penalty for noise occurring during the evening (7 PM to 10 PM).

b. Sensitive Receptors. Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Residences, hospitals, schools, guest lodging, and libraries are most sensitive to noise intrusion and therefore have more stringent noise exposure targets than manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance. Noise sensitive land uses near the project site include residential neighborhoods approximately 250 feet south and southwest from the site's southern boundary across the Union Pacific Railroad and EL Rio Drain, as well as new residential neighborhoods being constructed to the north across U.S. 101.

c. Regulatory Setting. Plans and policies that pertain to noise and its effect on the project area vicinity include the City of Oxnard 2020 General Plan Noise Element, the City's Sound Regulation Ordinance (Chapter 7, Article XI, Oxnard Municipal Code), and the State of California, Department of Environmental Health, Office of Noise Control guidelines for noise and land use compatibility.

The Office of Noise Control has published recommended guidelines for mobile source noise and land use compatibility. Each jurisdiction is required to consider these guidelines when developing its General Plan Noise Element and determining the acceptable noise levels within its community. The City of Oxnard defers to these guidelines when assessing a project's noise compatibility with motor vehicle noise sources. The State guidelines include a noise compatibility matrix that specifies the types of ambient noise levels that are considered compatible with various uses, shown as Figure 4.9-1.

The land use compatibility guidelines recommend 60 dBA Ldn as the maximum "normally acceptable" for low density single-family residences, duplexes and mobile homes and 65 dBA as the maximum "normally acceptable" for multi-family residences; and areas with ambient noise levels between 55 dBA and 70 dBA as "conditionally acceptable" for those residential uses.[1] For schools and libraries, the maximum "normally acceptable" level is 65 dBA CNEL, while noise levels up to about 70 dBA CNEL are considered conditionally acceptable. For neighborhood parks, 70 dBA CNEL is considered the maximum normally acceptable level.

The City of Oxnard Sound Regulation Ordinance (Municipal Code Article XI § 7-180) prohibits any "excessive sound because the City Council has determined that such excessive sound is detrimental to the public health, safety and welfare and contrary to the public interest in the City." The Ordinance does not control traffic noise along public streets, but applies to all noise sources located on private property including onsite traffic. As part of this ordinance, properties within the City are assigned a sound zone based on their corresponding land use. Residential districts are designated as Sound Zone I; commercial districts are designated Sound Zone II; industrial districts are designated as Sound Zone III; and Sound Zone IV includes all property within the noise contours around a roadway, railroad track, or the Oxnard Airport as identified in the Noise Element of the 2020 General Plan. The Ordinance also limits the amount of noise generated by uses during normal operation that may affect the surrounding areas.

[1] *"Normally acceptable" indicates that the ambient noise level is appropriate for the specified land use without any special noise insulation requirements. "Conditionally acceptable" indicates that new construction should be undertaken only after a noise analysis is undertaken and needed noise insulation features are incorporated. Conventional construction, but with closed windows and fresh air supply systems or air conditioning normally suffice to achieve acceptable interior noise levels when the exterior level is within the conditionally acceptable range.*

Table 4.9-1 shows the allowable noise levels and corresponding times of day for each of the identified sound zones near the project site. According to the Section 7-184 of the Sound Regulation Ordinance, which identifies properties according to their land use designations, the residential neighborhood to the south classifies as a Sound Zone I and the Esplanade Shopping Center to the east classifies as a Sound Zone II. Portions of the project site would classify as a Sound Zone IV as it is adjacent to U.S. 101 and the railroad tracks.

Table 4.9-1 Exterior Noise Standards

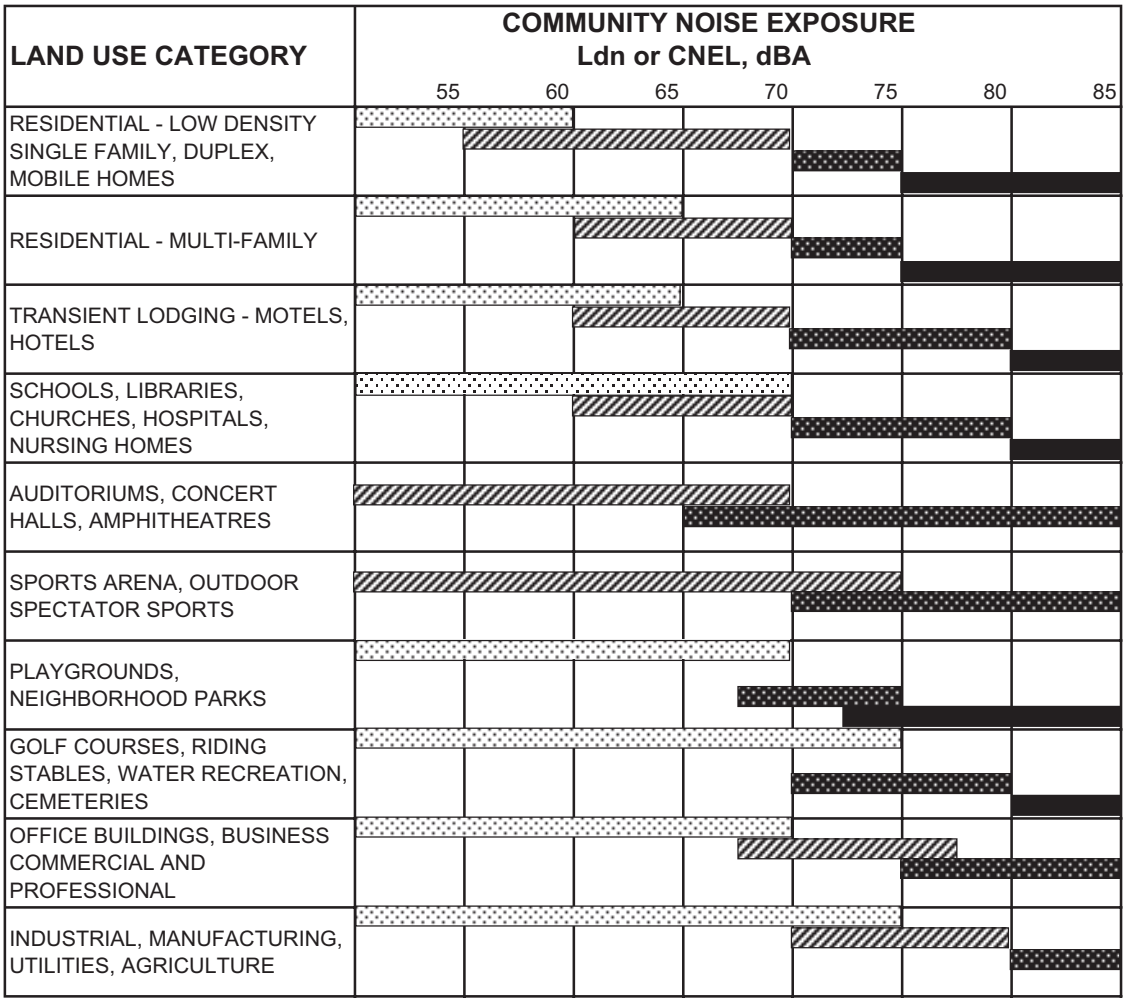
Time Period	ZONE I Residential	ZONE II Commercial	ZONE III Industrial	ZONE IV Near RR/HWY 101
7 AM to 10 PM	55 dBA	65 dBA	70 dBA	70 dBA
10 PM to 7 AM	50 dBA	60 dBA	70 dBA	70 dBA

Source: City of Oxnard Municipal Code § 7-185.

Section 7-185 subsection (C) specifies that no person shall operate or cause to be operated any source of sound at any location within the incorporated limits of the City or allow the creation of any noise on property owned, leased, occupied, or otherwise controlled by such person, which causes the noise level when measured from any other property, either incorporated or unincorporated, to exceed:

1. *The noise standard for a land use district as specified in Table 4.9-1 for a cumulative period of more than thirty minutes in any hour; or*
2. *The noise standard plus five decibels for a cumulative period of more than fifteen minutes in any hour; or*
3. *The noise standard plus ten decibels for a cumulative period of more than five minutes in any hour; or*
4. *The noise standard plus fifteen decibels for a cumulative period of more than one minute in any hour; or*
5. *The noise standard plus twenty decibels or the maximum measured ambient, for any period of time.*

Subsection (D) of the ordinance states "In the event the ambient sound level exceeds any of the first four sound level categories in subsection (C) above, the allowable exterior sound level applicable to the category shall be increased to reflect ambient sound level. In the event the ambient sound level exceeds the fifth category, the maximum allowable exterior sound level under the category shall be increased to reflect the maximum ambient sound level." The interior noise standard for residential property within all sound zones is 50 dBA (7 AM - 10 PM) and 45 dBA (10 PM - 7 AM) (§ 7-186.A). Section 7-188(D) of the ordinance exempts construction activities from the above standards, provided that they are conducted between 7 AM and 6 PM, Monday through Saturday.



NORMALLY ACCEPTABLE
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

NORMALLY UNACCEPTABLE
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design

CONDITIONALLY ACCEPTABLE
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

CLEARLY UNACCEPTABLE
New construction or development should generally not be undertaken.

Source: Guidelines for the Preparation and Content of Noise Elements of the General Plan, State Office of Noise Control.

Noise Compatibility Standards

Figure 4.9-1

d. Existing Noise Sources. The most common sources of noise in the project vicinity are transportation related, including trains, automobiles, trucks and motorcycles. The noise from U.S. 101 and Oxnard Boulevard is relatively constant, and thus predominates as the ambient background noise; however, approximately 37 trains, including 20 passenger (online, Amtrak & Metro Link, 2007) and 17 freight (Valdez, July 2007) pass by the site daily, creating relatively short bursts of noise that exceed the ambient noise level generated along U.S. 101. Noise generated from trains is typically measured at 95-100 decibels (dB) within 100 feet of the track (personal communication, UPRR, March 2006) and typically lasts for 10 to 40 seconds depending on the length of the train. Motor vehicle noise is of concern because it is characterized by a high number of individual events, which often create sustained noise levels, and its proximity to areas sensitive to noise exposure. Along the stretch of highway adjacent to the project area, ambient noise levels would be expected to be highest during the daytime and rush hour traffic unless congestion slows speeds substantially. Based on Amtrak schedule information, approximately 12 passenger trains would pass by during the daytime hours (7 am to 7 pm), four passenger trains would pass by during the evening hours (7 pm to 10 pm) and five passenger train would pass by during the nighttime hours (10 pm to 7 am).

20-minute weekday noise measurements were taken using an ANSI Type II integrating sound level meter on November 2, 2006. The noise monitoring results are summarized on Table 4.9-2. As shown on Table 4.9-2, on- and off-site measurements of current conditions indicate that existing noise levels currently exceed the City's Noise Element thresholds for residential use. The measurement taken on the site's northern boundary resulted in noise levels above the established 70 dBA threshold for commercial uses. Measurement locations are shown on Figure 4.9-2.

Table 4.9-2 Noise Monitoring Results

Measurement Location	Primary Noise Source	Approximate Distance to Primary Noise Source	Leq (dBA)	Peak (dBA)
Site boundary: SE Corner of Wagon Wheel Rd & Buckaroo Ave Intersection	U.S. 101	60 feet from nearest south bound lane	70.3	98.3
Site boundary: SW Corner of Wagon Wheel Rd & Winchester Dr	Union Pacific Railroad	30 feet from tracks	66.0	103.1
Site boundary: Adjacent to and west of Oxnard Blvd, ~50 yards north of Spur Dr	Oxnard Blvd	60 feet to center median	62.3	88.6
Offsite: Adjacent to and west of Oxnard Blvd, ~150 yards north of Orchard Place	Oxnard Blvd	55 feet to center median	66.6	92.1
Offsite: Adjacent to and north of Vineyard Ave near Lobelia Dr	Vineyard Ave	45 feet to center median	71.6	94.5
Offsite: Adjacent to and east of Ventura Rd near Stone Creek Dr	Ventura Rd	40 feet to center line	67.5	98.9

Source: Field visit using ANSI Type II Integrating sound level meter.
See Appendix E for noise monitoring data sheets

Source: Rincon Consultants, Inc., November, 2006, U.S. Bureau of the Census, TIGER 2000 data, and CIRGIS, 2004 (Image).

N

0 500 1,000 Feet

1 Noise Measurement Location

Noise Measurement Sites

Figure 4.9-2

City of Oxnard

The traffic study for the project analyzed 18 study area intersections (see Appendix F). Of these intersections, the following roadway segments were determined to have some potential for noise impacts due to their proximity to existing sensitive uses and estimated change in the roadway volume to capacity ratio:

1. Oxnard Boulevard between Vineyard Road and Spur Drive (nearest existing use: single-family residences)
2. Vineyard Avenue between Oxnard Boulevard and Ventura Road (nearest existing use: single-family residences)
3. Ventura Road between Vineyard Avenue and Wagon Wheel (nearest existing use: single-family residences)

4.9.2 Impact Analysis

a. Methodology and Thresholds of Significance. Noise levels associated with existing and future traffic along area roadways were calculated using the Caltrans California Vehicle Noise Emission Levels (CALVENO) and standard noise modeling equations adapted from the Federal Highway Administration noise prediction model (Noise Modeling Data sheets can be viewed in Appendix E of this document). The model calculations are based on traffic data from the EIR traffic study prepared by Fehr & Peers (see Appendix F). Cumulative conditions correspond to assumed buildout of pending development within the City as indicated in Section 3.0, Table 3-1. Construction noise was estimated based on noise level estimates from the U.S. Environmental Protection Agency document "*Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances*."

Traffic on U.S. 101 and Oxnard Boulevard, including on- and off-ramps and the overpass, was modeled using the Federal Highway Administration Traffic Noise Model® (TNM, ver 2.5) based on data provided in the traffic report prepared for the project (Fehr & Peers, 2007). Peak hour traffic was modeled using the TNM® based on the traffic counts and estimates provided in the transportation study. The peak hour traffic noise levels were used as a prediction of CNEL (±1 dB), consistent with US Housing and Urban Development recommendations and the report preparers' experience with 24-hour noise measurements and TNM® predictions.

The TNM® uses algorithms based on speed to calculate the average sound level produced by the vehicle types of concern (autos, medium-duty trucks, heavy-duty trucks, busses, and motorcycles). The analysis used average speeds of 70 miles per hour (mph) in the fast lane to 55 mph in the slow lane for cars and motorcycles in the future 2013 traffic noise analysis and 60 mph in the fast lane and 50 mph in the slow lane for trucks and busses on the freeway during the future 2013 conditions.

The location of road lanes, existing barriers, and houses were digitized into the TNM® from the site plans provided for the proposed Specific Plan (Daly Owens Group, June 2007, scale 1"=50 foot). Topographical elevations were taken from the project plans and an estimation of the freeway elevations based on mapping from the USGS website and field observations. For comparison, the model was run for both existing onsite conditions and future year 2013 conditions accounting for increases in traffic from the proposed project, as well as pending and cumulative development. Appendix E contains the noise modeling results.

Train pass-bys are relatively infrequent events, and each individual pass-by lasts only for a few minutes at any one location. However, these are highly energetic events that cause substantially more sound than other noise sources, such as the pass-by of motor vehicles. The onsite noise measurement was used as an aid in calibrating the noise model used to estimate the CNEL exposure of the residences to the rail traffic. The CNEL was used as a slightly more conservative metric than the Ldn, but the calculation difference between the two for current rail operations is less than 0.5 dBA.

Sound levels associated with railroad noise are dependent on the number of locomotives pulling the train, the speed of the train, and the number of railcars. Mean sound emission levels for a variety of locomotives and railcars reported in the *Handbook of Noise Control* (Harris, 1979) along with noise modeling equations from the same source were used to calculate the Sound Exposure Level (SEL) for an individual train pass-by. The SEL is the total sound energy in a specific time period (in this case the pass-by duration) referenced to 1 second. Train pass-bys are typified by very high noise levels associated with diesel electric locomotives, followed by relatively high noise levels caused by the steel wheels of the cars traveling along the track.

Impacts relating to operational on-site activities would be considered significant if project-related activities create noise exceeding Zone I standards for the project site and adjacent neighborhood to the south, and Zone II standards for the Esplanade Shopping Center (see Table 4.9-1 for the standards). Construction noise is considered significant if it would occur between the hours of 6 pm and 7 am Monday through Saturday or anytime on Sunday.

For traffic-related noise, impacts are considered significant if project-generated traffic results in exposure of sensitive receptors to unacceptable noise levels. The Federal Interagency Committee on Noise (FICON) recommendations were used to determine whether or not increases in roadway noise would be considered significant. The FICON recommendations were developed as a result of studies that relate aircraft noise levels to the percentage of people highly annoyed by various noise levels. Although these recommendations were developed specifically for aircraft noise impacts, they are considered applicable to all noise sources that use noise exposure metrics such as the Ldn and CNEL. The level of significance changes with increasing noise exposure, such that smaller changes in ambient noise levels result in significant impacts at higher existing noise levels. Table 4.9-3 shows the significance thresholds for increases in traffic related noise levels caused either by the project alone or by cumulative development.

Table 4.9-3 Significance of Changes in Operational Roadway Noise Exposure

Ambient Noise Level Without Project (Ldn or CNEL)	Significant Impact
< 60 dB	+ 5.0 dB or more
60 – 65 dB	+ 3.0 dB or more
> 65 dB	+ 1.5 dB or more

Source: Federal Interagency Committee on Noise (FICON), August 1993

If residential development or other sensitive receptors would be exposed to traffic noise increases exceeding the above criteria, impacts would be considered significant.

b. Project Impacts and Mitigation Measures.

Impact N-1 Project construction would intermittently generate high noise levels and groundborne vibrations on and adjacent to the site. This may affect sensitive receptors on or near the project site. This is considered a Class II, *significant but mitigable* impact.

Nearby noise-sensitive land uses, including the residential neighborhoods to the south of the project site, and, after Phase I of the proposed project, existing facilities and mobile home park on the Oxnard Village Specific Plan site would be exposed to temporary construction noise during development of the proposed project. Noise impacts are a function of the type of activity being undertaken and the distance to the receptor location.

Table 4.9-4 shows typical noise levels associated with activities during various phases of construction at a distance of 50 feet from the noise source. Typical construction noise levels range from about 78 to 88 dB. The grading/excavation phase of project construction tends to create the highest construction noise levels because of the operation of heavy equipment. However, during grading operations, the equipment would be dispersed in various portions of the site in both time and space. Physically, a limited amount of equipment can operate near a given location at a particular time.

Table 4.9-4 Typical Noise Levels at Construction Sites

Construction Phase	Average Noise Level at 50 Feet	
	Minimum Required Equipment On-Site	All Pertinent Equipment On-Site
Clearing	84 dBA	84 dBA
Excavation	78 dBA	88 dBA
Foundation/Conditioning	88 dBA	88 dBA
Laying Subbase, Paving	78 dBA	79 dBA
Finishing and Cleanup	84 dBA	84 dBA

Source: Bolt, Beranek and Newman, "Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances," prepared for the U.S. Environmental Protection Agency, 1971.

Construction activity could result in temporary noise levels above the designated thresholds for sensitive receptors off the project site in the residential neighborhood to the south and onsite including the mobile home park during later phases of construction. The allowable dBA in the residential neighborhood from onsite activities is 55 dBA (OMC). These residences are separated from the project site by the Union Pacific Railway, the El Rio Drain, and solid masonry walls. The solid wall combined with the City's time restrictions on construction activities would reduce the temporary noise levels from standard construction equipment. However, the potential remains for temporary noise level exceeding City thresholds to occur onsite and in the neighborhood to the south and mitigation would be required to reduce the potential to less than significant levels. The proposed project design includes three high rise

buildings and subterranean parking, for which foundation construction would include pile-driving activities on site. Noise and vibrations created by pile driving activities could result in levels exceeding thresholds for on- and off-site residential uses located south of the site. A diesel pile driver can produce vibrations that can cause physical damage to residential structures within eight meters (approximately 26 feet) of the pile driving activities, and can be perceived by humans within 200 meters (approximately 656 feet) of pile driving activities (Amick and Gendreau, 2000). A vibratory pile driver can cause physical damage to residential structures within four meters (approximately 13 feet) and is perceptible to humans within 100 meters (approximately 328 feet) of pile driving activity (Amick and Gendreau, 2000). Thus, impacts associated with construction noise and vibration would be potentially significant.

Mitigation Measures. The following mitigation measures would reduce potential construction-related noise impacts to nearby residences to less than significant levels. These measures would apply to all phases of project construction as appropriate.

N-1(a) **Heavy Truck Restrictions.** Contractor shall prohibit off-site heavy truck activities in local residential areas.

N-1(b) **Staging Area.** Contractor shall provide staging areas on site to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between activity and residential areas. At a minimum, the staging areas shall be located at a distance of 200 feet from the nearest residential property line. This would reduce noise levels associated with most types of idling construction equipment.

N-1(c) **Diesel Equipment Mufflers**. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers.

N-1(d) **Electrically-Powered Tools and Facilities.** Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.

N-1(e) **Additional Noise Attenuation Techniques.** For all noise-generating construction activity on the project site, additional noise attenuation techniques shall be employed to reduce noise levels. Such techniques shall include, but are not limited to, the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and nearby sensitive receptors.

N-1(f) **Alternative Piles Types.** If pile driving activities are required for construction, alternative pile types that are quieter to install, such as Nicholson Pin Piles, Tubex grout units, or GeoJet foundation units, shall be utilized where feasible in place of traditional driven piles to reduce noise and vibration generation. The City of Oxnard Building & Engineering Services Manager shall determine the feasibility of these alternatives pile types for the required applications.

N-1(g) Additional Pile Driving Measures. If pile driving activities are required for construction, a field test program shall be conducted on the site prior to approval of building plans. The test shall include driving piles at several locations on the project site in the general locations where piles would be required for project construction. The test shall also include testing of various noise control measures including, but not limited to, sound blanket enclosures around pile hammers. Quantitative noise and vibration measurements, together with a subjective assessment of the resulting conditions, shall be recorded. The results of the test program shall be presented to the City of Oxnard Community Development Special Projects Director. Based on the results of the tests, the Special Projects Director shall have the right to require additional noise control measures at the site during pile driving, such as temporary sound berms and dampening enclosures.

Significance After Mitigation. The recommended mitigation measure would reduce the impacts of construction-related noise to a less than significant level.

Impact N-2 Onsite operations would generate noise levels that may periodically be audible to existing uses near the project site. However, such noise is not expected to exceed City Noise Ordinance standards. Therefore, this is considered a Class III, *less than significant*, impact.

Noise levels would increase as a result of on-going activities associated with project buildout. Impacts would result from onsite vehicular traffic, as well as the human activity of the site itself.

As discussed in Section 4.13, *Transportation and Circulation*, the proposed project is expected to generate approximately 10,311 vehicle trips per day when completed and fully operational. This is an increase of 6,417 trips over the volumes generated by the existing on-site uses. Roadway noise levels in the area are added to the existing traffic volumes, and future background traffic volumes with the project's traffic added.

Onsite Circulation. Although project traffic is estimated to be primarily composed of automobiles, the estimate includes trucks to account for some buses that would serve the public, trash trucks, and some trucks that would be associated with onsite deliveries of food and supplies. The majority of project related noise would be generated during the daytime when residential and commercial uses are most active. The nearest residences within the neighborhood to the south of the project site would be approximately 150 to 200 feet from the proposed commercial uses, and separated by the El Rio Drain, Union Pacific Railroad and two 14 foot tall sound walls, along the existing neighborhood's boundary adjacent to the railroad, and one proposed along the project sites boundary with the railroad. As a worst-case scenario, assuming peak traffic, and traveling at a speed of 15 miles per hour along the southern Perimeter Road (the internal circulation route nearest the existing residences), noise levels at the property line of the nearest sensitive receptors, located south of the Union Pacific Railroad and the El Rio Drain (150 – 200 feet from the centerline of the proposed perimeter Road) would be shielded from vehicles traveling onsite.

Parking lots. In addition to noise generated along the proposed onsite circulation, noise would also be generated within the parking lots. Table 4.9-5 includes examples of parking lot noise sources and the resultant noise levels at 100 feet. This is approximately 150 feet less than the distance between the parking area and the nearest residences that are located south of the site, the Union Pacific Railroad, and the El Rio Drainage. At that distance, the highest noise level associated with a parking lot sweeping is estimated at 57 dBA. It is presumed that sweeping operations could take up to about 30 minutes; therefore, the daytime and nighttime Sound Regulation Ordinance residential standards for such events would be 60 dBA and 55 dBA, respectively. Noise associated with sweeping operations during the daytime would not exceed the daytime standard; however, street-sweeping activities at night could exceed the nighttime standard. This is considered a potentially significant impact. Noise associated with other parking lot noise sources, such as car horns or doors slamming would be of a short duration (less than one minute). The Sound Regulation Ordinance would allow for noise levels of up to 65 dBA for events of such duration; therefore, other types of noise source events in parking lots would not be expected to exceed Sound Regulation Ordinance standards.

Table 4.9-5 Parking Lot Noise Sources at 100 Feet

Source	Level (dBA)
Autos at 14 mph	44
Sweepers	66
Car Alarm Signal	63
Car Alarm Chirp	48
Car Horns	63
Door Slams	58
Talking	30
Radios	58
Tire Squeals	60

Source: Gordon Bricken & Associates, 1996. Estimates are based on actual noise measurements taken at various parking lots.

Truck Movement. Buildout under the proposed project would generate additional truck traffic for deliveries to the commercial and retail centers and trash pickup with the proposed Oxnard Village. Truck trips associated with the proposed project could create noise that may be audible to nearby residents.

The highest noise levels generated by trucks would likely occur along the interior roads, at the trash enclosures, and at the loading areas of the proposed mixed use village commercial center. These deliveries are likely to occur during daytime hours when the commercial land use noise standard is 65 dBA and the residential noise standard is 60 dBA. Daytime activities associated with the project such as shipping or receiving associated with the commercial component and trash pickups are not expected to significantly affect nearby sensitive receptors due to their relatively low frequency, distance to nearest sensitive receptors, existing and proposed sound

walls adjacent to the El Rio Drainage and Union Pacific Railroad, as well as the decreased noise level sensitivity during daytime hours.

It should also be noted that the noise-generating activities discussed above are often further reduced and/or their impacts reduced by project conditions or standard practice. For example, attenuation measures such as walls, berms, double glazing on windows and provision of air conditioning; limiting onsite trash pickup services, street and parking lot sweeping, landscape maintenance and truck deliveries to daytime hours; and others.

Mitigation Measures. As impacts would be less than significant, no mitigation is required.

Significance After Mitigation. Less than significant.

Impact N-3 Project-generated traffic would incrementally increase noise levels on area roadways. However, the change in noise levels from project generated traffic would be less than 0.2 dBA. Therefore, the effect of increased traffic noise on existing uses would be Class III, *less than significant*.

Development of the proposed project would increase the amount of vehicle trips to and from the site, which would increase traffic noise on area roadways. The project could therefore increase noise at neighboring uses. These include several residential neighborhoods in the area, as listed for each street segment in the *Setting*.

Estimated average daily traffic (ADT) values from the traffic study were used to model the change in noise levels resulting from increased traffic on 3 roadway segments. Table 4.9-6 indicates noise levels at 50 feet from the centerline of each roadway segment. Noise levels at distances greater than 50 feet from the centerline would be less due to attenuation provided by increased distance from the noise source. Generally, noise from heavily traveled roadways would experience a decrease of approximately 3 dBA for every doubling of distance. Model results indicate that the largest increase in noise due to project generated traffic would be an increase of 0.1 dBA CNEL on Oxnard Boulevard between Spur Drive and Vineyard Avenue as well as on Ventura Road between Wagon Wheel Road and Vineyard Avenue. Cumulative development would result in an increase of 1.1 dBA CNEL and 3.1 dBA CNEL along these roadways respectively.

Table 4.9-6
Noise Levels Associated with Traffic on Area Roadways* (dBA CNEL)

Roadway	Existing	Existing Plus Project	Existing Plus Cumulative	Existing Plus Cumulative Plus Project	Change In Noise Level Due to Project	Change in Noise Level Due to All Future Growth** plus Project
Oxnard Blvd between Vineyard Ave and Spur Dr	71.2	71.2	72.2	72.3	0.1	1.1

Table 4.9-6
Noise Levels Associated with Traffic on Area Roadways* (dBA CNEL)

Roadway	Existing	Existing Plus Project	Existing Plus Cumulative	Existing Plus Cumulative Plus Project	Change In Noise Level Due to Project	Change in Noise Level Due to All Future Growth** plus Project
Vineyard Ave between Oxnard Blvd and Ventura Rd	70.7	70.7	71.1	71.1	0	0.5
Ventura Rd between Vineyard Ave and Wagon Wheel	68.9	69.0	71.9	72.0	0.1	3.1

** At a distance of 50 feet from roadway centerline.*
*** Future Growth includes Ambient Growth and Cumulative Projects*
See Noise Modeling Data sheets in Appendix E of this document.

This increase in project traffic generated noise levels are below the FICON standards as identified in Table 4.9-3. The highest noise level increase due to the project itself would be 0.1 dBA, which is below the audible threshold. Therefore, project-generated traffic would not significantly affect noise levels in the area near the project site and nearby residences.

Mitigation Measures. As impacts would be less than significant, mitigation is not required.

Significance After Mitigation. The proposed project's impact related to traffic noise levels on study roadway segments would be less than significant without mitigation.

Impact N-4 **Proposed onsite uses could be subject to noise levels in exceedance of the thresholds established by the Noise Element due to transportation generated noise associated with U.S. 101, Oxnard Boulevard and the Union Pacific Railroad. However modeling results indicate the proposed sound walls and edge landscaping design would reduce onsite noise levels from the surrounding sources below City standards, except the third floor and above of residences along the northern boundary and the second floor and above of residences located along the project's southern boundary. This is considered a Class II, *significant but mitigable*, impact.**

The future (with proposed, pending and approved projects, and cumulative growth) roadway and railway generated onsite noise levels are identified in Table 4.9-7. As shown residential uses on the northern project boundary would be exposed to maximum noise levels from U.S. U.S. 101 of 66.4 dBA on the third floor; all floors below would be subjected lower noise levels due to attenuation effects of the proposed sound wall and berm. Residential and retail uses along the site's eastern boundary would be subject to noise levels from Oxnard Boulevard of 62.3 dBA on the third floor. As shown in Table 4.9-7, residential and commercial retail uses proposed along the southern boundary of the site would be exposed to noise levels of 56.7 dBA CNEL at the ground floor due to the attenuation effect from the proposed sound wall. However, uses on second floors or higher of the proposed buildings along the southern

boundary would be exposed to sound levels of 72.0 dBA CNEL as the sound wall would not attenuate sound reaching the second story and above. With the Union Pacific Railroad line noise levels could exceed 100 dBA in the upper floors of the buildings when trains are passing. In the absence of mitigation, individual structures with two or more floors planned close to the railway would be exposed to noise levels in excess of existing thresholds.

Table 4.9-7 Modeled Future Roadway and Railway Noise Levels

Noise Source	dBA CNEL at Nearest Proposed Residence
Union Pacific Railroad	
Ground Floor	56.7
Second Floor	72.0
Third Floor	72.0
Oxnard Boulevard	
Ground Floor	58.0
Second Floor	59.0
Third Floor	62.3
U.S. HWY 101	
Ground Floor	61.2
Second Floor	61.9
Third Floor	66.4

See Appendix E for complete model results.

The proposed project design includes hardscape and landscaping around the entire project site, with enhanced edge landscaping adjacent to U.S. 101, Oxnard Boulevard, and the Union Pacific Railroad. The project design includes a 12-foot wall on top of a berm that would parallel the northern project boundary and U.S. 101. The raised planted berm would extend five feet above the U.S. 101 elevation, and U.S. 101 sits at an elevation approximately 12 feet above the proposed project elevation. The 12-foot wall would be built atop the berm, totaling 17 feet above the U.S. 101 elevation and 29 feet above the proposed project's ground floor elevation. An additional landscape setback would separate residential houses on the northern project boundary from the berm/12-foot wall and U.S. 101. The proposed design for the site's northern boundary would attenuate noise from U.S. 101 to a level below the City standard of 65 dBA CNEL at the first and second floor of the proposed residences.

Project design elements along Oxnard Boulevard frontage would include a landscaped setback of 25 feet, planted parkways, and parking deck landscaping. Without accounting for the parking decks and structural attenuation, according to the model, structures proposed along the eastern site boundary would not be subjected to noise levels in excess of City standards.

The proposed project design elements along the southern boundary adjacent to the railroad would include a 14 foot sound wall and landscaping. These design elements would help reduce noise impacts to structures proposed adjacent to the Union Pacific Railroad. The sound wall would be sufficient to reduce noise levels in the ground floor of the residences to levels below City thresholds. However the sound wall would not reduce noise levels in the second and third floors, these floors would be subject to noise levels around 72 dBA CNEL.

Project design elements would reduce noise impacts to residential and commercial uses near Oxnard Boulevard to noise levels below City thresholds on all structural levels. Project design

elements would reduce noise impacts to residential uses near the US 101 to noise levels below the City thresholds on the first and second floors, but would not attenuate noise to below the City thresholds on the third floor. Although project design elements would reduce noise impacts to residences near the Union Pacific Railroad, the reduction would only attenuate noise reaching the ground floor, and the potential remains for project uses on the second structural level and above to be exposed to sound levels exceeding thresholds. Thus, impacts would be potentially significant.

Mitigation Measures. The following mitigation measures are recommended to ensure that second and third stories of residences proposed adjacent to the project site's southern boundary are not subject to noise levels exceeding City Noise Element standards.

N-4(a) **Building Material Guidelines**. The living areas above the first floor for all residences located within 152 feet of the Union Pacific Railroad track, and the third floor living areas of all residences located along the northern site boundary, shall be constructed to include sufficient noise attenuation to reduce interior levels to a CNEL of 45 dBA. This would require at a minimum the use of double-paned windows on all windows that are exposed to railroad noise. Such windows should have a minimum laboratory standard transmission class (STC) of 37. The glass shall be sealed into the frame in an airtight manner with a non-hardening sealant or a soft elastomer gasket, or gasket tape. The window frames shall be correctly installed into the wall and insulated to avoid any air gaps. The total area of glazing facing the railroad tracks in rooms used for sleeping on the upper floors shall not exceed 20 percent of the wall area. Solid-core doors shall be used for those doorways facing the railroad tracks and walls should be insulated in conformance with California Title 24 requirements. The exterior wall facing material shall be stucco, or other surface with an STC rating of at least 45.

N-4(b) **Building Design.** The living areas shall contain forced air ventilation. All duct work for ventilation shall include noise louvers at the exterior outlet and/or duct outlets shall be directed either opposite to or perpendicular to the railroad tracks and US 101. Upper level patio/deck areas shall be not be positioned facing the railroad tracks for residences along the southern site boundary or the US 101 along the northern site boundary.

Significance After Mitigation. The recommended mitigation measures would reduce noise impacts to onsite residences to a less than significant level.

c. Cumulative Impacts. Cumulative traffic growth in the area, in combination with the growth associated with the Oxnard Village Specific Plan development would incrementally increase noise levels in the vicinity of the project. As shown in Table 4.9-6, cumulative impacts along the three analyzed roadways would contribute to further exceedance of the ambient noise standard over time. Cumulative development would result in an increase of 3.1 dBA CNEL along

Ventura Road, generally due to the future connection of Ventura Rd to development on the north side of U.S. 101 and a future southbound U.S. 101 off ramp currently under construction. However, many of the existing residential areas have sound walls that were incorporated to reduce ambient noise levels adjacent the residences. Specific Plan buildout would incrementally contribute to this impact. However, because the increase in noise associated with the Specific Plan would be only 0.1 dB and would not be audible, the project's contribution to the cumulative impact along Ventura Road is not considered cumulatively considerable or significant.

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4.10 POPULATION AND HOUSING

This section evaluates the proposed project's potential impact on population, housing and employment in the City of Oxnard.

4.10.1 Setting

a. City of Oxnard. Oxnard is the largest city in Ventura County, with a 2008 population estimated at 194,905 (California Department of Finance, 2008). Table 4.10-1 provides the 2008 estimates of population and housing for the City of Oxnard and Ventura County as a whole. Oxnard accounts for about 23% of the countywide population of 831,587. The City's 51,521 households make up about 18% of the County's total households. The average number of persons per household in Oxnard is 3.869 (California Department of Finance, 2008), which is about 26% higher than the countywide average of 3.065 persons per household. However, based on community input and observations by City staff there are increasing numbers of household occupants in Oxnard, a more conservative estimate of 4.0 persons per household is used in this EIR to determine the increase in population associated with the proposed project.

Table 4.10-1 Current Housing and Population

	Oxnard	Ventura County
Households	51,521	276,320
Population	194,905	831,587
Persons/Household	3.869	3.065

Sources: .
California Department of Finance, Official State Estimates of City/County Population and Housing, January 1, 2008.

Table 4.10-2 shows employment, households and population projections for Oxnard from the Southern California Association of Governments (SCAG). As shown, the current (2008) number of jobs in the City is estimated at approximately 51,521.

Table 4.10-2 SCAG Employment, Households and Population Projections for Oxnard

	2005	2008	2010	2015	2020	2025	2030
Population	189,000	194,905*	205,000	220,000	237,000	253,000	266,000
Household	48,000	51,521*	52,000	57,000	63,000	68,000	73,000
Employment	58,000	61,000	63,000	67,000	71,000	74,000	77,000

Source: SCAG, 2008 RTP Baseline Growth Forecast, February, 2008.
** These figures are from the California Department of Finance in Table 4.10-1*

Using the 2008 estimate of employment (jobs) shown in Table 4.10-2 above and comparing it to

the number of households in the City, the current jobs/housing ratio in Oxnard is about 1.2:1. According to the Ventura County Planning Division, an area is normally considered to be "in balance" if it has between 1.1 and 1.34 jobs per housing unit, as recommended by the Ventura Council of Governments (Economic/Transit/Mixed Use Strategies for Housing Rich Communities, 2004). Please see Section 4.8, *Land Use and Planning*, for further discussion of the project in the context of the City's jobs/housing ratio.

b. Project Site. The only existing residential development on the project site is the Wagon Wheel Trailer Lodge, a 10.25-acre, 171-space mobile home and recreational vehicle park located at 2851 Wagon Wheel Road. The park was built in 1953 and later expanded in 1957. As the mobile home park would be removed to accommodate the proposed Oxnard Village Specific Plan project, pursuant to Civil Code §798.56 (g), (h); California Government Code § 65863.7 (d); and the City of Oxnard Municipal Code, Chapter 24, Article II, a Mobilehome Park Closure Impact Report was prepared by Star Management in September of 2006, and is herein incorporated by reference. Of the 171 permitted mobile home spaces, 141 contain currently occupied mobile homes. Based on the existing commercial, industrial and institutional uses on the site, the site when fully leased supports approximately 413 jobs (see Table 4.8-3 in Section 4.8, *Land Use and Planning*).

4.10.2 Impact Analysis

a. Methodology and Significance Thresholds. Impacts to population are generally social or economic in nature. Under CEQA, a social or economic change is not considered a significant effect on the environment unless the changes can be directly linked to a physical change. Population impacts would therefore be considered potentially significant if growth associated with the proposed project would exceed SCAG growth projections for the area and if such an exceedance would have the potential to create a significant physical change to the environment.

In addition, impacts would be considered potentially significant if the proposed project would displace people and/or housing without providing adequate relocation assistance.

b. Project Impacts and Mitigation Measures.

Impact PH-1 The proposed project would add 1,359 housing units, and an estimated 5,436 residents. However, because these increases are within SCAG projections for the City of Oxnard, impacts related to housing and population growth are considered Class III, *less than significant*.

Project implementation would result in a net increase of 1,359 residential units (1,500 units proposed minus 141 existing occupied dwelling units to be demolished) as described in Section 2.0, *Project Description* and shown in Figure 2-5. Based on the City average of 4.0 persons per household, the proposed addition of 1,359 net residential units would generate a net increase of approximately 5,436 residents. Based on the estimated 2008 citywide population of 194,905 residents, the addition of 5,436 residents would increase Oxnard's population by about 2.8%. The addition of 1,359 net housing units would also increase the current (2007) number of

households in the City by about 2.6%.

Table 4.10-3 compares project-generated population and housing growth to SCAG growth projections for the City of Oxnard. As indicated, the net 5,436 new residents associated with project buildout would make up approximately 25% of the projected citywide population growth through 2015 and 6.3% of projected citywide population growth through 2030. The net 1,359 housing units associated with project buildout would make up approximately 22% of the projected citywide housing growth through 2015 and 8% of projected citywide housing growth through 2030.

Table 4.10-3
Comparison of Project Population and Housing Growth to City Projections

	Projected Citywide Growth Through 2020 *			Project Growth as a % of Overall Growth	
	Proposed Project (net)	SCAG Projections for City of Oxnard		City of Oxnard	
		2015	2030	2015	2030
Housing *	1,359 units[1]	5,479 units	21,479 units	24.8%	6.3%
Population	5,436 residents	25,095 residents	71,095 residents	21.6%	7.6%

** Citywide projections are taken from Table 4.10-1.*
[1] 1,500 proposed dwelling units minus 141 existing occupied dwelling units to be demolished

As indicated in Table 4.10-3, the increases in housing and population as a result of the proposed project are within SCAG projections for the City of Oxnard. Therefore, impacts would be less than significant.

Mitigation Measures. None required.

Significance After Mitigation. Impacts related to growth in housing and population would be less than significant without mitigation.

Impact PH-2 The proposed project would involve the closing of the on-site mobile home park, which would remove 141 occupied housing units, displace the on-site population, and reduce the City's housing stock. Impacts related to the displacement of housing and population would be Class II, *significant but mitigable*.

The proposed project includes the construction of up to 1,500 residential units and 50,400 square feet of neighborhood serving commercial retail and small commercial office space. In order to accommodate the proposed project, all existing on-site structures would be demolished and the mobile home park would be closed. As of September of 2006, the on-site mobile home park had 141 out of 171 mobile home spaces occupied (Wagon Wheel Mobilehome Park Closure Impact Report, 2006).

The proposed project would remove the housing units in the mobile home park and displace the on-site population. While no housing units in the mobile home park are designated as affordable units, 15% of the housing units, or up to 225 of the proposed residential units would be reserved as "affordable" units, of which 90 residential units would be available at very low income rental rates, as established by the California Tax Credit Allocation Committee, and 135 residential units would be available to moderate-income families. In addition, affected mobile home park residents would be provided relocation assistance pursuant to California State Law, and would be given the first option to occupy the affordable dwelling units.

As discussed in the Wagon Wheel Mobilehome Park Closure Impact Report, affected mobile home park residents would be able to choose one of five "Mitigation Options" provided by the mobile home park owner. The Mitigation Options are discussed in detail in the Wagon Wheel Mobilehome Park Closure Impact Report, which is available for review at the City Oxnard Planning and Environmental Services Department.

In order to ensure that the Mitigation Options would be made available to homeowners and that the closure of the mobile home park would be consistent with all government regulations, implementation of Mitigation Measure PH-2 would be required. With the implementation of Mitigation Measure PH-2, impacts related to the displacement of housing and population would be less than significant.

Mitigation Measure. The following mitigation measure shall be implemented to reduce impacts related to the displacement of housing and population to a less than significant level.

PH-2 Implementation of the Wagon Wheel Mobilehome Park Closure Impact Report. Prior to the issuance of building permits, the "Mitigation Options" contained in the Wagon Wheel Mobilehome Park Closure Impact Report, prepared by Star Management in September 2006, shall be implemented. The owner of the mobilehome park shall provide documentation to the City of Oxnard Planning and Environmental Services Department that demonstrates that the "Mitigation Options" were made available to the mobilehome owners. The following is a summary of the Mitigation Options set forth by the Mobilehome Park Closure Impact Report that would be available to mobilehome owners:

- Option 1: State Required Mitigation to Relocate Mobilehomes. This option involves the payment of reasonable relocation costs to move the homeowner and their mobilehome to another mobilehome park within a 150 mile radius.

- Option 2: Payment of reasonable costs of relocation per Option 1, and the resident sells the home to a third party who will permanently remove the home from the park. The park will make payment to the homeowner when the home is removed from the park.

- Option 3: Sell the home to the park, receive free rent for six months and move out at the end of the free rent period.

- Option 4: The park will purchase the home for the National Automobile Dealers Association (NADA) book value.

- Option 5: Recreational vehicle owners will be entitled to three days of per diem benefits and $500 transportation fees. Residents with non-transportable storage sheds will also receive the $400 replacement shed allowance.

Significance After Mitigation. Impacts relating to the displacement of housing and people would be less than significant with the implementation of Mitigation Measure PH-1.

c. Cumulative Impacts.

Housing and Population. The proposed project, in combination with other development in and around the City, will continue to evolve the demographic character of the area. As shown in Table 3-2 in Section 3.0, *Environmental Setting*, cumulative development within Oxnard (including the proposed project) would add an estimated net increase of 10,468 residential units. Based on the current average number of persons per household in the City (approximately 4.0 persons per household), these new residential units would increase the City's population by approximately 41,872 people. The current population of the City is within SCAG projections through 2010 and the increase in population of approximately 47,308 people associated with both cumulative buildout and the proposed project would be within the projected 2030 population. Therefore, the proposed project's contribution to population impacts would be considered less than significant.

Displacement of Housing and Population. The proposed project would remove the housing units in the mobile home park and displace the on-site population. If other mobile home parks were to close in the Oxnard area, mobile home park closure reports would be required for each mobile home park. Pursuant to Civil Code § 798.56 (g), (h); California Government Code § 65863.7 (d); and the City of Oxnard Municipal Code, Chapter 24, Article II, park owners are required to assist in the relocation of homeowners. Based on Table 3-1 in Section 3.0, *Environmental Setting*, which lists planned and pending projects in the City of Oxnard known at the time of the commencement of this environmental review process, the larger projects comprising cumulative development within the City of Oxnard will occur on non-residentially developed land and would not displace substantial numbers of people or housing. Therefore, cumulative impacts related to the displacement of people and housing would be less than significant.

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4.11 PUBLIC SERVICES

This section evaluates the proposed project's potential impacts to fire protection services, police protection services, hospital services, and schools.

4.11.1 Setting

a. Fire Protection. The City of Oxnard Fire Department (OFD) provides fire prevention, fire suppression, and emergency services in Oxnard and coordinates the City's disaster preparedness program. The Fire Department also responds to chemical spills, injuries, and vehicle accidents, and is responsible for managing the City's records pertaining to hazardous material Risk Management and Prevention programs. The OFD also has mutual aid agreements with Ventura County, the City of Ventura, Port Hueneme Naval Construction Battalion, and Point Mugu Naval Air Station for emergency assistance.

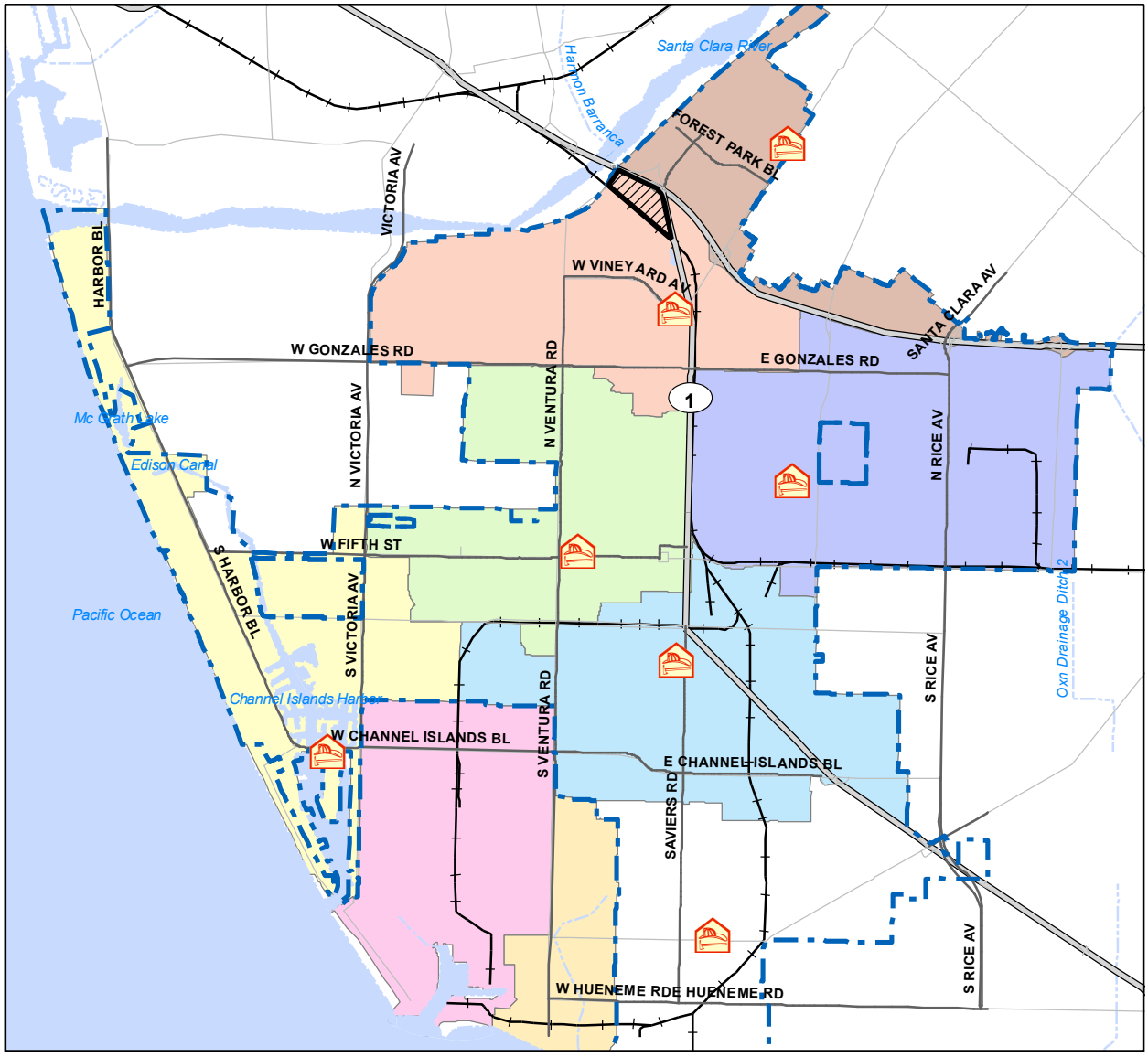
The OFD maintains seven fire stations and seven engine companies. Each fire station contains a fire engine and over 200 pieces of equipment including breathing apparatus, emergency medical supplies, tools, and fire-proof clothing. There are a total of 94 uniformed firefighters (Gary Sugich, Fire Marshal, pers. comm. 2006). There are currently about 0.5 firefighters for every 1,000 people in the City, which is below the State average of 1 firefighter for every 1,000 people (Gary Sugich, 2006).

The City is divided into seven response areas (see Figure 4.11-1). Each fire station has a primary service area in which they respond to calls for service, and also has a secondary and tertiary response area to ensure adequate coverage of the City in case the primary engine is out on a call. Secondary response units are also dispatched to any structure fire along with the primary response unit. The Fire Department's goal is to respond to emergencies and have an engine unit on the scene in less than five minutes (Gary Sugich, 2006).

b. Police Protection. Police services are provided citywide by the City of Oxnard Police Department (OPD), which operates from the police station, located at 251 South C Street. The station is located approximately 3.4 miles south of the project site. The City is divided into four Police Districts, each of which is further divided into two response beats (see Figure 4.11-2). Each beat is patrolled 24 hours a day in four overlapping 10-hour shifts. The project site is located in Beat 11, which is bordered generally by Ventura Road to the north, Doris Avenue to the south, Oxnard Boulevard to the east, and Victoria Avenue and Paterson Avenue to the west. In addition to the police stations, the OPD operates three storefront police substations and five drop-in centers that are used for community-based policing.

The OPD currently comprises 237 sworn officers and 155 civil support personnel. The ratio of Police Officers for every 1,000 persons is currently at 1.23 (Mike Adair, OPD Commander, pers. comm. 2006).

Response times vary based on the type of call and the priority that each call is assigned when it is received. Response times start when a call is received in the dispatch center and entered into



Source: City of Oxnard, 2007, and US Bureau of the Census TIGER 2000 data.

N

0 0.5 1 2 Miles

Project Location

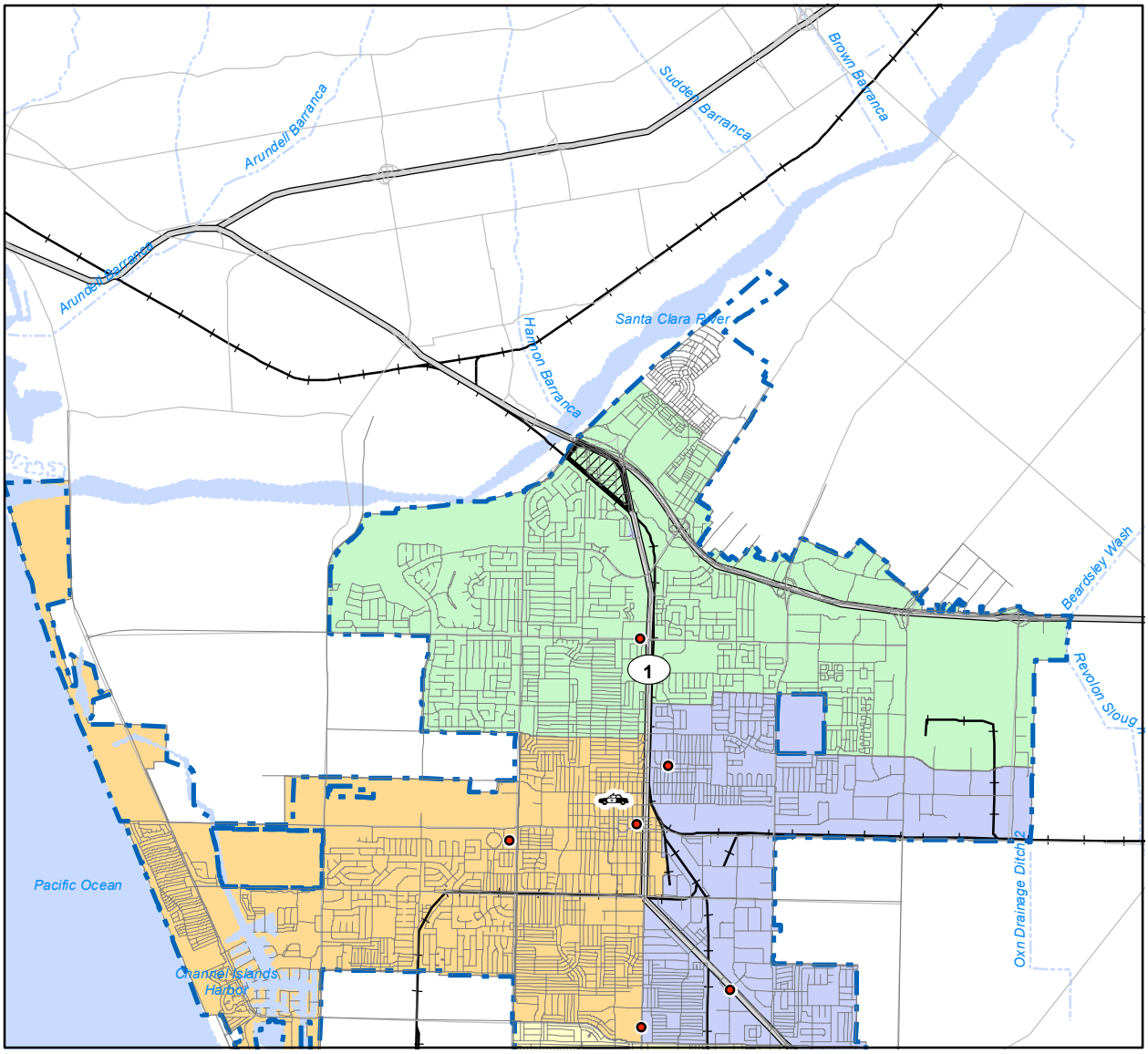
Oxnard City Limit

Fire Station Location

Response Areas for Fire Stations

Figure 4.11-1

City of Oxnard



Source: City of Oxnard, 2007, and US Bureau of the Census TIGER 2000 data.

Project Location

Oxnard City Limit

PoliceStation

Police Store Fronts

Oxnard Police Beats

1

2

3

4

N

0 0.5 1 2 3 Miles

Police Beats for Police Stations

Figure 4.11-2

City of Oxnard

the Computer Aided Dispatch System. The clock continues to run until the first emergency unit arrives on scene. Calls for Police service in 2005 had the following response times:

- Priority 1+ = 4.34 minute response time (Highest Priority);
- Priority 1 = 9.18 minute response time (Medium Priority); and
- Priority 2 = 18.11 minute response time (Lowest Priority).

c. Hospitals. Emergency Health Care is provided at St. Johns Regional Medical Center located at 1600 North Rose Avenue in Oxnard. This hospital is approximately 3.5 miles southeast from the project site. The services St. Johns provides include Level 2 Trauma Center, Surgery, Catheter Lab, Intensive Care Unit (ICU)/Critical Care Unit (CCU), and a Neonatal Intensive Care Unit (NICU). There are 265 private beds at St. Johns Hospital. Other health and social services are also available within the City of Oxnard and the surrounding region, including family planning and birth control clinics, and eating disorder treatment hospitals.

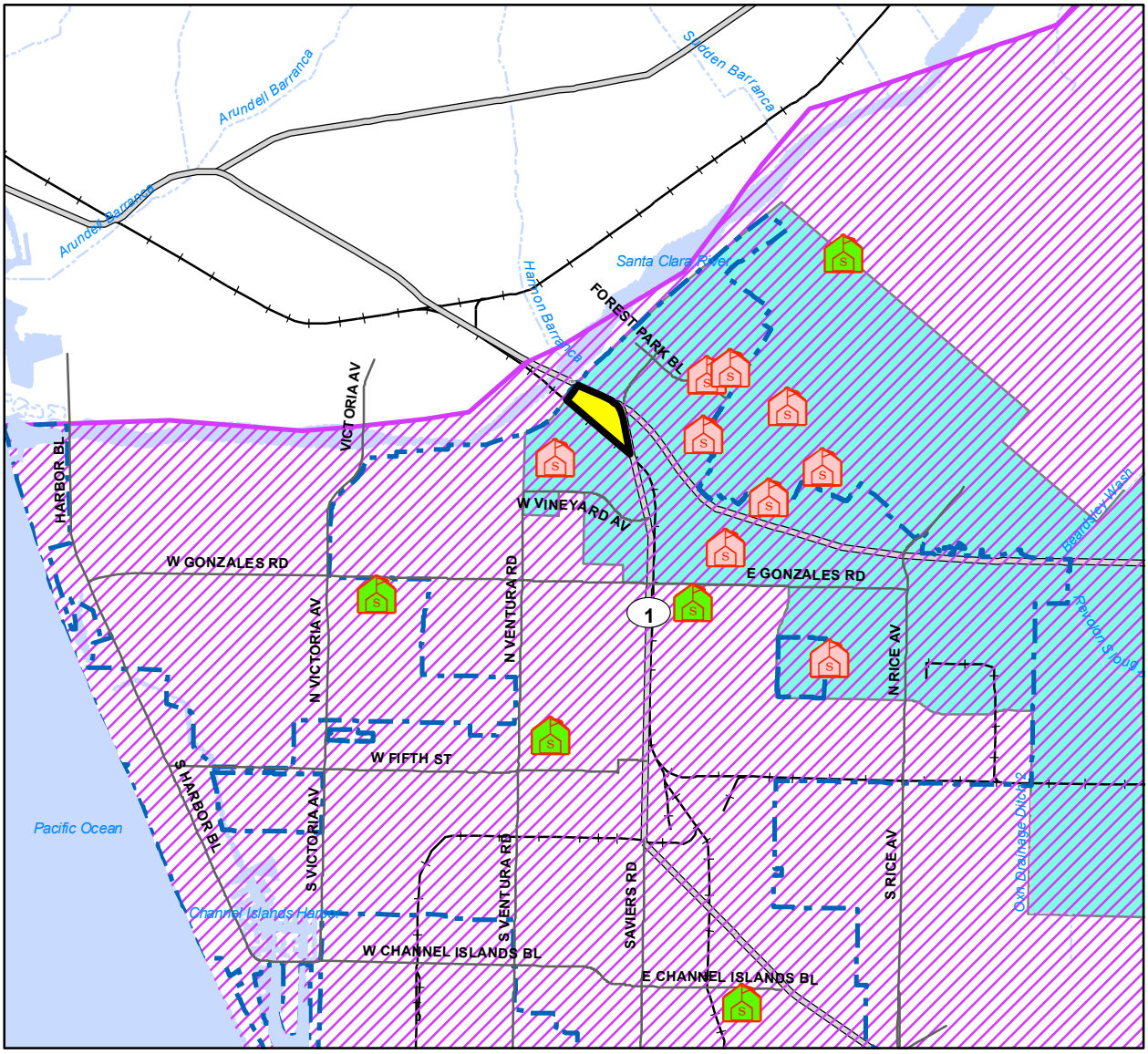
Several independent companies who are contracted by the County of Ventura provide ambulance emergency medical response. These include American Medical Response (AMR), Lifeline Medical Transport, and Gold Coast Ambulance. Goal Coast Ambulance is the emergency responder to the project area. Their closest responding location is located at 200 Bernoulli Circle, in the City of Oxnard. This facility is located approximately three miles southeast of the project site.

d. Schools. In the project area public education is provided by the Rio School District (RSD) and the Oxnard Union High School District (OUHSD). The district boundaries and school locations are shown in Figure 4.11-3. The district plans to construct an additional school, tentatively called RiverPark West Elementary; however it is not yet built and is therefore not included in the list of schools below or in the figure. The RSD provides educational services for kindergarten through eighth grade students, while the OUHSD provides educational serves for ninth through twelfth grade students. The attendance boundaries of individual schools are adjusted by the school districts periodically on an as-needed basis. For this reason, students from homes developed in the Oxnard Village Specific Plan area could potentially affect enrollment at any school within the District. As such, it is unknown which specific schools could be impacted. For this reason, the analysis focuses on overall school district capacities. For each school the capacity and enrollment for the 2007/08 school year can be found in Table 4.11-1. As shown, RSD is operating at 91%[1] capacity and OUHSD is operating at 122% capacity. Neither school district is on a multi-track, year round calendar at this time. A year-round calendar can increase capacity by 25-30%.

Both the RSD and OUHSD provide bus services. The Rio School District provides bus service for students within the district who live greater than one mile from their assigned schools.

<u>Funding for Public Education.</u> Operating revenue provided to school districts is funded by local property tax revenue accrued at the state level and then allocated to each school district based on the average daily student attendance. Because state funding for capital improvements has lagged behind enrollment growth, physical improvements to accommodate new students

[1] Please see Note 2 to Table 4.11-1 below.



Source: City of Oxnard, 2008, and US Bureau of the Census TIGER 2000 data.

Project Location
Oxnard City Limit
Elementary/Middle School Location
High School Location
Oxnard Union High School District
Rio School District

N
0 0.5 1 2 Miles

Rio School District and
Oxnard Union High School District
Boundaries and School Locations

Figure 4.11-3

come primarily from assessed fees on development projects and local facility bonds. In 1986, the State Legislature approved Assembly Bill 2926 (Chap. 887), which authorized school districts to levy school impact fees on new development projects, and at the same time placed a cap on the total amount of fees that could be levied. California Government Code (§ 65995) School Facilities Legislation was enacted to generate revenue for school districts for capital acquisitions and improvements. This legislation allows one-time fees on new development projects. These fees are divided between the primary and secondary schools and are termed Level One fees. The most recent adjustment to Level One fees occurred in January 2008, which brought the rates to $2.97 per square foot of residential development and $0.47 per square foot of commercial/ industrial development.

Table 4.11-1 Current Enrollments and Capacity at Local School Districts

RIO SCHOOL DISTRICT			
Schools	**Enrollment 2007/08**	**Capacity**	**Percent of Capacity**
El Rio Elementary	0	0	0%[1]
Rio Del Norte Elementary	579	613	94%
Rio Lindo Elementary	515	515	100%
Rio Plaza Elementary	484	481	101%
Rio Rosales Elementary	481	564	85%
Rio del Mar Elementary	384	447	86%[2]
Rio del Valle Middle School	629	848	74%
Rio Real Elementary	401	435	92%
Rio Vista Middle School	716	712	101
SUB-TOTAL	**4,189**	**4,615**	**91%**[2]
OXNARD UNION HIGH SCHOOL DISTRICT [3]			
Schools	**Enrollment 2006/07**	**Capacity**	**Percent of Capacity**
Adolfo Camarillo High School	2,358	2,216	106%
Channel Islands High School	2,608	2,240	116%
Hueneme High School	2,249	1,966	114%
Oxnard High School	2,983	2,211	135%
Pacifica High School	3,287	2,200	149%
Rio Mesa High School	2,207	2,007	110%
SUB-TOTAL	**15,692**	**12,840**	**122%**

Source: Written and personal communication, Louis Cunningham, Director of Facilities, OUHSD; Richard Canady, RWS School Services, 2006; Rob Corley and Kevin Mitchell, Rio School District, 2008.

[1] *El Rio School is temporarily closed for renovations.*

[2] *According to Rio School District staff, the Rio del Mar Elementary School percent capacity is actually higher, as priority capacity is reserved for students from Riverpark pursuant to an existing mitigation agreement. This would also make the overall percentage for the district slightly higher.*

[3] *Enrollment and capacity are not included for Frontier High, Pacific View High, and Puente High (OUHSD) as these schools provide alternative education options.*

In the past, statutory limitations regarding the payment of development fees to school districts were placed on projects that did not require quasi-legislative approvals, such as zoning amendments, rezoning, plan amendments, specific plans, and development agreements, as decided in the Mira, Hart, and Murietta State Supreme Court cases. In cases where projects required quasi-legislative approvals, the Courts allowed local agencies to collect additional fees as mitigation measures under CEQA. However, the November 1998 passage of Proposition 1A, and the funding made available through its passage, requires implementation of Senate Bill 50 (SB 50) and eliminates the additional funding allowed per the Mira, Hart, and Murietta cases. Instead, SB 50 provides for Level Two and Level Three fees in residential development; these fees are allowed to be in excess of the previous limitation of $2.24 per square foot. Level Two fees require the developer to provide one-half (50%) of the costs of housing students in new schools, while the state would provide the other half. Level Three fees would require the developer to pay the full cost of housing the students in new schools and would be implemented at the time the funds available from Proposition 1A are expended. School districts must demonstrate to the state their long-term facilities needs and costs based on long-term population growth in order to qualify for this source of funding. Once qualified, the districts may impose fees as calculated per SB 50. The RSD is eligible for Level One and Level Two funding under Proposition 1A funding (provisions of SB 50) (Richard Candy, RWC School Services, written communication, 2006,). The OUHSD is eligible for Level Two funding with a fee of $1.35 per square foot and Level Three funding with a fee of $2.70 per square foot under Proposition 1A (provisions of SB 50) (School Facilities Needs Analysis, Oxnard Union High School District, 2006). According to Government Code Section 65996, the development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation."

One of the project alternatives analyzed in this EIR would include a school within the Oxnard Village Specific Plan project area. See Section 6.0, *Alternatives* for this analysis.

4.11.2 Impact Analysis

a. Methodology and Significance Thresholds.

Information on current fire, police, hospital, and school facilities was collected from personal and written communication with the Oxnard Fire Marshal, Oxnard Police Commander, Hospital personnel, Ambulance Service personnel, and RSD and OUHSD personnel.

Fire Protection. The City of Oxnard considers a project to have a significant impact on fire protection services if:

- The project would exceed the standard of one firefighter per ever 1,000 persons
- The magnitude of the project and an excessive distance from existing facilities and which would require a new facility be built to accommodate the proposed project

Police Protection. The City of Oxnard considers a project to have a significant impact on police protection services if the project would:

- Result in the need for new or altered government service or interfere with emergency response plans or emergency evacuation plans.

Hospitals. The following standards of significance are based on Appendix G of the State CEQA Guidelines. The project would have a significant impact on hospital services if the project would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered facilities, need for new or physically altered facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for hospitals.

Schools. The City of Oxnard considers a project to have a significant impact on school services if the project would:

- Result in the need for new or altered government services. A project will normally have a significant impact on school facilities if it would substantially interfere with the operation of an existing school facility, or would put additional demands on a school district which is currently overcrowded for which monetary mitigation measures, as allowed by State law, would not reduce the impacts to an insignificant level.

b. Project Impacts and Mitigation Measures.

Impact PS-1 The proposed project would incrementally increase demands on the Oxnard Fire Department. This increase would affect the personnel, equipment, and the organization of the Fire Department. This would be a Class II, *significant but mitigable* impact.

Development of the project site with the proposed residential and commercial uses would incrementally increase demand for fire protection and emergency response services over the current on-site conditions. In the City of Oxnard there are currently a total of 94 uniformed firefighters and about 0.5 firefighters for every 1,000 people. This is below the City of Oxnard's standard of 1 firefighter for every 1,000 people. The proposed development would incrementally increase the population, thus, exacerbating the existing service ratio deficiency. However, funding for additional staffing is allocated to the Fire Department through the City's budget process and is not directly tied to individual development projects. The growth of the City over time will require that increased funding be allocated to the Fire Department to maintain adequate levels of service and service ratios. Provided that additional funding is made available to the Department to support new personnel as expected, the proposed project would not significantly affect fire protection service standards. The City can and has provided personnel through Community Facilities Districts, which can alleviate funding burdens caused by the service demands of new development. Provided that a Community Facilities District is established to support new personnel as expected, the proposed project with proper mitigation would not significantly affect fire protection service standards.

Fire Station 4, located at 230 W. Vineyard Avenue would be the primary response unit for fire emergencies at the proposed project. This Fire Station is approximately 1.75 miles away from the most distant portion of the project site. Estimated total response time to the most distant portion of the project would be 5 minuets and 15 seconds[2] (Gary Sugich, Written Communication, 2006). This response time includes a one-minute reaction time. The OFD response time goal is to arrive on scene within 5 minutes approximately 90% of the time. As the proposed project is outside the OFD's preferred 5-minute responds radius from the station, impacts associated with response times would be potentially significant unless mitigation is included.

With buildout of the Specific Plan, calls for service are expected to be those typical of residential and commercial and retail space, and would include calls for structure fires, garbage bin fires, car fires, electrical fires, and emergency medical response. The proposed development would have a fire hazard rating classification of 3 (Maximum Risk) due to its mixed use design with multifamily buildings, high-rise buildings, and commercial development (Gary Sugich, 2006). Furthermore, residential high-rise fires are unique in nature and are labor intensive fire fighting operations. Fires in these types of buildings require the use of stairways to get firefighting equipment and manpower to the fire, and the use of ladder trucks to reach the upper stories of high-rises (Gary Sugich, 2006).

The City of Oxnard Fire Department has prepared a *Fire Protection Planning Guide (*2006), which is a compilation of general development requirements for fire prevention and protection measures. All new development within the City must comply with requirements in this guide, and new development is subject to a detailed review by Fire Department staff to ensure compliance with requirements within the Guide. There are specific measures in the *Fire Protection Planning Guide* that address high-rise and mid-rise development projects. For example, the Guide states that

> *…High-rise and mid-rise projects require special fire protection features which are found in Titles 19 and 24 of the California Code of Regulations….A California licensed Fire Protection Engineering firm may be required to be hired, at the applicants expense, to provide the Oxnard Fire Department written certification that all of the required fire protection systems are properly designed, provided, and installed. When the structure is complete, the Fire Protection Engineer shall demonstrate that all fire protection and life safety elements have been installed and function as required and provide written certification to the effect…*

The Fire Department can also require additional fire prevention measures during review of development plans.

Along with required implementation of measures in the *Fire Protection Planning Guide*, the Fire Department has indicated that they would need a fully equipped ladder truck and additional staff to operate this ladder truck to adequately service the proposed project (Gary Sugich, 2006). In addition, the existing Fire station would need to be physically altered to accommodate additional personnel (Gary Sugich, 2006). These needs are due to the magnitude of the project as well as the distance from the existing closest ladder truck.

[2] *Response time is reported as "total time to respond," which includes "reaction time" plus the "response time".*

The proposed project would also be required to maintain minimum water flows through fire hydrants to provide sufficient water to firefighters during an emergency. Fire flow is defined as the amount of water required, above and beyond domestic needs, to extinguish a fire in a structure and which should be available during peak water demand periods. It is the City's policy not to permit new development unless there is adequate water supply and pressure to serve the fire flow needs of the project. The City expanded its water distribution system in 2001 to provide additional pressure separation valves to ensure that fire flow pressure and water supplies are adequate to serve additional development in the City (City of Oxnard Daily Ranch EIR, 2001). In addition to maintaining the mandatory fire flow the project would be required to install automatic fire sprinklers per OFD requirements and comply with all fire safety regulations outlined in the California Fire Code. Therefore, impacts relating to fire flows are not anticipated.

Mitigation Measures. The applicant would be required to incorporate measure identified in the *Fire Protection Planning Guideline* and Fire Code requirements such as automatic sprinklers, fire hydrants, and adequate water flows, as well as project-specific measure required during final Fire Department review of proposed projects built out under the Specific Plan, into final site and building plans. Building plans would be subject to review and approval by the Fire Department. In addition, the following measure is proposed to reduce impacts associated with response times, equipment, and facilities needs to a less than significant level.

PS-1 (a) **New Ladder Truck and Fire Station Upgrades.** The applicant shall provide sufficient funding for an additional ladder truck fire response vehicle, which would be housed in the nearest fire station. In addition, the applicant shall cover the costs associated with upgrades and improvements to the existing fire station to accommodate additional personnel that would be needed to adequately respond to fire emergencies at the Oxnard Village Specific Plan area. The developer shall pay a fee agreed upon and incorporated into the Development Agreement to secure a ladder truck and station upgrades and improvements prior to 25% project occupancy, issuance of the 375th occupancy permit (commercial or residential), or whichever comes first.

PS-1 (b) **Elevator Shaft Smoke Detection.** As a condition of construction, means shall be provided, by the project proponent working in conjunction with the Oxnard Fire Department, to detect products of fire, smoke, and combustion in all elevator shafts and components of the elevators or as required by the California Building Code and California Fire Code.

PS-1 (c) **Community Facilities District Fee or Other Funding Mechanism as Agreed Upon by the City.** The Development Agreement for the project shall include formation of a Community Facilities District or alternate method to fund long-term personnel costs required to serve the project. The CFD or alternative funding program shall be in place upon 25% of total project occupancy, issuance of the 375th occupancy permit (commercial or residential) or whichever comes first.

Significance After Mitigation. Upgrades and improvements to the existing fire station would require modification to the existing building to accommodate a ladder truck and personnel. All modifications would be per department specification and would comply with all existing codes at the time of construction. Any modifications would be within the property lines of the existing fire station property.. The existing fire station is in an urbanized area surrounded by commercial and residential development. Thus, these improvements would not introduce new environmental impacts to warrant further environmental review. Implementation of the mitigation measures identified above would reduce impacts associated with fire protection to a less than significant level.

Impact PS-2 The proposed project would incrementally increase demands on the Oxnard Police Department, which could adversely affect the Police Department. This would be a Class II, *significant but mitigable* impact.

Development of the site with commercial, retail and residential uses would incrementally increase the demand for police services in the area. The project site is located in a developed area that is within the service area for the OPD. The proposed project includes a residential component that would increase the onsite population and would reduce the citywide officer-to-population ratio and increase the number of service calls. However, as with firefighting personnel, funding for additional staffing is allocated to the Police Department through the City's budget process and is not directly tied to individual development projects. The growth of the City over time will require that increased funding be allocated to the Police Department to maintain adequate levels of service and service ratios. Provided that additional funding is made available to the Department to support new personnel as expected, the proposed project would not significantly affect fire protection service standards.

Based on 2005 calls for service, the proposed project's estimated population increase of 5,436 people would generate approximately 2,290 new service calls (Commander Adair, 2006).[3] Response times vary based on the type of call and the priority that each call is assigned when it is received. Response times start when a call is received in the dispatch center and entered into the Computer Aided Dispatch System. The clock continues to run until the first emergency unit arrives on scene. Priority 1+ has a response time of 4:34 minutes, Priority 1 has a response time of 9.18 minutes, and Priority 2 has a response time of 18.11 minutes.[4] The most common incidents requiring police response at developments like the proposed project include burglary, theft, vandalism, and vehicle theft. Although OPD response times in the area are currently adequate, the OPD has expressed concerns about the project's impact to police response capabilities (Commander Adair, 2006). Unless appropriate crime prevention design features are incorporated into project design, this impact would be potentially significant.

Mitigation Measures. The following mitigation measures would reduce impacts to police services to a less than significant level.

[3] 2005 call for service rate (0.4213186 callers per person) x population increase (5,436 persons) = 2,290 calls
[4] All response times are reported as "total time to respond," which includes "reaction time" plus the "response time".

PS-2 **Oxnard Police Department Consultation.** Prior to approval of individual Development Design Review permits, the applicant shall work closely with the Oxnard Police Department prior to the final design of the project to ensure the development of adequate security measures for the construction and occupancy stages of development. Such measures may include but not be limited to the following:

- Compliance with Oxnard Police Department recommendations relative to building design, site design, visibility, access, graffiti control, landscaping, security lighting, doors, locks and other relevant factors in the preparation of the final plans.

- The Oxnard Police Department shall be included in the plan check process to enable the Department to recommend specific improvements that will enhance crime prevention for the project and allow for the police to better plan for calls that may be generated by the development.

- Implement fencing and security measures during the construction phase. The City of Oxnard Police Department shall approve security measures.

Significance After Mitigation. Impacts to police protection services would be less than significant with implementation of the above mitigation measures.

Impact PS-3 High-rise buildings present unique concerns regarding public safety in the event of an emergency requiring rapid evacuation. This would be a Class II, *significant but mitigable* impact.

Ventura County has a Terrorism Response Plan (2001) and the City of Oxnard has a Multi-Hazard Functional Plan (2006) in place for large-scale management of such an emergency. However, these plans do not generally include specific implementation measures for individual construction projects. In the event of an emergency, including an act of terrorism or similar unexpected catastrophic occurrence, efficient and safe evacuation of the proposed high-rise buildings would be an important goal. This type of event is by its nature difficult or impossible to predict or avoid; therefore mitigation must focus on safely establishing and implementing emergency procedures.

Mitigation Measures. The following mitigation measure would reduce impacts related to evacuation of the high-rise buildings to a less than significant level.

PS-3 **Emergency Plan.** The developer of the high-rise components of the Specific Plan shall be responsible for creating, implementing, maintaining and updating an emergency plan for the building(s) or as required by the California Building Code and California Fire Code. The emergency plan

shall be submitted to the Building and Engineering Services Department, Fire Department and Police Department for review and approval prior to issuance of building permits for the high-rise buildings.

The emergency plan shall contain a description of the actions all occupants should take in an emergency evacuation. A floor plan providing emergency safety procedures and evacuation routes shall be posted at every stairway landing, at every elevator landing, stairways and immediately inside all public entrances to the building. The information shall be representative of the floor level and be posted so that the bottom edge of such information is not located more than four feet above the floor.

The emergency plan shall include a regularly updated list of the names and locations of each regular occupant who has voluntarily self-identified that they need assistance in case of emergency and the type of assistance they require to swiftly exit the proposed building in the event of an emergency.

The plan shall be kept on the building premises at all times and shall be available upon request to Development Services, Building and Engineering Services, the Fire Department and the Police Department. Key practical information from the plan shall be published in the form of a leaflet, brochure, or pamphlet and made available to each new resident. This information shall be available in alternative formats upon request (e.g., Braille, large print and audio).

Significance After Mitigation. Impacts related to emergency high-rise evacuation would be less than significant with implementation of the above mitigation measure, in addition to any general safety and emergency access measures required by the Fire and Police departments through their coordination and review.

Impact PS-4 The proposed project would increase the onsite population by 5,436 residents, which would incrementally increase demands on health services. However, this would not require the need for a new hospital or require physically altering the existing hospital. This represents a Class III, *less than significant* impact.

Development of the project site with residential uses would incrementally increase the demand for health services in the area. The proposed project would add up to 5,436 persons at the site. Emergency health care is provided at St. Johns Regional Medical Center, located at 1600 North Rose Avenue in Oxnard. This hospital is approximately 3.5 miles southeast from the project site. There are 265 private beds at St. Johns Hospital. However, the proposed project would not result in the need for a new hospital or require physically altering the existing hospital (Amy Carrillo, Executive Assistant, Written Communication, 2007). Therefore, impacts associated with increased demand on health services would be less than significant.

Gold Coast Ambulance is the emergency responder to the project site. Their closest responding location is located at 200 Bernoulli Circle in Oxnard. This facility is located approximately three miles southeast of the project site. According to Mr. Brandon Ober (Human Resources) of Gold Coast Ambulance, the proposed project is not expected to affect response times from this location to the hospital. Therefore, impacts associated with response times would be less than significant.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts to health services would be less than significant without mitigation.

Impact PS-5 The proposed project would generate an estimated 716 K-8th Grade school-age students and 73 9-12th Grade school-age students. This could adversely affect school facilities in the Rio School District and Oxnard Union High School District. However, with payment of required school impact fees, impacts would be reduced to a Class III, *less than significant*, level.

Table 4.11-2 shows the projected number of students that would be generated by the proposed project. These projections are based on a student generation factors used by the RSD and OUHSD to estimate students generated by new development. Student generation factors for RSD were derived using the guidelines for assessing Level 2 fees, as described in Government Code Section 65996.6 (Richard Canady, RWS School Services, Written Communication, 2006). Student generation factors for OUHSD were derived from the *School Facilities Needs Analysis* (April 10, 2006). As indicated in the table, the proposed project would generate an estimated 716 new elementary and middle school students at the Rio School District, and 73 high school students at the Oxnard Union High School District.

Table 4.11-2 School District Generation Factors and Student Generation

School District	Projected Units Multi Family Attached	Student Generation Factor (students per dwelling unit)	Students Generated
Rio School District	1500	0.477	716
Oxnard Union High School District	1500	0.0486	73
Total Students			**788**

Source: Written and personal communication, Louis Cunningham, Director of Facilities, OUHSD and Richard Canady, RWC School Services, 2006.

Table 4.11-3 compares projected enrollment at the schools serving the project site to the current capacity of those schools. Based on the current enrollment and projected number of students generated by the proposed project, implementation of the project would put Rio School District approximately 6% over capacity with a total of about 4,905 students. In addition, the projected number of students generated by the proposed project would add to existing overcrowded

conditions at Oxnard Union High School District. The proposed project would put OUHSD 23% over capacity with a total of 15,765 students.

Table 4.11-3 Project School Enrollment and Capacities

School District	Capacity	Current Enrollment	Current % of Capacity	Students Generated by Project	Projected Enrollment with Project	Projected % of Capacity	Over Capacity?
Rio School District	4,615	4,189	91%[1]	716	4,905	106%	Yes
Oxnard Union High School District	12,840	15,692	122%	73	15,765	123%	Yes

Source: Written and personal communication, Louis Cunningham, Director of Facilities, OUHSD and Rob Corley, Rio School District, 2008.

[1] *Please see note 2 to Table 4.11-1 above.*

Given that the project would put the RSD over capacity and OUHSD is currently operating over capacity, the increase in the student population associated with the proposed project would adversely affect school facilities at both districts if new facilities are not developed. However, as a condition of development, the developer would be required to pay the applicable required State-mandated school impact fees under the provisions of SB 50. Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Therefore, with payment of school impact fees, potential impacts to schools resulting from the proposed project would be less than significant.

Within the RSD the closest school to the Oxnard Village Specific Plan area is Rio del Norte. Rio del Norte is the most overcrowded elementary school in the district. Rio del Norte is currently operating at 108% of its capacity (see Table 4.11-1). The Riverpark West Elementary School will also lie within a one- mile radius of the proposed project site. This school is currently in the final stages of design and is tentatively scheduled to open in August of 2008. It may be possible for some students within the Oxnard Village Specific Plan area to attend this school. However it is not possible to know if there will be room at Riverpark West Elementary School as children of families within Riverpark will have fist priority to attend this school since fees paid by families within Riverpark financed this school (Richard Canady, RWC School Services, Written Communication, 2006). The RSD provides home-to–school bus transportation for students who live more than one mile from their assigned school. Although the proposed project is less than one mile away from the Rio del Norte School and the future Riverpark West Elementary School, it is likely that students in the project area would need to be bused to school. In addition, Rio Del Norte School is currently over capacity, so students may need to be bused to another school greater than one mile from the project site. Therefore, the proposed project would require buses to bus students from the project site to schools within the RSD.

In addition, the OUHSD would need to bus 73 High School students from the project site to Rio Mesa High School. There are currently no buses providing service to the proposed project site, and a new school bus would need to be purchased to transport students from the project site to

Rio Mesa High School (Louis Cunningham, Director of Facilities, Written Communication, 2006). The applicant would be required to pay required State-mandated school impact fees under the provisions of SB 50. Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), payment of these fees is deemed full and complete mitigation. The school district may chose to use these fees as it sees fit for school facilities and/or buses. Therefore, although the proposed project would increase the demand for home-to-school transportation within the RSD and OUHSD, payment of school impact fees would reduce the potential impacts resulting from the proposed project to a less than significant level. Please see Section 4.13 *Transportation and Circulation* for a discussion of proposed pedestrian amenities including paths and sidewalks, and a discussion of safe routes to schools from the project site.

Mitigation Measures. No mitigation is necessary. The applicable required State-mandated school impact fees would be collected at the time of building permit issuance.

Significance after Mitigation. Payment of the applicable State-mandated school impact fees is considered full mitigation for the proposed project's impacts under CEQA, though it should be noted that new students generated by the proposed project would cause an exceedance of capacity at the Rio School District and would add to existing overcrowded conditions at the Oxnard Union High School District.

c. Cumulative Impacts.

Fire Protection. Cumulative buildout in the City of Oxnard would add about 10,468 new residential units and approximately 7.3 million square feet of non-residential development (see Table 3-2 in Section 3.0, *Environmental Setting*). Such new development would increase demands on fire protection services and generate additional traffic that could hinder emergency response. Without increases in staffing and facilities correlating to these population increases, potentially significant impacts to fire protection service could occur. Funding for the OFD comes from the City's General Fund. Provided that additional funding is made available to the Department to support new personnel as expected, the proposed project would not significantly affect fire protection service standards. The City can and has provided personnel through Community Facilities Districts, which can alleviate funding burdens caused by the service demands of new development. Provided that a Community Facilities District is established to support new personnel as expected, , no significant cumulative impacts would occur.

Police Protection. Cumulative buildout in the City of Oxnard would add about 10,468 new residential units and approximately 7.3 million square feet of non-residential development (see Table 3-2 in Section 3.0, *Environmental Setting*). This would increase demands on police protection services by adding both residents and employees, and by increasing traffic that could hinder emergency response. It is not anticipated that such development would require new police facilities. However, without increases in staffing and equipment correlating to these population increases, potentially significant impacts could occur. Funding for the police department comes from the City's General Fund. Provided that the City allocates funds to the police department in proportion with the population and its service obligations, no significant cumulative impacts would occur.

Hospitals. Cumulative buildout in the City of Oxnard would add about 10,468 new residential units and approximately 7.3 million square feet of non-residential development (see Table 3-2 in Section 3.0, *Environmental Setting*). The proposed project would generate approximately 5,436 new residents to the area. The proposed project in combination with other planned and pending development in the City of Oxnard would cumulatively increase demand for health care services. However, the proposed project would not result in the need for a new hospital or require physically altering the existing hospital and impacts would be less than significant. Thus impacts associated with the proposed project would not be cumulatively considerable. Impacts would be less than significant.

Schools. Cumulative buildout in the City of Oxnard would add about 10,468 new residential units and approximately 7.3 million square feet of non-residential development (see Table 3-2 in Section 3.0, *Environmental Setting*). This development would increase enrollment by an estimated 788 students in the Rio School District and Oxnard Union High School District. As noted above, project area schools are operating near or over student capacity. However, as projects are approved, they would be required to pay the full statutory fees allowed by the provisions of SB 50. With the collection of these fees for all new developments, cumulative impacts to schools would be mitigated to a less than significant level.

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4.12 RECREATION AND PARKS

4.12.1 Environmental Setting

a. Citywide Parks and Recreation Facilities. There are 51 existing park facilities located within the City of Oxnard (see Figure 4.12-1). The City of Oxnard classifies park facilities into five categories based upon the park's primary purpose and service area. These categories are Mini-Parks, Neighborhood Parks, Community Playfields, Community Parks, and Special Purpose Facilities (golf courses, beaches, etc.). The City's primary focus is on Community and Neighborhood Parks. The following briefly describes the characteristics of each type of park found within the City (City of Oxnard General Plan, Background Report, 2006).

Mini-Parks. This type of facility serves a limited population living within a very short radius of the facility, often less than one-quarter of a mile. These facilities are often targeted for a specific market segment, such as children or senior citizens. They are often found in proximity to medium-high density residential areas such as townhouses complexes, apartment complexes, or senior citizen housing.

Neighborhood Parks. This type of park is intended to provide the surrounding neighborhood with an area for intense recreational activities. These facilities are to be positioned in the middle of a neighborhood to facilitate easy accessibility. The emphasis is on free play areas which can be utilized for a number of activities, including ball games (soccer, softball) as well as kite flying, frisbee, etc. A playground with play equipment is also an essential component of this type of facility. A neighborhood park typically lacks lighting for nighttime use, and generally does not include spectator facilities or improved ball fields with raised mounds, established base paths, field outlines, etc. The minimum land area for a neighborhood park is between 5 to 10 acres. These parks can either be stand alone, or may be developed for joint use adjacent to a school site.

Community Playfields. Community Playfields are large facilities, usually acting as athletic complexes, which are designed to meet the need for improved facilities associated with organized recreational events. Facilities found in this type of park include spectator amenities, ball fields, and sometimes lighting for evening use of the park. Community Playfields are designed to serve a broad segment of the City's population. The minimum size for a neighborhood park is five acres, as established by the Parks and Recreation Element.

Community Parks. A community Park is typically 20 to 30 acres in size, and offers amenities that cannot be contained within other types of parks. Both active and passive recreation activities can be accommodated within a Community Park. Facilities found within this type of park include sports complexes, large swimming pools, group picnic areas, gardens, etc.

Special Purpose Facilities. These are areas reserved for specific or single-purpose recreation activities such as golf courses, nature centers, marinas, zoos, rifle ranges, etc. Special purpose facilities within the City include the following:

- River Ridge Golf Course. A 36-holes championship golf course occupying over 300 acres.
- Bedford Pinkard Skate Park. Provides free supervised skateboarding and inline skating occupying 14,500 square feet.
- Oxnard Tennis Center. Eight-lighted championship tennis courts.
- Oxnard Shores. A city-owned beach within a residential neighborhood. Can be accessed by Manalay Beach Road, Capri Way and Neptune Square.
- Oxnard Beach Park. A 62-acre developed beach, with volleyball courts, biking paths, and covered picnic area.
- Ormond Beach. A two-mile stretch of the Oxnard coast between Port Hueneme and Point Mugu.

Bicycle and Pedestrian Master Plan. Figure 5 of the City's adopted Bicycle and Pedestrian Master Plan (2002) depicts a Class I multi-use trail through the project site. Therefore, pursuant to the plan, the City requires that a Class I multi-use trail (a minimum 12' wide with an additional 2' graded shoulder on each side) be incorporated into the project.

Parkland Inventory. There are approximately 432 acres of Neighborhood and Community Parks in the City. When all types of parks are combined, there are approximately 882 acres of parkland, including a 417-acre public golf course (Table 4.12-1)

Table 4.12-1 City of Oxnard Park Inventory

Type	Number	Acreage Covered
Mini-Park	4	4.0
Neighborhood Park	32	210.8
Community Playfields[1]	8	(Located within other Park classifications)
Community Parks	7	221.5
Special Purpose Facilities	6	445.4
Total	**57**	**881.7**

Source: City of Oxnard General Plan, Background Report, 2006
[1] Community playfields are collocated with other facilities such as schools

There are several additional park facilities planned within the City including: East Village Park, Southwest Community Park II, and several unnamed parks. Future parks would add an additional 35 acres of parkland to the City. The location, acres, and planning and development stages of these parks can be found in Table 4.12-2.

Table 4.12-2 Future Park Facilities

Park	Location	Acres	Completion
East Village Park[1]	Jacinto and Gibralter	5.5	TBD
Southwest Community Park II	5th and Patterson	5.5	2006
Unnamed Park	Westport and Seabridge	TBD	2006/2007
Unnamed Parks (8 neighborhood, community playfields)	Riverpark development	24.0 or greater	TBD

Source: City of Oxnard General Plan, Background Report, 2006
[1] Joint use with the Rio School District

b. City of Oxnard Parks and Recreation Standards. Currently the City of Oxnard standard for total developed acres of parkland is 3.0 acres per thousand people. Individual standards for Neighborhood and Community Parks are 1.5 acres each per 1,000 people.

The Parks and Recreation Element of the 2020 General Plan lists goals, objectives, and policies which pertain to the status of Outdoor Recreation in the City. The stated goal of Parks and Recreation Element is to provide a variety of quality recreation facilities and resources for Oxnard residents.

Chapter 27 of the Oxnard City Code requires that, as a condition of approval of any residential subdivision map, developers shall either contribute land for the development of park sites or pay fees, according to fee structure determined by the City, for the acquisition and development of park sites. Parkland acquired through the fee system is based on a factor of 2.5 acres for every 1,000 residents.

Using Oxnard's 2006 population estimate of 189,990, the City has approximately 2.3 acres of neighborhood and community parks for every 1,000 residents (City of Oxnard General Plan, Background Report, 2006). Table 4.12 shows the current parkland ratios within the City considering existing and planned Neighborhood and Community Parks, the public golf course, and passive recreational resources available with the inclusion of McGrath State Beach. Based on the City's adopted standard of 3.0 acres of neighborhood and community parks (see subsection 4.12.2.a, Methodology and Significance Thresholds, below), the City is currently deficient in Neighborhood and Community Park facilities by approximately 135 acres. It is noted that the other recreational facilities identified in this section help to augment recreational resources available but do not alleviate this specific this deficiency in Neighborhood and Community Park facilities.

Table 4.12-3 Current Park Ratios in City

Current Parks	Acres	Ratio per 1,000 population
Neighborhood and Community Parks	432	2.3
Neighborhood and Community Parks (w/golf course)	882	4.6
Neighborhood and Community Parks (w/ golf course and McGrath State Beach)	1,311	6.9

Source: City of Oxnard General Plan, Background Report, 2006

c. Existing Onsite Recreational Facilities. Currently no public recreation facilities exist on the Oxnard Village Specific Plan project site. Two private recreation operations are present on the project site: an ice- skating rink and a bowling alley. Private swimming lessons were, until relatively recently, held at the Wagon Wheel Motel pool.

d. Proposed Onsite Recreational Facilities. The project would provide a 1.7-acre "community village green" with pool and community center and a 0.9-acre neighborhood park with a pool. In addition, various smaller pocket parks totaling approximately 2.2 acres would provide passive recreation and amenities such as seating areas and water features.

Approximately 1.65 acres of the plan area would be dedicated to private recreation "terraces." These facilities are proposed to serve the residents of the High-Rise, Mixed-Use, and Very High Density Planning Areas. These facilities would be integrated into the building designs for the High-Rise, Very High Density and Mixed Use Planning Areas. Access to the facilities would be from either elevators or a private interior courtyard. These spaces are for the private use of the residents and would be maintained by a Homeowners' Association. Figure 2-13 in Section 2.0 *Project Description* shows the proposed layout of open spaces and parks. In addition, the proposed development would include a Pedestrian and Bikeway Circulation Design Element (see Figures 2-10 and Figure 2-11 in Section 2.0 *Project Description*). The pedestrian circulation network would be linked to on-site amenities as well as surrounding neighborhood uses. The goal of the pedestrian circulation design is to encourage pedestrian activity so that a typical foot trip to onsite amenities would take between eight and 12 minutes. The proposed Village Specific Plan includes a Class I trail along the west side of Oxnard Boulevard, along the northern edge of the Specific Plan area, and along the western side of Ventura Road; this would connect Oxnard Boulevard and Ventura Road with the City's future River Edge Trail and the Riverpark master planned community.

The informal neighborhoods, community park spaces, and pedestrian and bike circulation elements of the project do not fit into any specific classification system established by the City (i.e., mini-parks, neighborhood parks, community playfields, community parks, and special purpose facilities) as outlined in the Parks and Recreation Element of the 2020 General Plan. Therefore, these project elements, although they could be considered to provide a measure of passive recreational opportunities, were not included in the analysis below.

4.12.2 Impact Analysis

a. Methodology and Significance Thresholds. The City of Oxnard's 1995 Environmental Thresholds Guidelines provides the following criteria for recreation impacts:

> *A project will have a significant impact on recreation if it would cause an increase in the demand for recreation when measured against the following standards:*
>
> *…Neighborhood Parks: 5 – 10 acres and a recommended density of 1.5 acres per 1,000 residents*
>
> *…Community Parks: The effective service radius for Community Parks is approximately 1.5 miles. The City's recommended service density is 1.5 acres per 1,000 residents.*
>
> *A project will have a significant impact on recreation if it would impede future development of Recreation/Park facilities.*

b. Project Impacts and Mitigation Measures.

Impact REC-1 **Buildout under the proposed Oxnard Village Specific Plan project would provide new housing for approximately 5,436 residents, which would increase the demand for parks and recreational spaces in the City. The project falls short of providing the City's requirements of three acres of Neighborhood and Community Parks per 1,000 residents by**

approximately 16.5 acres. This would be a Class II, *significant but mitigable,* impact.

The proposed project would result in a net increase of 1,359 residential units on the site and an associated population increase of about 5,436 persons. This increase in residents would increase the demand for recreational facilities and opportunities within Oxnard. Based on the City's standard of three acres per 1,000 residents, approximately 16.5 acres of neighborhood parkland and community parkland would be required to adequately serve this increase in population due to the project.

The proposed project would provide two parks. One park area consisting of 1.7 acres would contain a pool house, formal lap pool, spa, pool deck cabanas, fireplaces, park benches, and sculpted lawn. A second park area consisting of 0.9 acres would contain the following amenities: a community center, junior Olympic competition pool, bathrooms and showers, two spas, kids wading pool, fabric cabanas, covered exterior dining areas, a courtyard with fireplace, tot lot with children's play equipment, and a children's maze and activity lawn. These two parks would provide 2.6 acres of recreational space within the Oxnard Village Specific Plan Project site. However, they may not be counted towards fulfillment of the City's parks standards, as minimum size for a neighborhood park is five acres (General Plan Parks and Recreation Element, Section XIII.C). Based on the project population and the City parkland standards, the proposed project would include no neighborhood or community parks, thus falling short of the City's standard of 16.5 acres of by 16.5 acres, and adding to the current citywide deficiency for these types of parkland facilities. The proposed project would need to mitigate for this 16.5-acre deficiency in order to meet the City's 1995 park and recreational thresholds.

The City has established a land dedication or an in-lieu fee option for developers, which they are required to pay if they do not provide sufficient onsite parkland to address the increased demand that would be generated by their project. These fees would be collected by the City and put into a fund to acquire and develop additional park facilities as availability arises. Thus, payment of in-lieu fees by developers within the Specific Plan area, in combination with the provision of onsite park space, would address the project's impacts to recreation.

Mitigation Measures. The proposed Oxnard Village Specific Plan Project would be required to dedicate land or pay an in-lieu fee to meet the remainder of the recreational demand of the project according to the following:

REC-1 **Parkland Dedication or Mitigation Fee.** The Oxnard City Code (Chapter 2, Article 12) requires that, as a condition of approval of any residential subdivision map, a developer shall either contribute land for the development of park sites or pay fees, according to a fee structure determined by the City, for the acquisition and development of park sites. Parkland acquired in this manner is based on a factor of 2.5 acres for every 1,000 residents. These "Quimby Fees" are provided for under the California Government Code Section 66477. If impact mitigation is parkland dedication, the Parks and Recreation Division shall determine the project's parkland dedication requirement. If the impact mitigation is payment of Quimby fees, the Planning Division shall determine the project's fee

requirements based on the net shortage of parks and recreational space provided within the development. The land, fees, or combination thereof are to be used only for the purpose of developing new, or rehabilitating existing neighborhood or community park or recreation facilities to serve the project.

Significance After Mitigation. After development of onsite parkland and either dedication of land or payment of in-lieu fees, the project's impact related to the shortage of parks and recreational facilities would be less than significant.

Impact REC-2 Buildout under the proposed Oxnard Village Specific Plan project would remove existing private, commercial recreational facilities on the Wagon Wheel site, including a bowling alley and ice-skating rink. However, because these are privately owned and operated facilities, the impact would be Class III, *less than significant*.

Currently no public recreation facilities exist within the Oxnard Village Specific Plan area. However, two private recreation operations are present on the project site: an ice- skating rink and a bowling alley. Private swimming lessons have, until the recent closure of the motel, been held at the Wagon Wheel Motel pool. Wagon Wheel Bowl is the only bowling alley in Oxnard, although there are bowling alleys in both Ventura and Camarillo, approximately two and eight miles from the site, respectively. The ice rink is the only facility of this type in Ventura County. The proposed development would remove these recreational businesses, and the opportunity to ice skate locally or bowl within the City of Oxnard would no longer be available. However, removal of these operations is not considered to be a recreational impact under CEQA, as they are privately operated and may be closed at any time at the pleasure of the operators without permits, public notice or CEQA review. (It should also be noted that the first phase of development would be accomplished on areas of the site other than those supporting the bowling alley and ice rink, and that the developer has offered to maintain adequate public access to these facilities during that phase, which would last approximately two years. Therefore the bowling alley and ice rink would have the opportunity to operate for an additional two years after all permitting for the project is completed, if the owners choose to do so.)

Mitigation Measures. As impacts would be less than significant, mitigation is not required.

Significance After Mitigation. This impact would be less than significant without mitigation.

c. Cumulative Impacts. Projected planned and pending development in the City would add new residents and workers to the existing population in Oxnard. As shown in Table 3-2 in Section 3.0, *Environmental Setting*, cumulative development within Oxnard (including the proposed project) would add an estimated 10,468 residential units. Based on the current average number of persons per household in the City (approximately 4.0 persons per household), these new residences would increase the City's population by approximately 41,872. The cumulative increase in population would increase the demand for parks and

recreational facilities (new demand for about 125 acres of new Neighborhood and Community parks, and contribute to the existing deficit in Oxnard. However, all new developments in the City area either required to provide onsite park facilities or pay in-lieu fees to offset this increase. With collection of required fees on all new development and use of these fees to provide needed new facilities and the implementation of new facilities to serve this new demand, cumulative impacts to parks and recreation would be considered less than significant.

It should also be noted that the passive recreational opportunities in Oxnard, particularly the City's public beaches, are not included in the inventory of parkland that applies to the three-acre per thousand residents ratio used for the impact analysis. Special Purpose Parks are also excluded from the ratio, including the skate park and tennis courts, although some, such as Oxnard Beach Park, include recreational amenities similar to those offered at some Community Parks such as volleyball courts and picnic areas.

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4.13 TRANSPORTATION AND CIRCULATION

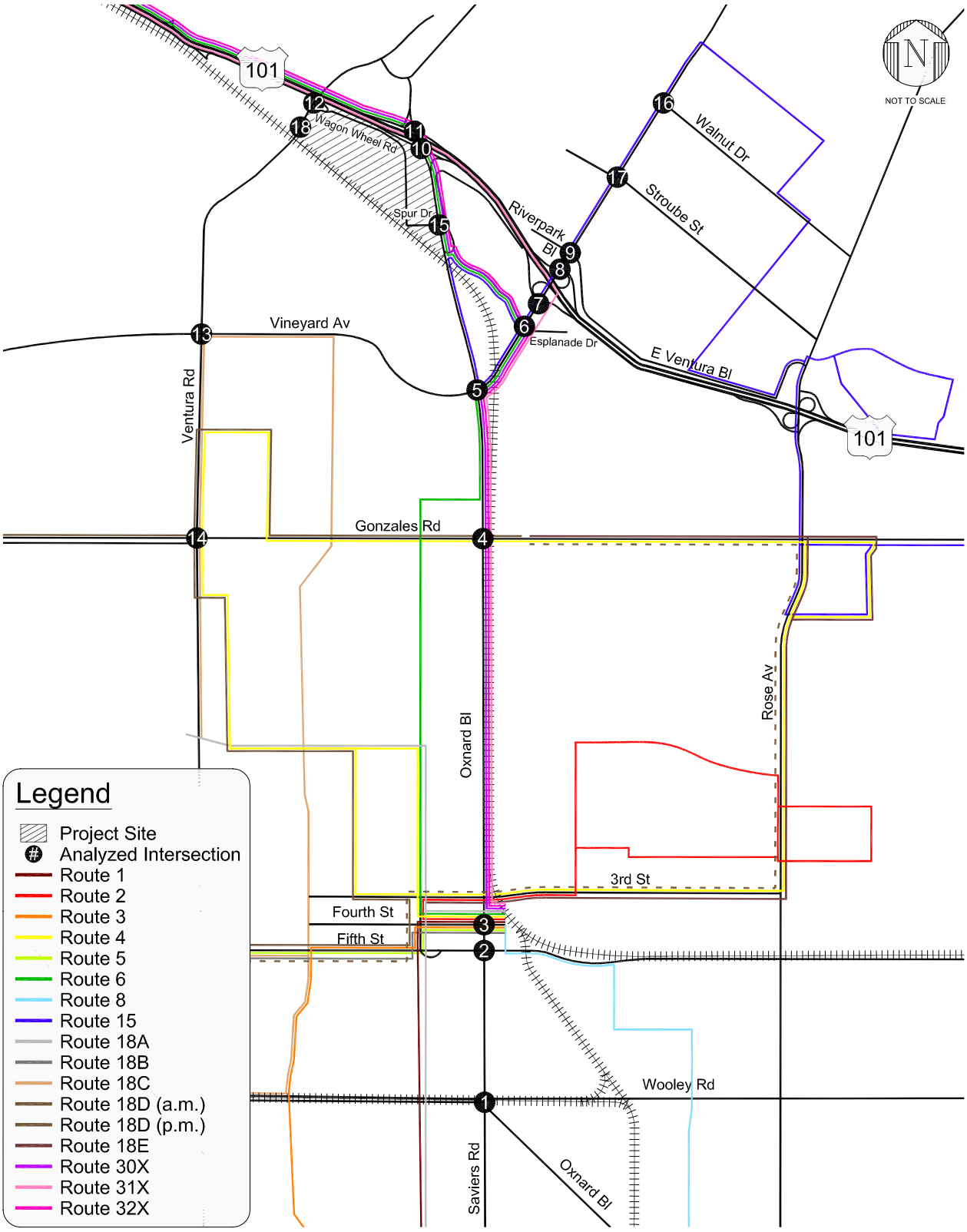
This section analyzes the proposed project's impacts to the local transportation and circulation system. The analysis is based upon a traffic study prepared for the proposed project by Fehr & Peers/Kaku Associates in May 2008. The traffic study is included in its entirety in Appendix F of this EIR.

4.13.1 Setting

a. Study Area. The project site is located in the northern portion of the City of Oxnard. The area containing the intersections and street segments analyzed in the traffic study is bounded generally on the west by Ventura Road; on the east by Oxnard Boulevard and by Vineyard Avenue further east; on the north by Highway 101 and by Walnut Drive further north; and on the south by Wooley Road.

Figure 4.13-1 depicts the study area, the locations of the analyzed intersections, the location of the project site, and transit lines serving the area. City of Oxnard Transportation Department staff identified the following 18 intersections in the vicinity of the proposed development for detailed analysis:

1. Oxnard Boulevard/Saviers Road/Wooley Road
2. Oxnard Boulevard/5th Street
3. Oxnard Boulevard/4th Street
4. Oxnard Boulevard/Gonzales Road
5. Oxnard Boulevard/Vineyard Avenue
6. Vineyard Avenue/Esplanade Drive
7. US 101 southbound off-ramps/Vineyard Avenue
8. US 101 northbound on-ramps/Vineyard Avenue
9. Vineyard Avenue/Riverpark Boulevard/Ventura Boulevard (previously Vineyard Avenue/Myrtle Street)
10. US 101 southbound off-ramps/Oxnard Boulevard
11. US 101 northbound off-ramps/Oxnard Boulevard
12. US 101 southbound off-ramps/Ventura Road (currently Wagon Wheel Road/Ventura Road)
13. Ventura Road/Vineyard Avenue
14. Ventura Road/Gonzales Road
15. Oxnard Boulevard/Main Street (currently Oxnard Boulevard/Spur Drive)
16. Vineyard Avenue/Walnut Drive
17. Vineyard Avenue/Stroube Street
18. Ventura Road/Main Street (currently Ventura Road/Shopping Center Driveway)



Source: Fehr & Peers / Kaku Associates, May 2008.

Study Area, Analyzed Intersections, and Transit Service

Figure 4.13-1

b. Existing Street System. US 101 (Ventura Freeway) to the north and Oxnard Boulevard (SR 1) to the east provide primary regional access to the site. As illustrated in Figure 4.13-1, the project site is south of US 101 between Oxnard Boulevard and Ventura Road. For the purposes of this section of the EIR, Oxnard Boulevard, Ventura Road and Vineyard Avenue are designated as north-south streets; all other roadways are described as east-west streets. At the intersections where Vineyard Avenue crosses Oxnard Boulevard and Ventura Road, Vineyard Avenue is considered the east-west street.

Access to the project site from US 101 is via the on-/off-ramps at Oxnard Boulevard and Vineyard Avenue, as well as a southbound off-ramp at Ventura Road. Access to Oxnard Boulevard is available east of the project site via Main Street (currently Spur Drive). Main Street would run east/west through the project and also provide access to Ventura Road to the west. The following is a brief description of the major streets serving the project site:

- Ventura Road. Ventura Road is a four- to six-lane north-south arterial roadway that extends north from Port Hueneme Road to Forest Park Boulevard.

- Oxnard Boulevard. Oxnard Boulevard is a four- to six-lane divided arterial roadway extending south from US 101 to Rice Avenue. It serves as a major arterial for the City of Oxnard and is the principal intra-City route along the California coast.

- Vineyard Avenue. Vineyard Avenue is a four- to six-lane north-south arterial roadway that extends west from Oxnard Boulevard to Patterson Road and north from Oxnard Boulevard to Los Angeles Avenue (SR 118) in Ventura County.

- Gonzales Road. Gonzales Road is a four- to six-lane east-west roadway that serves the central and north-central portions of the City of Oxnard. Gonzales Road extends from Harbor Boulevard to Rice Avenue.

- 5th Street. 5th Street is a two- to four-lane arterial roadway that serves the central portion of Oxnard, including downtown and the Oxnard Airport. The roadway extends from Harbor Boulevard to the west to Pleasant Valley Road to the east.

- Wooley Road. Wooley Road is a four-lane arterial roadway that serves the south central portion of Oxnard. It extends from Harbor Boulevard to Rice Avenue.

Table 4.13-1 provides a description of each of these facilities and summarizes the physical characteristics of all key streets in the study area. Diagrams of the existing lane configurations at each of the 18 analyzed intersections are provided in Appendix A of the Traffic Report (Appendix F of the EIR).

c. Existing Conditions. Traffic volumes at the 18 study intersections were collected during the morning and afternoon peak hours, from 7:00 to 9:00 a.m. and from 4:00 to 6:00 p.m., respectively. The peak one-hour period for the morning and afternoon was found by identifying the four consecutive 15-minute periods with the highest traffic volumes. Traffic counts are provided in Appendix B of the Traffic Report (Appendix F of the EIR). The majority of the traffic volume counts were taken on typical weekdays in January 2008. Counts for

Table 4.13-1: Existing Surface Street Characteristics

Street	From	To	Number of Lanes		Median Type[1]	Parking Restrictions[2]		Speed Limit
			NB/EB	SB/WB		NB/EB	SB/WB	
Walnut Drive	Vineyard Ave	Rose Ave	1	1	DY	PA	PA	25
Stroube Street	Vineyard Ave	Rose Ave	1	1	DY	PA	PA	25
E Ventura Blvd	Vineyard Ave	Rose Ave	1	1	DY	NPAAT	NPAAT	40
Ventura Road	Wagon Wheel Rd[3]	Vineyard Ave	2	2	RM	NPAT	NPAT	40
	Vineyard Ave	Carmen Way	2	2	RM	NSAT	NSAT	40
	Carmen Way	Gonzales Rd	2	2	RM	PA	PA	40
	Gonzales Rd	Ivywood	3	3	RM	NSAT	NSAT	45
	Ivywood	Doris Ave	2	2	2LT	NSAT	NSAT	45
	Doris Ave	2nd St	2	2	DY	NSAT	NSAT	45
	2nd St	5th St	3	2	RM	NSAT	NSAT	45
	5th St	9th St	3	3	RM	NSAT	NSAT	45
	9th St	Wooley Rd	3	2	RM	NSAT	NSAT	45
Oxnard Blvd	Wooley Rd	Robert Ave	2	2	RM	NPAT	NPAT	30
	Robert Ave	Gonzales Rd	2	2	RM	NPAT	NPAT	45
	Gonzales Rd	Vineyard Ave	3	3	RM	NPAT	NPAT	45
	Vineyard Ave	Esplanade Dr	3	3	RM	NPAT	NPAT	50
	Esplanade Dr	Town Center Dr	2	2	RM	NPAT	NPAT	50
Vineyard Avenue	Forest Park Blvd	Stroube St	2	2	2LT	PA	NSAT	50
	Stroube St	Riverpark Blvd	2	2	DY	PA	PA	35
	Myrtle St	Esplanade Dr	3	3	DY	NSAT	NSAT	35
	Esplanade Dr	Oxnard Blvd	3	3	RM	NSAT	NSAT	35
	Oxnard Blvd	H St	2	2	RM	PA	PA	40
	H St	Ventura Rd	2	2	RM	NSAT	NSAT	40
	Ventura Rd	Town Center Dr	2	2	RM	PA	PA	40
Gonzales Road	West end	Oxnard Blvd	2	2	RM	NPAT	NPAT	45
	Oxnard Blvd	Entrada Dr	2	3	RM	NPAT	NPAT	45
	Entrada Dr	Rose Ave	3	3	RM	NPAT	NPAT	45
5th Street	Rose Ave	Pacific Ave	1	1	DY	NPAT	NPAT	35
	Pacific Ave	Diaz Ave	1	1	DY	PA	PA	35
	Diaz Ave	Oxnard Blvd	2	2	DY	PA	PA	35
	Oxnard Blvd	C St	1	1	2LT	PA	PA	25
	C St	H St	1	1	DY	PA	PA	35
	H St	K St	2	2	RM	PA	PA	35
	K St	Ventura Rd	2	2	RM	NPAT	PA	35
Wooley Road	Ventura Rd	G St	2	2	RM	PA	NPAT	40
	G St	C St	2	2	RM	NPAT	PA	40
	C St	Oxnard Blvd	2	2	RM	NPAT	NPAT	40

Source: Fehr & Peers/Kaku Associates, May 2008
Notes:
1. *Median Type (DY-Double Yellow Centerline; SDY-Single Dashed Yellow Centerline; 2LT-Dual Left-Turn Lane; RM-Raised Median; UD-Undivided Lane)*
2. *Parking (PA-Parking Allowed; NSAT-No Stopping Anytime; NPAT - No Parking Allowed)*

intersections 1, 5, 6, and 14 were obtained from the City of Oxnard from counts taken on typical weekdays in September 2007. These weekday traffic volumes, which are illustrated in Figure 4.13-2, represent the existing conditions for the purposes of this analysis.

Traffic Operations Analysis Methodology. Level of service (LOS) is a qualitative measure used to describe the condition of traffic flow, ranging from excellent conditions at LOS A to overloaded conditions at LOS F. The level of service standard for the City of Oxnard is LOS C where it is "environmentally feasible." The analysis contained in the traffic study was undertaken using the traffic impact assessment requirements set forth by the City of Oxnard

Level of service ranges for signalized intersections can be found in Table 4.13-2.

Table 4.13-2: Signalized and Unsignalized LOS Criteria

Signalized Intersections	
LOS	**V/C Ratio**
A	≤ 0.60
B	> 0.60 to ≤ 0.70
C	> 0.70 to ≤ 0.80
D	> 0.80 to ≤ 0.90
E	> 0.90 to ≤ 1.00
F	> 1.00
Unsignalized Intersections	
LOS	**Delay (Seconds)**
A	≤ 10.0
B	> 10.0 to ≤ 15.0
C	> 15.0 to ≤ 25.0
D	> 25.0 to ≤ 35.0
E	> 35.0 to ≤ 50.0
F	> 50.0

Notes: V/C = vehicle-to-capacity

Levels of service for the study area intersections were calculated using the Intersection Capacity Utilization (ICU) methodology as required by the City of Oxnard and the Ventura County CMP. The following guidelines are provided for calculating ICU in the City of Oxnard and Ventura County:

- Phasing/Split Phasing. Shared left/through lanes will be treated as split phased.
- Right-Turn Overlap. The overlapping left-turn volume will be subtracted from the right-turn volume and then compared to the through volume to determine the critical move.
- LOS Threshold. LOS will be calculated to two decimal points.
- Intersection Proximity. Each intersection will be analyzed separately.
- Multiple Left-Turn Lanes. Assume uniform lane distribution.
- Saturation Flow Rate. 1,850 vehicles per lane per hour with an adjustment factor of 14%-15% (the adjustment factor represents a combination of start-up delay, unequal

lane distribution, and lost time during clearance. Application of this factor effectively reduces the saturation flow rate to approximately 1,600 vehicles per lane per hour).

Existing Levels of Service. The traffic volumes presented in Figure 4.13-2 were analyzed using the ICU analysis methodology described above to determine current operating conditions at the study intersections. At signalized intersections, the calculation is expressed in a vehicle-to-capacity (V/C) ratio for critical movements where the volumes at the intersection were compared to the actual capacity of the intersection.

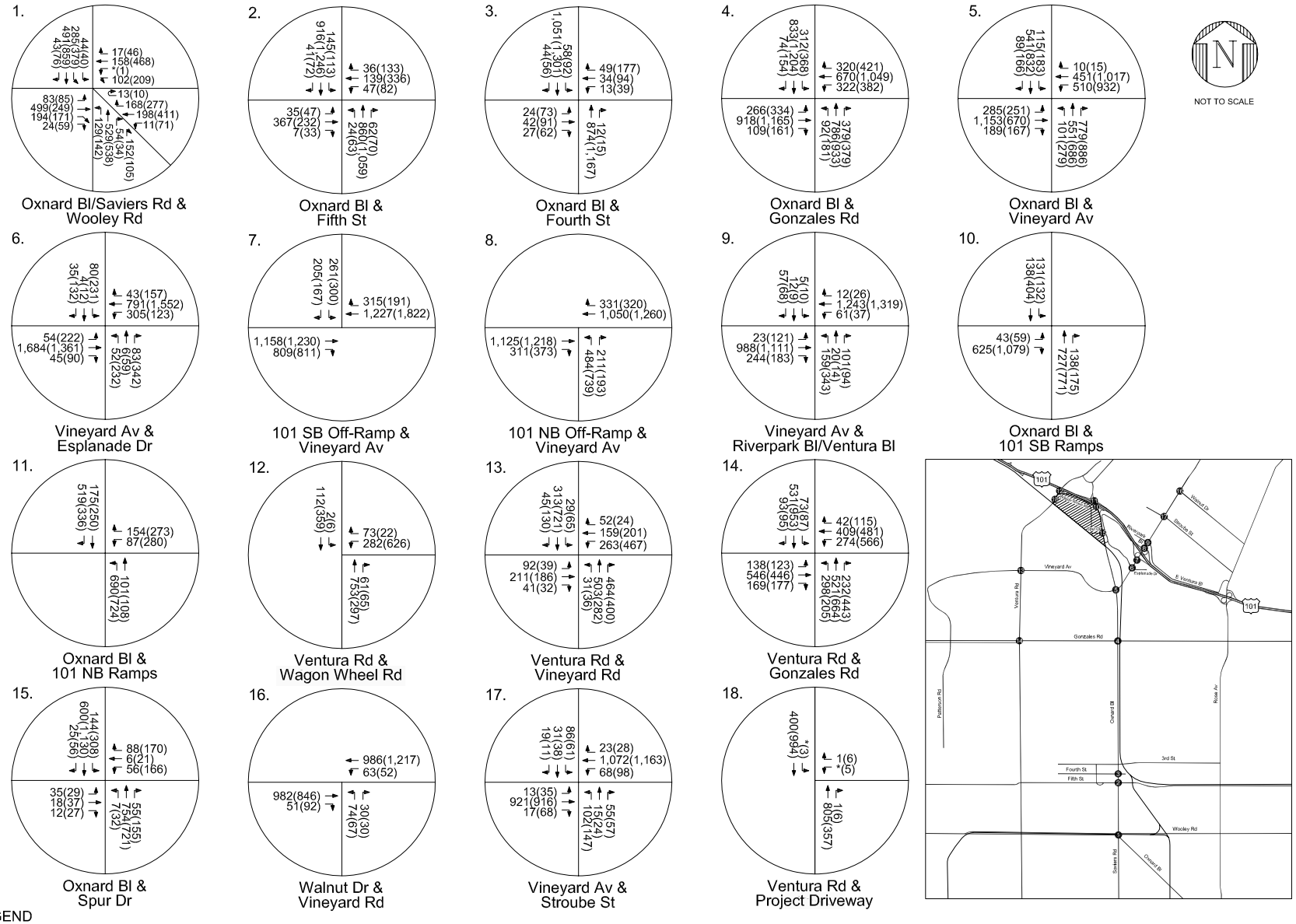
Table 4.13-3 summarizes the results of this analysis indicating the existing morning and evening peak hour V/C ratio and corresponding LOS at each of the analyzed intersections. Appendix C of the traffic study contains the LOS worksheets. One intersection operates at LOS D during the PM peak hour. This is below the acceptable LOS criteria for the City of Oxnard. The remaining 17 study intersections operate at LOS C or better under existing peak hour traffic conditions.

Existing Transit Service. The hub for bus and rail transportation in Oxnard is the Oxnard Transportation Center (OTC) at 4th Street and Oxnard Boulevard, which is approximately 2.5 miles south of the project site. As shown in Figure 4.13-1, four bus routes provide service around the project site and eight bus routes provide service in the study area. In additions two regional rail routes serve Oxnard. The Oxnard transit lines are described below and consist of Gold Coast Transit (GCT) routes, a Metrolink line, and an Amtrak line:

- GCT Route 6: Oxnard-Ventura/Main Street. Route 6 provides service between the OTC and Ventura. The route uses Oxnard Boulevard and Esplanade Drive in the vicinity of the project site and would provide direct transit access to the proposed project via Spur Drive. Route 6 provides two slightly varying routes: 6A and 6B. Each route provides 40-minute headways throughout the day. More limited service is provided on Saturday and Sunday.
- GCT Route 15: El Rio/Northeast. Route 15 provides service between transfer stations at Vineyard Avenue/Esplanade Drive through El Rio to Neyland Acres in northeast Oxnard. The route uses Vineyard Avenue, Esplanade Drive and Oxnard Boulevard in the vicinity of the project site. The route operates on approximately 40-minute headways throughout the day daily.
- GCT Route 30X: OTC-VTC Express. Route 30X provides service between the Ventura Transfer Center near the Pacific View Mall and the OTC. The route uses Oxnard Blvd and US 101 with stops along Esplanade Drive, providing access near the proposed project. The route operates three trips in the morning and four trips in the afternoon Monday through Friday with limited stops.
- GTC Route 32X: OTC-Ojai Express. Route 32X provides service between Ojai Park & Ride and the OTC (an alternative northern path to route 31X). The route travels along Oxnard Boulevard and Vineyard Avenue in the study area with stops along Esplanade Drive providing access near the proposed project. The route operates one trip in the morning and one trip in the afternoon Monday through Friday with limited stops.

- GCT Route 1: Port Hueneme. Route 1 is a north-south route that travels from the OTC to Port Hueneme Monday through Friday. The route travels along C Street in the study area and provides service in both clockwise (Route 1A) and counter-clockwise (Route 1B) directions. Each service direction provides headways of 40 minutes throughout the day. The route runs Monday through Friday
- GCT Route 2: Colonia. Route 2 is an east-west route that travels from the OTC through the eastern neighborhoods of Oxnard. The route travels in the clockwise direction through the neighborhoods and provides daily service with 40-minute headways throughout the day.
- GCT Route 3: Southside. Route 3 is a north-south route that travels from the OTC through the southern neighborhoods of Oxnard, including the Centerpoint Mall. The route travels in a clockwise direction through the neighborhoods providing daily service with 40 minute headways throughout the day.
- GCT Route 4: North Oxnard. Route 4 is primarily an east-west route that travels in a loop from the OTC through the northern neighborhoods of Oxnard, including stops at St. Johns Regional Medical Center, Monday through Friday. The route travels along Ventura Road and Gonzales Road in the study area and provides service in both clockwise (Route 4A) and counter-clockwise (Route 4B) directions. Route 4A provides 40-minute headways while Route 4B provides approximately 50-minute headways throughout the day.
- GCT Route 5: Parkwest. Route 5 is an east-west route that travels from the OTC through the southwestern neighborhoods of Oxnard. The route travels in a clockwise direction with 40-minute headways throughout the day Monday through Friday. More limited service is provided on Saturday.
- GCT Route 8: Oxnard College. Route 8 provides service between the OTC and the C Street Transfer Center at Centerpoint Mall via Oxnard College. The route provides service through the neighborhoods in southeast Oxnard with 40-minute headways throughout the day Monday through Friday. More limited service is provided on Saturday and Sunday.

  GCT Route 18: Northside Parkwest Tripper. Route 18 provides service to Oxnard High School, Pacifica High School, and Ventura High School. Routes 18A-C provides service to Oxnard High School through the study area. Routes 18D-E provide service to Pacifica High School through the study area. Route 18F provides service to Ventura High School north of the study area. Each route operates once in the morning and once in the afternoon.



LEGEND

#(#) - A.M.(P.M.) Peak Hour Traffic Volume
* - Negligible Volume

Source: Fehr & Peers / Kaku Associates, May 2008.

Existing Peak Hour Traffic Volumes

Figure 4.13-2

City of Oxnard

Table 4.13-3: Existing Levels of Service

Intersection	Control	Peak Hour	ICU	LOS
1. Oxnard Blvd/Saviers Rd & Wooley Rd	Signal	A.M. P.M.	0.73 *0.90*	C *D*
2. Oxnard Blvd & 5th Street	Signal	A.M. P.M.	0.53 0.71	A C
3. Oxnard Blvd & 4th Street	Signal	A.M. P.M.	0.43 0.54	A A
4. Oxnard Blvd & Gonzales Rd	Signal	A.M. P.M.	0.60 0.64	A B
5. Oxnard Blvd & Vineyard Ave	Signal	A.M. P.M.	*0.82* *0.95*	*D* *E*
6. Vineyard Ave & Esplanade Drive	Signal	A.M. P.M.	0.59 0.70	A B
7. 101 SB Off-Ramp & Vineyard Ave	Signal	A.M. P.M.	0.57 0.61	A B
8. 101 NB On-Ramp & Vineyard Ave	Signal	A.M. P.M.	0.50 0.65	A B
9. Vineyard Ave & Myrtle Street	Signal	A.M. P.M.	0.51 0.69	A B
10. 101 SB Off-Ramp & Oxnard Blvd[1]	Signal	A.M. P.M.	0.06 0.13	A A
11. 101 NB Off-Ramp & Oxnard Blvd[1]	Signal	A.M. P.M.	0.12 0.19	A A
12. 101 SB Off-Ramp & Ventura Rd	N/A	N/A	N/A	N/A
13. Ventura Rd & Vineyard Rd	Signal	A.M. P.M.	0.25 0.37	A A
14. Ventura Rd & Gonzales Rd	Signal	A.M. P.M.	0.48 0.56	A A
15. Oxnard Blvd & Spur Drive	Signal	A.M. P.M.	0.28 0.48	A A
16. Vineyard Ave & Walnut Drive	Signal	A.M. P.M.	0.39 0.42	A A
17. Vineyard Ave & Stroube Street	Signal	A.M. P.M.	0.47 0.46	A A
18. Ventura Rd & Village Parkway	N/A	N/A	N/A	N/A

Notes

Italic. Intersection does not meet City of Oxnard LOS C standard, but meets CMP LOS E standard.
BOLD. Intersection does not meet LOS E CMP standard.
1. This interchange has been under construction for the past few years, including the period during which the counts were taken. The decrease in volumes from construction as well as the increased capacity account for the low ICU.

- GCT Route 31X: Ojai-Government Center/OTC Express. Route 31X provides service between Ojai Park & Ride and the OTC. The route travels along Oxnard Boulevard and Vineyard Avenue in the study area. The route operates one trip in the morning and one trip in the afternoon with limited stops Monday through Friday.

- Metrolink Ventura County Line. The Metrolink Ventura County Line travels from Ventura County to Union Station in downtown Los Angeles. This line travels to Oxnard, Simi Valley, Northridge, Van Nuys and Glendale and with a stop at Bob Hope Airport. The station in Oxnard is at the OTC.

- Amtrak Pacific Surfliner Line. The Amtrak Pacific Surfliner provides rail service along the Pacific coast of Southern California between Paso Robles and San Diego. The route mirrors the route taken by the Metrolink Ventura County line between Oxnard and Los Angles. The station in Oxnard is at the OTC.

Parking. Parking for the existing site uses is provided in on-site surface parking lots and via curbside parking on several of the site's existing streets. No known parking deficiencies exist at the site.

d. Future Year without Project Conditions. In order to evaluate the potential impact of the proposed project on the local street system, it was necessary to develop estimates of future traffic conditions both with and without the project. The study, which analyzes potential project-generated traffic impacts on the adjacent street system, expects that the project will be completed by 2014. The analysis of future year traffic forecasts is based on projected conditions in 2014 both with and without the addition of the project traffic. Future traffic volumes without the project were first estimated, representing the existing plus pending project (2014) conditions. The traffic generated by the proposed project was then estimated and separately assigned to the surrounding street system. The sum of the cumulative base and project-generated traffic represents existing plus pending plus project (2014) conditions.

Future Transportation Improvements. The proposed transportation system changes projected to occur between now and 2014 were included in the existing plus pending traffic network. The improvements are listed in detail below:

- Oxnard Boulevard & Saviers Road & Wooley Road. A striping modification to the eastbound approach of Wooley Road will be made to change the lane geometry from left, through, shared through/right, to shared through/left, through, right.

- Oxnard Boulevard & Gonzales Road. A third eastbound through lane will be added to Gonzales Road by converting the dedicated right-turn lane into a shared through/right lane. A third receiving lane will be added to the east side of the intersection. The existing bicycle lane will be not be altered by this change to the intersection.

- Vineyard Avenue & Riverpark Boulevard & Ventura Boulevard. Southeast-bound Riverpark Boulevard will be expanded from one lane to three lanes. The laneage will be one shared through/left lane and two right-turn lanes. A second left-turn lane will be added to northeast-bound Vineyard Avenue. In addition, the southwest-bound right

lane on Vineyard Avenue will be converted to a shared through/right lane. An additional receiving lane will be added to Vineyard Avenue south of Riverpark Boulevard & Ventura Boulevard to accommodate the additional through lane.

- US 101 Northbound Off-Ramp & Oxnard Boulevard. The right turn from the US 101 northbound off-ramp will be converted to a free flow/channelized movement.

- Vineyard Avenue & Stroube Street. A third through lane will be added to southwest bound Vineyard Avenue. An additional receiving lane will be added to Vineyard Avenue south of Stroube Street to accommodate the additional through lane.

- Ventura Road & Vineyard Avenue. An additional southbound through lane will be added to Ventura Road resulting in one left lane, two through lanes, and a through/right lane.

Existing Plus Pending Traffic Projections. The existing plus pending traffic projections reflect growth in traffic from two primary sources: background or ambient growth in the existing traffic volumes to reflect the effects of overall regional growth both in and outside of the study area, and traffic generated by specific projects in, or in the vicinity of, the study area. These factors are described below.

Pending Project Traffic Generation and Assignment. Part of background traffic growth is the traffic generated by related or pending projects. Pending projects or cumulative projects are planned developments to be completed in the same timeframe as the proposed project. Pending projects are taken into account in terms of the extent of growth, location of growth, and origins/destinations of trips. Table 3-1 in Section 3.0 *Environmental Setting* lists planned and pending projects in the City of Oxnard known at the time of the commencement of this environmental review process.

Given the large study area for the proposed project as well as a six-year completion horizon, information on cumulative projects was collected from the City of Oxnard, Ventura County, and the City of Ventura. A four-mile radius was selected as the boundary for pending project inclusion in the study. A total of 69 related projects were identified within the City of Oxnard. In addition, one project in unincorporated Ventura County was identified that affects the study area. Due to the distance from the project site and lack of connectivity on local roadways between the Cities of Oxnard and Ventura, no City of Ventura projects were identified as having an impact on the study area. The locations of related projects included in the study are illustrated in Figure 5 of the traffic study found in Appendix F.

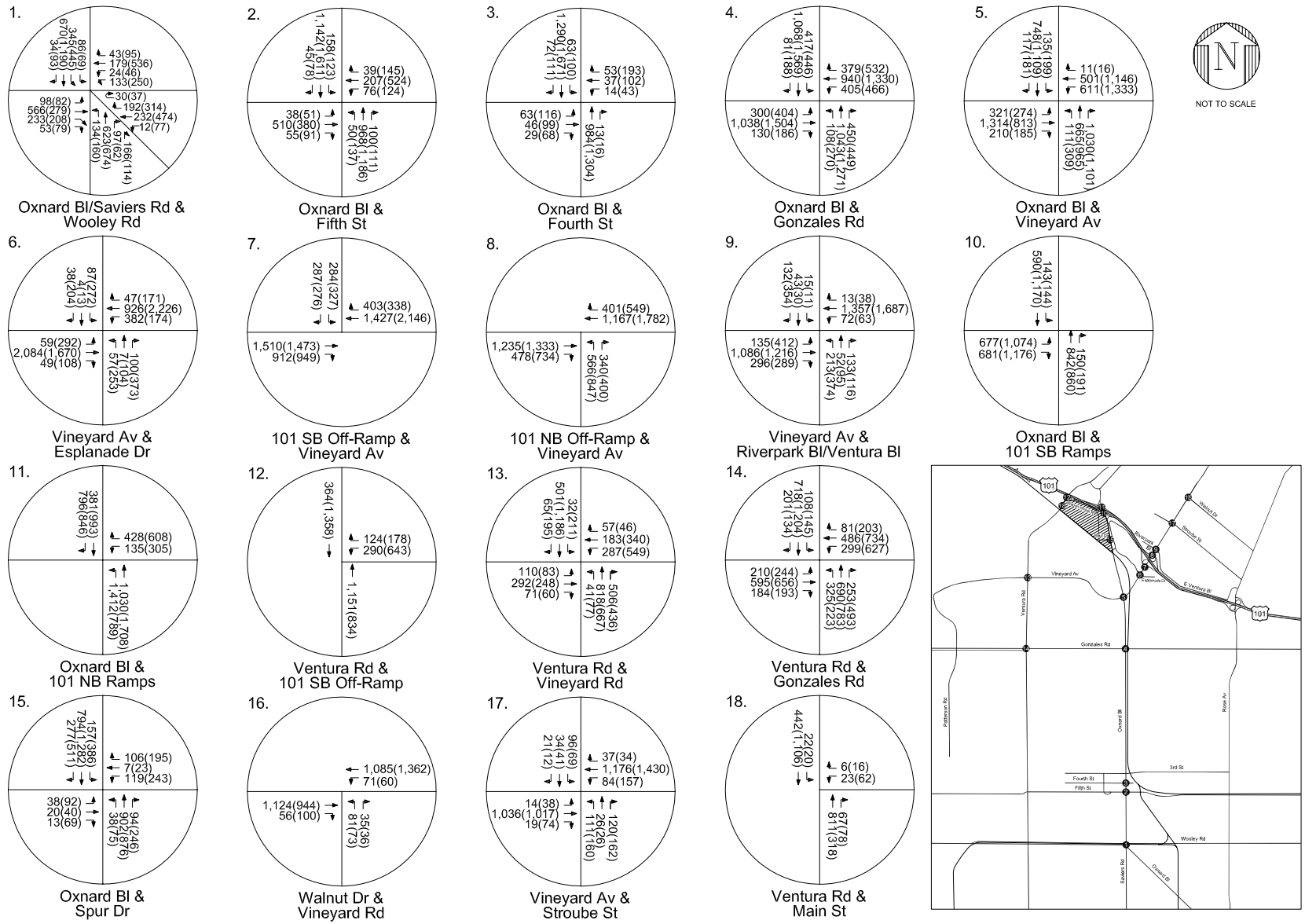
Trip generation estimates for each of the pending projects were developed. For most of the projects, *Trip Generation, 7th Edition* (Institute of Transportation Engineers (ITE), 2003) was used to determine trip generation rates. The number of trips generated by the RiverPark project was taken directly from Traffic Analysis for the RiverPark Specific Plan Development (Crain & Associates, 2001). Combined, the pending projects from the City of Oxnard and Ventura County are estimated to generate approximately 125,701 daily vehicles trips, of which approximately 7,921 vehicles per hour (vph) will occur during the morning peak hour and approximately 12,842 vph during the evening peak hour.

The geographic distribution of the traffic generated by the cumulative projects is dependent on several factors. These factors include the type and density of the proposed land uses, the geographic distribution of population from which the employees and potential patrons of the proposed developments are drawn, and the location of the projects in relation to the surrounding street system. The trip generation estimates were assigned to the local street system using the trip distribution factors described above. The trip distribution for the RiverPark project is consistent with the distribution used in the Traffic Analysis for the RiverPark Specific Plan Development.

Areawide Traffic Growth. The City of Oxnard staff indicates that traffic volumes in the vicinity of the study area have increased at a rate of 1.5% per year. Future increases in background traffic volumes due to regional growth and development are expected to continue at this rate, at least through the year 2014. With the assumed completion date of 2014, the 2008 traffic volumes were adjusted upward by 9% to reflect area wide regional growth in addition to the planned developments in the vicinity of the study area. The forecasted volumes, illustrated in Figure 4.13-3, represent for the purposes of this analysis the existing plus pending projects (2014) conditions.

e. Regulatory Setting. The City of Oxnard requires payment of a Traffic Impact fee for new development based on the traffic increases resulting from each project. The funds accumulated by the City through assessment of these fees are earmarked for improvements to the City's transportation network, including arterial roads and intersections.

The County of Ventura also administers a traffic impact mitigation fee program to address the cumulative adverse impacts of development on the County's road network. Because the City of Oxnard currently has a reciprocal agreement with the County, the project would be required to pay a County fee to mitigate for project related contributions to the regional road network.



LEGEND

#(#) - A.M.(P.M.) Peak Hour Traffic Volume

2014 Existing + Pending Projects Peak Hour Traffic Volumes

Source: Fehr & Peers / Kaku Associates, May 2008.

Figure 4.13-3

City of Oxnard

4.13.2 Impact Analysis

a. Methodology and Significance Thresholds.

Study Methodology. The first step in analyzing future traffic conditions with the proposed project is to estimate trip generation from the project. The development of traffic generation estimates for the proposed project involves the use of the three-step process similar to that discussed above for the cumulative projects.

Trip generation rates from *Trip Generation, 7th Edition* (Institute of Transportation Engineers [ITE], 2003) were used to develop trip generation estimates for the proposed project. The results are summarized in Table 4.13-4. The proposed project would generate approximately 6,816 net daily vehicle trips: 439 and 462 net vehicle trips in the a.m. and p.m. peak hours, respectively. Because the proposed project site contains existing uses, vehicles traveling to and from the existing site are already accounted for on the existing roadway network. The existing land uses will be removed prior to construction of the proposed project. As such, the vehicle trips associated with the existing land uses should be removed from the total proposed project trips. This reduction would eliminate double counting of the net new vehicles expected on the roadway.

The only internal trip reductions assumed for the proposed development were live/work trip credits for the live/work spaces. The live/work trip credits assumed that 50 percent of morning and 35 percent of afternoon trips are home-to-work trips and that 50 percent of those trips would be internal to the site. The minimal internal trip reductions resulted in a conservative estimate of the number of trips accessing the project site through the three access points.

The geographic distribution of the traffic generated by the proposed project depends on several factors, including the type and density of the proposed land uses, the geographic distribution of population from which the employees and potential patrons of the proposed development are drawn, and the location of the project in relation to the surrounding street system.

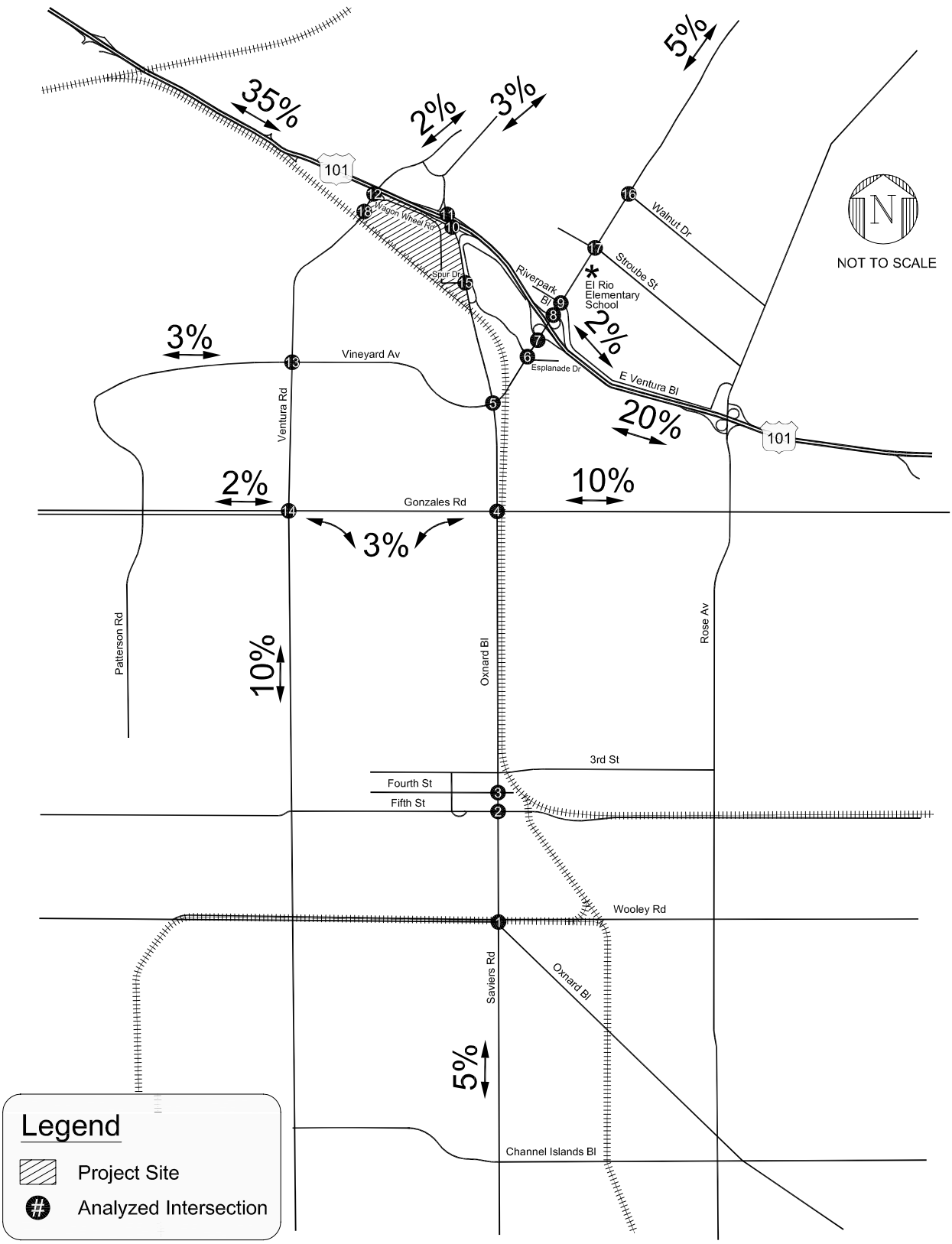
The City's Travel Demand Model transportation model was used to develop the project trip distribution. The City continuously refines the model to include the latest constructed developments and street network improvements in the City of Oxnard in an effort to maintain the accuracy of the model's trip assignments. The distribution pattern for this project is illustrated in Figure 4.13-4. The traffic expected to be generated by the proposed project was assigned to the street network using the distribution pattern shown in Figure 4.13-4. Figure 4.13-5 illustrates the assignment of the net total of trips associated with the proposed development to the study intersections under weekday conditions. The project-generated traffic volumes from Figure 4.13-5 were added to the 2014 existing plus pending projects traffic volumes illustrated in Figure 4.13-3 to develop 2014 existing plus pending plus project peak hour traffic volumes, as shown in Figure 4.13-6.

Table 4.13-4: Project Trip Generation Estimates

PROPOSED USES - TRIP GENERATION ESTIMATES									
			Daily	A.M. Peak Hour			P.M. Peak Hour		
Proposed Use	**ITE #**	**Size**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Residential Condominiums	230	1,374 Du	7,310	99	461	560	429	224	653
Residential Apartments	220	112 Du	753	11	46	57	45	24	69
Live Work:									
Residential Space	230	14 Du	82	1	5	6	5	2	7
Less Live-Work Credit				*	*(1)*	*(1)*	*(1)*	*	*(1)*
Work Space	710	4k sf	44	5	1	6	1	5	6
Less Live-Work Credit				*(1)*	*	*(1)*	*	*(1)*	*(1)*
Retail Space	820	46.4k sf	1,992	29	19	48	84	90	174
Parks & Recreation Center	SANDAG[3]	3 acres	150	*	*	*	*	*	*
Subtotal			**10,331**	**166**	**566**	**732**	**574**	**341**	**915**
ACTIVE EXISTING USES TO BE REMOVED - TRIP GENERATION ESTIMATES									
			Daily	A.M. Peak Hour			P.M. Peak Hour		
Existing Use	**ITE #**	**Size**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Mobile Homes	240	169 Du	843	15	59	74	62	38	100
Bowling Alley[2]	437	32 lanes	1,067	*	*	*	73	40	113
Used Car Dealer	841	1.6k sf	53	2	1	3	2	2	4
Church	560	17.3k sf	158	6	6	12	6	5	11
Ice Skating Rink	465	66.6k sf	n/a	*	*	*	71	86	157
Warehousing	188	81.9k sf	406	30	7	37	10	28	38
Adult Day Care Center[4]	565	45.0 emp	633	59	52	111	*	*	*
Pet Boarding		1.0k sf	TBC	Trip generation estimated to be minimal					
Specialty Retail	814	8.0k sf	355	n/a	n/a	n/a	10	12	22
Subtotal			**3,515**	**112**	**125**	**237**	**234**	**211**	**445**
Net Trip Increase (decrease)			***6,816***	***33***	***406***	***439***	***329***	***133***	***462***

Sources: Trips Generation, 7th Edition, Institute of Transportation Engineers, 2003 unless otherwise noted.
Notes:

1. *Residential condominiums include townhouses, condominiums, and tower units.*
2. *Low sample size in ITE. May be overstating. Called Wagon Wheel Bowl – Hours: noon to 11 p.m., Leagues start at 6 p.m. (switched ITE inbound/outbound percentages to account for majority of trips being inbound during p.m. peak*
3. *San Diego Association of Governments Trip Generation Manual, May 2003.*
4. *Adult Day Care – Based on child care ITE rate. Interviewed an employee during site visit who indicated 33 staff and 12 volunteers and closing time of 4:30 p.m. Trips reduced by 50% base on discussions with the City of Oxnard staff, day care center staff, and the different modes of arrival for the staff and patrons.*

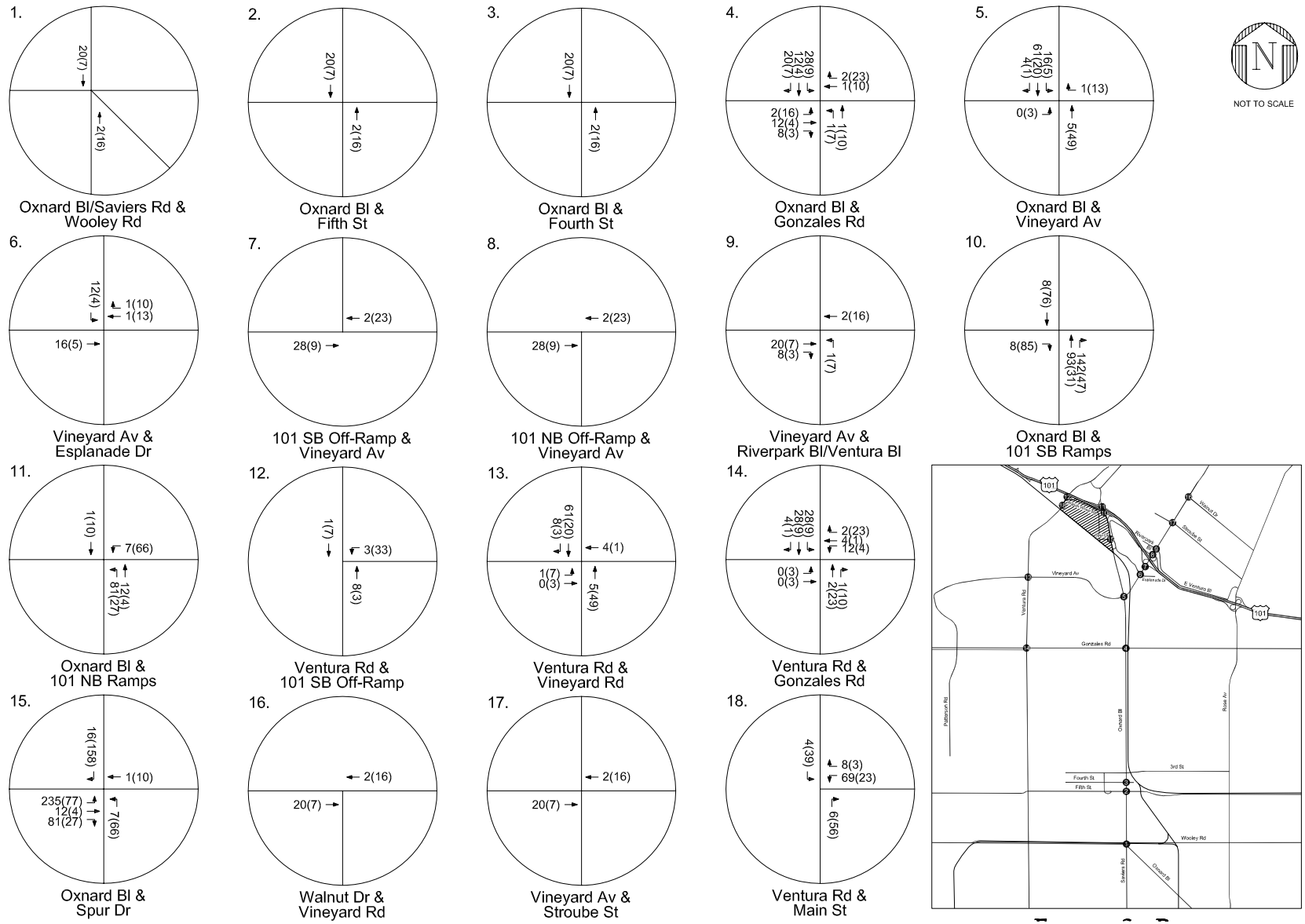


Source: Fehr & Peers / Kaku Associates, May 2008.

Project Trip Distribution

Figure 4.13-4

City of Oxnard



LEGEND

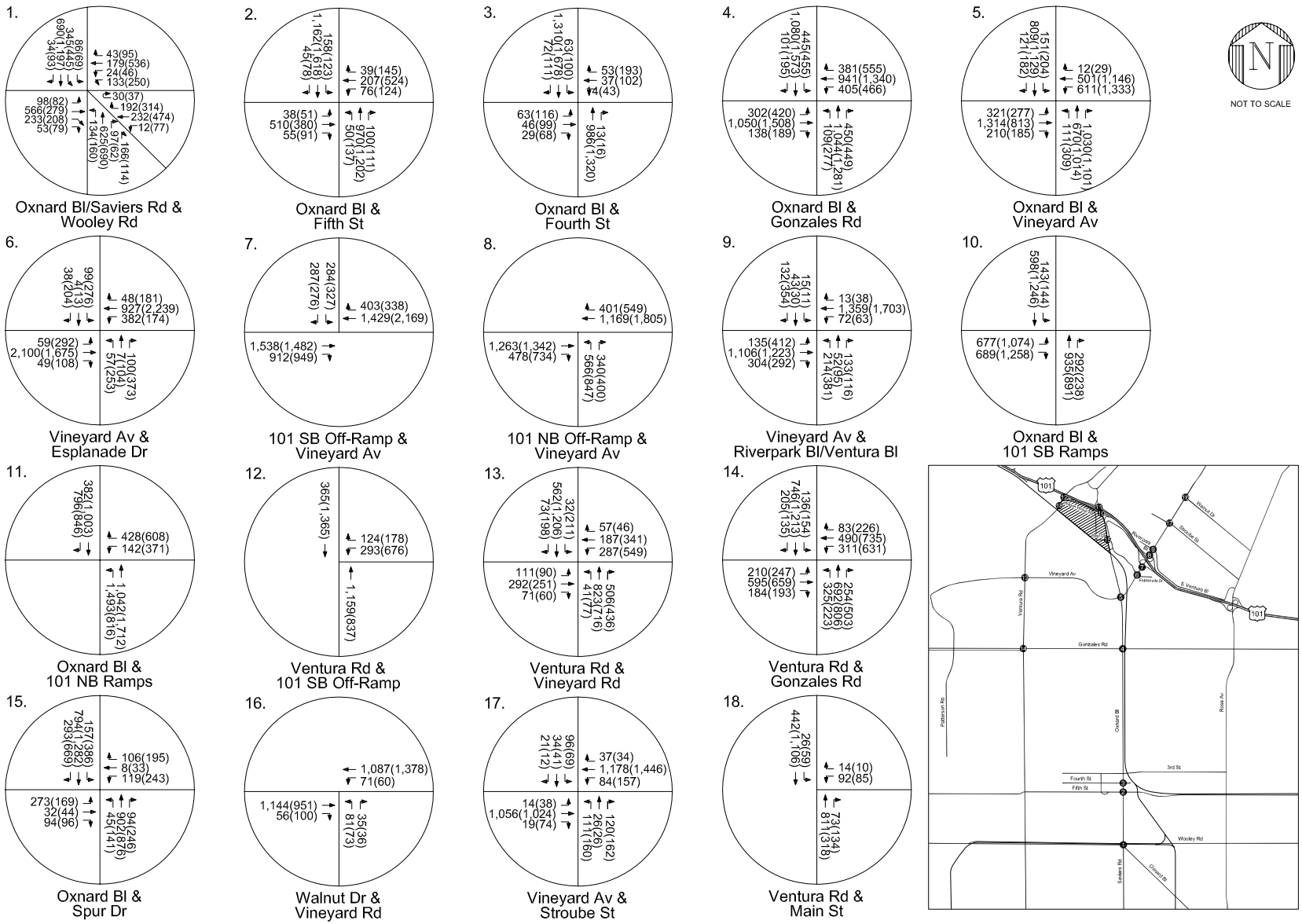
#(#) - A.M.(P.M.) Peak Hour Traffic Volume

Source: Fehr & Peers / Kaku Associates, May 2008.

Project Only Peak Hour Traffic Volumes

Figure 4.13-5

City of Oxnard



LEGEND

#(#) - A.M.(P.M.) Peak Hour Traffic Volume

2014 Existing + Pending + Projects Peak Hour Traffic Volumes

Source: Fehr & Peers / Kaku Associates, May 2008.

Figure 4.13-6

City of Oxnard

Threshold of Significance. According to the City of Oxnard's impact criteria, a list of intersections where the project will worsen the V/C numeric values by 0.02 or more shall be included in all traffic studies. The list must also include intersections that operate at an LOS C or worse under background traffic conditions. Intersections that operate at an LOS A or B with and without the project do not need to be included in the list. For intersections with a V/C increase of 0.02 to 0.39, a list of improvements to mitigate the impact must also be presented. However the City will determine how much participation is necessary from the project developer to mitigate these intersections. If the project will worsen the V/C numeric value by 0.04 or more, the project developer will be responsible for all mitigation measures at the intersection. The mitigation measures should be sufficient to improve the intersection operations to the V/C level identified without the project.

For the purposes of a CMP traffic impact analysis, a project impact is considered to be significant if the proposed project increases traffic demand on a CMP facility by 2% of capacity (V/C > 0.02), causing or worsening LOS F (V/C > 1.00). Under these criteria, a project would not be considered to have a regionally significant impact if the analyzed facility is operating at LOS E or better after the addition of project traffic, regardless of the increase in V/C ratio caused by the project. If the facility is operating at LOS F with project traffic and the incremental change in the V/C ratio caused by the project is 0.02 or greater, the project would be considered to have a significant impact.

b. Project and Cumulative Impacts and Mitigation Measures.

Impact T-1 **Project-generated traffic, in combination with cumulative traffic growth, would result in a significant impact at four of the 18 study area intersections based on City of Oxnard significance criteria: Oxnard Boulevard/Vineyard Avenue; Oxnard Boulevard/US 101 Southbound Ramps; Oxnard Boulevard/US 101 Northbound Ramps; and Oxnard Boulevard/Main Street. However, mitigation is available for those impacts in the form of lane reconfigurations. Therefore, the project and cumulative impacts at those locations would be Class II, *significant but mitigable*.**

The traffic impact analysis compared the projected levels of service at each study intersection under the existing plus pending and existing plus pending plus project conditions to estimate the incremental increase in the V/C ratio caused by the proposed project. This provided the information needed to assess the potential impact of the project using significance criteria established by the City of Oxnard.

The year 2014 cumulative base peak hour traffic volumes, without project generated trips, were analyzed to determine the projected V/C ratio and LOS for each of the analyzed intersections. Table 4.13-5 summarizes the future levels of service. As indicated in Table 4.13-5, without the addition of project generated trips, one intersection is projected to operate at LOS F, and six intersections are projected to operate at LOS D or E either in the p.m. peak hours, none of the intersections operate below the threshold during the a.m. peak hour. The remaining 11 intersections would perform at LOS C or better. The intersections projected to operate at poor

levels of service D, E or F under future year 2014 cumulative base conditions during the p.m. peak periods include:

- Oxnard Boulevard/Saviers Road and Wooley Road
- Oxnard Boulevard and 5th Street
- Oxnard Boulevard and Gonzales Road
- Oxnard Boulevard and Vineyard Avenue
- Vineyard Avenue and Esplanade Drive
- US 101 northbound ramps and Vineyard Avenue
- Ventura Road and Gonzales Road

Five of the remaining intersections operate at LOS C during the p.m. peak hour and six intersections operate at LOS A or B during both peak hours under the 2014 existing plus pending projects conditions

The existing plus pending plus project peak hour traffic volumes illustrated in Figure 4.13-6 were analyzed to determine the projected future operating conditions with the addition of the proposed project traffic. The results of the project analysis presented in Table 4.13-5 indicate that one intersection is projected to operate at LOS F during at least one of the analyzed peak hours. An additional seven intersections are expected to operate at LOS D or E. The remaining 11 intersections are expected to operate at LOS C or better. The intersections projected to operate at levels of service D, E or F under future year 2014 existing plus pending plus project conditions during one or both of the analyzed peak periods include:

- Oxnard Boulevard/Saviers Road and Wooley Road
- Oxnard Boulevard and 5th Street
- Oxnard Boulevard and Gonzales Road
- Oxnard Boulevard and Vineyard Avenue
- Vineyard Avenue and Esplanade Drive
- US 101 northbound ramps and Vineyard Avenue
- Ventura Road and Gonzales Road
- Oxnard Boulevard and Main Street (Spur Drive)

The projected intersection levels of service in relation to the thresholds described above are presented in Table 4.13-5.

Table 4.13-5: 2013 Levels of Service

Intersection	Control	Peak Hour	2013 Existing + Pending Projects		2013 Existing + Pending + Project		Impact Analysis	
			V/C* or Delay	LOS	V/C* or Delay	LOS	Project increase in V/C	Impact
1. Oxnard Blvd/Saviers Rd & Wooley Rd	Signal	A.M.	0.78	C	0.79	C	0.01	No
		P.M.	**1.05**	**F**	**1.05**	**F**	0.00	No
2. Oxnard Blvd & 5th Street	Signal	A.M.	0.66	B	0.66	B	0.00	No
		P.M.	*0.97*	*E*	*0.98*	*E*	0.01	No
3. Oxnard Blvd & 4th Street	Signal	A.M.	0.49	A	0.49	A	0.00	No
		P.M.	0.72	C	0.72	C	0.00	No
4. Oxnard Blvd & Gonzales Rd	Signal	A.M.	0.72	C	0.73	C	0.01	No
		P.M.	*0.91*	*E*	*0.92*	*E*	0.01	No
5. Oxnard Blvd & Vineyard Ave	Signal	A.M.	0.68	B	0.69	B	0.01	No
		P.M.	*0.90*	*D*	0.92	*E*	0.02	**YES**
6. Vineyard Ave & Esplanade Drive	Signal	A.M.	0.61	B	0.62	B	0.01	No
		P.M.	*0.85*	*D*	*0.85*	*D*	0.00	No
7. 101 SB-Ramps & Vineyard Ave	Signal	A.M.	0.69	B	0.69	B	0.00	No
		P.M.	0.72	C	0.72	C	0.00	No
8. 101 NB-Ramps & Vineyard Ave	Signal	A.M.	0.58	A	0.58	A	0.00	No
		P.M.	0.82	D	0.83	D	0.01	No
9. Vineyard Ave &Riverpark Blvd	Signal	A.M.	0.45	A	0.46	A	0.01	No
		P.M.	0.68	B	0.69	B	0.01	No
10. 101 SB-Ramps & Oxnard Blvd	Signal	A.M.	0.40	A	0.40	A	0.00	No
		P.M.	0.70	C	0.73	C	0.03	**YES**
HCM Analysis**	Signal	P.M.	18 sec	B	19 sec	B	1 sec	No
11. 101 NB-Ramps & Oxnard Blvd	Signal	A.M.	0.59	A	0.62	B	0.03	No
		P.M.	0.73	C	0.77	C	*0.04*	**YES**
12. Ventura Rd & Wagon Wheel Rd	Signal	A.M.	0.45	A	0.45	A	0.00	No
		P.M.	0.63	B	0.64	B	0.01	No
13. Ventura Rd & Vineyard Rd	Signal	A.M.	0.49	A	0.49	A	0.00	No
		P.M.	0.61	B	0.63	B	0.02	No
14. Ventura Rd & Gonzales Rd	Signal	A.M.	0.70	B	0.71	C	0.01	No
		P.M.	*0.86*	*D*	*0.87*	*D*	0.01	No
15. Oxnard Blvd & Main St (Spur Dr)	Signal	A.M.	0.42	A	0.58	A	0.16	No
		P.M.	0.75	C	*0.89*	*D*	*0.14*	**YES**
16. Vineyard Ave & Walnut Drive	Signal	A.M.	0.49	A	0.49	A	0.00	No
		P.M.	0.43	A	0.43	A	0.00	No
17. Vineyard Ave & Stroube Street	Signal	A.M.	0.60	A	0.61	B	0.01	No
		P.M.	0.70	B	0.70	B	0.00	No
18. Ventura Rd & Main St (Village Pkwy Dr)	Signal	A.M.	0.21	A	026	A	0.05	No
		P.M.	0.39	A	0.40	A	0.01	No

Source: Fehr & Peers/Kaku Associates May 2008
Notes:
Italic – Intersection does not meet City of Oxnard LOS C standard, but meets CMP LOS E standard.
BOLD – Intersection does not meet LOS E CMP standard.
** V/C ratios based on ICU calculation procedures outlined in the Ventura County CMP*
*** HCM analysis conducted for P.M. peak at US 101 SB-Ramps/Oxnard Blvd to capture signal operational impacts. HCM LOS based on delay, reported as average delay per vehicle in seconds.*

The following intersections would have an increase in ICU of 0.02 or more during one of the peak hours, but would continue to operate at an acceptable level of service:

- Ventura Road & Vineyard Avenue
- Ventura Road & Main Street (Village Pkwy Dr)

Thus impacts to these intersections would be adverse, but less than significant. Using the City of Oxnard's criteria for determining the significance of the project traffic impacts, the proposed project is expected to create significant traffic impacts at the following intersections:

- Oxnard Boulevard & Vineyard Avenue
- Oxnard Boulevard & US 101 Southbound Ramps
- Oxnard Boulevard & US 101 Northbound Ramps
- Oxnard Boulevard & Main Street (Spur Drive)

These intersections were determined to have a significant impact due to the projected increase in V/C of 0.02 or more resulting from estimated traffic generated from the proposed project. All of these intersections operated at LOS C or worse under the baseline scenario.

Under the ICU methodology, the project traffic impacts the Oxnard Boulevard/US 101 Southbound Off –Ramp intersection with a V/C increase of 0.02 in the PM peak hour when the intersection is operating at LOS C. This intersection is expected to operate at an acceptable LOS with the project, but the 0.02 V/C increase warranted further analysis. As there are improvements being made upstream and downstream of this location, the intersection was studied using Highway Capacity Manual (HCM) methodology in order to assess it at a more operational level. The Synchro software was used to conduct the HCM intersection analysis. The HCM analysis takes into consideration the surrounding intersections and signal timings that are not accounted for in a standard ICU analysis. There are a number of closely-spaced intersections upstream and downstream of Oxnard Boulevard & US 101 Southbound Off-Ramps. In order to better understand this intersection's operation (with the addition of the project) it was analyzed as part of a system that included the following intersections:

- Oxnard Boulevard & US 101 Northbound Off-Ramp
- Oxnard Boulevard & Main Street (Spur)
- Oxnard Boulevard & Vineyard Avenue

Signal timing plans for the aforementioned intersections were obtained from Caltrans and used in the HCM analysis. The analysis was conducted for two scenarios: 2014 existing plus pending projects and 2014 existing plus pending plus project. The results of the existing plus pending projects HCM analysis shows that the intersection is expected to operate at LOS B in the PM peak hour with an average delay of 18 seconds per vehicle.

The existing plus pending plus project analysis incorporated the mitigation measures proposed at the Oxnard Boulevard/ US 101 Northbound Off-Ramp, Oxnard Boulevard/Main Street, and

Oxnard Boulevard/Vineyard Avenue intersections. This analysis also assumed the same signal timings as in the existing plus pending projects conditions. With the mitigation measures to the surrounding intersections, the project is shown to have a negligible impact at the Oxnard Boulevard/US 101 Southbound Off-Ramp intersection. The results of the HCM analysis indicates that the intersection will continue to operate at LOS B during the PM peak hour with an average delay of 18 seconds per vehicle. The HCM analysis worksheets are included in Appendix D of the 2008 traffic study, see Appendix F of this EIR. Therefore, no mitigation measures are recommended at this intersection as the recent improvements to the intersection and the proposed mitigation measures to the surrounding intersections mean that this intersection will operate at an acceptable LOS.

Site Circulation and Roadway Network. The proposed project would provide two main driveways, one on Ventura Road and another on Oxnard Boulevard. Both driveways would be on the proposed Main Street at opposite ends of the development. Each driveway would provide full access to the project site from the adjacent roadway. In addition, an overpass of Oxnard Boulevard would provide access to the southeast corner of the project site.

Three main roadway classifications are identified for the proposed project: Main Street, Neighborhood Streets, and Alley Streets. The proposed Main Street would provide the main route of circulation through the project site. The roadway would have a landscaped median along much of its length. Main Street would include two one-lane roundabouts at intersections that provide access to destinations within the site. The roundabouts would have adequate capacity to accommodate the traffic expected to use these intersections. Neighborhood streets would provide local access to the commercial and residential areas. Trips internal to the development site would be able to take advantage of side streets to access neighboring parts of the development without using Main Street.

The proposed roadway network would be able to provide the necessary on-site circulation needed by the proposed land uses. The introduction of Main Street between two major streets may create a demand for cut-through traffic for trips accessing the major commercial center east of Oxnard Boulevard adjacent to the project site. However, the design and capacity of the proposed Village Parkway is sufficient to accommodate these trips.

Weekend Traffic. During the course of the initial public scoping meetings, comments were received regarding the impact of the project on weekend traffic, with Sunday congestion on US 101 of most concern. Traffic flow data for the US 101 during different times of the year was reviewed, and the data showed that peak travel on Sundays occurred in the southbound direction generally between the hours of 4:00 and 6:00 p.m. On Saturday, traffic on the US 101 is more dispersed throughout the day, with a peak volume at approximately 80% of the weekday peak volumes. Peak travel patterns for the late afternoon Sunday periods are consistent with the influence that regional through trips have on the Oxnard area. Regional trips consist of people traveling from Los Angeles County and beyond through Ventura County and vice versa. The data from the summer showed that on average the peak traffic on the US-101 on Sunday afternoons occurred in approximately the same timeframe as the evening peak hour on a weekday (in the summer months). However, data for the winter showed that the weekday peak hours were higher on average than the weekend.

As the proposed project includes primarily residential land uses, the peak project-related trip generation for weekend days is likely to occur around the midday period, whereas the Sunday traffic peak on the US 101 is late in the afternoon and Saturday peak hour traffic is noticeably lower than weekday traffic. Therefore, project-related trips are not expected to affect the weekend traffic conditions on the freeway to the same degree that they affect weekday peak hours.

Potential impacts of the project on the regional freeway system in the vicinity of the project site are discussed below under Impact T-2.

Transportation Demand Management Program. The project applicant commissioned from an outside consultant and submitted a transportation demand (TDM) program for the Specific Plan project. The full program description is included in Appendix D of the 2007 Traffic Report (see Appendix F). The program includes a series of TDM strategies and parking supply recommendations intended to reduce the vehicular trip generation associated with the project site. Recommendations are provided in two areas. The first is a series of TDM strategies or measures to reduce vehicle trips generated by the project. The second area addresses parking supply.

Reduction measures recommended in the TDM program by the applicant's consultant are intended to reduce vehicular trips by residents, employees, and visitors. The measures described in the program include:

- Introductory Transportation Information
- Transportation Information Center
- Pedestrian/Bicycle Facilities
- Carpool/Vanpool/Ridematching Services
- Subsidized Transit Passes
- Affordable Housing
- Priced Commercial Street Parking
- Priced Employee Parking
- Parking Cash-Out
- Shuttle or Fixed-Route Connection to Metrolink

Parking recommendations in the TDM program address the Oxnard City Code parking supply requirements, the commercial parking demand, and the potential for shared parking elements. The TDM program assesses parking supply and demand, and recommends a reduction in the parking supply relative to City Code requirements. A marketing message is also recommended, aimed at attracting home owners who want the option of owning fewer vehicles than the average Oxnard resident.

According to the applicant's consultant, the recommended measures could reduce trip generation as much as 25 percent. It is acknowledged that successful implementation of the

TDM measures could reduce trips, although it would be speculative to attempt to predict the success of the measures given the proposed land uses and those surrounding the site and the level of reduction they would achieve. Accordingly, the traffic data and projections used for this analysis do not include a reduction for TDM measures.

Alternative Transportation. The Oxnard Village Specific Plan includes a variety of measures and facilities to enhance and encourage alternative transportation, including pedestrian connections, internal bike paths and connectivity to existing bike paths. The site plan would accommodate existing and potential new bus service. A sub-transportation center is proposed for the project, with approximately 50 designated parking stalls and a bus stop for GCT bus services. The sub-transportation center would also be available for a future Metrolink stop and/or future commuter shuttle service for nearby communities to and from the Oxnard Transit Center. The project would therefore not conflict with any policies, plans, or programs supporting alternative transportation. For more details on proposed alternative transportation facilities, please see Section 2.0 *Project Description*. For bus and train routes that would serve the project are, please see Existing Transit Services under 4.13.1 *Setting* above.

Mitigation Measures. The mitigation program for the project includes measures to increase the capacity and/or efficiency of the roadway system at impacted locations. Opportunities for physical mitigation measures such as re-striping of intersection approaches to add turn lanes and improving traffic control devices were investigated. The emphasis was to identify physical and/or operational improvements that could be easily implemented. The suggested intersection improvement measures for the significantly impacted intersections are described below and illustrated in Figure 4.13-7; the resulting operating conditions are summarized in Table 4.13-6. The following measure would address the project's impacts at the Oxnard Boulevard/Vineyard Avenue, the US 101 northbound off-ramp/Oxnard Boulevard and Oxnard Boulevard/ Main Street (Spur Drive) intersections.

T-1(a) Oxnard Boulevard/Vineyard Avenue. Based on discussions with the City, the mitigation for this intersection is based on a General Plan improvement that modifies the median on Oxnard Boulevard and reconfigures the northbound and southbound approaches. One northbound and one southbound through lane shall be added. The mitigated northbound configuration would be two left-turn lanes, three through lanes, and two right-turn lanes. The mitigated southbound configuration would be two left-turn lanes, three through lanes, and a shared through/right lane. Analysis undertaken by the City indicates that this mitigation measure can be implemented without the need to acquire additional right-of-way.

T-1(b) Oxnard Boulevard/US 101 Northbound Off-Ramp. A second left-turn lane from the US 101 Northbound Ramp onto Oxnard Boulevard shall be added to the intersection design. Ramp modification and redesign is necessary with the second left turn lane but it is unlikely that additional right-of-way for would be required. The ramp should be redesigned to California Department of Transportation (Caltrans) specifications.

T-1(c) Oxnard Boulevard/Main Street (Spur Drive). The City's General Plan calls for three through lanes in each direction on Oxnard Boulevard. Therefore, a third southbound through lane on Oxnard Boulevard shall be added. In addition, the southbound left-turn volume into the Esplanade Shopping Center is projected to be greater than 300 vehicles in the PM peak hour. Therefore, an additional southbound left-turn lane shall be added to accommodate the left-turn volume without impacting the southbound through movement. In addition, a southbound right-turn lane shall be added to handle traffic traveling to the project. The final mitigated southbound lane configuration will be two left-turn lanes, three through lanes, and a right-turn lane. Preliminary analysis suggests that the right-of-way required for the mitigation measures would be available from the project site. However, a full set of engineering drawings will be necessary to determine the right-of-way required.

Significance after Mitigation. Mitigation Measure T-1(a) would improve the p.m. peak hour V/C of the Oxnard Boulevard/Vineyard Avenue intersection to 0.84. Although the intersection would still operate at LOS D, this would be a V/C improvement of 0.06 from the existing plus pending projects conditions. With implementation of Measure T-1(b), the Oxnard Boulevard/US 101 Northbound Off-Ramp intersection V/C would be 0.65 (LOS B) during the p.m. peak hour. Implementation of Measure T-1(c) the Oxnard Boulevard/Main Street (Spur Drive) intersection would operate an LOS A in the a.m. peak hour and an LOS B during the p.m. peak hour. In summary, with adoption of these mitigation measures, impacts at all intersections would be less than significant pursuant to City thresholds.

Table 4.13-6
Year 2015 With-Project Intersection Operating Conditions With Mitigation

Intersection	Control	Peak Hour	2013 Existing + Pending Projects		2013 Existing + Pending + Project		2013 Existing + Pending + Mitigation	
			V/C or Delay	LOS	V/C or Delay	LOS	V/C or Delay	LOS
1. Oxnard Blvd/Saviers Rd & Wooley Rd	Signal	A.M.	0.78	C	0.79	C		
		P.M.	**1.05**	**F**	**1.05**	**F**		
2. Oxnard Blvd & 5th Street	Signal	A.M.	0.66	B	0.66	B		
		P.M.	*0.97*	*E*	*0.98*	*E*		
3. Oxnard Blvd & 4th Street	Signal	A.M.	0.49	A	0.49	A		
		P.M.	0.72	C	0.72	C		
4. Oxnard Blvd & Gonzales Rd	Signal	A.M.	0.72	C	0.73	C		
		P.M.	*0.91*	*E*	*0.92*	*E*		
5. Oxnard Blvd & Vineyard Ave	Signal	A.M.	0.68	B	0.69	B	0.68	B
		P.M.	*0.90*	*D*	0.92	*E*	0.84	D
6. Vineyard Ave & Esplanade Drive	Signal	A.M.	0.61	B	0.62	B		
		P.M.	*0.85*	*D*	*0.85*	*D*		
7. 101 SB-Ramps & Vineyard Ave	Signal	A.M.	0.69	B	0.69	B		
		P.M.	0.72	C	0.72	C		
8. 101 NB-Ramps & Vineyard Ave	Signal	A.M.	0.58	A	0.58	A		
		P.M.	0.82	D	0.83	D		

Table 4.13-6
Year 2015 With-Project Intersection Operating Conditions With Mitigation

9. Vineyard Ave &Riverpark Blvd	Signal	A.M. P.M.	0.45 0.68	A B	0.46 0.69	A B		
10. 101 SB-Ramps & Oxnard Blvd	Signal	A.M. P.M.	0.40 0.70	A C	0.40 0.73	A C		
HCM Analysis**	Signal	P.M.	18 sec	B	19 sec	B	18 sec	B
11. 101 NB-Ramps & Oxnard Blvd	Signal	A.M. P.M.	0.59 0.73	A C	0.62 0.77	B C	0.57 0.65	A B
12. Ventura Rd & Wagon Wheel Rd	Signal	A.M. P.M.	0.45 0.63	A B	0.45 0.64	A B		
13. Ventura Rd & Vineyard Rd	Signal	A.M. P.M.	0.49 0.61	A B	0.49 0.63	A B		
14. Ventura Rd & Gonzales Rd	Signal	A.M. P.M.	0.70 *0.86*	B *D*	0.71 *0.87*	C *D*		
15. Oxnard Blvd & Main St (Spur Dr)	Signal	A.M. P.M.	0.42 0.75	A C	0.58 *0.89*	A *D*	0.37 0.63	A B
16. Vineyard Ave & Walnut Drive	Signal	A.M. P.M.	0.49 0.43	A A	0.49 0.43	A A		
17. Vineyard Ave & Stroube Street	Signal	A.M. P.M.	0.60 0.70	A B	0.61 0.70	B B		
18. Ventura Rd & Main St (Village Pkwy Dr)	Signal	A.M. P.M.	0.21 0.39	A A	026 0.40	A A		

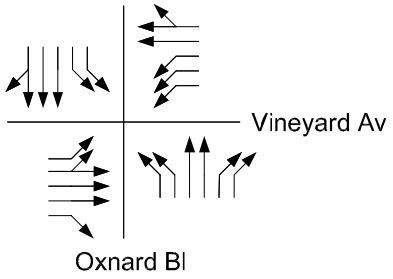
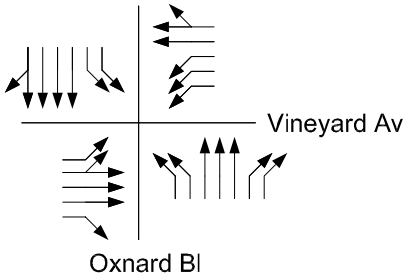
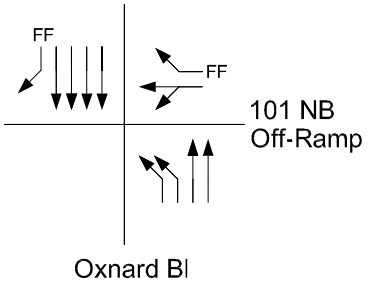
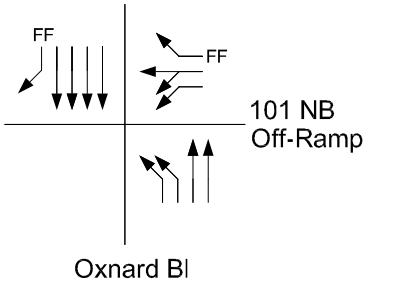
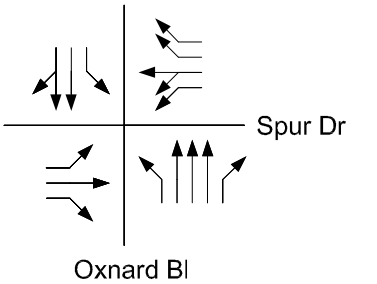
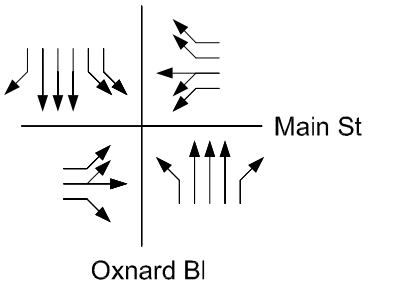
Notes

Italic – Intersection does not meet City of Oxnard LOS C standard, but meets CMP LOS E standard.
BOLD – Intersection does not meet LOS E CMP standard.

Impact T-2 The proposed project would not have a significant impact on the mainline freeway system. Therefore, the project's CMP impact would be Class III, *less than significant*.

Several sections of US 101 adjacent to the project were analyzed according to the Ventura County CMP and the Ventura County Transportation Commission (VCTC). US 101 was analyzed between the City of Thousand Oaks and the City of Ventura. The segments in bold type are the sections of US 101 adjacent to the project site. The analysis locations include:

- US 101 between Borchard Road and Wendy Drive (City of Thousand Oaks)
- US 101 between Wendy Drive and Camarillo Springs Road (City of Thousand Oaks to City of Camarillo)
- US 101 between Camarillo Springs Road and Pleasant Valley Road (City of Camarillo)
- US 101 between Pleasant Valley Road and Dawson Drive (City of Camarillo)
- US 101 between Dawson Drive and Carmen Drive (City of Camarillo)
- US 101 between Carmen Drive and Las Posas Road (City of Camarillo)
- US 101 between Las Posas Road and Central Avenue (City of Camarillo)
- US 101 between Central Avenue and Almond Drive (City of Camarillo to City of Oxnard)
- US 101 between Almond Drive and Rice Avenue (City of Oxnard)
- US 101 between Rice Avenue and Rose Avenue (City of Oxnard)
- US 101 between Rose Avenue and Vineyard Avenue (City of Oxnard)

	FUTURE CONDITIONS	INTERSECTION WITH PROPOSED MITIGATION
OXNARD BOULEVARD & VINYARD AVENUE		
OXNARD BOULEVARD & 101 NORTH-BOUND OFF RAMP		
OXNARD BOULEVARD & MAIN STREET (Currently Oxnard Blvd & Spur Dr.)		

Source: Fehr & Peers / Kaku Associates, May 2008.

Configuration of Mitigated Intersections

Figure 4.13-7

- **US 101 between Vineyard Avenue and Oxnard Boulevard (City of Oxnard)**
- **US 101 between Oxnard Boulevard and Johnson Drive (City of Oxnard to City of Ventura)**
- US 101 between Johnson Drive and Victoria Avenue (City of Ventura)
- US 101 between Victoria Avenue and Telephone Road (City of Ventura)
- US 101 between Telephone Road and Main Street (City of Ventura)

CMP Significant Traffic Impact Criteria. For the purposes of a CMP traffic impact analysis, a project impact is considered to be significant if the proposed project increases traffic demand on a CMP facility by 2% of capacity (V/C $\geq$ 0.02), causing or worsening LOS F (V/C > 1.00). Under these criteria, a project would not be considered to have a regionally significant impact if the analyzed facility is operating at LOS E or better after the addition of project traffic, regardless of the increase in V/C ratio caused by the project. If the facility is operating at LOS F with project traffic and the incremental change in the V/C ratio caused by the project is 0.02 or greater, the project would be considered to have a significant impact.

CMP Freeway Analysis. A regional analysis was conducted to quantify potential impacts of the project traffic on the regional freeway system serving the project area, including segments of US 101. A total of 16 freeway mainline locations were analyzed.

Existing freeway mainline traffic volumes were obtained from *2006 Traffic Volumes on California State Highways* (California Department of Transportation, 2006). Peak hour volumes by direction were derived by applying directional and peak hour factors derived from *2006 Traffic Volumes on California State Highways*, and freeway LOS was analyzed using the volume-to-capacity (V/C) methodology. Like the volume projections for the intersection analysis, a growth rate of 1.5% per year was applied to these traffic volumes to estimate 2008 existing base conditions for these freeway segments. The V/C ratios were calculated for each freeway segment using a capacity value of 2,300 vehicles per hour per freeway mainline lane for freeway mixed-flow lanes according to *Caltrans Guide for the Preparation of Traffic Impact Studies* (California Department of Transportation, 2002). Freeway segment levels of service were determined based on V/C ratios and the definitions shown in Table 4.13-7. Table 4.13-8 indicates the estimated existing V/C ratios during the morning and afternoon peak hours of the selected highway segments. The analysis indicates that the level of service of the freeway segments varies from LOS B to LOS E during the a.m. and p.m. peak hours. Only two of the study segments along US 101 currently operate below LOS D during the a.m. or p.m. peak hour. The southbound segment from Central Avenue to Almond Drive operates at an LOS D in a.m. peak hour. The south southbound segment from Telephone Road to Main Street in Ventura operates at an LOS E during the a.m. peak hour. This section of US 101 is only two lanes in the southbound direction while all other segments analyzed are three or more lanes in both directions. All other segments from Thousand Oaks to Ventura currently operate at LOS D or better.

The methodology used to develop forecasts for 2014 freeway volumes with and without the proposed project is similar to that used for the analyzed intersections. It includes the development of 2014 existing plus pending volumes, project traffic projections, and 2014 existing plus pending plus project volumes.

Table 4.13-7
Freeway Segment LOS Criteria

Signalized Intersections		
LOS	**Maximum V/C Ratio**	**Maximum Service Flow Rate (pc/hr/ln)**
A	0.30	710
B	0.50	1170
C	0.71	1680
D	0.89	2090
E	1.00	2350

Source: *Caltrans Guide for the Preparation of Traffic Impact Studies*, December 2002.

The 2014 without project freeway traffic volumes were developed by applying a 1.5% growth rate per year to the 2006 Caltrans peak hour volumes. The V/C ratios for 2014 without the project were used to determine the cumulative background LOS for US 101. As indicated in Table 4.13-8, six segments operate at LOS E in the southbound direction during the a.m. peak hour and in the northbound direction during the p.m. peak hour. In addition, the two-lane southbound segment between Telephone Road and Main Street operates at an LOS F during both peak hours. All other segments operate at LOS D or better during both peak hours.

The Oxnard Village project trips were added to the 2014 without project freeway volumes. The regional model and trip distribution shown in Figure 4.13-4 were used to determine how many trips should be added to each freeway segment. In general, 35% of the project trips were assigned to/from the north on US 101 and 20% to/from the south on US 101. The V/C ratios were determined for the 2014 with project conditions for comparison to the without project results and are shown in Table 4.13-8

Table 4.13-8 indicates the projected V/C ratios for cumulative plus project conditions and the incremental increase in the V/C ratio that can be attributed to the proposed project. The significant impact criteria established by the CMP provide that a project would generate significant regional freeway impacts if the projected level of service is F and the increase in V/C ratio caused by the project traffic is equal to or greater than 0.02. As shown, the proposed project would not have any significant impacts on the adjacent freeway segments during either the morning or afternoon peak hours.

A transit trip credit analysis was conducted to determine the effect transit usage would have on the number of vehicular trips generated by the site. The trip generation reduction could help to further reduce any projected impacts to the study intersections. Since the Ventura County CMP does not provide guidance on transit trip reduction, the methodology for transit trip credits from the Los Angeles County CMP was deemed appropriate. Based on the Los Angeles County CMP, the following assumptions were used to calculate the transit trip reduction:

- Person trips were calculated by multiplying the vehicle trips by 1.4
- A reduction of 3.5% of total person trips for commercial and residential trips

Table 4.13-8: CMP Freeway Impact Analysis

Freeway Segment	Peak Hour	DIR.	Capacity	Existing			2014 No Project			2014 With Project					
				Volume	V/C	LOS	Volume	V/C	LOS	Added Trips	Volume	V/C	LOS	Increase in V/C	Significant Impact
Borchard Rd to Wendy Drive (Thousand Oaks)	A.M.	NB	8,050	4,873	0.61	C	5,299	0.66	C	1	5,300	0.66	C	0.00	No
		SB	8,050	5,833	0.72	D	6,343	0.79	D	12	6,355	0.79	D	0.00	No
	P.M.	NB	8,050	5,861	0.73	D	6,373	0.79	D	8	6,381	0.79	D	0.00	No
		SB	8,050	5,036	0.63	C	5,476	0.68	C	4	5,480	0.68	C	0.00	No
Wendy Drive to Camarillo Springs Rd (Thousand Oaks to Camarillo)	A.M.	NB	6,900	4,393	0.64	C	4,777	0.69	C	1	4,778	0.69	C	0.00	No
		SB	9,200	5,258	0.57	C	5,718	0.62	C	16	5,734	0.62	C	0.00	No
	P.M.	NB	6,900	5,283	0.77	D	5,744	0.83	D	8	5,752	0.83	D	0.00	No
		SB	9,200	4,539	0.49	B	4,936	0.54	C	6	4,942	0.54	C	0.00	No
Camarillo Springs Rd to Pleasant Valley Rd (Camarillo)	A.M.	NB	6,900	4,427	0.64	C	5,299	0.77	D	1	5,300	0.77	D	0.00	No
		SB	6,900	5,299	0.77	D	6,343	0.92	**E**	16	6,359	0.92	**E**	0.00	No
	P.M.	NB	6,900	5,325	0.77	D	6,373	0.92	**E**	8	6,381	0.92	**E**	0.00	No
		SB	6,900	4,574	0.66	C	5,476	0.79	D	6	5,482	0.79	D	0.00	No
Pleasant Valley Rd to Dawson Dr (Camarillo)	A.M.	NB	6,900	4,530	0.66	C	4,777	0.69	C	1	4,778	0.69	C	0.00	No
		SB	6,900	5,422	0.79	D	5,718	0.83	D	24	5,742	0.83	D	0.00	No
	P.M.	NB	6,900	5,449	0.79	D	5,744	0.83	D	14	5,758	0.83	D	0.00	No
		SB	6,900	4,680	0.68	C	4,936	0.72	D	9	4,945	0.72	D	0.00	No
Dawson Dr to Carmen Dr (Camarillo)	A.M.	NB	6,900	4,722	0.68	C	5,299	0.77	D	1	5,300	0.77	D	0.00	No
		SB	6,900	5,721	0.83	D	6,343	0.92	**E**	24	6,367	0.92	**E**	0.00	No
	P.M.	NB	6,900	5,303	0.77	D	6,373	0.92	**E**	14	6,387	0.93	**E**	0.00	No
		SB	6,900	4,018	0.58	C	5,476	0.79	D	9	5,485	0.79	D	0.00	No
Carmen Dr to Las Posas Rd (Camarillo)	A.M.	NB	6,900	4,980	0.72	D	4,777	0.69	C	2	4,779	0.69	C	0.00	No
		SB	6,900	6,033	0.87	D	5,718	0.83	D	32	5,750	0.83	D	0.00	No
	P.M.	NB	6,900	5,594	0.81	D	5,744	0.83	D	20	5,764	0.84	D	0.00	No
		SB	6,900	4,237	0.61	C	4,936	0.72	D	12	4,948	0.72	D	0.00	No
Las Posas Rd to Central Ave (Camarillo)	A.M.	NB	6,900	5,312	0.77	D	5,299	0.77	D	4	5,303	0.77	D	0.00	No
		SB	6,900	6,435	0.93	E	6,343	0.92	**E**	49	6,392	0.93	**E**	0.01	No
	P.M.	NB	6,900	5,967	0.86	D	6,373	0.92	**E**	34	6,407	0.93	**E**	0.00	No
		SB	6,900	4,520	0.66	C	5,476	0.79	D	17	5,493	0.80	D	0.00	No
Central Ave to Almond Dr (Camarillo to Oxnard)	A.M.	NB	6,900	5,127	0.74	D	4,777	0.69	C	4	4,781	0.69	C	0.00	No
		SB	6,900	6,212	0.90	**E**	5,718	0.83	D	61	5,779	0.84	D	0.01	No
	P.M.	NB	6,900	5,760	0.83	D	5,744	0.83	D	34	5,778	0.84	D	0.00	No
		SB	6,900	4,362	0.63	C	4,936	0.72	D	22	4,958	0.72	D	0.00	No
Almond Dr to Rice Ave (Oxnard)	A.M.	NB	6,900	4,943	0.72	D	5,299	0.77	D	4	5,303	0.77	D	0.00	No
		SB	6,900	5,988	0.87	D	6,343	0.92	**E**	61	6,404	0.93	**E**	0.01	No
	P.M.	NB	6,900	5,553	0.80	D	6,373	0.92	**E**	34	6,407	0.93	**E**	0.00	No
		SB	6,900	4,205	0.61	C	5,476	0.79	D	22	5,498	0.80	D	0.00	No
Rice Ave to Rose Ave (Oxnard)	A.M.	NB	6,900	4,796	0.70	C	4,777	0.69	C	4	4,781	0.69	C	0.00	No
		SB	6,900	5,809	0.84	D	5,718	0.83	D	69	5,787	0.84	D	0.01	No
	P.M.	NB	6,900	5,387	0.78	D	5,744	0.83	D	41	5,785	0.84	D	0.01	No

Table 4.13-8: CMP Freeway Impact Analysis

Freeway Segment	Peak Hour	DIR.	Capacity	Existing			2014 No Project			2014 With Project					
				Volume	V/C	LOS	Volume	V/C	LOS	Added Trips	Volume	V/C	LOS	Increase in V/C	Significant Impact
		SB	6,900	4,080	0.59	C	4,936	0.72	D	25	4,961	0.72	D	0.00	No
Rose Ave to Vineyard Ave (Oxnard)	A.M.	NB	6,900	5,053	0.73	D	5,299	0.77	D	5	5,304	0.77	D	0.00	No
		SB	6,900	6,122	0.89	D	6,343	0.92	**E**	81	6,424	0.93	**E**	0.01	No
	P.M.	NB	6,900	5,676	0.82	D	6,373	0.92	**E**	44	6,417	0.93	**E**	0.01	No
		SB	6,900	4,300	0.62	C	5,476	0.79	D	29	5,505	0.80	D	0.00	No
Vineyard Ave to Oxnard Blvd (Oxnard)	A.M.	NB	8,050	4,537	0.56	C	4,777	0.59	C	7	4,784	0.59	C	0.00	No
		SB	8,050	5,497	0.68	C	5,718	0.71	D	81	5,799	0.72	D	0.01	No
	P.M.	NB	8,050	5,096	0.63	C	5,744	0.71	D	68	5,812	0.72	D	0.01	No
		SB	8,050	3,860	0.48	B	4,936	0.61	C	29	4,965	0.62	C	0.00	No
Oxnard Blvd to Johnson Dr (Oxnard to Ventura)	A.M.	NB	11,500	5,829	0.51	C	5,299	0.46	B	142	5,441	0.47	B	0.01	No
		SB	11,500	7,061	0.61	C	6,343	0.55	C	12	6,355	0.55	C	0.00	No
	P.M.	NB	11,500	6,547	0.57	C	6,373	0.55	C	51	6,424	0.56	C	0.00	No
		SB	11,500	4,959	0.43	B	5,476	0.48	B	119	5,595	0.49	B	0.01	No
Johnson Drive to Victoria Ave (Ventura)	A.M	NB	6,900	5,053	0.73	D	4,777	0.69	C	99	4,876	0.71	C	0.01	No
		SB	6,900	6,122	0.89	D	5,718	0.83	D	6	5,724	0.83	D	0.00	No
	P.M.	NB	6,900	5,676	0.82	D	5,744	0.83	D	36	5,780	0.84	D	0.01	No
		SB	6,900	4,300	0.62	C	4,936	0.72	D	60	4,996	0.72	D	0.01	No
Victoria Ave to Telephone Rd (Ventura)	AM	NB	6,900	4,353	0.63	C	5,299	0.77	D	57	5,356	0.78	D	0.01	No
		SB	6,900	5,274	0.76	D	6,343	0.92	**E**	2	6,345	0.92	**E**	0.00	No
	P.M.	NB	6,900	4,889	0.71	C	6,373	0.92	**E**	20	6,393	0.93	**E**	0.00	No
		SB	6,900	3,704	0.54	C	5,476	0.79	D	24	5,500	0.80	D	0.00	No
Telephone Rd to Main Street (Ventura)	A.M	NB	6,900	3,847	0.56	C	4,777	0.69	C	28	4,805	0.70	C	0.00	No
		SB	4,400	4,158	0.95	**E**	5,718	1.30	**F**	2	5,720	1.30	**F**	0.00	No
	P.M.	NB	6,900	3,887	0.56	C	5,744	0.83	D	10	5,754	0.83	D	0.00	No
		SB	4,400	3,424	0.78	D	4,936	1.12	**F**	18	4,954	1.13	**F**	0.01	No

Source: 2006 Traffic Volumes on California State Highways, Caltrans, 2006.
Reported 2006 Volumes were increased by 1.5% per year to estimate 2008 conditions and 2014 background conditions.

The Los Angeles County CMP specifies that a reduction of 3.5% person trips is a reasonable assumption unless the development is within a ¼ mile of a CMP transit center. Since the Oxnard Transportation Center is approximately 2.5 miles from the project site, the typical 3.5% reduction was used. This reduction was applied to residential and office trips since most transit trips from this area would be assumed during the daily commute.

The results of the transit trip reduction process are shown in Table 4.13-9. The Oxnard Village development is expected to generate 34 transit trips during the a.m. peak hour and 40 transit trips in the p.m. peak hour.

Table 4.13-9: Transit Trip Credit Estimates

	Daily	A.M. Peak Hour			P.M. Peak Hour		
	Total	In	Out	Total	In	Out	Total
Residential/Office Trips	9,199	149	552	701	529	291	820
Person Trips	*12,879*	*209*	*773*	*981*	*741*	*407*	*1,148*
Transit Reduction (3.5%)	*(451)*	*(7)*	*(27)*	*(34)*	*(26)*	*(14)*	*(40)*
Net Residential/Office Trips	8,877	158	542	699	551	325	875
Retail Trips	962	14	9	23	40	44	84
Parks & Recreation Center Trips	150	*	*	*	*	*	*
Existing Trips (removed)	3,793	183	189	372	238	213	424
Net Total Trips	**6,098**	**(12)**	**359**	**347**	**318**	**118**	**464**

Source: Los Angeles County Congestion Management Program

Based on CMP criteria, significant freeway impacts would not occur.

Mitigation Measures. The proposed project's impacts to CMP freeway mainline system would not be significant; therefore, mitigation is not required.

Significance after Mitigation. Impacts to CMP freeway mainline locations and CMP arterial monitoring intersections would be less than significant without mitigation.

Impact T-3 **Depending upon how the non-residential components of the proposed project are used, onsite parking may be sufficient to meet project demand. However, the exact number of spaces to be provided has not been determined, and an insufficient amount could result. Therefore, parking impacts are considered Class II, *significant but mitigable.***

The land uses proposed for the Oxnard Village Specific Plan were used to determine parking demand estimates for the Oxnard Village using three different approaches. First, the Code of the City of Oxnard, California (City Code) (City of Oxnard, January 2008) parking standards were applied to the Oxnard Village site to determine the number of parking spaces needed for the project. In addition, ITE and Urban Land Institute (ULI) parking demand rates were used to calculate the parking supply needed for the project. Once parking supply for each different approach was calculated, a comparison was made, the results of which are summarized in Tables 4.13-10 through 4.13-12. None of the parking demand estimates account for on-street parking.

Table 4.13-10
City of Oxnard Parking Requirements for the Oxnard Village Specific Plan

Proposed Use	Size	Oxnard Parking Requirement	Spaces Required
Multi-Family Residential			
1 Bedroom	200 DU	1 space per unit	200
2+ Bedroom	1,300 DU	2 spaces per unit	2,600
Visitor	---	1 space per unit for the first 30 units; after the 31st unit, 0.5 space per unit	765
Residential Total	1,500 DU		3,565
Commercial			
Commercial Office (includes Live/work space)	4k sf	1 space per 250 sf	16
Neighborhood Retail	46.4k sf	1 space per 250 sf	186
Commercial Total	50.4k sf		202
Total Parking Required			**3,767**

Source: The Code of the City of Oxnard, California, City of Oxnard, January 2008

Table 4.13-11
ITE Parking Generation for the Oxnard Village Specific Plan

Land Use	Weekday				Weekend	
	ITE Code	Size	Peak Period Parking Demand Rate	Peak Period Parking Demand	Peak Period Parking Demand Rate	Peak Period Parking Demand
Proposed Uses						
Residential Condominiums*	230	1,388 du	1.46	2,026	1.39	1,929
Residential Apartments	221	112 du	1.20	134	1.13	127
Office Space	701	4k sf	2.40	10	n/a	0
Retail Space**	820	46.4k sf				
Non-December			2.65	123	3.76	174
December			3.76	174	4.74	220
Total						
Non-December				**2,293**		**2,230**
December				**2,345**		**2,276**

Source: Parking Generation, 3rd Edition, Institute of transportation Engineers, 2004
** Condo weekend rate based on 95% of weekday rate, consistent with Suburban ratio of weekday to weekend rate for apartments*
*** Retail weekday rate based on Monday-Thursday*

Table 4.13-12
ULI Shard Parking Model Results for the Oxnard Village Specific Plan

Land Use	Weekday			Weekend	
	Size	Parking Rate	Estimated Parking Demand	Parking Rate	Estimated Parking Demand
Proposed Uses					
Community Shopping Center (less than 4,000 sf)	46.4k sf	2.90	135	3.20	148
Shopping Center Employees		0.70	32	0.80	37
Residential, Owned, Shared Spaces	1,500 units	1.70	2,550	1.70	2,550
Guest Spaces		0.15	225	0.15	225
Office (less than 25,000 sf)	4k sf	0.30	1	0.03	0
Employee Spaces		3.50	14	0.35	1
Total Parking Demand			**2,957**		**2,962**

Source: Shared Parking, 2nd Edition, Urban Land Institute, 2005
Results based on a peak month of December and a peak period of 7 p.m. on a weekend

The project would also require three motorcycle spaces at the retail area.

As discussed in Section 2.0, *Project Description*, the proposed Specific Plan's approach to parking is based on both shared and non-shared parking. As shown in Figure 2-12, the project site would be divided into two areas: the shared parking area and the non-shared parking area. The non-shared parking area is entirely programmed for high-density residential uses (three-story condominiums), which comprises the western portion of the site. Each unit would have a two-car garage, and visitor parking would be provided via pocket parking areas and on-street parking.

Within the shared parking area, different land uses would share parking lots and/or parking structures, especially when the peak demands of those uses are at different times of the day or week. For example, during the evening, parking spaces dedicated for retail uses would be "shared" or filled with residents who are parked overnight. Conversely, during the day residential spaces would be shared or filled with commercial patrons who are parked temporarily. The intent of shared parking is to reduce the absolute number of built spaces without reducing the ability to park at any time of day. To facilitate shared parking, on-street parking would be provided within the shared parking area to meet a limited proportion of the parking demand. In general, the proposed shared parking program would be consistent with the City of Oxnard's requirement that shared parking spaces shall not be located farther than 500 feet away from any use served. Thus, the shared parking areas would all be located within 500 feet of the Village Commercial and Mixed-Use Planning Areas.

Within the shared parking areas the parking demand ratio for residential uses would be approximately 2.0 spaces per unit. The parking demand ratio for commercial uses would be approximately 2.5 spaces per 1,000 square feet of commercial uses. However, approximately 205 "shared" parking spaces are proposed to meet the needs of non-residents in the shared parking area (the eastern portion of the site, consisting of commercial and residential uses). Essentially, the visitor parking allocations for the residential uses within the shared parking area would be shared with commercial parking needs to reduce the overall parking spaces

provided but, ideally, to meet overall parking demands. However, the proposed shared parking arrangement does not meet the requirements of the Oxnard Municipal Code.

Compared to the nationally accepted ITE and ULI parking demand rates, the City Code requires more spaces for the proposed project. The ITE Parking Generation method (Parking Generation, 3rd Edition, ITE, 2004) indicates that the project will generate demand for approximately 2,350 parking spaces, as shown in Table 4.13-11. The ULI parking demand rates suggest that the site will require a supply of approximately 2,960 parking spaces (as shown in Table 4.13-12). Therefore, there is evidence to suggest that the site could be served with fewer parking spaces than are required by the City Code. The parking supply for the proposed project could be based on the ULI parking rates as these rates are based on the latest empirical data presented in the national study Shared Parking, 2nd Edition (ULI, 2005).

T-3 **Parking Management.** Consistent with Section 16-651 of the Oxnard Municipal Code, the applicant shall submit a parking study prepared by a professional traffic engineer registered by the State, demonstrating that the parking demands for the uses for which shared parking is requested will not conflict. The parking study shall be prepared in accordance with the parking study guidelines, on file with the development services department, prior to approval of building permits. If the request for administrative relief from parking provisions is approved based on the shared parking strategy or other parking management strategy, the impact would be deemed mitigated. However, if it is not approved, the project shall be redesigned to meet the City's parking requirements in accordance with Article X of Chapter 16 of the Municipal Code.

Significance After Mitigation. With adherence to this mitigation measure, impacts would be less than significant.

Impact T-4 **The proposed project would generate an estimated 716 K-8th grade school-age students and 73 9-12th grade school-age students. The condition of the bicycle and pedestrian facilities between the project site and area schools could have an impact on the number of students that will walk or bike, and on the safety of those that do. However, the project would not cause any route to schools to become less safe. In addition, because of the distance from the site to these schools (most are over one mile from the site), the majority of the students from Oxnard Village are not expected to walk or bike to these schools, and the route to the closest school (Rio Del Norte Elementary) does not include any major street crossings. Impacts would be Class III, *less than significant*.**

A list of schools in the area and their approximate distances to the project site is provided in Table 4.13-11. The approximate locations of these schools in relation to the project site are shown in Figure 4.11-3 in Section 4.11 *Public Services*. The schools are all separated from the project site by the railroad to the south and the freeway to the north. Therefore, students would have to travel along major roadways and traverse a number of intersections to cross these barriers. The major roadway segments that would be used to cross the barriers are:

- Ventura Road between Stone Creek Drive and Town Center Drive
- Oxnard Boulevard between Orchard Place and Wagon Wheel Road
- Oxnard Boulevard between Spur Drive and El Rio Drive
- Vineyard Avenue from Oxnard Boulevard and Myrtle Avenue

The intersections listed in the far right column of Table 4.13-11 are large intersections that may be used by pedestrians traveling to the schools from the project site.

To enhance pedestrian safety on routes to school, the intersections along those routes should ideally have, at a minimum, well-marked crosswalks, pedestrian signal heads with push buttons, curb ramps and median "refuge" islands. The major roadways should have supportive bicycle and pedestrian facilities on segments likely to be used as school routes. Ideally, any minor streets that would be used as part of a school route would also have supportive facilities. Many of these routes and intersections do have some or all of the supportive facilities, however, not all do.

The closest school is approximately one mile from the project site. Because of the distance, the majority of the students from Oxnard Village are not expected to walk or bike to these schools. The route to the closest school and the one most likely to be walked or biked to, Rio Del Norte Elementary, is a relatively safe route as no major streets need to be crossed. In addition, many of these routes and intersections to the other schools do have some or all of the supportive facilities identified above. When intersections are improved or reconfigured throughout the City, some or all of these facilities are typically installed, consistent with the goals and policies of the General Plan, including the Circulation Element, that call for enhanced safe, accessible routes for bicyclists and pedestrians. Finally, it should be noted that although the project has the potential to contribute new students to surrounding schools, implementation of the project would not itself affect or make less safe the existing routes to school that are used now and would continue to be used by area students.

Mitigation Measures. As impacts would be less than significant, no mitigation is required.

Significance After Mitigation. Impacts to safety of school routes would be less than significant without mitigation.

Table 4.13-11: Oxnard Area Schools

School	Approximate Distance from Oxnard Village	Study Intersections along Route
Rio Del Norte Elementary (2500 Lobelia Dr)	1 mile	---
Sierra Linda Elementary (2201 Jasmine Ave)	1.5 miles	13. Ventura Road/Vineyard Ave
El Rio Elementary (2714 Vineyard Ave)	2 miles	15. Oxnard Blvd/Spur Dr 6. Vineyard Ave/Esplanade Dr 7 & 8. Vineyard Ave/US 101 9. Vineyard Ave/Myrtle St OR 10 & 11. Oxnard Bl/US 101 OR 12. Ventura Rd/US 101

Table 4.13-11: Oxnard Area Schools

School	Approximate Distance from Oxnard Village	Study Intersections along Route
Thurgood Marshall Elementary (2900 Thurgood Marshall Dr)	2 miles	13. Ventura Road/Vineyard Ave
Fremont Intermediate (1130 North M St)	2.5 miles	13. Ventura Road/Vineyard Ave 14. Ventura Road/Gonzales Road
Robert J Frank Intermediate (701 North Juanita Ave)	3 miles	15. Oxnard Blvd/Spur Dr 5. Vineyard Ave/Oxnard Bl 4. Oxnard Bl/Gonzales Rd
Rio Del Valle Junior High (3100 North Rose Ave)	3 miles	15. Oxnard Blvd/Spur Dr 6. Vineyard Ave/Esplanade Dr 7 & 8. Vineyard Ave/US 101 9. Vineyard Ave/Myrtle St 17. Vineyard Ave/Stroube St 16. Vineyard Ave/Walnut Dr OR 10 & 11. Oxnard Bl/US 101 OR 12. Ventura Rd/US 101
Pacifica High (600 E Gonzales Rd)	2 miles	15. Oxnard Blvd/Spur Dr 5. Vineyard Ave/Oxnard Bl 4. Oxnard Bl/Gonzales Rd
Oxnard High (3400 W Gonzales Rd)	3 miles	13. Ventura Road/Vineyard Ave 14. Ventura Road/Gonzales Road
Rio Mesa High (545 Central Avenue)	4.5 miles	15. Oxnard Blvd/Spur Dr 6. Vineyard Ave/Esplanade Dr 7 & 8. Vineyard Ave/US 101 9. Vineyard Ave/Myrtle St 17. Vineyard Ave/Stroube St 16. Vineyard Ave/Walnut Dr OR 10 & 11. Oxnard Bl/US 101 OR 12. Ventura Rd/US 101
Schools in the Riverpark Development	Within 2 miles	15. Oxnard Blvd/Spur Dr 6. Vineyard Ave/Esplanade Dr 7 & 8. Vineyard Ave/US 101 9. Vineyard Ave/Myrtle St 17. Vineyard Ave/Stroube St 16. Vineyard Ave/Walnut Dr OR 10 & 11. Oxnard Bl/US 101 OR 12. Ventura Rd/US 101
Rio Plaza (600 Simon Way)	3 miles	
Ria Real (1140 Kenney Street)	3 miles	

Impact T-5 **Ventura Road is subject to periodic localized flooding during peak storm events at the under-crossing of the Union Pacific rail road tracks adjacent to the project's proposed western entrance. During these events the low-lying portion of the roadway is subject closure as a result of the flooding. Traffic traveling to and from the site could be temporarily inconvenienced during**

these peak storm events. However, because the closures are infrequent and temporary, and do not result in ongoing or long term impacts to traffic circulation, impacts would be Class III, *less than significant.*

During peak storm events Ventura Road is subject to periodic flooding due to overflow surface water from El Rio Drain and the Santa Clara River (Paul Wendt, personal communication, 2008). (This condition would not be affected by implementation of the proposed Oxnard Village project; i.e., the project would neither cause nor exacerbate the flooding.) The periodic flooding could result in temporary closure of Ventura Road during these events. This could affect project traffic circulation, and access to the proposed project from Ventura Road. On average these events do not occur more than once or twice a year, with some years experiencing no flooding at all. Generally the flooding and road closures last less than a day. Due to the occasional and temporary nature of the closures, impacts to site access and project circulation would be less than significant.

Mitigation Measures. As impacts would be less than significant, no mitigation is required.

Significance After Mitigation. Impacts to safety of school routes would be less than significant without mitigation.

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4.14 UTILITIES and SERVICE SYSTEMS

This section analyzes potential impacts to City utility and service systems, including water supply and associated conveyance infrastructure, wastewater conveyance and treatment infrastructure, and solid waste disposal systems. For discussion of storm drain infrastructure and associated water quality impacts, please refer Section 4.7, *Hydrology and Water Quality*.

4.14.1 Setting

a. Water. The primary legal standards for assessing the sufficiency of water supplies for new developments were established in Senate Bill 901 (1995), Senate Bill 610 (2001) and Senate Bill 221 (2001).[1] Those statutes require as part of the environmental review of certain land development projects, the preparation of a "water supply assessment." As the land use planning agency, the City must then analyze within the CEQA context the environmental impacts of providing water to the project based upon the water supplies identified in the water supply assessment. Since the proposed project involves the development of 1,500 residential units and approximately 50,400 square feet of commercial space, it requires the preparation of a water supply assessment under CEQA. Kennedy/Jenks Consultants prepared a project specific water supply assessment, titled *Wagon Wheel Development Water Supply Assessment, dated April* 2008 ("WSA"). The WSA is included in Appendix G. This document forms the basis of the water supply analysis for this EIR and is summarized below. The WSA and each of its references are incorporated in their entirety by reference and are available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

The WSA analyzes the sufficiency of the City's water supplies to serve the proposed project, in addition to the demands of the City's existing and planned future customers. Pursuant to all applicable legal standards, the WSA concludes that, with certain reasonable assumptions, there will be sufficient water supplies for the Project during all hydrologic conditions, including normal, single dry and multiple dry years, for at least the next 20 years.

This document contains a description of the City's current and planned future water supplies and the associated water conveyance infrastructure, along with an evaluation of the adequacy and environmental impacts of providing water to the project based upon the water supplies identified in the WSA.

<u>Water Supplies Generally</u>. The City uses two sources of water to serve its customers: (1) local groundwater, and (2) imported surface water. With very few exceptions, all City customers receive a blend of these two supplies through a combination of: (1) City owned groundwater wells; (2) groundwater purchased through a long-term contract with the United Water Conservation District (UWCD); and (3) imported surface water purchased through a contract with the Calleguas Municipal Water District (CMWD). The City uses a variable blend of groundwater and imported water. Over the course of the next two decades, the City is projected to rely more heavily on local groundwater.[2]

[1] *See* Cal. Water Code §§ 10910-10914; Cal. Govt. Code § 66473.7.
[2] City of Oxnard, 2005 Urban Water Management Plan. A copy of the 2005 Urban Water Management Plan is available for review online at: http://www.oxnardwater.org/documents/plans/UWMP-2005.pdf

Past deliveries and the source of water delivered to City customers are shown on Table 4.14-1.

Table 4.14-1 – Summary of City of Oxnard Historic Water Use (AF)

Year	City of Oxnard Wells	UWCD	CMWD	Total
1995	2,800	2,200	16,860	21,860
1999	-	10,200	14,250	24,450
2000	5,320	6,420	14,752	26,492
2001	7,021	5,853	13,215	26,089
2002	6,971	7,067	13,170	27,208
2003	8,878	8,834	11,303	29,015
2004	12,743	3,823	11,717	28,283
2005	12,933	3,159	13,472	29,564
2006	14,056	4,001	12,027	30,084
2007	440	16,630	11,420	28,490

Source: Kennedy/Jenks Consultants, FINAL Water Supply Assessment and Verification-Wagon Wheel, April 29, 2008. See Appendix G.

Water Supply Sources. This section summarizes the materials presented in the WSA regarding these various supply sources and discusses associated environmental or reliability issues.

Imported Water

Calleguas Municipal Water District (CMWD). CMWD is a municipal water district formed in 1953 to import and distribute water in northwestern Los Angeles County and southern Ventura County. CMWD became a member agency of Metropolitan Water District of Southern California (MWD) in 1960. CMWD is largely a pass-through, wholesale water agency and currently obtains most of its potable water supplies from MWD. It purchases imported water from MWD, operates a groundwater bank within eastern Ventura County, and provides wholesale water service to cities, public districts, investor-owned utilities and other customers within its service area, including the City. CMWD published an urban water management plan in 2005 (the "CMWD 2005 UWMP")[3] which sets forth the agency's historical, current and projected water demands and supplies.

Effective January 1, 2003, the City entered into a ten-year Purchase Agreement for Imported Water ("Purchase Agreement") with CMWD.[4] Pursuant to that agreement, the City has a base allocation of 17,379.4AFY and an unlimited right to purchase additional water at the CMWD tier 2 (higher) price. If the City and CMWD did not enter into a new or extended water purchase agreement after the ten year term of the existing agreement, it is anticipated that CMWD would deliver water under its prior practice of providing water without a contract based on the CMWD's statutory obligation to deliver water to qualified customers located within the CMWD service area. That practice was in place from the formation of CMWD through the end of 2002 and resulted in the

[3] A copy of the 2005 CMWD UWMP is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California .
[4] A copy of the Purchase Agreement is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

delivery of fully reliable water supplies to the City during that long period. Therefore, based on historical experience, it is substantially likely that the reliability of CMWD supplies will be the same whether the City purchases water from CMWD either with or without a contract.

Regardless of the basis for the purchase of water from CMWD, the agency is planning to supply the City with the quantity of water included in the City's 2005 UWMP, and as presented in the WSA. In other words, the City's current and projected future water demand was included in the regional demands analyzed in the CMWD 2005 UWMP.

CMWD has reported that based on the District's current water supply portfolio, it will have a supply surplus ranging from 2 to 30 percent for the normal water year, single dry-water year and multiple dry-water year scenarios.[5] Thus, CMWD has indicated that it will have sufficient water supplies to meet all water demands in its service area, including those of the City and the Project, through 2030. The discussion in the following sections is intended to summarize the basis for CMWD's statement that it possesses adequate water supplies through the relevant period, and to analyze whether events occurring after adoption of the CMWD 2005 UWMP have reduced the reliability of that statement. As will be described below, CMWD's statement was and continues to be reasonable and supported by substantial evidence, and no subsequent events would require that conclusion to be changed.

CMWD purchases essentially all of its potable supply from MWD. To meet overall water demands for the region, CMWD has developed a local groundwater banking program, and also participates in several local reclaimed water projects and conservation programs. Like the City, many of CMWD customers extract groundwater from the local groundwater basins. Each of these sources of supply is discussed below.

MWD of Southern California. MWD is a consortium of cities and wholesale water districts that is responsible for importing drinking water for approximately 18 million people in Los Angeles, Orange, San Diego, Riverside, San Bernardino and Ventura counties. MWD obtains the water that it imports from two major sources: the Colorado River; and the State Water Project ("SWP") operated by the California Department of Water Resources ("DWR"). Each of these sources is described below, along with efforts by MWD to diversify its sources of supply and increase storage of water within its service area to enhance the reliability of its two main sources.

CMWD purchases water from MWD based on its status as a member agency. Currently, MWD delivers water to its member agencies based on a purchase order system, which was adopted by MWD as part of a new rate structure in 2002 to ensure the development of reliable water supplies for the future and support its vision of being the dominant regional water supplier. To achieve this, MWD called for its member agencies to enter into voluntary purchase orders, by which a member agency agrees to purchase a minimum amount of non-interruptible water for 10 years. The water does not need to be purchased in any single year, but only as a cumulative amount over the entire 10-year period.

MWD benefits from the purchase order system because the agency can use those orders as the basis for its water supply planning efforts. In exchange for committing to purchase a minimum

[5] CMWD 2005 UWMP at 5-2 to 5-5.

amount of water, MWD allows the member agency to purchase water up to 90 percent of its highest historical purchases at MWD's Tier 1 rate. The Tier 1 rate reflects the average supply cost of water from the SWP and Colorado River, but excludes MWD's costs associated with the development of new supplies. The latter costs are included in a Tier 2 rate that MWD imposes for purchases in excess of the 90 percent mark.[6] This price differential incentivizes member agencies to reduce their historical imported water purchases by at least 10 percent. The benefit to a member agency from submitting a purchase order is that it is able to acquire water supplies from MWD at a lower cost than if it did not submit a purchase order.

The submission of a purchase order does not, however, guarantee the delivery by MWD of the amount of water ordered. Water deliveries depend upon the availability of water in MWD's supply portfolio during the relevant period. The reliability of those supplies is analyzed below.

Pursuant to the MWD program, CMWD has submitted a purchase order for the period from January 1, 2003 through December 31, 2013 that allows for the purchase of up to 103,801AFY at Tier 1 rates and requires minimum purchases over the 10-year period of a total of 692,003 AF, an average of 69,200AFY. CMWD has reported that its purchases have remained below its annual maximum, and it is on track to meet its minimum purchase obligation.[7]

The purchase orders are a change from the longstanding historical practice by which MWD and its member agencies such as CMWD had no contracts for the purchase and sale of water. Under that historical approach, CMWD would purchase water from MWD as needed to meet its demands and then re-sell that water to its respective customers, including the City, on a similar basis.[8] As under the current purchase order system, a member agency's ultimate ability to purchase water of sufficient quantities for its demands depended on MWD's overall supply reliability. Thus, the relationship between CMWD and MWD is parallel to that between the City and CMWD. Also similar, as described in the following sections, is that MWD has declared its water supplies to be reliable regardless of the specific mechanism for delivering water to its member agencies.

Overview of MWD Water Supplies. Based on the water supply planning requirements imposed on its member agencies and ultimate customers, such as the requirements to adopt urban water management plans, water supply assessments and written verifications, MWD has adopted a series of official reports on the state of its water supplies. As described below, MWD has consistently stated that its water supplies are fully reliable to meet the demands of its customers, in all hydrologic conditions through at least 2030.

In March 2003, MWD published a document entitled the Re*port on Metropolitan's Water Supplies: A Blueprint for Water Reliability* ("Blueprint Report"). The objective of the Blueprint Report was to provide member agencies, retail water utilities, cities and counties within the MWD service area with information that may assist in their preparation of urban water management plans, water

[6] *Id.* at 7-1 to 7-2.
[7] *MWD Draft 2005 UWMP, Table II-15*. A copy of the MWD Draft 2005 UWMP is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[8] In a drought or similar situation, MWD has the ability, but has never historically acted, to distribute available supplies based on "preferential rights," which would be determined based on each member agency's relative portion of property tax assessments cumulatively paid to MWD. *See* Cal. Water Code App. § 109-135. Under the Municipal Water District Act, Cal. Water Code §§ 71000-73001, neither the City nor any other CMWD customer has a preferential right to any specific amount of water held by CMWD. *See* Cal. Water Code § 71611.

supply assessments and written verifications.[9] The Blueprint Report stated that the approach taken to evaluate water supplies and demands was consistent with MWD's 2000 Regional UWMP. MWD utilized SCAG's regional growth forecast in calculating regional water demands for its service area.[10] Thus, MWD considered the City's water demands, including the project, in the Blueprint Report.

The Blueprint Report fully discusses MWD's historical and projected deliveries of Colorado River and SWP water. The Blueprint Report is incorporated by this reference and provides a summary of the water supplies available from MWD to serve projected water demands. This document also includes supplemental information to reflect changes in MWD's water supply planning and circumstances since publication of the Blueprint Report. The conclusion of the Blueprint and supplemental information published by MWD, such as its Integrated Resources Plan Update and annual Implementation Reports, is that with its current water supply portfolio and planned actions, MWD will have sufficient water to deliver to CMWD (and the City) to meet all of the water demands within the CMWD service area, including the Project, for the next 20 years.[11]

By comparing total projected water demands and conservatively estimating water supplies over the next 20 years, MWD has found that if its supply programs were implemented under its Integrated Resources Plan, "[b]ased on water supplies that are currently available, [MWD] already has in place the existing capability to … [m]eet 100 percent of its member agencies' projected supplemental demands (consumptive and replenishment) over the next 20 years" in average, wet, multiple dry and single dry years.[12] In multiple dry years, MWD reports that it will "[m]eet 100 percent of its member agencies' projected supplemental demands (consumptive and replenishment) even under the repeat of the worst multiple-year drought event over the next 15 years,"[13] while in a single dry-year it can "[m]eet 100 percent of its member agencies' projected supplemental demands (consumptive and replenishment) even under the repeat of the worst single-year drought event over the next 15 years."[14] MWD's additional reserve supplies will provide a "'margin of safety' to guard against uncertainties in demand projections and risks in fully implementing all supply programs under development."[15]

Summaries of MWD's individual supplies, along with the challenges facing each supply, are presented in the following sections. These sections also include specific actions that MWD is taking to meet each of the challenges facing its water supplies. Over the past several decades, MWD has demonstrated that it can adapt to continuous change and address uncertainties in supply by developing a diverse portfolio, setting supply targets, monitoring its progress on a regular basis and adapting its strategy to meet its targets.

<u>The Colorado River.</u> MWD diverts water from the Colorado River at Lake Havasu on the California/Arizona border and conveys it across the Mojave Desert via the agency's Colorado River Aqueduct to Lake Mathews near Riverside. From there, MWD pumps the water into its feeder pipeline distribution system for delivery to its member agencies

[9] *Blueprint Report* at 1. A copy of the Blueprint Report is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[10] *Id.* at A-1 to A-4. *See* Sections 2.2, 2.3 and 2.4 above.
[11] *Id.* at 23.
[12] *Id.* at 24-25.
[13] *Id.*
[14] *Id.* at 25.
[15] *Id.* at 23.

throughout Southern California.

MWD possesses the right to divert water from the Colorado River pursuant to a contract with the U.S. Secretary of the Interior under Section 5 of the federal Boulder Canyon Project Act.[16] The Blueprint Report includes a description of MWD's 550,000 AFY base apportionment water right, along with the Colorado River supply projects that MWD is implementing to maximize the reliability of Colorado River supplies.[17] Following distribution of the Blueprint Report, the Quantification Settlement Agreement ("QSA") and other related agreements were approved on October 10, 2003, related to the supplies of all the California users of the Colorado River, including MWD. Signing of the QSA and related agreements will allow implementation of the Colorado River supply projects identified in the Blueprint Report, as well as other projects. MWD described the QSA and related agreements and their impact on the reliability of MWD's supplies in its 2006 Integrated Water Resources Plan Implementation Report.[18]

According to MWD, it is expected that its fourth priority apportionment of 550,000 AF of Colorado River water will be available every year for the next 20 years.[19] This supply is "expected to be available during all year types, including wet, average, single dry-year, and multiple dry-year weather."[20]

Current challenges facing MWD's Colorado River supply include risk of continued drought in the Colorado River Basin and pending litigation that may threaten implementation of part or all of the QSA. MWD has been aggressively preparing for these two risks to its Colorado River supply for many years.[21] Its responses to these challenges are described in the following paragraphs.

The Colorado River Basin has experienced below-normal runoff for the past seven years. During 2006, Lake Mead was at its lowest level in 41 years.[22] A *Draft Environmental Impact Statement on Lower Basin Shortage Guidelines and Coordinated Management Strategies for Lake Powell and Lake Mead, Particularly Under Lower Reservoir Conditions* was released by the U.S. Bureau of Reclamation, which operates the Colorado River reservoirs, in February 2007.[23] That study analyzed various alternatives to manage the Colorado River in light of the current extended dry period for enhanced reliability in water allocations for all the users of the Colorado River, including MWD. For example, one of the alternatives would introduce new operating and accounting procedures to address the ability of MWD and others to store water in Lake Mead.[24] Despite the challenges of recent Colorado River Basin hydrology, MWD "does not anticipate adverse water supply impacts resulting from the implementation of [the] shortage guidelines because California's 4.4 million acre-foot apportionment has a higher priority than a portion of Arizona and Nevada's apportionments during shortage conditions."[25]

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[16] 45 Stat. 1057 (December 21, 1928).
[17] *Blueprint Report*.
[18] Metropolitan Water District of Southern California, *2006 Integrated Water Resources Plan Implementation Report* at 1-2 to 1-10 (October 10, 2006). A copy of the *2006 Integrated Water Resources Plan Implementation Report* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[19] *Blueprint Report* at B-6.
[20] *Id*.
[21] *Id.* at 25.
[22] Metropolitan Water District of Southern California, *2006 Integrated Water Resources Plan Implementation Report* at 12 (October 10, 2006).
[23] *Id.*
[24] *Id*.
[25] *Id.* at 13.

Programs that will help to implement the QSA and meet Colorado River water supply targets, and that are currently in operation, close to completion or in progress include: the Imperial Irrigation District ("IID") and MWD water conservation and transfer program; the Coachella and All-American Canal lining projects; the IID and San Diego County Water Authority ("SDCWA") water transfer; the Palo Verde Irrigation District land management and crop rotation program; and the Interim Surplus Guidelines adopted by the U.S. Secretary of the Interior.[26] MWD is actively working to implement several of these QSA-related programs. In addition, MWD is participating in the Intentional Created Surplus program to store water in Lake Mead for withdrawal during dry years. During 2006 and 2007, MWD stored 50,000 AF of water in Lake Mead that it had saved under the Palo Verde Irrigation District Land Management and Crop Rotation Program.[27] Collectively, these programs are expected to maintain the reliability of MWD's Colorado River supplies.

MWD's fourth priority apportionment of Colorado River water has been delivered to MWD every year since 1939, in all hydrologic year types.[28] By existing contract, this supply "will continue to be available in perpetuity" due to California's senior rights on the Colorado River.[29] MWD has affirmed that "[t]he historical record for available Colorado River water indicates that Metropolitan's fourth priority supply has been available in every year and can reasonably be expected to be available over the next 20 years."[30] Thus, according to MWD, its Colorado River supply is secure through at least 2025. Pursuant to the analysis in more recent MWD assessments of its water supplies and this WSA, there are no substantial challenges that are currently predicted to arise between 2025 and 2030. Therefore, the same reliability that MWD declared through 2025 is also applicable through 2030, the time period covered by this document.

The second challenge to MWD's Colorado River supplies is the pending litigation concerning the QSA and related agreements. That litigation has taken two forms: (1) a series of lawsuits against the lining of the All-American Canal; and (2) a series of lawsuits which challenge the IID/SDCWA transfer. The All-American Canal litigation has been litigated and resolved in favor of the QSA parties, thus increasing the certainty of MWD's Colorado River supplies since the publication of the Blueprint Report.[31]

Several lawsuits against the IID/SDCWA transfer were brought by the County of Imperial, various landowners within IID and environmental advocacy groups, and have been consolidated in Sacramento County Superior Court. In two of those lawsuits, the County of Imperial sued the State Water Resources Control Board ("SWRCB"), IID and SDCWA regarding the legitimacy of the QSA approvals. In November 2004, the Superior Court dismissed those cases with prejudice on the ground that the County had failed to name MWD and the Coachella Valley Water District as necessary and indispensable parties to the actions on a timely basis. Thereafter the County appealed that decision and the Court of Appeal affirmed the dismissal in

[26] *Id.* at 11. *See also* 66 Fed. Reg. 7772-7782 (January 25, 2001).
[27] *Id*.
[28] MWD's 2005 UWMP at A.3-2.
[29] *Id*.
[30] *Id*.
[31] On April 6, 2007, the U.S. Court of Appeals for the Ninth Circuit dismissed the challenge to the lining of the All-American Canal and lifted the court-imposed injunction that for a period of time halted construction. The ruling allowed IID to commence work on the project to conserve water lost by seepage from the existing earthen canal. *See Consejo de Desarrollo Economico de Mexicali, A.C. v. United States*, 482 F.3d 1157 (2007).

2007, which lifted a stay on the other QSA cases.[32] In addition, several demurrers have been filed and sustained in the consolidated cases, reducing the number of causes of action pending in the litigation.[33] As of the date of this document, the water transfer challengers' motions for preliminary injunction have been denied, and thus, the parties are free to implement the provisions of the QSA, as appropriate. The full cases are expected to reach the court for decision during 2009.

While all significant issues in the QSA litigations have been resolved in favor of MWD and the other QSA parties to date, including the entire All-American Canal case, it is impossible to predict with absolute certainty how the remaining litigation will be resolved. MWD is actively involved in the litigation, however, and plans to defend the QSA fully to prevent any impacts to its Colorado River supplies.

State Water Project. MWD possesses a contract with DWR that entitles it to water from the SWP.[34] MWD's share of the total SWP supply is approximately 46 percent based on its contracted Table A amount of 1,911,500 AFY.[35] This supply is diverted from the Feather River at Lake Oroville, released and conveyed through the Sacramento-San Joaquin River Delta ("Delta"), and rediverted at the Harvey O. Banks Delta Pumping Plant for conveyance through the California Aqueduct to Southern California and MWD. MWD described and analyzed the reliability of its SWP supplies in the Blueprint Report.[36] MWD estimated the availability of SWP supplies "according to the historical record of hydrologic conditions, existing system capabilities, requests of the state water contractors and SWP contract provisions for allocating Table A, Article 21 and other SWP deliveries to each contractor."[37] MWD estimated that in 2025, it will have 794,700 AF available in multiple dry years, 418,000 AF in a single dry year, 1,523,300 AF in an average year and 1,741,000 AF in a wet year.[38]

Following the Blueprint Report, SWP supplies have been challenged through environmental litigation concerning the Delta. In addition, MWD has acknowledged that conveyance of water through the Delta can present challenges for SWP supplies due to water quality and environmental issues that can affect pumping operations. Risks to this supply also include potential levee failure. Actions being taken by DWR and MWD to avoid or mitigate these risks are described below.

Environmental Litigation. Specific threats to the SWP include litigation concerning the Delta. In 2007, two courts ruled that California's major water delivery systems—the SWP and the Central Valley Project ("CVP")—were violating state and federal environmental laws regarding a threatened fish species, the Delta smelt. First, Alameda County Superior Court Judge Roesch concluded that the SWP had failed to obtain a permit required under the California Endangered Species Act ("CESA") that would provide protections for Delta smelt, salmon and steelhead from

[32] *County of Imperial v. Superior Court*, 152 Cal.App.4th 13 (2007).
[33] October 10, 2007 Order by Judge Candee in *Imperial Irrigation District v. All Persons Interested in Any of the Following Contracts, Imperial County Case No*. ECU01649 (Sacramento County Case No. 04CS00875) filed November 5, 2003.
[34] *See* Contract between the State of California Department of Water Resources and the Metropolitan Water District of Southern California For a Water Supply (November 4, 1960), as amended through Amendment No. 28, available at http://www.swpao.water.ca.gov/wsc/pdfs/MWDSC_O_C.pdf.
[35] Metropolitan Water District of Southern California, *2006 Integrated Water Resources Plan Implementation Report* at 14 (October 10, 2006).
[36] *Blueprint Report* at 11.
[37] *Id.* at 11.
[38] *Id*. MWD's contract with DWR expires in 2035, at which time MWD has an option to renew under the same basic conditions. MWD's 2005 UWMP at A.3-12.

the effects of water pumping for activities at the Harvey O. Banks Delta Pumping Plant in Tracy, California.[39] Accordingly, Judge Roesch ordered the SWP pumps to be turned off unless appropriate permits were obtained within 60 days. DWR appealed that decision, automatically staying the decision pending the outcome of the appeal. The earliest that a decision from the appellate court is expected would be during in the latter part of 2008.[40]

As a practical response to the pending litigation in state and federal courts, DWR shut down the Harvey O. Banks Delta Pumping Plant from May 31 to June 10, 2007 to protect the Delta smelt. DWR resumed pumping on June 10, 2007, and pumping has remained at normal operating levels.

In May 2007, U.S. District Court Judge Oliver Wanger ruled that a federal Endangered Species Act ("ESA") take permit that had been issued to protect Delta smelt at both the SWP pumps and the federal Jones Pumping Plant was not legally sufficient.[41] At issue was a 2005 biological opinion ("BiOp") that was issued by the U.S. Fish and Wildlife Service ("USFWS") pursuant to the ESA, and concluded that current project operations and certain planned future actions would not jeopardize the continued existence of the Delta smelt or adversely modify its critical habitat based on certain actions being taken by the CVP and SWP. The court found that the BiOp was legally inadequate because it did not provide a reasonable degree of certainty that mitigation measures will take place, use the best available science, address climate change or address the impacts of joint project operations on the continued survival of the Delta smelt.[42]

By the time this decision was released, the SWP and CVP water agencies were aware that the incidental take permit was not preventing take of Delta smelt and had requested a new permit. The consultation process with USFWS is expected to result in a new BiOp and take permit in late 2008. On August 31, 2007, Judge Wanger issued an interim oral decision that allowed the SWP and CVP to continue operating under the prior take permit as long as they complied with a USFWS-proposed five-point action matrix, as modified slightly, plus certain increased monitoring plans requested by the plaintiffs and other actions that do not have a water cost.

At the remedy proceeding before Judge Wanger, the Chief of the SWP Operations Planning Branch testified that in an average year, when combined deliveries of the CVP and SWP would be 5.9 million AF, reductions in deliveries due to compliance with the USFWS matrix will range from 820,000 to 2.17 million AF, which represent 14 and 37 percent of baseline deliveries, respectively. In a dry year, when combined deliveries would be 3.2 million AF, reductions will range from 183,000 to 814,000 AF, which represent reductions from baseline deliveries of 6 and 25 percent, respectively.[43] The modifications to the USFWS matrix by Judge Wanger will increase the delivery reductions by an amount that was not modeled by DWR, but it is expected that the actual impacts of Judge Wanger's order may be slightly greater than those figures.

Judge Wanger's order will impact diversions from December 25, 2007 until the new USFWS BiOp is issued in late 2008. However, it should be expected that the USFWS will include similar

[39] *Watershed Enforcers v. California Department of Water Resources*, Case No. RG06292124, Order (Alameda County Sup. Ct. March 22, 2007).
[40] *Id*.
[41] *Natural Resources Defense Council v. Kempthorne*, 506 F.Supp.2d 322, 387-388 (E.D.Cal. 2007).
[42] *Id.*
[43] California Department of Water Resources, Comparison of the Water Costs Associated with the Proposed Remedy Acts, Table produced from John Leahigh Supplemental Declaration Filed August 3, 2007 in *Natural Resources Defense Council v. Kempthorne*, 506 F.Supp.2d 322 (E.D.Cal. 2007) [Exhibit R].

restrictions in the final BiOp to those that were in its action matrix adopted by Judge Wanger. Thus, the SWP and CVP will likely see long-term reductions in deliveries based on this litigation. Among other results, the decision likely will increase the political pressure for construction of the Peripheral Canal to avoid use of the south Delta pumping plants. In response to this decision and other water supply and quality issues, MWD has reported that "[i]n the short and long term, continued investment in regional and local resources will help ensure and diversify reliable water supplies to meet Southern California's future needs."[44] MWD has embarked on many proactive programs to deal with potential future delivery restrictions, should they occur.

For example, MWD is one of the parties that are drafting the Bay-Delta Conservation Plan ("BDCP") to provide state and federal ESA coverage for the SWP operations. The BDCP allows water contractors, who must comply with the federal and state ESAs, to work cooperatively to attain incidental take coverage via a habitat conservation plan and natural community conservation plan. Development of this plan is now underway under the aegis of the California Resources Agency, and a draft report is due in 2008, with the appropriate permits and completion of an environmental impact statement/impact report expected in late 2009.

MWD is also focusing on voluntary Central Valley storage and transfer programs to bank MWD's SWP water supplies. In its 2006 Integrated Water Resources Plan Implementation Report, MWD reported that "492,000 AF of dry-year yield has been developed in Central Valley storage and transfer programs," and "[p]otential partners and programs have been identified to meet IRP targets."[45] This flexibility will assist MWD in addressing shortages due to drought or court-imposed cutbacks to protect Delta smelt. Further, MWD has employed conjunctive use programs which utilize groundwater basins to store water during wet seasons, which provides a buffer supply that MWD can extract during dry periods. In 2006, MWD developed groundwater storage capable of providing 135,000 AF of dry year supply.[46] MWD continues to seek additional opportunities in Southern California to expand groundwater conjunctive use storage programs.[47]

Delta Levees. The state is actively studying the risk of levee failure and potential impacts to SWP supplies and developing a plan to protect the Delta. There are several concurrent processes for resolving these challenges. In the spring of 2006, at the recommendation of CALFED, an interagency effort that includes 23 state and federal agencies that have management or regulatory responsibility for the Delta, DWR began a two-year Delta Risk Management Study ("DRMS") to analyze risks to the levee system. The Stage I analysis will include a discussion of the region's assets, existing problems with the system, the degree of risk that exists and the potential consequences of multiple levee failures. Stage II will address levee risk reductions. The DRMS reports will be a part of the Delta Vision Report to be submitted to the State Legislature and Governor in 2008.

Following completion of the Delta Vision Report, the panel established by Governor Schwarzenegger will begin studying long-term strategic solutions for the conflicts in the Delta.

[44] Metropolitan Water District of Southern California, Press Release (September 11, 2007). A copy of the *Metropolitan Water District of Southern California, Press Release (September 11, 2007)* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[45] Metropolitan Water District of Southern California, *2006 Integrated Water Resources Plan Implementation Report* at 18 (2006).
[46] *Id.* at 20.
[47] *Id.* at 21.

That process, which will take place during 2008, is a strategic planning stage that will assess alterative implementing measures and management practices to implement the Delta Vision recommendations. The final recommendations will include modifications to existing land uses and services in the Delta, and will assess governance, funding mechanisms, water resource uses and ecosystem management practices. The Delta Vision Committee will publish a public review draft of its Delta Strategic Plan by October 31, 2008 and submit the final plan to the Governor and Legislature by December 31, 2008.

In response to concerns over the integrity of the levee system, the state significantly increased the budget for levee repairs in 2006, and a $5.4 billion natural resources bond was approved by voters in November 2006 (Proposition 84), which assigns additional funds for flood control in the Delta and to plan for future water supplies.

At the state, regional and local levels, numerous water decision-makers are actively addressing the threats facing the Delta. A review of MWD's resource development programs demonstrates that although SWP supplies are facing challenges and may become more expensive based on the cost of ultimately adopted solutions, MWD's adaptive planning framework, which includes conservation, in-region surface water storage, groundwater storage programs and local water production within the MWD service area, will allow MWD to adapt to changing conditions and ensure a reliable, diverse water supply to its members agencies that supply water to municipal customers. MWD has spent the past decade increasing the capacity of its reservoirs, and its overall water reserve is several times larger than it was during the 1991-1992 drought. Further, actions that are being taken by the CALFED process and the state should enhance reliability of the SWP supplies in the future. Both MWD and state agencies are aware of changing conditions that may impact the SWP and are planning accordingly to ensure a safe, reliable supply of SWP water.

Additional Actions to Mitigate Supply Risks. In addition to the actions described in the previous sections that seek to avoid or mitigate risks facing the Colorado River or SWP individually, MWD also has several programs that address its overall supply reliability. Several of those programs are described below.

Water Surplus and Drought Management Plan ("WSDM"). In 1999, MWD incorporated the water shortage contingency analysis that is required as part of any urban water management plan into a separate, more detailed plan, called the WSDM.[48] That plan provides policy guidance to manage MWD's supplies and achieve the goals laid out in the agency's Integrated Resources Plan. The WSDM also "identifies the expected sequence of resource management actions that [MWD] will execute during surpluses and shortages to minimize the probability of severe shortages and eliminate the possibility of extreme shortages and shortages allocations."[49] MWD's ten-year WSDM categorizes its ability to deliver water to its customers by distinguishing between surpluses, shortages, severe shortages and extreme shortages.[50] The WSDM's integration of management actions taken during times of surplus and shortages reflects MWD's belief that these actions are interrelated.

[48] *See* Cal. Water Code § 10632; Metropolitan Water District of Southern California, *Water Surplus and Drought Management Plan*, Report No. 1150 at 1 (August 1999). A copy of the *Water Surplus and Drought Management Plan, Report No. 1150* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[49] MWD 2005 UWMP at II-15.
[50] *Id.* at II-16.

For example, MWD's regional storage facilities, such as Lake Skinner, Lake Mathews and Diamond Valley Lake, along with storage capacity available to MWD in Castaic Lake and Lake Perris, provide MWD with flexibility in managing its supplies.[51] MWD's storage supplies and existing management practices allow MWD to mitigate shortages without having to impact retail municipal and industrial demands, except in severe or extreme shortages.[52] MWD's 2005 UWMP shows its expected ability to meet demands in single dry years by water supply source. For example, in 2010 MWD expects to have 831,000 AF in potential reserve and replenishment supplies, primarily through in-basin storage.[53] In 2030, MWD estimates that it will have 716,000 AF in potential reserve and replenishment supplies.[54] Anytime MWD withdraws from storage to meet demands, it is considered to be in a shortage stage.[55] MWD has spent decades building up its storage reserves and groundwater management programs in order to prepare for a variety of shortage conditions. "Each [shortage] stage is associated with specific resource management actions designed to (1) avoid an Extreme Shortage to the maximum extent possible and (2) minimize adverse impacts to retail customers if an Extreme Shortage occurs."[56] MWD notes that the "overriding goal of the WSDM Plan is to never reach Shortage Stage 7, an Extreme Shortage."[57]

In an actual shortage, MWD will take one or more of the following actions: (1) draw on storage out of reservoirs; (2) draw on out-of-region storage in the Semitropic and Arvin-Edison groundwater banks; (3) reduce or suspend long-term seasonal and groundwater replenishment deliveries; (4) draw on groundwater storage programs; (5) draw on SWP terminal reservoir storage; (6) reduce Interruptible Agricultural Water Program ("IAWP") deliveries; (7) call on water transfer options contracts; (8) purchase additional water; and (8) reduce imported supplies to its members agencies by an allocation method.[58] MWD clarifies that this list is not in any particular order, "although it is clear that the last action [taken] will be the curtailment of firm deliveries to the member agencies."[59] If MWD were obligated to curtail firm deliveries, it would enforce these shortage allocations using rate surcharges. For example, if deliveries exceed 102 percent of a customer's allotment, the customer will be assessed a surcharge.[60] MWD's actions in 2007 are instructive in demonstrating how the WSDM Plan is implemented in practice.

Prior to the start of calendar year 2007, MWD estimated that water demands would exceed annual supplies (not including stored water) by approximately 300,000 AF.[61] In response, MWD took the following actions: (1) called for water stored in its Central Valley storage programs; (2) initiated replenishment cuts and notified participating agencies with in-basin

[51] WSDM Plan at 20.
[52] *Id.* at 23.
[53] MWD 2005 UWMP at III-2.
[54] *Id.*
[55] *Id.* at II-16.
[56] *Id.*
[57] *Id.* at II-17.
[58] WSDM Plan at 23.
[59] *Id.*
[60] MWD 2005 UWMP at II-16 to II-17.
[61] Metropolitan Water District of Southern California, *Water Surplus and Drought Management Plan Board Report* at 3 (June 21, 2007). That figure did not include the risk of the SWP supply being restricted to protect Delta smelt, which in fact occurred. A copy of the *Water Surplus and Drought Management Plan Board Report* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

groundwater storage programs; (3) embarked on a public outreach and media conservation campaign; and (4) announced reductions in IAWP agricultural supplies.[62]

Regarding reductions in agricultural water deliveries, before MWD imposes any restrictions on the CMWD's Tier 1 water, it will reduce deliveries of discounted agricultural supplies. In 1994, MWD established the IAWP to deliver surplus water for irrigation purposes at a reduced rate that is more affordable for certain sectors of the agricultural industry.[63] In exchange for the discounted rate, the MWD General Manager has the authority to reduce IAWP deliveries up to 30 percent before it imposes mandatory allocations to municipal and industrial retail customers under its WSDM.[64]

Due to dry conditions and the pending Delta smelt litigation in 2007 that may affect MWD's supplies, MWD will implement the water shortage actions which it outlined in its WSDM, which include a 30 percent reduction in IAWP deliveries. On October 9, 2007, MWD's Board of Directors announced that it will reduce IAWP deliveries over a 12-month calendar year beginning in January 2008.[65] At this time, MWD has stated that it will not reduce water purchased by its member agencies at the full service rate.[66] CMWD's supplies are currently secure as it purchases non-discounted non-interruptible supplies from MWD.

MWD has announced a strategic approach for 2008 regarding its WSDM Plan. Besides exercising interruptions to the IAWP, MWD's major strategies are as follows:

- Continue conservation campaign;
- Maximize recovery of water from Central Valley storage and banking programs;
- Purchase additional supplies to augment existing supplies; and
- Develop and implement a shortage allocation plan.[67]

MWD is presently developing a long-term Drought Allocation Plan that may include reductions of full service deliveries.[68] MWD has used several of these types of initiatives in the past, e.g., during the droughts of 1977-78 and 1989-92, which allowed the agency to meet the needs of its member agencies.[69] Past experience demonstrates that MWD has always provided its members agencies with sufficient supplies in the face of variable weather conditions, new environmental and water quality regulations, and evolving political and legal challenges.[70]

Integrated Resources Plan. MWD first adopted its Integrated Resources Plan ("IRP") in 1996. The most updated IRP, which was adopted in 2004, discussed local water supply initiatives—e.g., local groundwater conjunctive use programs—and established a buffer supply

[62] *Id.* at 4.
[63] Metropolitan Water District of Southern California, Administrative Code § 4900 *et seq*.
[64] *Id.* at § 4905.
[65] Metropolitan Water District of Southern California, Board of Directors Agenda Item 8-4 at 1 (October 9, 2007) A copy of the *Board of Directors Agenda Item 8-4* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[66] *Id.* at Attachment 2 at 3.
[67] Metropolitan Water District of Southern California, *Water Surplus and Drought Management Plan Board Report* at 4 (June 21, 2007).
[68] *Id*.
[69] MWD 2005 UWMP at 3-4.
[70] For example, MWD successfully dealt with disruptions to supply caused by the 2004 Jones Tract flooding and operational constraints such as the rehabilitation of the Colorado River Aqueduct in 2003. *See* MWD 2005 UWMP at II-15.

to mitigate against the risks associated with implementation of local and imported water supply programs.[71] The 2004 IRP noted that future water supply reliability depends not only upon actions by MWD to secure reliable imported supplies, but also further development of local projects by local agencies such as CMWD.[72]

On October 10, 2006, MWD released its 2006 Integrated Water Resources Plan Implementation Report ("2006 Implementation Report") to report on progress toward implementing the targets from the 2004 IRP Update. The 2006 Implementation Report included a summary of each of MWD's water resource development categories: (1) conservation; (2) local resources; (3) Colorado River Aqueduct; (4) SWP supplies; (5) Central Valley storage and transfer programs; (6) in-region groundwater conjunctive use storage; and (7) in-region surface water storage. This recent report concluded that "while changes occur in all resource areas, Metropolitan is able to maintain supply reliability through its diversified water resources portfolio."[73]

MWD supported this conclusion by providing detailed updates for each of its resource categories, restating dry-year IRP targets and examining current considerations, changed conditions, implementation strategies and identified programs, implementation challenges and cost information. A brief summary of each of MWD's water resource development categories (other than the Colorado River and SWP supplies, which were discussed in detail in previous sections of this WSA) is provided below:

- *Conservation*: In 2006, MWD invested $10.6 million in conservation programs and initiatives, including executing a 10-year residential master conservation funding agreement with member agencies, encouraging the use of high-efficiency toilets, strengthening outdoor conservation programs and introducing new Industrial Process Improvement programs. In 2005-2006, MWD programs conserved approximately 762,000 AF, which was an increase of approximately 30,000 AF over the previous fiscal year. MWD's 2010 target for conservation savings is 865,000 AF.[74]

- *Local Resources – Recycling, Groundwater Recovery and Seawater Desalination*: MWD has invested $213 million with its member agencies to develop local resource programs. MWD contributed approximately $24.5 million toward the production of 127,000 AF of local resource production supplies in 2006, which is an increase of 16,000 AF from 2005. MWD's 2010 target for regional water recycling and groundwater recovery is 410,000 AF. Further, three desalination project agreements have been signed.[75]

- *Central Valley Storage and Transfer Programs*: MWD has developed significant water storage and transfer program partnerships in the Central Valley and has witnessed increased cooperation with DWR and federal agencies to facilitate water transfers. MWD continues to pursue transfers with Central Valley parties and has worked to improve existing storage

[71] Metropolitan Water District of Southern California, *Integrated Resources Plan Update* (2004). A copy of the *Integrated Resources Plan Update* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[72] Discussion of CMWD's efforts are described in Section 3.3.2 below.
[73] Metropolitan Water District of Southern California, *2006 Integrated Water Resources Implementation Report* at 1 (2006).
[74] *Id.* at 5-6.
[75] *Id.* at 7-8.

programs with existing SWP storage partners.[76] For 2008, MWD is currently seeking to acquire up to 250,000 AF by temporary transfer from the Central Valley.

- *In-Region Groundwater Storage*: The 2006 Implementation Report identified that components of MWD's in-region groundwater storage program may not meet its 2010 dry-yield target of 275,000 AF. As of October 2006, groundwater storage had been developed to provide about 135,000 AF.[77] In response, MWD conducted a groundwater basin assessment to explore other groundwater storage opportunities. MWD's recent Groundwater Basin Assessment Study provided new information to focus on meeting this goal.[78] MWD will continue to develop new strategies for groundwater storage.[79]

MWD's 2007 Implementation Report demonstrates that the agency has continued to react aggressively to address challenges facing water resources.[80] By amending existing strategies, MWD has made significant progress in most resource areas toward meeting the IRP targets. For example, in fiscal year 2006-2007, MWD saved approximately 812,000 AF through conservation efforts and is expected to meet its 2010 target.[81] Local resource production is expected to exceed the 2010 target of 426,000 AF based on current production and expansion of existing programs.[82] Existing supplies in Central Valley storage programs are also expected to exceed the 2010 target of 300,000 AF.[83] While in-region groundwater storage programs are currently falling short of MWD's 2010 IRP target, MWD is actively working to find new ways to meet this goal, and the success of other programs, such as Central Valley storage, can avoid any negative impacts from failure to meet this single goal.[84] For example, MWD has already exceeded its 2010 IRP target for dry-year surface water storage.[85] While SWP supplies are not projected to meet the 2010 or longer-term targets, MWD is actively seeking to resolve the risks associated with that supply, as discussed in Section 3.3.1.3 above.[86]

MWD is currently planning to fully update the 2004 IRP beginning in 2008.[87] The updated IRP will address existing and new challenges, such as the Delta smelt litigation and climate change.[88] As can be seen by these ongoing studies, MWD is continually updating its plans to meet ever-changing challenges to its water supplies.

<u>*Summary of MWD Water Supply Reliability.*</u> MWD has engaged in significant water supply projection and planning efforts. As noted above, those efforts have included the water demands of the CMWD service area, including the City and the Project, in their projections. In its 2003 Blueprint Report and 2005 Regional Urban Water Management Plan, MWD has consistently found that its existing water supplies, when managed according to its water

[76] *Id.* at 19.
[77] *Id.* at 20.
[78] *Id.* at I-6.
[79] *Id.* at 22.
[80] Metropolitan Water District of Southern California, *2007 Integrated Water Resources Implementation Report* (2007). A copy of the *2007 Integrated Water Resources Implementation Report* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[81] *Id.* at 1-5.
[82] *Id.*
[83] *Id.* at 1-6.
[84] *Id.*
[85] *Id.* at 1-7.
[86] *Id.*
[87] *Id.*, Transmittal Letter.
[88] *Id.* at 1-3.

resource plans, such as the WSDM and IRP, are and will be 100 percent reliable for at least a 20-year planning period. Since publication of those reports, MWD has continued to implement its water supply programs, as reported in its 2006 and 2007 Implementation Reports, the latter of which was published on October 9, 2007. Although water supply conditions are always subject to uncertainties, MWD has maintained its supply reliability in the face of such uncertainties in the past, and is actively managing its supplies to ensure the same 100 percent reliability for the future.

Other CMWD Supplies. Along with MWD, CMWD has focused its planning efforts on more efficient use of local water resources. CMWD is working with its customers and other local agencies to support a number of local projects to increase the overall reliability of regional water supplies. These projects include wastewater reclamation, brackish groundwater recovery and regional salinity management programs.[89] These projects are described in detail in the 2005 CMWD UWMP.[90] Each of these projects adds local supply sources that offset or reduce the demand for imported water and provide additional supplies to accommodate growth within the CMWD service area. The most important of these projects, the Las Posas Basin groundwater storage program is described below.

Las Posas Basin Groundwater Storage Program. In a cooperative effort with MWD, CMWD has developed the Las Posas Basin Aquifer Storage and Recovery (ASR) project in the Las Posas Groundwater Basin.[91] This project is designed to provide for subsurface storage of up to 300,000 AF of imported water to meet emergency, drought and peak demands of CMWD's member agencies. ASR technology includes dual-purpose, injection/extraction groundwater wells that can store water and subsequently produce the stored water as needed. The project will enable pre-delivery and storage of large volumes of SWP water in the CMWD service area during periods of availability. The stored water will later be "recovered" (extracted) by CMWD to meet seasonal, drought and emergency demands.

The Las Posas ASR project will provide the following benefits to the City:

- Increases the reliability of CMWD's drinking water supply by storing large volumes of SWP water available for later use.
- Increases the water storage capacity for the CMWD service area. The available storage capacity in the Las Posas Basin is 30 times the capacity of Lake Bard.
- Increases operational flexibility in the event of a severe drought or emergency.

If the SWP water supply is reduced or disrupted entirely, the stored water will be retrieved, treated and delivered to meet demands in the CMWD's service area.

Reliability of CMWD Supplies. As discussed above, along with MWD's reliability initiatives, CMWD has also taken significant steps to reduce its vulnerability to drought or other potential supply limitations. In accord with MWD's water management actions, CMWD also has a water shortage contingency analysis in its 2005 UWMP.[92] CMWD's stages of action to reduce imported deliveries mirrors MWD's shortage approach by first encouraging voluntary

[89] 2005 CMWD UWMP, at 2-20.
[90] *Id.* at 2-20 to 2-25.
[91] *Id.* at 5-9.
[92] CMWD 2005 UWMP, Chapter 6.

behavioral changes before imposing mandatory reductions on its customers. Voluntary changes are expected to be sufficient to handle significant supply reductions, while mandatory actions would allow CMWD to weather reductions up to 50 percent.

It is clear that the reliability of CMWD's water supplies is linked directly to deliveries from MWD, with additional mitigation of supply risks from local groundwater storage and recycling programs. CMWD projections provided in its 2005 UWMP show that it has flexibility between its MWD supplies, its local projects, demand control measures, and available reserves to adequately meet service area demands in normal, single dry and multiple dry-year scenarios.

Local Groundwater Supplies

The City is located in the Oxnard Plain Hydrographic sub-unit which covers the Oxnard and Pleasant Valley Hydrographic subareas. Both of these hydrographic subareas receive natural recharge from a system of nine groundwater basins along the Santa Clara River Basin. The Oxnard Forebay Basin (also known as the Montalvo Basin) is the main unconfined aquifer and recharge area in the Oxnard Plain. Groundwater is stored in both the shallow (Upper Aquifer System (UAS)) and in the deep aquifer system known as the Lower Aquifer System (LAS). Within the Oxnard Forebay Basin groundwater flows southwesterly into the Oxnard Plain Basin (USGS, 2003). Recharge to the Oxnard Forebay Basin is provided by percolation from the Santa Clara River flows, artificial recharge from UWCD's spreading grounds, irrigation return flows, percolation of rainfall and lesser amounts of underflow from adjacent basins.

The Oxnard Plain Basin underlies the City and includes aquifers located within both the UAS and LAS. The City's groundwater wells pump from both the UAS and LAS. The primary recharge to the Oxnard Plain Basin is from the underflow from the Forebay rather than from deep percolation of water from surface sources on the Oxnard Plain (Kennedy/Jenks, 2005). Offshore, submarine canyons have dissected the aquifers of the UAS and LAS, providing a hydraulic connection to the ocean. A seawater interface through the submarine outcrops of the aquifer systems occurs within both the UAS and LAS (USGS, 2003).

Historically, some seawater intrusion has been detected in both the UAS and the LAS. However, a number of groundwater management strategies and increased availability of water from the Santa Clara River for groundwater recharge have helped mitigate the historical seawater intrusion. As of 2003, annual monitoring and the findings of the United States Geological Survey's Regional Aquifer-System Analysis (RASA) study indicate that the UAS is now balanced with respect to seawater intrusion and overdraft impacts (Kennedy/Jenks, 2003). However, in certain isolated areas, the coastal LAS is still subject to seawater intrusion.

Regulated Groundwater Basin: Fox Canyon Groundwater Management Agency.
Groundwater supplies upon which the City relies are regulated through a legislatively created groundwater management agency – the Fox Canyon Groundwater Management Agency (FCGMA). The FCGMA is an independent special district created by the California Legislature in 1983 to manage the groundwater resources within the groundwater basins underlying the south western portion of Ventura County. The FCGMA has jurisdiction over an area of approximately 185 square miles, which includes the main groundwater supply aquifers for the City: the Oxnard Forebay and the Oxnard Plain basins.

As described below, the FCGMA has established a series of water management policies and programs that are intended to protect the long-term integrity and reliability of the local groundwater resources within its jurisdiction. The primary FCGMA regulatory tool is Ordinance 8.1.[93] In meeting its goals in managing the local groundwater basins, the FCGMA has also adopted several resolutions and recently updated its Groundwater Management Plan, as discussed below.

FCGMA Control of Groundwater Use. The FCGMA's primary groundwater preservation program is embodied in its comprehensive ordinance code, requiring: a) all groundwater wells to be registered with the agency, b) all groundwater use to be reported to the agency, and c) limits on the amount of groundwater that may be pumped from within the agency's jurisdiction without the payment of a significant pumping surcharge (financial payment currently set at $725 per acre foot).[94]

The FCGMA controls groundwater pumping through an allocation system.[95] Each municipal and industrial groundwater user within the FCGMA, like the City, has an established groundwater pumping allocation, which the FCGMA monitors. The FCGMA imposes a nominal (currently $4 per acre foot) pump charge for all pumping within the established allocation. As noted, any pumping above the allocation is subject to the pumping surcharge (currently $725 per acre-foot).

FCGMA policy also allows groundwater users to "bank" any unused groundwater allocation in the form of credits.[96] For example, if the City limits its groundwater use to less than its annual allocation, it earns a conservation credit. These credits may be used to offset any pumping in subsequent years to avoid payment of the GMA surcharge.

In addition to its own groundwater allocation, the City holds a water supply contract (the Oxnard Hueneme Pipeline Water Supply Contract) with the United Water Conservation District. Pursuant to this contract, UWCD holds FCGMA allocations for the benefit of the City. UWCD exercises this allocation when it delivers groundwater to the City from UWCD wells in the Forebay Basin.

Several other features of the FCGMA allocation and credit regulatory program are also important to the overall water supply and reliability assessment for the City. First, the FCGMA grants the City additional groundwater allocation when the City takes over water service responsibility for newly developed lands. For example, when agricultural lands are converted to municipal uses (commercial, industrial or residential uses, for example), the City obtains additional allocation. When the City takes over service responsibility to property already committed to municipal uses, the City takes over the existing allocation and credits previously dedicated to those lands. Table 4.14-2 below shows the City's allocation and credit balance as of 2007.

[93] A copy of the *FCGMA Ordinance 8.1* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[94] See Ordinance 8.1
[95] *Id.* at Chapt. 5.
[96] *Id.* at Sec. 5.7.

Table 4.14-2 - FCGMA Allocations and Credits (AFY)

	Allocation[(a)]	Credits[(b)]
Baseline Allocation	822.468	---
Historical Allocation	8,415.984	---
Transferred Allocation	1,487.798	---
Credits	---	12,294
Total	10,726.25	12,294

Source: Hopkins Groundwater Consultants 2007 Report.
Notes: (a) Allocations shown are after the 15 % reduction imposed by the FCGMA.
(b) Credits as of the end of 2006. This table does not include additional City groundwater pumping allocation and credits held through the City's water supply contract with UWCD, described below.

Finally, FCGMA has implemented a series of three 5% reductions on allocations as a further means of maintaining the viability of local groundwater resources.[97] The FCGMA has the authority to impose further cutbacks on allocated groundwater pumping. However, the FCGMA recently adopted a resolution which suspends the imposition of further cutbacks on those entities who participate in programs that provide new supplemental water supplies within the FCGMA jurisdictional boundaries.).[98] The City is a participant in such a program, and thus, expects to be exempted from further allocation cutbacks. The City's supplemental water program is described below.

Groundwater Management Plan. Along with the regulatory tools described above, the FCGMA also promotes responsible groundwater management through the implementation of its Groundwater Management Plan. The FCGMA recently updated its operative Groundwater Management Plan in May 2007.[99] Although the Management Plan contains a wide variety of programs which will further the FCGMA's goals of preserving the local groundwater basin resources, there are two cornerstone strategies articulated in the Plan: a) aggressive development and use of recycled water in lieu of groundwater, and b) reducing local groundwater pumping in certain areas that are difficult to recharge and are prone to localized over-pumping. Instead, these stressed areas are supplied with alternative sources (e.g., recycled water, surface water or groundwater obtained from areas easily recharged). In turn, the conservation credits developed from the reduced pumping in the stressed areas are transferred for use in and around the Oxnard Forebay Basin because the Forebay is easily recharged.

The City is a primary participant in implementing these strategies. The City's Groundwater Recovery Enhancement and Treatment (GREAT) Program and the M&I Supplemental Water Program, both discussed below, present examples of these strategies. The GREAT Program will ultimately provide approximately 20,000 acre feet per year of highly treated recycled water for regional use. The M&I Supplemental Water program currently offsets approximately 4,000 AFY

97 Id. at section 5.4.
98 See FCGMA Resolution 2008-03. A copy of the FCGMA Resolution 2008-03 is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
99 *The FCGMA Management Plan*, May 2007. A copy of the *FCGMA Management Plan* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

and will be expanded to offset 9,000 acre feet per year of groundwater pumping in locally stressed areas.

M&I Supplemental Water Program[100]. The M&I Supplemental Water Supply Program provides surface water originally derived from outside the FCGMA, diverted from the Conejo Creek Diversion, to the Pleasant Valley County Water District (PVCWD) for agricultural irrigation. The PVCWD then transfers the groundwater conservation credits it earns from reducing its groundwater pumping to Calleguas Municipal Water District, which then transfers them UWCD. UWCD then pumps groundwater from the Oxnard Forebay Basin and provides it to its retail water purveyors, primarily the City of Oxnard. By virtue of this program, the City is able to access additional low cost groundwater supplies while also participating in a program that helps optimize groundwater recharge in key areas within the GMA. The current program yields approximately 4,000 acre feet per year on average.

The City and other parties responsible for implementing the M&I Supplemental Water Supply Program are currently developing an augmented version of this program that will yield 9,000 acre feet per year. Agreements for this augmented program are under negotiation. The augmented program and the associated agreements are expected to be completed in mid-2008.[101]

It should be noted that the FCGMA and UWCD have safeguards in place to limit the pumping in the Oxnard Forebay Basin so that this portion of the aquifer is not stressed beyond its capability.[102] For example, the M&I Supplemental Water Program allows UWCD to temporarily suspend deliveries when groundwater levels have dropped below a certain threshold. During these periods, the City can obtain its needed groundwater by shifting its pumping to wells in the Oxnard Plain outside of the Forebay (FCGMA, 2007).

Recent modeling work performed in conjunction with the expansion of the M&I Supplemental Water program demonstrates that it is highly unlikely that any restrictions on use of the credits generated through the program will be required. In other words, the shifting of pumping from the Pleasant Valley Basin to the Forebay and surrounding Oxnard Plain has proven to be a very effective method of improving the overall reliability and integrity of local groundwater resources.

Given the very limited uncertainties in the future management of the M&I Supplemental Water Supply Program, the City has incorporated the Program into its future planning as a fixed, firm water supply.

GREAT Program. Implementation of the GREAT Program will provide approximately 20,000 AFY of additional assured water supplies to the City. The GREAT Program will be implemented in phases, with the first phase (approximately 5,000 AFY) to be operational by 2011. The major components of the GREAT Program are modular, thus the remaining phase(s) may be made operational relatively quickly, as the City's water demand increases. A program

[100] The series of agreements and the FCGMA resolution supporting this program are available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[101] The draft agreement for the expanded M&I Supplemental Water program, referred to at the "Water TAP" program, is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[102] See the series of agreements and the FCGMA resolution supporting the M&I Supplemental Water program.

EIR that addressed the environmental effects of this program was prepared and certified in 2004. That EIR documented that, with the exception of a small but finite safety risk associated with project elements within an identified tsunami hazard area, all of the project impacts can be mitigated to a less than significant level. Potentially significant but mitigable impacts were identified in the areas of land use, geology, cultural and paleontological resources, water resources, biological resources, air quality, traffic, noise, visual resources, public services and utilities, and hazardous materials and waste. As part of the GREAT Program approval, a Mitigation Monitoring and Reporting Plan (MMRP) was adopted to ensure that project-specific impacts of the program components are effectively mitigated. The GREAT Program elements are further described in the following sections.

GREAT Program Elements. The existing Oxnard Wastewater Treatment Plant (OWTP) currently produces approximately 20 million gallons per day (mgd) of secondary treated wastewater and discharges the effluent to the Pacific Ocean through its ocean outfall[103]. The GREAT Program makes beneficial use of these water resources through advanced treatment and subsequent reuse through a number of mechanisms, as described in the Advanced Planning Study (Kennedy/Jenks, 2002) and the GREAT Program EIR and summarized below:

- Advanced Water Treatment. The City will construct an Advanced Water Purification Facility (AWPF) at the existing OWTP, to produce a high quality recycled water product which will meet the California Department of Public Health (CDPH) criteria for groundwater recharge, agricultural and municipal uses. Treatment will include microfiltration/ultrafiltration, reverse osmosis, and advanced oxidation. The City expects to complete final design work on the AWPF in late 2008, start construction in early 2009, and have the AWPF operational in 2010/2011.

- Recycled Water Delivery System. The recycled water delivery system will deliver water to all of the following:

  - Municipal and industrial uses, both existing and new
  - Agricultural properties
  - Groundwater injection for subsequent extraction through aquifer storage and recovery wells
  - Groundwater injection to protect the local groundwater basin from seawater intrusion as part of the Seawater Intrusion Barrier Project

- Groundwater Injection. Injection wells will provide a mechanism to store recycled water during periods when irrigation demand is low. Groundwater injection would serve as a mechanism to prevent seawater intrusion in the coastal LAS as part of the Seawater Intrusion Barrier Project. The City will likely partner with UWCD on this aspect of the GREAT Program.

- Groundwater Desalination. Groundwater will become a larger percentage of the City's water supply, due to the transfer of groundwater credits to the City from agricultural pumpers who use recycled water or from FCGMA groundwater pumping credits

[103] Kennedy/Jenks Consultants 2003 Water Master Plan.

granted to the City from injecting recycled water into coastal aquifers. Local groundwater contains higher levels of total dissolved solids (TDS) than does imported water purchased from CMWD. To maintain the current water quality provided to City customers, the GREAT Program includes the construction of desalters to remove the dissolved minerals from the local groundwater. This would allow the City to increase the overall percentage of groundwater compared to surface water in its potable water supplies. The City expects to complete the construction of the first desalter at its Blending Station No. 1 in June 2008. The City has begun preliminary design for its second desalter at the Blending Station No. 3. It is considering a third desalter at its Blending Station No. 4.

- Concentrate Collection System. Although not an essential element of the GREAT Program, the concentrate collection system would divert some portion of the highly degraded water entering the OWTP. Instead, this waste stream would bypass the treatment system and be disposed directly through the City's ocean outfall. This system would improve the efficiency of operation of both the OWTP and the AWPF. The City is currently studying needed piping sizes and potential alignments for the concentrate collection system.

GREAT Program Effect on Available Water Supply. The City will receive groundwater credits from the FCGMA for GREAT Program recycled water that is either injected into coastal aquifers or provided to coastal agricultural irrigators who subsequently reduce their groundwater pumping. Based on similar programs in place within the FCGMA area, it is expected the City will receive groundwater credits on a 1:1 (one AF to one AF) ratio. The groundwater credits can then be used by the City to support its groundwater pumping. The City may also use the recycled water directly for approved municipal uses, thus displacing the need for potable water delivery for these uses.

The FCGMA Management Plan presents the GREAT Program as the most important aspect of its anticipated management strategies. As a result, the City expects the FCGMA will offer significant regulatory support in helping the City implement the Program. The City has identified a number of agricultural irrigators along Hueneme Road, east of the AWPF, who could potentially utilize recycled water and reduce their groundwater pumping from the LAS. The City and UWCD are also working to secure several sites along Hueneme Road for potential recycled water injection wells. Additionally, the City has identified a number of existing facilities such as parks, schools, and golf courses that will have proximity to the main recycled water line and are good potential candidates for recycled water use[104]. (Kennedy/Jenks, May 2007). Serving recycled water to these existing facilities for their non-potable water needs will reduce the overall demand for potable water.

Using recycled water for groundwater injection for subsequent domestic water pumping (ASR program) or to combat seawater intrusion in coastal aquifers (Seawater Intrusion Barrier Project) would create a steady demand for recycled water that would translate into a fixed groundwater credit allocation from FCGMA.

[104] Kennedy/Jenks Consultants May 2007 Recycled Water Facilities Plan.

As a conservative measure, the City has not incorporated projections of groundwater credits associated with the Seawater Injection Barrier in its water supply strategies (Kennedy/Jenks, June 2007)[105]. However, the City has included a projection of a 1:1 groundwater credit for either the direct use of recycled water when offsetting a groundwater use, or the direct injection of recycled water (Kennedy/Jenks, June 2007).

Recycled Water. The City intends to make expansive use of recycled water for various municipal purposes. Use of recycled water for these City-uses will free up potable water sources for other, more appropriate uses within the City. The City's Recycled Water Backbone Study (Kennedy/Jenks, 2006) [106] confirmed the efficiency of the construction of a Backbone Recycled Water System (BRWS) that will deliver water from the AWPF to M&I customers along the alignment of the backbone pipeline through the City, extending into the northwest portion of the City. The BRWS will take advantage of the replacement of the Redwood Trunk Sewer (RTS) that extends from the intersection of Gonzales Road and Ventura Road to the OWTP. This project has made an empty conduit available for use as a recycled water line to serve M&I customers in the vicinity of the RTS. Use of the existing RTS would reduce the construction impacts of the 42,000 foot recycled water pipeline.

The BRWS is a priority system for the City and will be the first M&I distribution system constructed for the GREAT Program. Since BRWS will serve existing City M&I customers, the recycled water will displace the use of potable water to meet these demands (irrigation of large landscapes and industrial processes, etc.). The potable water will then be available for existing water needs – the true domestic uses. This will also allow more flexibility for the City to fund, design, and construct the GREAT Program facilities that will generate FCGMA groundwater credits.

Additionally, the City is requiring all new development projects to design and construct dual piping systems within their project areas to facilitate the delivery of recycled water for non-potable uses within their project areas.[107] The City is currently designing the BRWS to accommodate the planned 1,250 AFY of non-potable water demand discussed in the Recycled Water Backbone Study, and the projected additional recycled water demands of proposed development projects. The result will be a Phase I system designed for approximately 3,225 AFY, which is more than the earlier estimate of 1,250 AFY.

Recycled Water Facilities Plan. The Final Report Oxnard Recycled Water Facilities Plan[108] (Recycled Water Facilities Plan) confirmed and identified users and uses totaling over 17,500 AFY of demand for recycled water. This demand would either be converted by the FCGMA to groundwater credits or would directly offset existing potable water demands. The 17,500 AFY was identified by the 2005 Urban Water Management Program (UWMP) as the additional groundwater allocation needed to meet demands through 2030 which is considered as a buildout or near buildout condition. The City has identified existing groundwater users that may be good candidates for use of recycled water in its Recycled Water Facilities Plan (Kennedy/Jenks May 2007). Figure 5-2 of the Recycled Water Facility Plan illustrates the

[105] Kennedy/Jenks Consultants June 2007 City of Oxnard Water Supply Strategies 2006-2016.
[106] The *Recycled Water Backbone Study* is available for review online at http://www.oxnardwater.org/documents/studies/rwbs.pdf.
[107] See City of Oxnard's Mandatory Recycled Water Use Ordinance No. 2728. A copy of the City of Oxnard's Mandatory Recycled Water Use Ordinance No. 2728 is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

proposed recycled water system. The amount of potential recycled water use in AFY for each user has been identified and used to calculate an estimate of the total potential recycled water demand for each year. Table 4.14-3 (Table ES-2 from the Recycled Water Facilities Plan) shows the identified potential demands for GREAT recycled water.

Table 4.14-3 - Summary of Identified Recycled Water Demands

Project and Description	Demand (AFY)	Comment
Alt. A – Backbone Recycled Water System (BRWS) – Recommended Project	1,389	Slightly higher than the earlier Recycled Water Backbone Study – 1,500 to 2,000 AFY
Alt. B1 – Southeastern System	309	
Alt. B2 – NCBC System	245	Institutional issue of coordination with Navy
Alt. B3 – Northeastern System	284	
Alt. C – Ocean View Area	4,000	A portion of the agricultural demand. City owns and operates the supply infrastructure to the Ocean View area.
Alt. D – Pleasant Valley Area	4,000	Overall water use is well above 20,000 AFY
Alt. E – Groundwater Injection	7,300	This demand is needed during rainy periods when irrigation demands for recycled water are low, to balance the system and achieve the overall delivery objective of about 17,500 AFY
Alt. F – Seawater Barrier Injection	0	While of great regional benefit, at this time the economics are more favorable for groundwater injection for domestic purposes
Total	17,530	
Total for Recommended Projects (All except B3 and F)	17,280	

Source: Table ES-2, Final Report Oxnard Recycled Water Facilities Plan, May 2007.

Groundwater injection, either for domestic water purposes or to address seawater intrusion is important in that it will allow the AWPF to operate at more or less a constant output. It also will provide a relatively constant demand for recycled water throughout the year when seasonal weather conditions reduce M&I and agricultural demands.

GREAT Construction Phasing. Based on the recommendations of the 2005 UWMP, the capacity of the Phase 1 AWPF facility was expanded from 5.0 MGD to 6.25 MGD. The initial phase of the AWPF is planned for completion in 2010/2011 (Tony Emmert pers. corres., January 2008). The Recycled Water Facilities Plan (Kennedy/Jenks, 2007) recommended two additional expansions of the AWPF to take it to 25.0 mgd by 2020. The first and second expansion phases of the GREAT Program are currently planned for 2015 and 2020 (Kennedy/Jenks, June 2007). Final expansion of the AWPF may be pushed to a date later than 2020, depending on the water supply and demand scenarios then existing within the City. Major components and capacities for Phase I and Phase II (Kennedy/Jenks, June 2007) of the GREAT program are as shown in Table 4.14-4.

The construction of the recycled water delivery infrastructure and the Phase I capacity of the AWPF at 6.25 mgd are to be constructed concurrently. As with any construction project, it is possible the construction of the delivery capability for recycled water will lag the construction of the AWPF in the initial phase of the project. The potential construction timing disconnect

[108] A copy of the *Final Report Oxnard Recycled Water Facilities Plan* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

between capacity and delivery capability may result in the City's continued reliance on its currently available sources through some portion of 2010 and 2016 (Kennedy/Jenks, May 2007). In other words, there may be a delay in the availability of the groundwater credits and recycled water delivery capability anticipated from the initial phase of the GREAT Program. In

Table 4.14-4 - GREAT Program Recycled Water Facilities Phasing

Facility	Phase I	Phase II		
AWPF [2]	2010/2011[1]	2015	2020	Beyond 2020 Final Expansion
	6.25 mgd 7,000 AFY	12.5 mgd 14,000 AFY	18.25 mgd 21,000 AFY	25.0 mgd 28,000 AFY
Preferred Project Recycled Water Facility [3]				
Alt. A Recycled Water Backbone System [4]	1.2 – 1.8 mgd 1,400 – 2,000 AFY			
Alternatives – Recycled Water Facilities Plan [3]				
Alt E. Groundwater Injection Wells [5]	6.25 mgd 7,000 AFY			
Alt. D Pleasant Valley Agricultural Area	3.57 mgd 4,000 AFY			
Alt. B project		0.17-0.26 mgd 200-300 AFY [6]		
Alt. C Ocean View Agricultural Area		3.57 mgd 4,000 AFY		

[1] From Table ES-2, Summary of Identified Demands/ Final Report Oxnard Recycled Water Facilities Plan, May, 2007.
[2] Dates for proposed expansions of AWPF from City of Oxnard Water Supply Strategies 2006 to 2016.
[3] Description of recycled water alternatives from Final Report Oxnard Recycled Water Facilities Plan, May 2007. Actual implementation of alternatives are subject to future planning efforts.
[4] The City of Oxnard Water Supply Strategies 2006 to 2016 states that the initial 1,250 AFY described in the Recycled Water Facilities Report will be expanded.
[5] The City of Oxnard Water Supply Strategies 2006 to 2016 states that for City planning purposes, injection for domestic supply is assumed to reduce potable water demand by a 1:1 transfer of groundwater credits.
[6] The Final Report Oxnard Recycled Water Facilities Plan states a time range for the three possible alternative B projects from 2010 to 2015.

anticipation of this potential delay, the City has developed a demand reduction program that is further described below.

The construction of the first groundwater desalter element of the GREAT Program is underway and is expected to go on-line at Blending Station No. 1 in the summer of 2008. This desalter will have 7.5 mgd (8,400 AFY) of capacity. The second desalter is expected on-line in 2011 at Blending Station No. 3. By 2016, the City expects to have a minimum of 9.4 mgd (10,600 AFY) of desalting capacity. Since City wells will be pumped at a higher rate to accommodate greater demand, the desalters will be necessary to maintain an acceptable level of water quality as the City increases its reliance on groundwater.

GREAT Program Financing. The City Council has approved the GREAT Program in its entirety and certified the City of Oxnard's Project EIR/EIS.[109] In addition, the GREAT Program is a cornerstone strategy of the FCGMA Management Plan, to ensure the ongoing integrity of the local groundwater basins. Some portions of the GREAT Program are fully funded and under construction (i.e., the Desalter located at Blending Station #1, which is projected to be on-line in late 2008) and other portions of the Program are in various stages of design and implementation.

GREAT Program funding will derive from a combination of customers rates and charges, bond financing, and water resource development and connection fees imposed on new development. For example, in conjunction with the approval of the GREAT Program EIR/EIS, the City raised its customer connection fees significantly, in part to raise funds to construct the GREAT Program.[110]

The remaining contingency for the construction of the GREAT Program is the approval of the funding of the final program components. The Recycled Water Facilities Plan (Kennedy/Jenks, May 2007) includes estimates for capital costs for the BRWS and the additional recycled water systems (portions of the GREAT Program infrastructure). An additional authorization of $26,674,000 (in 2006 dollars) will be needed to complete the BRWS that includes construction of Phase I of the AWPF. The capital costs needed to create the infrastructure to support the projected 17,500 AFY of recycled water demand in 2006 dollars is $60,219,000.

In 2004 and 2006, the City Council approved and appropriated over $59 million in bonds, a portion of which are dedicated to the GREAT Program and the recycling projects discussed in this analysis. The City is in the process of developing a Water Rate and Fee Study that will be incorporated into a Comprehensive Financing Plan and master funding schedule for the completion of the GREAT Program. City staff plans to present for Council approval in early 2009 the bond financing and rate program to cover the cost of the BRWS that includes the first 6.25 mgd phase of the AWPF. Given the City Council's historical commitment to the GREAT Program and its regional importance, it is reasonable to expect this Council will authorize the funding of these final components of the Phase 1 GREAT Program elements.

GREAT Program Contingencies. As noted above, the GREAT Program is an important element of the City's long-term water supply portfolio. While its actions to date demonstrate the City's full commitment to the GREAT Program, certain future actions must be undertaken to ensure the timely implementation of the Program. Thus, the GREAT Program, while considered a reliable future supply, does present a relatively small contingent element to the City's overall water supply reliability. The GREAT Program is reasonably considered a reliable future supply based on the following considerations:

As a part of the City Council's formal adoption of the GREAT Program, the following activities have occurred:

A. The GREAT Program Advanced Planning Study was completed and approved in 2002.

[109] A copy of the *GREAT Program EIR* is available for review online at: http://developmentservices.cityofoxnard.org/Uploads/Planning/Title_Page_and_TOC.pdf

[110] City of Oxnard Ordinance 2728. A copy of the *City of Oxnard Ordinance 2728* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

B. GREAT Program Final EIR/EIS. This document was certified in September 2004. The GREAT Program, Phase 1 was evaluated at the project level and Phase 2 was evaluated at the programmatic level. The EIR/EIS also included the construction of Blending Station No. 5.

C. Bonds and Rate Adjustments. The City issued over $48.6 million in municipal bonds in February 2004 and another $50.0 million in 2006 to fund a significant portion of the GREAT Program. The City has established GREAT Program Finance, Steering and Capital Projects Committees to guide the financing programs necessary to implement the remaining elements of the GREAT Program. The City expects to issue another bonding increment in early 2009 to fund the remaining elements of the phase 1 GREAT Program. In addition, the City has completed the necessary rate models to implement adjustments to the City's water and wastewater rates, along with its water resource development and connection fees, to support the next increment of bond financing. Rate adjustments are expected to be implemented in coordination with the approval of the bond issuance. Subsequent financing needs for the phase 2 and phase 3 increments of the GREAT Program are relatively minor in comparison to the phase 1 costs and will be implemented consistent with the timing appropriate for those GREAT Program elements.

D. Recycled Water Backbone System. The City Council considered and approved the "Recycled Water Backbone System Study" (October 2005), which evaluated the technical feasibility of using the abandoned Redwood Trunk Sewer (which was replaced with a new wastewater line) for a pipeline to serve recycled water to areas generally located in the northwest portion of the City. In November 2006, the City Council approved this project (along with certification of the associated environmental review), and adopted the City's mandatory recycled water use ordinance discussed separately in this document. This project will provide up to 1,275 AFY of recycled water to M&I customers. At this time, approximately 1,250 AFY of in-City recycled water demand has been identified.

E. Recycled Water Program Management. The City is preparing a "Recycled Water Master Plan." This plan will address the institutional issues related to recycled water uses throughout the City. The Recycled Water Master Plan includes the following:
   - Public outreach strategy.
   - Mandatory recycled water use ordinance and administrative code implementation programs.
   - Grant funding identification.
   - Site supervision and training.
   - Standard drawings and details.
   - Cost-sharing for system retrofits.

In addition, the City is actively pursuing the following interim strategies to reduce the potential for water supply shortages should there be any delay in implementation of the GREAT Program:

1. Accumulate groundwater credits for use while the GREAT Program implementation and expansion is underway.

2. Maximize the access to M&I Supplemental Water Supply Program and finalize the augmented M&I Supplemental Water Program agreement.

3. Maximize the use of CMWD water to help bank groundwater conservation credits.

4. As necessary, purchase un-used O-H water from other O-H system contractors that under utilize their allocation.

5. Implement the initial phase of the GREAT Program (for 6.25 MGD) by 2011.

6. Plan for the first expansion of the GREAT Program to be an additional 5.2 MGD (to 11.45 MGD).

7. Plan for the second expansion of the GREAT Program to be an additional 5.0 MGD (to 16.45 MGD). Before designing the second expansion, in particular, the demand and surplus projections should be re-visited.

8. The City could implement additional temporary water demand control measures for periods when supply is not sufficient to meet demand as outlined in City Ordinance No. 2729, "City of Oxnard Water Conservation and Water Shortage Response Ordinance".

9. The City also has the option to pump additional groundwater from City wells above their allocation. However, this may result in the imposition of a GMA surcharge.

The status and next steps for the implementation of the GREAT Program are discussed in detail above and in the appended Water Supply Assessment. While there are additional permits and regulatory approvals required for the GREAT Program, recycled water systems of this nature are common in Southern California. The permit and regulatory processes are relatively routine and well understood. The use of recycled water meets both regional and state goals for maximizing water supply efficiency and reliability, adding confidence to the success of the approval process.

UWCD Water Facilities. United Water Conservation District is a local, special district that owns and operates local water supply facilities that directly and indirectly impact the reliability of the City's water supplies. First, UWCD owns and operates the El Rio Wellfield and the Oxnard-Hueneme Pipeline, components of a potable water supply facility for which the City holds a long-term water supply contract. Second, UWCD owns the Freeman Diversion on the Santa Clara River and a series of percolation ponds, which UWCD operates to augment the recharge of the Oxnard Forebay and Oxnard Plain basins.

OH System Contract. The City holds a long-term water supply contract with UWCD.[111] UWCD relies on a group of wells located in the Oxnard Forebay basin to supply the City local groundwater pursuant to this contract. Because UWCD's wells are within the jurisdiction of the

[111] A copy of the OH Pipeline Water Supply Contract is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

FCGMA, UWCD's holds a FCGMA pumping allocation for each of its contractors on the OH System, including the City. The City's current pumping sub-allocation is 7,709 AFY. The City also holds approximately 7,000 AF acre-feet of credits on the OH System as of December 31, 2006.

The term of the OH System contract covers 1996 to 2036. This is the second in a series of water supply contracts between the two entities. For City planning purposes, the UWCD contract allocation is considered a fixed, firm water supply.

UWCD Freeman Diversion. In addition to its water supply facilities, UWCD also operates facilities which provide significant groundwater recharge to the local groundwater basins. These facilities are the Freeman Diversion on the Santa Clara River and several off-stream percolation basins (also referred to as spreading grounds). UWCD diverts Santa Clara River water at the Freeman Diversion and delivers a portion of the water to the spreading grounds. The balance of the surface diversions are supplied to agricultural users in the region. The operation of UWCD facilities are funded through user water rates and a series of groundwater pump charges imposed on all local groundwater users. Through the operation of these facilities, UWCD has augmented over 1,000,000 acre-feet of recharge to the local groundwater basins beyond that which would occur without these recharge facilities. The overall integrity of the local groundwater basins are, in part, dependent on the continued augmented recharge obtained through Freeman Diversion operations.

The Santa Clara River is designated critical habitat for the endangered steelhead salmon. UWCD has operated the Freeman Diversion consistent with a biological opinion issued by the National Marine Fisheries Service. Among other operational considerations, the Freeman Diversion contains a fish ladder that provides physical passage for migrating fish on the Santa Clara River. Currently, UWCD is consulting with the National Marine Fisheries Service over potential changes to the operation of the Freeman Diversion. The scope of these discussions includes increasing the amount of water flowing through the fish ladder to augment the ability for fish passage through the diversion structure. Depending on the timing and magnitude of these changes, there could be an impact on the overall quantity of water diverted through the Freeman Diversion. This, in turn, could impact the efficiency of the augmented recharge obtained through the percolation basins, and the amount of surface water supplied to local agricultural users. These discussions have not yet yielded any specific result which could then be analyzed in this document.

Other Factors Impacting Water Supplies: Climate Change. The City has conducted a survey of current literature on climate change and has summarized the potential impacts on water resources in California. To address uncertainties in the water supplies, the City has reviewed the most recent reports that address the potential effects of climate change on the Delta drainage area and the Colorado River Basin. The City has also summarized recommendations offered by state agencies, policy groups and non-governmental organizations, and has compared them to MWD's existing programs and climate change policies.[112]

[112] It is impracticable for the City or any other water provider to produce a new analysis of climate change for a water supply assessment or written verification. As noted by David Yates, Project Scientist for the National Center for Atmospheric Research ("NCAR"), at a presentation before the National Association of Water Companies on October 1, 2007, the NCAR climate model has been under construction since the early 1970s and requires approximately 100 days to complete a single run. When compared with the 90-day time limit imposed on the preparation of a

Recent climate change reports recognize that impacts on water resources largely depend on the degree of warming and concede there are significant uncertainties regarding the impact of climate change on local and regional climates. There is a great deal of uncertainty surrounding temperature rise predictions and the resulting impacts on local and regional climates because it is difficult to predict future greenhouse gas emissions and the resulting feedback processes in the climate system and hydrological cycle. Further, existing climate change models are imperfect and become increasingly imprecise when used to predict changes on a watershed level. Therefore, it is not possible to quantify the impacts of climate change on water supplies in the Western United States, let alone those available to the City.[113]

Although climate change impacts are uncertain and cannot be precisely modeled, existing evidence, including the effects of warming in the West over the last century, demonstrate that climate change will likely affect future snowpack accumulation, water supply, runoff patterns, sea level, incidents of flooding and droughts, evapotranspiration rates, water requirements and water temperature. Water supplies will be directly affected by temperature changes, precipitation, humidity and wind speed. The current climate change reports are largely in agreement in concluding that climate change will produce hydrologic conditions and variations of a different nature than current systems were designed to manage.

DWR is at the forefront of climate change in California and to date has conducted the most comprehensive study of the impacts of climate change on the SWP, one of two primary sources of water for MWD and, consequently, the City and the Project.[114] DWR used the results of existing models of the Intergovernmental Panel on Climate Change ("IPCC") and applied them to a computer model that it jointly developed with the U.S. Bureau of Reclamation to study flow into the Delta. DWR quantified impacts for four scenarios predicted by two global climate models at two carbon dioxide emission rates.[115] It found that climate change "resulted in considerable impacts to SWP and CVP delivery capabilities, especially in the drier scenarios."[116] DWR's model showed that under one climate change scenario, average yearly SWP Table A deliveries at 2050 would be reduced by 10.2 percent.[117] DWR recognized that there were limitations to its analysis as the models did not capture many variables, and therefore the results were preliminary and not sufficient to be used to make policy decisions.[118] Instead, DWR stressed that these studies were just the starting point and could help identify future areas of study.[119]

water supply assessment, *see* Cal. Water Code § 10910(g)(1), it is clear that the only available option for a water supplier is to rely on published reports from technical experts.

[113] This approach to analyzing climate change has been approved by the Los Angeles County Superior Court in a recent case that addressed the sufficiency of a water supply assessment in a environmental impact report. *See Santa Clarita Oak Conservancy, California Oak Foundation, and Santa Clarita Organization for Planning the Environment v. City of Santa Clarita*, Statement of Decision, Case No. BS 084677 (Los Angeles Sup. Ct. August 15, 2007).

[114] California Department of Water Resources, *Progress on Incorporating Climate Change into Management of California's Water Resources, Technical Memorandum Report* (July 2006). A copy of *Progress on Incorporating Climate Change into Management of California's Water Resources, Technical Memorandum Report* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

[115] *Id.* at 4-1.

[116] *Id.* at 4-49.

[117] *Id*.

[118] *Id.* at 4-50.

[119] *Id*.

A survey of recent research on the effects of climate change on the Colorado River reveals that runoff reductions range from a decrease of 11 percent in 2100[120] to a decrease of 45 percent in about 2050.[121] Both of these studies used the latest temperature and precipitation results from the IPCC General Circulation Models, but applied varying techniques to model flow. The survey noted the huge variations in predictions and pointed out that all of the studies suffer from limitations relating to the models used or hydrology and operational model assumptions.[122]

In light of these conclusions, both governmental agencies and non-governmental organizations recommend that water decision-makers operate existing water systems to allow for increased flexibility. Other recommendations include incorporating climate change research into infrastructure design, conjunctively managing surface water and groundwater supplies, and integrating water and land use practices.

Policymakers and water suppliers in California, including MWD, are currently addressing climate change impacts and developing new ways to cope with the types of variability which are outside the design range of existing infrastructure. MWD recognizes that climate change will require water suppliers to develop new, alternative water supplies and to focus on water use efficiency.[123] In March 2002, MWD's Board of Directors adopted climate change policy principles that relate to water resources. These principles are reflected in MWD's water supply planning efforts, including the IRP. Further, in response to climate change and uncertainty, MWD's 2005 Regional Urban Water Management Plan incorporated three basic elements to promote adaptability and flexibility, important in addressing impacts of climate change: conservation, groundwater recharge and water recycling.

MWD has been recognized for its positive approach by the IPCC in its recent *2007 Report on Climate Change: Climate Change Impacts, Adaptation and Vulnerability*.[124] The IPCC's climate change projections and adaptation options are internationally recognized by both governmental and non-governmental agencies, and its use of MWD as an example of how to manage climate change shows the professional wisdom of its programs.

Most recently, MWD approved criteria to further explain its position on the conveyance options that are currently being discussed to remedy the Delta, which include addressing projected sea level rise and change in inflows due to climate change. MWD's criteria provide that, whatever option is chosen, it should provide water supply reliability, improve export water quality, allow flexible pumping operations in a dynamic fishery environment, enhance the Delta ecosystem, reduce seismic risks and reduce climate change risks.[125] MWD has demonstrated a commitment to addressing climate change by evaluating the vulnerability of its water systems to global

[120] Brad Udall, "Recent Research on the Effects of Climate Change on the Colorado River," in *Intermountain West Climate Summary* (May 2007), (citing N. Christensen and D.P. Lettenamair, "A Multimodel Ensemble Approach to Assessment of Climate Change Impacts on the Hydrology and Water Resources of the Colorado River Basin," *Hydrology and Earth System Sciences Discussion* 3:1-44 (2006)). A copy of "Recent Research on the Effects of Climate Change on the Colorado River," in *Intermountain West Climate Summary* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.
[121] *Id.* (citing Hoerling and Eischeid, "Past Peak Water in the South-west." *Southwest Hydrology*, January/February, 18-19, 35 (2006)).
[122] *Id.* at 2, 5.
[123] Testimony of Timothy F. Brick, Chairman of MWD, to U.S. Senate Energy and Natural Resources Committee, Subcommittee on Water and Power, Re Impacts of Climate Change on Water Supply in the U.S. (June 6, 2007). A copy of Timothy F. Brick's *Testimony to U.S. Senate Energy and Natural Resources Committee, Subcommittee on Water and Power, Re Impacts of Climate Change on Water Supply in the U.S.* is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

[125] Metropolitan Water District of Southern California, Board of Directors Agenda Item 8-4 (September 11, 2007).

warming impacts and has developed appropriate response strategies and management tools that account for the impacts of climate change on water supplies.[126]

Projected Water Supplies

Table 4.14-5 below presents the projected, reliable water supplies available to the City through 2030.

Table 4.14-5 – City of Oxnard Projected Water Supplies

Water Supply Sources	2010	2015	2020	2025	2030
CMWD Allocation Delivery[(a)]	14,100	14,100	14,100	14,100	14,100
UWCD Delivery[(b)]					
From Allocation	6,800	6,800	6,800	6,800	6,800
From Credits	0	0	0	0	0
GW Production from City Wells[(c)]					
From Baseline Allocation	820	820	820	820	820
From Historical Allocation	8,415	8,415	8,415	8,415	8,415
From Transferred Allocation	1,490	1,490	1,490	1,490	1,490
From Credits	0	0	0	0	0
M&I Supplemental Water[(d)]					
From Existing Program	4,000	4,000	4,000	4,000	4,000
From Augmented Program	5,000	5,000	5,000	5,000	5,000
GREAT Program[(e)]					
From exchange with farmers for increased GW pumping rights	0	475	6,975	6,975	6,975
From credits for groundwater recharge/seawater injection barrier	0	1,300	7,300	7,300	7,300
Total (rounded)	40,625	42,400	54,900	54,900	54,900

Source: Table 5-1 of the WSA.

Notes: (a) Per 2005 UWMP, City's Tier 1 allocation minus the PHWA reservation.

(b) This assumes the most conservative availability of City's allocation from UWCD; that the GMA implements the full 25 percent cutback by 2010. The Credits depicted here are those used to meet demand and are not representative of the City's cumulative credit balance with UWCD. No deliveries from the credits are shown because there is sufficient supply to meet demand without using these credits. As of the end of 2006, the City had approximately 7,314 AF of stored credits with UWCD.

(c) Includes the existing 15 % cutbacks but no future cutbacks in City's allocation. Transferred Allocation includes groundwater allocation from converted agricultural lands and from the OVMWD to date. It assumes the most conservative availability of Transferred Allocation since the Transferred Allocation will increase as private agricultural land is converted to City M&I demand by future development. An estimate of potential transferred allocation is currently being developed. The credits depicted here are those used to meet demand and are not representative of the City's cumulative credit balance with the GMA. No deliveries from the credits are shown because there is sufficient supply to meet demand without using these credits. As of the end of 2006, the City had approximately 12,294 AF of stored groundwater credits with the GMA.

(d) M&I Supplemental water assumed to be 4,000 AFY until 2010, when it increases to 9,000 AFY with the incorporation of the augmented program.

(e) Of the 17,500 AFY of expected supply from the Great Program, approximately 6,975 AFY would be delivered to farmers in exchange for their groundwater pumping rights and 7,300 AFY would be used for groundwater recharge or the seawater injection barrier in exchange for increased groundwater pumping rights. The remaining 3,225 AFY of supply would be delivered to M&I users and has been credited to the overall City demands and is this not included in this Table as a supply. Brine loss from the desalters was also included with overall City demands and thus is not included in this table. The first Phase of GREAT Program is projected to be a 6.25 MGD facility (6,300 AFY) and is planned for operation by 2010-2011. The first expansion is recommended to be a 5.2 MGD expansion and the second expansion is recommended to be a 5.5 MGD, for a total 2020 capacity of 16.95 MGD (17,100 AFY). The BS-1 desalter is expected to be on-line in 2009 producing 7.5 MGD or 8,400 AFY. The BS-3 desalter is expected to be on-line in 2011 producing 5.0 MGD.

[126] *See* MWD's *2006 Integrated Water Resources Plan Implementation Report* for more information on how MWD is addressing uncertainties.

Projected Citywide Water Demand

Table 4.14 -6 shows the City of Oxnard Planning Division 2007 projections of total growth that is anticipated to occur between 2008 and 2020. The estimate is considered to represent the maximum level of development that could be expected to occur between 2008 and 2020.

Table 4.14-6 – City of Oxnard Planning Division Total Growth Projections 2008 – 2020

Land Use Type	Quantity
Residential	13,142 units
High-rise	1,574 units (approximately 10 acres)
Commercial	6.1 million sq. ft.
Industrial	11 million sq. ft.
Parks	110 acres
Hotels	129 rooms
Schools	2 elementary schools
Public	2 or 3 fire stations

Table 4.14-7 shows a breakdown of projected future development by land use type and the percentage of the total projected development that would occur within the seven proposed Specific Plan areas within the City. These Specific Plans are: 1) Wagon Wheel (Oxnard Village), 2) Jones Ranch, 3) Ormond Beach North (SouthShore), 4) Ormond Beach South, 5) Teal Club, 6) Sakioka Farms, 7) and Camino Real Business Park (Power Machinery).

Table 4.14- 7 Projected Growth Within Existing Specific Plan Areas 2008 – 2020

Type	Amount	Percent of Total Growth Within Proposed Specific Plan Areas
Residential	6,891 units	52.5%
High-rise	442 units	28.1%
Commercial	3.7 million square feet	61.3%
Industrial	10.2 million square feet	93.4%
Parks	123 acres	100%
Schools	2 elementary schools	100%
Public	2 fire department stations	100%

Table 4.14-8 shows the estimated water demand projection through the year 2030. A WSA is required to provide estimates of supply and demand for 20-years in the future, thus projections through the year 2030 are shown. These estimates were developed by the City planning staff (Planning Division) and used to update the water demand tables incorporated into the 2005 UWMP for inclusion in the WSA. No change in the method or approach to water demand projections developed as part of the 2005 UWMP was made by the Planning Division. Only changes to anticipated demands from the major developments, their anticipated build-out schedules and the addition of brine loss (resulting from groundwater desalting – a form of water demand) have been made. Also, the demand projections are based on existing 2007 demand as

opposed to the 2004 demand used in the 2005 UWMP. There have been no changes to City limits, the City Urban Restriction Boundary (CURB), the City Sphere of Influence, or Planning Areas since the 2005 UWMP. These demand projections also include continued infill development, redevelopment and intensification of existing lots.

Table 4.14-8 2007 Cumulative Water Demand Projection (AFY)

Category	Additions	Deductions	Cumulative Total
a. Existing water demand (2007)			25,690
b. Existing P&G demand (2007)	2,800		28,490
c. Specific Plans			
- Ormond Beach (South)	800		
- Ormond Beach (North)	545		
- Camino Real Business Park	140		
- Teal Club	420		
- Oxnard Village (Wagon Wheel)	**640**		
- Sakioka Farms	1,695		
- Jones Ranch	625		
Subtotal	4,865		33,355
d. Other large project areas	2,135		35,490
e. Infill projects	1,065		36,555
f. Additional demand due to redevelopment	1,200		37,755
g. Recycled Water		(3,225)	34,530
h. Brine Loss	4,200		38,730
i. Water Conservation			
Assume 5 percent		(2,100)	36,630
j. Unaccounted-for-water			
Assume 4 percent	1,600		38,230
k. Allowance for exp. beyond City	0		38,230
l. Allow changes in unit demands			
Assume 10 percent of residential	2,000		40,230
m. Contingency			
Assume 2,500 AFY	2,500		42,730
Total – All production - 2030			**42,730**

Source: Kennedy/Jenks Consultants, FINAL Water Supply Assessment and Verification- Wagon Wheel, April 29, 2008, [Table 3-3].. See Appendix G.

Projected Water Supply Balance.

Tables 4.14-9 through 4.14-15 provide a comparison of the water supply and demands for a normal, single dry, and multiple dry water years as provided in the WSA. They show that for all water years from 2010 – 2030 the City's supplies are sufficient to meet projected demand. However, until the augmented M&I Supplemental Program and the GREAT Program are operational (i.e., 2010), the City may be dependent on using groundwater credits to meet demand in multiple dry water years. It should also be noted that estimates of water demand are highly conservative and include a contingency factor.

The WSA also makes the following recommendations to reduce the potential impact of any potential supply shortages (or improve the margin of supply) from the following tables:

- Build up City Groundwater Credits between 2008 and 2010 for use in 2011 through 2016 until the GREAT Program expansion is operational.
- Continue negotiations for Augmented M&I Supplemental Water Supply Program and obtain approval by 2009.
- The City also has the option to pump additional groundwater from City wells above their allocation. However, this may result in additional surcharges from the GMA.
- The tables above are predicated on the City's utilizing its full purchase order entitlement of CMWD water, less the PHWA water use and reservation as discussed above. However, in 2007 PHWA only used 2,220 AFY of its 3,262.5 AFY of reservation. Thus the City could potentially purchase an additional 1,040 AFY of CMWD in times of need.
- Implement the initial phase of the GREAT Program (for 6.25 MGD) by 2011 when demand starts to increase. If the facility is delayed, then other sources of water would be needed. A portion or all could be from the rest of the CMWD Tier 1 rate or even Tier 2 water.
- The City also has options of purchasing un-used O-H water from other water purveyors.
- Plan for the first expansion of the GREAT Program to be an additional 5.2 MGD (to 11.45 MGD).
- Plan for the second expansion of the GREAT Program to be an additional 5.0 MGD (to 16.45 MGD). Before designing the second expansion, in particular, the demand and surplus projections should be re-visited.
- The City could also implement additional temporary water demand measures for periods when supply is not sufficient to meet demand as outlined in City Ordinance No. 2729, "City of Oxnard Water Conservation and Water Shortage Response Ordinance."

Table 4.14-9 Projected Supply and Demand Comparison Scenario: Normal Year (AFY)

	2010	2015	2020	2025	2030
Supply totals	40,625	42,400	54,900	54,900	54,900
Demand totals	34,260	38,375	41,030	42,230	42,730
Difference	6,365	4,025	13,870	12,670	12,170
Difference as percent of Supply	16%	9%	25%	23%	22%
Difference as percent of Demand	19%	10%	34%	30%	28%

Source: Kennedy/Jenks Consultants, FINAL Water Supply Assessment and Verification- Wagon Wheel, April 29, 2008. See Appendix G.

Table 4.14-10 Projected Supply and Demand Comparison Scenario: Single Dry Year (AFY)

	2010	2015	2020	2025	2030
Supply totals	40,625	42,400	54,900	54,900	54,900
Demand totals	34,260	38,375	41,030	42,230	42,730
Difference	6,365	4,025	13,870	12,670	12,170
Difference as percent of Supply	16%	9%	25%	23%	22%
Difference as percent of Demand	19%	10%	34%	30%	28%

Source: Kennedy/Jenks Consultants, FINAL Water Supply Assessment and Verification- Wagon Wheel, April 29, 2008. See Appendix G.

Table 4.14-11 Projected Supply and Demand Comparison Scenario: Multiple Dry Years (2007 – 2010) (AFY)

	2007	2008	2009	2010
Supply totals	27,066	35,625	40,625	40,625
Demand totals	27,066	28,162	29,258	34,260
Difference	0	7,463	11,367	6,365
Difference as percent of Supply	0%	21%	28%	16%
Difference as percent of Demand	0%	27%	39%	19%

Source: Kennedy/Jenks Consultants, FINAL Water Supply Assessment and Verification- Wagon Wheel, April 29, 2008. See Appendix G.

Table 4.14-12 Projected Supply And Demand Comparison Scenario: Multiple Dry Years (2011-2015) (AFY)

	2011	2012	2013	2014	2015
Supply totals	40,980	41,335	41,690	42,045	42,400
Demand totals	35,083	35,906	36,729	37,552	38,375
Difference	5,897	5,429	4,961	4,493	4,025
Difference as percent of Supply	14%	13%	12%	11%	9%
Difference as percent of Demand	17%	15%	14%	12%	10%

Source: Kennedy/Jenks Consultants, FINAL Water Supply Assessment and Verification- Wagon Wheel, April 29, 2008. See Appendix G.

Table 4.14-13 Projected Supply and Demand Comparison Scenario: Multiple Dry Years (2016-2020) (AFY)

	2016	2017	2018	2019	2020
Supply totals	42,400	42,400	42,400	42,400	54,900
Demand totals	38,906	39,437	39,968	40,499	41,030
Difference	3,494	2,963	2,432	1,901	13,870
Difference as percent of Supply	8%	7%	6%	4%	25%
Difference as percent of Demand	9%	8%	6%	5%	34%

Source: Kennedy/Jenks Consultants, FINAL Water Supply Assessment and Verification- Wagon Wheel, April 29, 2008. See Appendix G.

Table 4.14-14 Projected Supply And Demand Comparison Scenario: Multiple Dry Years (2021-2025) (AFY)

	2021	2021	2023	2024	2025
Supply totals	54,900	54,900	54,900	54,900	54,900
Demand totals	41,270	41,510	41,750	41,990	42,230
Difference	13,630	13,390	13,150	12,910	12,670
Difference as percent of Supply	25%	24%	24%	24%	23%
Difference as percent of Demand	33%	32%	31%	31%	30%

Source: Kennedy/Jenks Consultants, FINAL Water Supply Assessment and Verification- Wagon Wheel, April 29, 2008. See Appendix G.

Table 4.14-15 Projected Supply And Demand Comparison Scenario: Multiple Dry Years (2026-2030) (AFY)

	2026	2027	2028	2029	2030
Supply totals	54,900	54,900	54,900	54,900	54,900
Demand totals	42,330	42,430	42,530	42,630	42,730
Difference	12,570	12,470	12,370	12,270	12,170
Difference as percent of Supply	23%	23%	23%	22%	22%
Difference as percent of Demand	30%	29%	29%	29%	28%

Source: Kennedy/Jenks Consultants, FINAL Water Supply Assessment and Verification- Wagon Wheel, April 29, 2008. See Appendix G.

Water Demand Control Measures

As discussed in some detail in the 2005 City UWMP[127], the City has several tools in place to control demand. These tools can be employed in response to any water supply constraint, whether a result of drought, an emergency, or other unusual conditions. These tools are summarized below.

Diversity of Supply Sources. Most importantly, but perhaps not an obvious tool, the City's water portfolio is quite diverse compared to most public water suppliers of its size. First, the City has some flexibility to shift its reliance between its local sources and its purchase of imported water. In California, it is relatively common for the northern region of the state to experience differing amounts of rainfall than the southern regions. In other words, the northern part of the state may have a series of very wet years, while the southern portion may have very dry years. In other years, the reverse may be true. Since the City's imported water derives primarily from Lake Oroville, which is dependent on hydrologic conditions in the northern part of the state, this source is "immune" from the conditions in the south. In contrast, the City's local supplies (groundwater) are dependent on the hydrologic conditions in the southern portion of the state. The City has the capability to alter its proportional reliance on these two sources based on hydrologic conditions.

This same diversity of sources allows the City to respond to emergency conditions as well. For example, in prior years, the City's access to imported water has been temporarily suspended either for maintenance or as a result of earthquake damage. Between the City's groundwater wells and its access to local water through UWCD, the City has local infrastructure capable of meeting the entirety of the City's supply needs. Locally, the City's access to groundwater through both the UWCD and City facilities creates redundancy should a local emergency impact one system or the other. Certainly, the City could dramatically increase its reliance on imported water for temporary periods, should local conditions warrant.

Water Shortage Emergencies: Reductions in Water Use. The Oxnard Municipal Code grants the City Council the authority to impose voluntary or mandatory reductions on water use throughout the City.[128] These Code provisions provide a high degree of flexibility to control customer demand based on emergency water shortage conditions.

[127] See 2005 City UWMP, Chapter 7
[128] See Ordinance No. 2729. A copy of Ordinance No. 2729 is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

City Council Policy Regarding Development Approval

On January 15, 2008, the City Council adopted a policy that ensures mitigation measures are imposed within the approval of new development so that the associated demand remains consistent with available supplies.[129] This policy and the manner in which the applicant is implementing regarding the allocation program ensures that development approval will take place at the pace anticipated in the 2005 UWMP (and likewise, the analysis within this document) so that the growth in water demand does not exceed available supply. The net result of this policy will ensure that project approvals include conditions that: a) control pace of construction of any given project (and thus controls the pace at which water demand increases), b) allows participation in the contribution toward the development of additional water supplies that offsets the demand associated with the project, or c) suspends project approval until sufficient supplies are available to support the anticipated project demand.

Water Supply Reliability

Based on the detailed analysis contained in the WSA as summarized above, the facts are sufficient for the City to conclude that it will have a reliable portfolio of water supplies to meet anticipated demand for both the project and the presumed cumulative development anticipated under the City's current General Plan. Based on the facts and analysis included in the WSA and summarized above, there is a reasonable likelihood these supplies will be available within the timeframe necessary to meet projected demands through 2030.

However, as acknowledged above, if completion of the GREAT Program facilities and Augmented M&I Supplemental Program are delayed or if development proceeds more quickly than is reasonably anticipated, a short-term demand could exceed supply. The City has anticipated this potential impact on water supply reliability and adopted the policy referenced above that includes in every project approval conditions and mitigation measures that will ensure supply will be available to serve future demands. These and other water supply conditions and mitigation measures are described below.

Water Transmission and Distribution Infrastructure. The City's water transmission and distribution system consists of a wide variety of pipe types and sizes. Asbestos cement pipe (ACP), polyvinyl chloride (PVC) pipe, and cast iron pipe (CIP) are the most common types of pipe. More than 60% of the system consists of pipes ranging from 6 to 8 inches in diameter.

Pipelines in the vicinity of the Oxnard Village Specific Plan area include a 12-inch pipeline along the southern boundary of the Plan area under the Southern Pacific Railroad tracks, a 12-inch pipeline spanning from the Esplanade Shopping Center to Oxnard Boulevard and an 18-inch pipeline along Wagon Wheel Road.

The primary sources of water for the project would be Blending Station Nos. 1 and 3, located to the south, approximately 2.85 miles and 3.5 miles from the Oxnard Village Specific Plan area,

[129] City of Oxnard, "Report and Direction to Staff re: Water Supply Management," November 30, 2007. A copy of "Report and Direction to Staff re: Water Supply Management," is available for review at the City of Oxnard Planning and Environmental Services Division located at 214 South C Street Oxnard, California.

respectively. These two blending stations combine water from City groundwater wells, Calleguas Municipal Water District and United Water Conservation District. In the future, the City will also combine groundwater from the City's two desalting facilities. Of the two blending stations, Blending Station No. 3 is most critical, due to its closer proximity and a 36-inch pipeline in Gonzales Road.

Calleguas Infrastructure

Regarding the conveyance of water from CMWD, the City takes delivery of water via the Springville Reservoir through the City's Oxnard and Del Norte Conduits. These connections have a total rated flow capacity of 50 cubic feet per second ("cfs") under normal operating conditions, which equals approximately 22,500 gallons per minute ("gpm") or 36,200 AFY if run continuously at maximum capacity. Thus, ample infrastructure capacity exists to deliver the full contractual amount of 17,379AFY. There are no deficiencies in the CMWD or City water distribution systems that would limit the availability of water supplies to serve the Project.

b. Wastewater. Kennedy/Jenks Consultants prepared the *Wagon Wheel Infrastructure Review – Wastewater* for the project, dated August 2007. The purpose of the review was to evaluate the ability of the City's existing and/or planned wastewater systems to accommodate the planned development of the Oxnard Village Specific Plan area as well as specific connection and/or system extension requirements to provide those services. This review is included in Appendix G and is summarized below.

The Wastewater Division of the City Public Works Department owns, operates, and maintains wastewater collection and treatment infrastructure in the City, including over 300 miles of sewer pipelines and 16 wastewater pumping stations. The collection system conveys flow to the Oxnard Wastewater Treatment Plant (OWTP), a secondary treatment facility located in the southwestern portion of the City. The majority of the flow in the system is conveyed through the Ventura Road, Rose Avenue, Redwood, Western, Central, and Eastern trunk sewers.

The Oxnard Wastewater Treatment Plant (OWTP) has a current capacity of 31.7 million gallons per day (mgd) with average daily flows of approximately 24.0 mgd. The City anticipates expansion of the plant to 39.7 mgd by 2020.

Wastewater Conveyance. An 18-inch vitrified clay pipe (VCP) crosses approximately at the center of the site, under the Ventura County Flood Control District's El-Rio Drain and the Union Pacific Railroad. South of the channel crossing, the sewer line reduces to a 12-inch pipeline and continues south in Grapevine Drive, ultimately to the Ventura Road Trunk Sewer.

The existing Plan area development is served by an existing sewer collection system which flows south to a 12-inch line along Grapevine Drive then west for a short distance along Rosebud Drive before turning south along H Street. The 12-inch line turns west onto Vineyard Avenue until Lift Station 23 (LS #23) at the intersection of Vineyard Avenue and Ventura Road. There, the flow is pumped to the south along Ventura Road through a 10-inch force main to a 15- inch gravity line that connects with the recently constructed Redwood Trunk Sewer that continues south along Ventura Road. Redwood Trunk Sewer was designed to relieve the former Ventura Trunk Sewer and to open up capacity along the Central Trunk Sewer. It was also designed to accept flows from future growth as projected from full General Plan buildout.

The proposed sewer plans show that proposed wastewater would be split between the existing 18-inch VCP at the north side of the Union Pacific Railroad right-of-way (reduced to 12-inch in Grapevine) and new line in Ventura Road. The proposed sewer plans indicate that the western portion of the project site would have the sewage directed to a new line in Ventura Road that would flow south and connect to the reconstructed LS #23.

Improvements to sewer lines are funded by a combination of sewer line connection fees and general fund monies. New development fees are also used to fund improvements to the conveyance system, treatment plant expansion, and maintenance. In addition, developers are required to provide on-site sewer lines and make on-site improvements, where necessary.

c. Solid Waste Disposal. The City of Oxnard provides solid waste collection and recycling service to residences and businesses within the City. Commercial and industrial uses generate about 63% of the solid waste collected by the City, while residential uses generate about 37% of the total waste collected citywide.

Solid waste collected in Oxnard is taken to the City-owned Del Norte Regional Recycling and Transfer Station, a material recovery and waste transfer facility (MRF) located at the corner of Sturgis Road and Del Norte Road. Recoverable materials are removed from the waste stream at the MRF for recycling. Typical recyclable materials include aluminum, glass, paper, metals, plastics, wood, and yard waste. The permitted capacity of the MRF is 2,780 tons per day (Jay Duncan, Recycling Manager, City of Oxnard, 2006).

Solid waste that cannot be recycled is taken to either the Toland Road Landfill east of Santa Paula or the Simi Valley Landfill. The Toland Road Landfill, a Class II municipal landfill operated by the Ventura County Sanitation District, has a permitted capacity of 1,500 tons of solid waste per day and currently accepts an average of 1,200-1,400 tons per day. About 200-240 tons per day come from the Del Norte MRF. The landfill's projected closure date is 2027 (Grant Dunne, City of Oxnard Solid Waste Division, 2007). The Simi Valley Landfill is a private facility operated by Waste Management, Inc. with a daily capacity of 3,000 tons and currently accepts an average of about 2,600 tons per day. About 800-960 tons per day come from the Del Norte MRF (Dunne, 2007). The projected closure date for the Simi Valley Landfill is between 2022 and 2034.

The California Integrated Waste Management Act of 1989 (State Assembly Bill 939) required all cities and counties to develop a Source Reduction and Recycling Element (SRRE) for diverting 50% of their solid waste (based on 1990 levels) from landfills by the year 2000. The City's Solid Waste Division runs the City's Waste Reduction and Education programs, which are designed to achieve the State-mandated goal of diverting at least 50% of solid waste generated from landfills. Waste diversion programs include both residential and business recycling programs, tailored to meet the needs of individual customers. As of 2004, the City had achieved a 69% diversion rate, exceeding State requirements (Duncan, 2006).

4.14.2 Environmental Impact Analysis

a. Methodology and Significance Thresholds. The analysis of impacts to utilities involved: (1) Incorporation of the findings of the Kennedy/Jenks Consultants, *Water Supply Assessment and Verification-Wagon Wheel Specific Plan Project, April, 2008*; (2) Incorporation of the findings of City of Oxnard/Kennedy/Jenks Consultants, *Wagon Wheel Development Infrastructure Review – Water and Recycled Water,* August, 2007and *Wagon Wheel Development Infrastructure Review – Wastewater, August, 2007*; (3) interviews with staff of the City of Oxnard Water Solid Waste Division and of the Toland Road and Simi Valley Landfills; and (4) review of relevant documents, including the City of Oxnard official website, Water System Master Plan, General Plan, and Oxnard Village Specific Plan). The wastewater flows for parcels comprising the Oxnard Village Specific Plan were derived using water billing data and results from a flow monitoring study that were made available to Kennedy/Jenks Consultants. Solid waste generation was based on land use/generation rates available from the California Integrated Waste Management Board.

Impacts to utilities are considered significant if:

- *Water supplies or the local water distribution system would be inadequate to serve the proposed development*
- *The capacity of wastewater conveyance or treatment facilities would be inadequate to serve the proposed development*
- *Solid waste disposal facilities lack adequate capacity to accommodate project-generated solid waste or the State-mandated 50% waste diversion rate cannot be achieved*

b. Project Impacts and Mitigation Measures.

Impact UTL-1 The proposed project would generate estimated water demand of about 640 acre feet per year (AFY). Based on a detailed cumulative water supply assessment, the City's projected water supply is expected to be adequate to serve both the project demands as well as the cumulative demand of other anticipated future projects though the Year 2030. This conclusion is based on the reasonable assumption that the City's GREAT and M&I Supplemental Programs will be implemented as described above. Therefore both the project specific and cumulative impact on Water Supply would be Class III, *less than significant*. Mitigation measures are provided below to help further reduce project specific water demands and to provide additional assurance that planned new water supplies would be available in advance of project-specific and other planned cumulative development.

The Table 4.14-16 provides a water demand summary for the proposed project. The proposed project demand would total about 640 acre feet per year (AFY), with residential uses accounting for an estimated 570 AFY; commercial development accounting for an estimated 30 AFY; and landscaping accounting for an estimated 40 AFY.

Table 4.14-16 Projected Average Day, Maximum Day and Peak Hour Project Water Demands (gpm[a] unless otherwise indicated)

Land Use	Annual (AFY)	Average Day[b]	Maximum Day[c]	Peak Hour[d]
High density residential	258	160	240	400
Live/work townhomes	5	3	5	8
Live/work townhomes – commercial	1	1	1	2
Very high density residential	43	27	40	67
High-rise residential	168	104	156	260
Mixed use	96	60	89	150
Mixed Use	27	17	25	42
Village commercial	4	2	4	6
Public facilities (transit center)	1	1	1	2
Parks and open space	included below			
Total Potable Water Demand w/o Landscaping	**600**	**375**	**560**	**935**
Landscape – domestic water[e]	9	6	14	50
Landscape – recycled water[e]	31	19	50	
Total Landscaping Water Demand	**40**	**25**	**70**	**160**
Total Water Demand	**640**	**400**	**630**	**1,095**

The following factors are taken from the 2007 Draft Water Master Plan.
[a] gpm = gallons per minute
[b] Conversion factor is 0.62 for each 1 AFY
[c] Maximum day demand for non-irrigation use or MDD (ratio of the average of the maximum day demand to the yearly average day demand) equals 1.50.
[d] Peak hour demand for non-residential use or PHD (ratio of the peak hour demand to the yearly average day demand equals 2.50 (set at 1.67 times the MDD).
[e] Landscaping factors are 1.6 for maximum day and 3.0 for peak hour with an allowance assuming that irrigation isn't evenly spread throughout an 8-hour irrigation period..

Source: Kennedy/Jenks Consultants, Wagon Wheel Development Infrastructure Review – Water and Recycled Water, June 2007.

Based on the detailed water supply assessment provided above, project's total estimated water demand (640 AFY) would be about 2.25% of the City's water usage in 2007 (28,490 AFY – See Table 4.14-1) and about 1.87% of the City's projected water supply in 2010 (34,260 AFY - See Table 4.14-5).

As described in detail above, the City has comprehensive multifaceted Water Management Program that outlines how the City plans to provide an adequate water supply to meet forecasted water demands well into the future. In addition to its internal water management program, the City is working cooperatively with local groundwater managers such as the FCGMA, UWCD, and CMWD (Las Posas) on local groundwater management programs as well as CMWD and MWD on regional imported water supply issues. Together, these programs are

intended to provide a high degree of flexibility to provide a reliable long term water supply under a broad range of known (i.e. projected growth and planned water supply projects) and unknown scenarios (i.e. global climate change). The availability of local groundwater as augmented by existing groundwater management programs (including groundwater recharge through the Freeman Diversion project and the Las Posas Aquifer Storage Project), imported State water, and the City's planned water recycling effort through it's GREAT and Augmented M&I Supplemental Water Programs will help to ensure that the City will be able to meet long term water demands.

Table 4.14-8 provides a Citywide water demand projection that includes all anticipated development within the City through the Year 2030. Based on this projection, the total Citywide water demand will be about 42,730 AFY in 2030.

As described in detail above, the City's existing and ongoing water management programs provided about 28,490 AFY to serve the water needs of the City in 2007. Table 4.14-5 provides a summary of water supply sources for the City, projected for the years 2010 through 2030. These projected water supplies include water from both the City's Augmented M&I Supplemental Water and GREAT Programs. With the City's combination of State Water provided through CMWD, groundwater provided by UWCD and existing City wells, and the M&I Supplemental water programs, the City will have a 2010 water supply of about 40,625 AFY. This supply is projected to grow to 57,725 AFY in 2030 with the implementation of the GREAT Program (recycled water system). This projection assumes a 2030 production capacity of 17,100 AFY (16.95 mgd) for the GREAT AWPF facility. As noted above, the initial phases of the GREAT Program and the related Recycled Water Backbone System have been approved by the City, are substantially funded and the City otherwise has plans in place to arrange for the remaining funding, and are pending implementation. In addition, the City is in the process of developing its Recycled Water Master Plan which will address implementation of the City's recycled water management program.

Tables 4.14-9 through 4.14-15 provide a comparison of the City's projected supply verses the anticipated demand under normal year weather conditions, single dry year weather conditions, and worst case multiple dry year weather conditions. As shown in these tables, the City will have adequate water supply to meet the projected demand under all scenarios through the year 2030.

As thoroughly documented in the WSA, there is some degree of uncertainty with regard to the timing of both the demand coming on line as well as the continued availability of existing sources and the planned new supply sources. This is not atypical for a long range planning program that attempts to address future conditions that may be affected by a broad range of variables many of which are unknown at this time (such as economic conditions, technological advances, environmental and social change, etc.). Nevertheless, the City has attempted to anticipate and have in place contingency plans to respond to these issues as described in the WSA and this document. After careful consideration of these factors, the WSA concludes and verifies the following:

- Water supplies from CMWD and UWCD are considered reliably firm through 2030;

- The City can reliably expect that its groundwater pumping allocations will increase with the transfer of groundwater pumping rights that occurs as development occurs within the City;
- The GREAT Program is well defined and construction of the first phase is underway. While subsequent phases(s) are not yet fully designed or permitted; . The City's commitment to the GREAT Program and the ongoing studies to further describe and provide funding for the program, full implementation can be reasonably anticipated; and (this sentence is awkward – please adjust)
- The City's projected water supplies will meet the City's projected demand during normal, single dry, and multiple dry water years through the Year 2030. This includes both the proposed project as well as the anticipated cumulative development expected to occur during that time frame.

Mitigation Measures. While the project has not been determined to have either a project specific or cumulative impact on water supply, there is the potential that due to uncertainties, the City could face water shortages. Therefore the following measures shall be implemented, as necessary, to avoid or reduce the risk of potential future water shortages.

UTL-1(a) On-site Domestic Water System. The on-site domestic water system shall include:

- A public pipeline systems which feed into separate water meters for each ownership. In addition, there shall be separate water meters for each multi-family unit townhouses, but not apartment units. The high-rise residential towers may be master-metered.
- A separate water meter (1) for the common landscape areas that would be connected to the future recycled water system.
- All domestic water pipelines shall adhere to DOHS requirements for separation between water and recycled water/wastewater pipelines.
- The developer shall be responsible for payment of capital improvement/connection fees, including all related "installation fees."

UTL-1(b) On-site Recycled Water System. An on-site recycled water system shall include the following:

- The developer will be responsible for the pipeline extension from the mainline in Ventura Road to the property (either to construct the line or to reimburse the City if as part of the RWBS project, a service extension is made to the Oxnard Village property).
- The developer shall be responsible for the design and construction of the recycled water main pipeline system within the Oxnard Village development. The mainline shall be a public system with meters, as appropriate, to recycled water customers. Construction will be per City standard

requirements with applicable fees. The design must allow for connection to the domestic water system until the time when recycled water is available. At that time the system will be switched from domestic water to recycled water.

- The developer shall provide a recycled water system that serves all practical irrigated areas and which is: (1) separated from the domestic water system, (2) constructed per the City's Recycled Water Construction Standards (being developed), (3) irrigated at night and (4) properly signed. Note that the signs shall be installed once the system is fully operational.
- The portion of the irrigation intended for the future recycled water system shall be separately metered from that portion of the system that will not be connected to the future recycled water system, if any.
- Until the recycled water system is operational, the common area irrigation system shall be connected to the domestic system. Once recycled water is available, and connection to the recycled water system is made, the developer shall remove the connection to the domestic water system. No domestic water back-up is needed, since the City will provide such back-up including an appropriate air gap facility as part of the City's system.
- Prior to the availability of recycled water, the developer shall be responsible for payment of the Recycled Water Connection Fee or the water connection fee, whichever is greater for facilities constructed.
- At such time as recycled water is available, the developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled water system, including appropriate signage. Credits for connection fees shall be given by the City based on the size of the meter(s). Under no circumstance will there be a refund of water connection fees already paid.
- The developer shall be responsible for appropriate CCR's covering the use of recycled water within the property and for proper disclosures.
- Prior to submittal of subdivision improvement plans, the developer shall review with the City the potential for dual plumbing for the high-rise towers, whereby toilet facilities would be served by the recycled water system. No determination has yet been made regarding whether the City will desire to proceed with this plan. However, should the City decide that it is desired, all costs associated with the dual plumbing shall be borne by the developer.

UTL-1(c) Exterior Water Conservation. The developer shall incorporate exterior water conservation features, as recommended by the State Department

of Water Resources, into the project. These shall include, but are not limited to:

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

UTL-1(d) Grey Water. The developer shall, to the extent feasible, use reclaimed water for irrigation of landscaping and other uses if or when such water is available at the project site.

UTL-1(e) Drought-Tolerant Landscaping. The developer shall predominantly use vegetation that requires minimal irrigation (i.e., drought tolerant plant species) in all site landscaping where feasible for new plantings.

Significance After Mitigation. With the successful implementation of the ongoing and planned water supply and demand management programs identified in the WSA and the implementation of the measures identified above, the project would have a less than significant impact on the City's water supply.

Impact UTL-2 Current water system infrastructure would not meet the City of Oxnard's water service pressure requirements or the Fire Department's fire flow requirements for the Oxnard Village Specific Plan and regional development. However, implementation of mitigation measures which would achieve compliance with fire flow requirements and water service pressure requirements would reduce impacts related to water conveyance to a Class II, *significant but mitigable,* level.

The City's Standard Plans for Public Works Construction 2002 Edition delineate minimum hydrant and water flow requirements. The requirements for residential and industrial/ commercial areas are summarized below:

- Residential – Fire flow of 2,500 gpm at 20 pounds per square inch (psi); 500-feet fire hydrant spacing for single family residential with no structure more than 300-feet from a hydrant; 300-feet fire hydrant spacing for multi-family residential with no structure more than 200-feet from a hydrant.

- Industrial/commercial - Fire flow of 4,500 gpm at 20 psi; 300-feet fire hydrant spacing for single family residential with no structure more than 150-feet from multiple hydrants (on-site included).

In preparing the 2006/07 Water Master Plan Update, it was determined that the above criteria was not specific enough to represent the varied types of property uses. Therefore, based on the type of development within the Oxnard Village Specific Plan, including high-rise residential buildings, the City of Oxnard Fire Department has set the fire flow requirement for this analysis at 6,000 gpm at 20 psi. This flow must be available under maximum day conditions with a residual of 20 psi (flow pressure of fire hydrants must not drop below 20 psi).

For the high-rise residential building, the current domestic water pressure would be inadequate for most of the floors. Therefore, the building would need a pump for domestic water pressure and also a separate Underwriters Laboratory (UL) rated pump for fire flow, maintained by the owners of the building.

As discussed in *Setting*, the primary source of water for the project area is Blending Station No. 3, which conveys water through a 36-inch pipeline along Gonzalez Road and then north through existing 12-inch pipelines. Based on computer modeling results, Kennedy/Jenks, determined that the existing 12-inch pipelines cannot provide the 6,000 gpm fire flow, as required by the Fire Department (see Table 4.14-17).

Table 4.14-17 Fire Flow Availability

Condition	Flow Available (gpm)	Pressure (psi)
Existing Development		
-At 6,000 gpm	Not available	N/A
-At 20 psi	>4,550	20
Ultimate Development		
-At 6,000 gpm	Not available	N/A
-At 20 psi	2,400	20

Source: Kennedy/Jenks Consultants, Wagon Wheel Development Infrastructure Review – Water and Recycled Water, June 2007.

As indicated in Table 4.14-17, current fire flow availability does not meet the Fire Department's 6,000 gpm requirement. Therefore, impacts related to water conveyance as it pertains to required fire flow would be potentially significant.

Table 4.14-18 shows the water service pressure requirements used in the 2003 Water Master Plan and the pipeline design criteria used in *Wagon Wheel Development Infrastructure Review – Water and Recycled Water* (Kennedy/Jenks Consultants, 2007).

Table 4.14-18 Water Service Pressure Requirements and Pipeline Design Criteria

Minimum allowable pressure at peak hour demand	40 psi[a,b]
Minimum allowable pressure at maximum day fire flow	20 psi[c]
Maximum allowable service pressure	125 psi
Maximum allowable velocity at maximum day with fire flow	15 feet per second
Maximum allowable headloss	15 feet per 100 feet of pipeline
Hazen-Williams C factor	130

[a] psi = pounds per square inch
[b] While listed as minimum criteria, it is recognized that pressures at or near 40 psi are marginal
[c] As required by the Fire Department
Source: Kennedy/Jenks Consultants, Wagon Wheel Development Infrastructure Review – Water and Recycled Water, June 2007.

As part of the current Water Master Plan, Kennedy Jenks Consultants developed a computer model to simulate water system performance under varying conditions, including maximum day demand (MDD) during the single day of the year with the maximum demand and the peak hour demand (PHD) during the single highest demand period of the year. As shown in Table 4.14-19, for the high-rise residential building, the pressures would be inadequate for most of the floors. Therefore, impacts related to water conveyance as it pertains to required water service pressure would be potentially significant.

Table 4.14-19 Water Service Pressure Requirements

Condition	Flow (gpm)	Pressure (psi)	Required Pressure
Existing System			
Maximum Day	630	56	20
Peak Hour	1,095	50	40
Ultimate System			
Maximum Day	630	48	20
Peak Hour	1,095	39	40

Source: Kennedy/Jenks Consultants, Wagon Wheel Development Infrastructure Review – Water and Recycled Water, June 2007.

Mitigation Measures. The following mitigation measures shall be implemented to meet project specific fire flow requirements and to provide appropriate area specific (i.e., north of Gonzales) flow capabilities.

UTL-2(a) **Domestic Water Connection.** The domestic water connection shall connect to the City's system in at least two (2) locations as approved by the City, generally located along the eastern side of the property (Oxnard Blvd.) and along the western side of the property (Ventura Road). There shall be an on-site looped main transmission system through the development.

UTL-2(b) **Waterline Relocation.** Existing waterlines within the development shall be re-located such that they meet City requirements with respect to standard depth of pipelines and also are located within street areas (preferable) or approved easements.

UTL-2(c) **Fire flow/Pipeline Improvements.** Improvements to on-site fire flow/pipeline shall include:

- An internal water system designed to provide for the higher of: maximum day plus fire or peak hour demand.
- Unless some other comparable system is identified and approved by the Development Services Department, fire flow requirements shall be met through the public pipeline system without allowance for a pumping system aside from internal building fire pumps needed to satisfy the needs for multi-story buildings. To meet the anticipated fire flow requirement of 4,500

gpm (high rise building), the developer working in cooperation with the City shall construct a looped pipeline system from Gonzales Road along Ventura Road or an approved parallel street to and through the proposed development and then back to Gonzales Road along Oxnard Boulevard or an approved parallel street. The developer shall be responsible for the design and construction of all on-site waterlines. The developer shall be responsible for the cost of the pipeline along Ventura Road to the development, less any contributions by others, if any, as determined by the City. In addition, the developer shall be responsible for any other fees described in the Connection Fee Study.

- Subdivision improvement plans will not be approved until an agreement between the developer and City addresses the fire flow/pipeline improvements with a definitive schedule. Should the timing for City-installed improvements not meet the developer requirements, then the developer shall have the option of designing and constructing those improvements subject to an agreement for reimbursement for that portion which is the City responsibility.
- The developer shall be responsible for payment of capital improvement/connection fees, including all related "installation fees."
- The developer shall verify actual fire flow availability through field testing in accordance with City Building and Safety Department requirements. However, field testing shall supplement and not replace verified adequacy through computer simulation.
- For all buildings over three (3) stories in height, the developer will be responsible for the design, installation and operation of a domestic water pump, as appropriate or needed, for such buildings, and (2) the design and installation of fire pump (s) to meet the fire flow requirements for the building. The latter must meet the requirements of the Underwriters Laboratory (UL) and all other fire, plumbing and electrical codes. The fire pump(s) shall be privately operated and maintained.

Significance After Mitigation. Implementation of mitigation measures UTL-2(a) through UTL-2(b) would allow the Oxnard Village Specific Plan to achieve compliance with fire flow requirements and water service pressure requirements. Impacts to water conveyance would be less than significant.

Impact UTL-3 The proposed project would generate an estimated 437,080 gallons of wastewater per day, which would flow to the Oxnard Wastewater Treatment Plant. Although the local treatment plant would have sufficient capacity to accommodate this increase in wastewater, local conveyance infrastructure

would need to be upgraded. Therefore, this impact is considered Class II, *significant but mitigable*.

Wastewater Treatment. Table 4.14-7 shows the estimated wastewater flows that would be generated by buildout of the proposed Oxnard Village Specific Plan. Wastewater flows would average 437,080 gallons per day (gpd) or about 0.44 million gallons per day (mgd).

Table 4.14-20 Project Generated Wastewater Flows

Land Use	Acreage	Wastewater Duty Factor (gpad[a])	Wastewater Flow (gpd[b])	Wastewater Flow (gpm[c])
High density residential	30.8	6,350	195,580	135.8
Live/work townhomes	0.6	6,350	3,810	2.6
Very high density residential	2.1	15,600	32,760	22.8
High-rise residential	4.8	26,600	127,680	88.7
Mixed use	6.9	10,600	73,140	50.8
Village commercial	1.1	3,000	3,330	2.3
Public facilities (transit center)	0.6	1,350	810	0.6
Total Average Daily Flow			**437,080**	**304**
Total Peak Dry Weather Flow (PDWF = 1.78)[d]			**777,540**	**540**
RDI/I[e]	63.3	600	37,980	27
Total Peak Wet Weather Flow			**815,520**	**567**

[a] gpad = gallons per acre per day
[b] gpd = gallons per day
[c] gpm = gallons per minute
[d] The peak dry weather factor was calculated using the following equation as given in the 2005 Draft Oxnard Wastewater Master Plan Update (DWWMPU):
Peak Dry Weather Factor = 1.73 x (Average Dry Weather Flow Rate)$^{-0.0337}$
This produced a Peak Dry Weather Factor (PDWF) of 1.78 for the average day flow resulting in a Peak Dry Weather Flow of 540 gpm.
[e] RDI/I = Rainfall Dependent Inflow/Infiltration

Source: Kennedy/Jenks Consultants, Wagon Wheel Development Infrastructure Review – Wastewater, August 2007.

As discussed above under *Setting* (Section 4.14 b), the Oxnard Wastewater Treatment Plant (OWTP) has a current capacity of 31.7 million gallons per day (mgd) with average daily flows of approximately 24.0 mgd. The City anticipates expansion of the plant to 39.7 mgd by 2020. Thus, there is a current surplus capacity of approximately 7.7 mgd. The estimated 0.44 mgd of wastewater generated by buildout of the project would account for approximately 5.7% of the OWTP's surplus capacity. Therefore, there would be sufficient capacity to accommodate the flows from full buildout of the Oxnard Village Specific Plan as well as from other planned developments.

Wastewater Conveyance. As part of the 2005 Draft Oxnard Wastewater Master Plan Update (DWWMPU), Kennedy Jenks Consultants developed a computer model to simulate wastewater system performance and to identify deficiencies under various peak flow scenarios. The two scenarios used for design were peak wet weather flows under existing conditions and

ultimate buildout conditions. The ultimate buildout scenario for the wastewater model was assumed to be 2020.

The existing diameters of the sewers serving the parcels comprising the Specific Plan area, as well as the sewers conveying the flows downstream, are presented in Tables 3-3 and 3-4 of the wastewater review in 4.14-B. Based on the simulated flows of the model, it was determined that for much of the conveyance system the existing sewer pipes would be inadequate to meet the needs of the proposed Specific Plan and that the installation of new pipes would be required.

Due to the topography of Oxnard, lift stations are required to pump wastewater in places where gravity flow is insufficient. Lift stations should be sized for the peak wet weather flow rate plus an additional 20% capacity to account for condition deterioration over time, miscellaneous debris, etc. that may reduce pumping performance.

As discussed above under *Setting* (Section 4.14 b), Lift Station 23 (LS #23) pumps wastewater generated in the Plan area. LS #23 is rated at 1,500 gpm. Existing peak wet weather wastewater flows into LS #23 are 980 gpm, which when multiplied by a design factor of 1.2 (peak wet weather flow rate plus an additional 20%) results in a design flow of 1,180 gpm. Without development of the proposed Specific Plan (read: maintaining existing wastewater flows at the site), ultimate peak wet weather flows into LS #23 are expected to be 1,270 gpm, with a design flow of 1,530 gpm; 30 gpm higher than the rated capacity of LS #23. With development of the proposed Specific Plan, ultimate peak wet weather flows into LS #23 are expected to be 1,710 gpm, with a design flow of 2,050 gpm. This design flow is 550 gpm higher than the rated capacity of the existing LS #23 pumps. Therefore, since the rated capacity of LS #23 is less than that required to accommodate flows from the proposed Specific Plan, LS #23 would need to be improved prior to site development.

Impacts to wastewater conveyance are considered potentially significant as sewer lines would need to be resized and the capacity of LS #23 would need to be increased in order to accommodate wastewater flows associated with full buildout of the project area.

Mitigation Measures. As a result of the projected wastewater flows of the proposed Specific Plan and the current wastewater systems inability to adequately convey such flows, the following mitigation measure shall be implemented:

UTL-3 **Public Sewer Connection.** Based on estimated wastewater flows generated by the proposed project, the following conditions shall be met:

- All units and buildings having sewer facilities shall be connected to the public sewer system.
- The developer shall be responsible for the payment of the City Wastewater Connection Fee.
- The developer may be responsible for the costs involved with the City's providing capacity in downstream Trunk Sewers, i.e. system capacity increase, and with the replacement of Lift Station 23. The project's pro rata contribution to

improvements to this system shall be determined by the City's Wastewater Engineer.

- The downstream sewer and lift station improvements shall be implemented prior to project occupancy. Should the City not be able to construct said improvements prior to project occupancy, the City may have the developer install such improvements subject to a reimbursement agreement for those costs that are considered City responsibility.
- Existing City sewers that are within the development shall either: (1) be protected in place within satisfactory easements (i.e. within public streets) with depth of cover meeting City requirements, or (2) shall be relocated to acceptable easement conditions with the existing lines abandoned in accordance with City standards.
- No on-site lift stations shall be constructed as part of the proposed Specific Plan.

Significance After Mitigation. Project impacts to the wastewater conveyance and treatment system would be less than significant with implementation of standard City requirements and Mitigation Measure UTL-3.

Impact UTL-4 The proposed project would generate an estimated 1,317 tons of solid waste per year. This is within the capacity of solid waste disposal facilities serving the City. Therefore, this impact is considered Class III, *less than significant*.

Table 4.14-21 shows the estimated solid waste that would be generated by buildout of the proposed Oxnard Village Specific Plan. The proposed project would generate an estimated 1,317 tons of solid waste per year, or about 3.62 tons per day.

As discussed in *Setting*, existing City recycling programs are currently achieving a citywide diversion rate of about 69% (Duncan, 2007). The Toland Road Landfill has capacity for about 100-300 tons of additional waste per day, while the Simi Valley Landfill has capacity for about 400 additional tons per day. With the expected 69% diversion rate, the proposed project's daily solid waste that would go to area landfills would be reduced to approximately 1.12 tons per day, which would account for about 1% of the Toland Road Landfill's daily surplus capacity and less than 1% of the Simi Valley Landfill's daily surplus capacity. Both of the landfills serving the City of Oxnard (Toland Road and Simi Valley) would have adequate capacity to accommodate waste generated by the project. Therefore, the waste generated by the proposed project would not adversely affect solid waste disposal facilities and impacts related to solid waste disposal facilities would be less than significant.

Table 4.14-21 Projected Solid Waste Generation

Land Use	Square Feet/ No. of Units	Solid Waste Generation Factor[a]	Projected Solid Waste	
			Daily (tpd)[b]	Annually (tpy)[c]
Single Family Residential	1,500	4 lbs/unit/day	3	1,095
Retail	19,150	0.0024 tons/sf/year	0.13	46
Commercial	19,150	0.0024 tons/sf/year	0.13	46
Restaurant	12,000	0.0108 tons/sf/year	0.36	130
Total			**3.62**	**1,317**

[a] *The California Integrated Waste Management Board Solid waste generation factors were used in the analysis.*
http://www.ciwmb.ca.gov/WasteChar/WasteGenRates/Commercial.htm
[b] *tpd = tons per day*
[c] *tpy = tons per year*

The proposed project would be required to participate in existing City recycling programs. City requirements include: (1) prior to issuance of a building permit, preparation of a Solid Waste Management and Recycling Plan outlining the materials to be recycled and management methods to be implemented during construction; and (2) prior to issuance of a certificate of occupancy, preparation of an Occupancy Recycling Plan outlining recycling efforts to be undertaken over the life of the project. The Solid Waste Division also requires annual reports on what is actually recycled during occupancy.

Mitigation Measures. As discussed above, landfills would have adequate capacity to accept solid waste from full buildout of the proposed Specific Plan. No mitigation is required.

Significance After Mitigation. As discussed above, area landfills would have adequate capacity to accept solid waste generated by full buildout of the Specific Plan. As such, impacts to solid waste disposal would be less than significant without mitigation.

c. Cumulative Impacts.

Water. As discussed above, the proposed project would not result in a cumulative impact on water supply or water infrastructure. While the project has not been determined to have either a project specific or cumulative impact on water supply, there is the potential that due to uncertainties, the City could face water shortages. Therefore the following measures, many of which are recommended in the WSA, are available and shall be implemented by the City and future developers, as necessary, to avoid or reduce the risk of potential future water shortages. While many of these measures are programmatic in nature, and go beyond what can be accomplished at the project level, the project developer and subsequent developers shall be required to support the City with implementation of the following measures, as applicable. These measures help to illustrate the flexibility in programs that the City has to avoid environmental impacts associated with future water supply and demand issues.

- The City shall build up City Groundwater Credits between 2008 and 2010 for use in 2011 through 2016 until the GREAT Program expansion is operational.

- The City shall continue negotiations for Augmented M&I Supplemental Water Supply Program and obtain approval by 2009.
- The City has the option to pump additional groundwater from City wells above their allocation. However, this may result in additional surcharges from the GMA.
- The supply and demand comparison tables above (Tables 4.14-9 through 4.14-15) are predicated on the City's utilizing its full purchase order entitlement of CMWD water, less the PHWA water use and reservation as discussed above. However, in 2007 PHWA only used 2,220 AFY of its 3,262.5 AFY of reservation. Thus the City could potentially purchase an additional 1,040 AFY of CMWD in times of need.
- Implement the initial phase of the GREAT Program (for 6.25 MGD) by 2011 when demand starts to increase. If the facility is delayed, then other sources of water would be needed. A portion or all could be from the rest of the CMWD Tier 1 rate or even Tier 2 water.
- The City also has options of purchasing unused O-H water from other water purveyors.
- Plan for the first expansion of the GREAT Program to be an additional 5.2 MGD (to 11.45 MGD).
- The City should plan for the second expansion of the GREAT Program to be an additional 5.0 MGD (to 16.45 MGD). Before designing the second expansion, in particular, the demand and surplus projections should be revisited.
- The City could also implement additional temporary water demand measures for periods when supply is not sufficient to meet demand as outlined in City Ordinance No. 2729, "City of Oxnard Water Conservation and Water Shortage Response Ordinance".
- The City shall monitor the pace of new development as it relates to the phasing and implementation of new water supply systems and changing legal, environmental, technological, and social conditions. If it becomes apparent that the anticipated water supply systems are not keeping pace with development or should unanticipated events occur that would cause such new development to adversely impact local water supplies, the City shall curtail or limit the issuance of building permits until such time that a water supply can be assured.

Each project shall be required to pay a fair share contribution to all programs, such as the City's fee program in place to fund the GREAT Program, that are in place to facilitate implementation of new water supplies for the City. In addition, all projects shall be required to comply with standard water conservation requirements of the City, State, and Uniform Building Code. These include the use of low-flush toilets and urinals, compliance with statewide efficiency standards for shower heads and faucets, and insulation of pipes to reduce water used before hot water reaches equipment or fixtures.

CEQA also requires that an EIR disclose the environmental effects of potential mitigation measures such as the implementation of the City's GREAT Program. A complete programmatic EIR that addressed the environmental effects of the GREAT was prepared and certified in 2004. That EIR document noted that, with the exception of a small but finite safety risk associated with project elements within an identified tsunami hazard area, all of the GREAT project impacts can be mitigated to a less than significant level.

Potentially significant but mitigable impacts were identified in the areas of land use, geology, cultural and paleontological resources, water resources, biological resources, air quality, traffic,

noise, visual resources, public services and utilities, and hazardous materials and waste. As part of the GREAT Program approval, a Mitigation Monitoring and Reporting Plan (MMRP) was adopted to ensure that project-specific impacts of that program and all of its components are effectively mitigated. Implementation of the mitigation measures in the GREAT Program EIR as well as those identified above would help to ensure that cumulative water supply impacts due to inherent uncertainties in long range forecasting would be reduced to less than significant.

Wastewater. Buildout of cumulative projects in the City will continue to increase demands on the OWTP. However, the plant currently has the capacity to accommodate up to 31.7 MGD (with 7.7 MGD of available capacity) and is planned to be expanded to have an ultimate capacity of 39.7 MGD in the year 2020. With the planned expansion, the City would maintain sufficient treatment capacity to serve planned and pending development. City general fund monies and wastewater treatment connection fees provide revenue for the necessary replacement and improvements to the wastewater treatment plant. Therefore, cumulative impacts relating to the local wastewater system are considered less than significant.

Cumulative development would also increase the demand on the wastewater conveyance system. Individual projects would be required to mitigate wastewater collection system impacts on a case-by-case basis. Funding for increases in sewer capacity and other improvements come from a combination of connection fees paid by the developer and general fund monies. The wastewater conveyance connection fee is required so that necessary expansions to the sewage collection system can accommodate new development in the City of Oxnard. Compliance with these requirements would reduce cumulative impacts to wastewater collection systems to a less than significant level.

Solid Waste. Planned and pending development in the City would continue to increase citywide solid waste generation. However, as discussed in the *Setting* and under Impact UTL-4, area landfills continue to have capacity to accommodate additional solid waste. In addition, other landfills (such as Chiquita Canyon Landfill in Los Angeles County) are available to the City as necessary. The City currently diverts about 69% of the solid waste generated citywide. Because all new development in the City would be required to participate in current and planned solid waste reduction programs, it is anticipated that the City will maintain, or even improve upon, this diversion rate. Thus, significant cumulative impacts to solid waste facilities are not anticipated.

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5.0 GROWTH EFFECTS AND OTHER CEQA CONSIDERATIONS

5.1 GROWTH EFFECTS

Section 15126(d) of the *State CEQA Guidelines* requires a discussion of a proposed project's potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The proposed project's growth effects are therefore considered significant if they could result in significant physical effects in one or more environmental issue areas. The most commonly cited example of how an economic effect might create a physical change is where economic growth in one area could create blight conditions elsewhere by causing existing competitors to go out of business and the buildings to be left vacant.

5.1.1 Economic and Population Growth

Construction of the proposed Oxnard Village Specific Plan Project would involve the construction of 1,500 housing units and 50,300 square feet of office and commercial space on a 64-acre site. The project would generate temporary employment opportunities during construction, which would be expected to draw workers primarily from the existing regional work force. Therefore, the proposed project would not be considered growth inducing from a temporary employment standpoint.

The proposed project would result in a decrease of permanent jobs relating to the occupation of the office and commercial space. The current uses on site to be replaced include resdiential, commercial and industrial uses, as shown in Table 2-2 in Section 2.0, *Project Description*. Looking only at permanent employment-generating existing and proposed uses, the replacement of 437,617 square feet of commercial and industrial uses with 50,300 square feet of commercial and office uses would decrease on-site employment by approximately 257 jobs, as discussed in Section 4.10 *Population and Housing*. Therefore, proposed uses within the project would not have an adverse affect on other employers in the region or attract workers from outside the region.

As discussed in Section 4.10, *Population and Housing,* based on a conservative estimated City average of 4.0 people per household (California Department of Finance, May 2006 and observations of household trends in the City), the 1,500 unit residential component of the proposed project would generate a net increase of approximately 5,436 residents. Based on the estimated 2006 citywide population of 189,990 residents, the addition of 5,436 residents would increase Oxnard's population by about 2.9%. The net addition of 1,359 housing units (1,500 proposed minus 141 existing mobile home units on the site) would also increase the current (2006) number of households in the City by about 2.7%.

The 5,436 new residents associated with project buildout would make up approximately 26.5% of the projected citywide population growth through 2015 and 17.2% of projected citywide population growth through 2020. The 1,359 housing units associated with project buildout

would make up approximately 35% of the projected citywide housing growth through 2015 and 18% of projected citywide housing growth through 2020. As indicated in table 4.9-3 in Section 4.10 *Population and Housing*, the increases in housing and population as a result of the proposed project are within SCAG projections for the City of Oxnard.

5.1.2 Removal of Obstacles to Growth

The proposed project would be located in a fully urbanized area, generally served by existing infrastructure. No new roadways or bike/pedestrian pathways are proposed other than those that would serve the site directly or those that would improve or reconfigure existing connections, such as the southbound U.S. 101 freeway offramp. The project constitutes infill development within an urbanized area, and although infrastructure would have to be replaced and/or upgraded, it would not require the extension of infrastructure in new locations that could serve additional development outside of already urbanized areas. Improvements in infrastructure capacity, such as for downstream sewer facilties, would generally be sized to accommodate the project, and would not facilitate substantial increase in land use intensity or density nor make possible growth outside of already developed areas.

5.2 GLOBAL CLIMATE CHANGE

Global climate change (GCC) is a change in the average weather of the earth that is measured by temperature, wind patterns, precipitation, and storms over a long period of time. The baseline by which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed an unprecedented acceleration in the rate of warming during the past 150 years.

GCC is a documented effect, with the degree to which the change is caused by anthropogenic (man-made) sources still under study. The increase in warming has coincided with the global Industrial Revolution, which has seen the widespread reduction of forests to accommodate urban centers and agriculture and the use of fossil fuels, primarily burning of coal, oil, and natural gas for energy. Per the United Nations Intergovernmental Panel on Climate Change (2007), the understanding of anthropogenic warming and cooling influences on climate has led to a very high confidence (90% or greater chance) that the global average net effect of human activities since 1750 has been one of warming. Most of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic GHG concentrations per the IPCC (November 2007). While there is some disagreement by individual scientists[1] with some of the findings of the IPCC, the overwhelming majority of scientists working on climate change agree with the main conclusions, as do the vast majority of major scientific societies and national academies of science. Disagreement within the scientific community is always present for all issues, however, the current state of knowledge is substantially in favor of GCC warming, with eleven of the last twelve years (1995-

[1] *A list of such scientists can be found at http://en.wikipedia.org/wiki/List_of_scientists_opposing_the_mainstream_scientific_assessment_of_global_warming*

2006) ranking among the twelve warmest years in the instrumental record of global surface temperature since 1850 (IPCC, 2007). In addition, the majority of scientists agree that anthropogenic sources are a main, if not primary, contributor to the GCC warming.

5.2.1 Greenhouse Gases (GHGs)

Gases that trap heat in the atmosphere are often called greenhouse gases (GHG), analogous to the way in which a greenhouse retains heat. Common GHG include water vapor, carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O_x), fluorinated gases, and ozone. GHG are emitted by both natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from off-gassing associated with agricultural practices and landfills. Man-made GHGs, which have a much greater heat-absorption potential than CO_2, include fluorinated gases, such as hydrofluorocarbons (HFCs), perfluorocarbons (PFC), and sulfur hexafluoride (SF_6), which are byproducts of certain industrial processes (Cal EPA, 2006b).

The accumulation of GHG in the atmosphere regulates the earth's temperature. Without the natural heat trapping effect of GHG, the earth's surface would be about 34° C cooler (CAT, 2006). However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. The following discusses the primary GHGs of concern.

Carbon Dioxide. The global carbon cycle is made up of large carbon flows and reservoirs. Billions of tons of carbon in the form of CO_2 are absorbed by oceans and living biomass (i.e., sinks) and are emitted to the atmosphere annually through natural processes (i.e., sources). When in equilibrium, carbon fluxes among these various reservoirs are roughly balanced (USEPA, April 2008). CO_2 was the first GHG demonstrated to be increasing in atmospheric concentration, with the first conclusive measurements being made in the last half of the 20th Century. Concentrations of CO_2 in the atmosphere have risen approximately 35% since the Industrial Revolution. Per the IPCC (2007), the global atmospheric concentration of carbon dioxide has increased from a pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005. The atmospheric concentration of CO_2 in 2005 exceeds by far the natural range over the last 650,000 years (180 to 300 ppm) as determined from ice cores. The annual carbon dioxide concentration growth rate was larger during the last 10 years (1995–2005 average: 1.9 ppm per year), than it has been since the beginning of continuous direct atmospheric measurements (1960–2005 average: 1.4 ppm per year) although there is year-to-year variability in growth rates.

Methane. Methane (CH_4) is an extremely effective absorber of radiation, though its atmospheric concentration is less than carbon dioxide and its lifetime in the atmosphere is brief (10-12 years), compared to some other GHGs. It is approximately 20 times more effective at trapping heat in the atmosphere than CO_2 (global warming potential [GWP] 20x that of CO_2). Over the last two hundred and fifty years, the concentration of CH_4 in the atmosphere increased by 148% (IPCC 2007). Anthropogenic sources of CH_4 include landfills, natural gas and petroleum systems, agricultural activities, coal mining, wastewater treatment, stationary and mobile combustion, and certain industrial processes (USEPA, April 2008).

Nitrous Oxide. Concentrations of nitrous oxide (N_2O) also began to rise at the beginning of the industrial revolution. N_2O is produced by microbial processes in soil and water, including those reactions which occur in fertilizers that contain nitrogen. Use of these fertilizers has increased over the last century. Its GWP is 300x that of CO_2.

Flourinated Gases (HFCS, PFCS and SF_6). Flourinated gases, such as hydroflourocarbons (HFCs), perflourocarbons (PFCs) and sulfurhexafluoride (SF_6), are powerful greenhouse gases that are emitted from a variety of industrial processes. Flourinated gases are used as substitutes for ozone-depleting substances such as chloroflourocarbons (CFCs), hydrochloroflourocarbons (HCFCs), and halons, which have been regulated since the mid-1980s because of their ozone destroying potential and are phased out under the *Montreal Protocol* and Clean Air Act Amendments of 1990. Flourinated gases are typically emitted in smaller quantities than CO_2, CH_4, and N_2O, but each molecule can have a much greater global warming effect. SF_6 is the most potent greenhouse gas the IPCC has evaluated.

5.2.2 Greenhouse Gas Inventory

Worldwide anthropogenic emissions of GHG were approximately 40,000 million metric tons of carbon dioxide equivalent (CDE[2]), including ongoing emissions from industrial and agricultural sources, but excluding emissions from land use changes (ie: deforestation, biomass decay) (IPCC, 2007). CO_2 emissions from fossil fuel use accounts for 56.6% of the total emissions of 49,000 million metric tons CDE (includes land use changes) and all CO_2 emissions are 76.7% of the total. Methane emissions account for 14.3% and N_2O emissions for 7.9% (IPCC, 2007).

Total U.S. greenhouse gas emissions in 2006 were 7,054 million metric tons CDE (USEPA, April 2008), or about 14% of total GHG emissions. Overall, total U.S. emissions have risen by 14.7 percent from 1990 to 2006, while emissions fell from 2005 to 2006, decreasing by 1.1 percent (75.7 MMT CDE). The following factors were primary contributors to this decrease: (1) compared to 2005, 2006 had warmer winter conditions, which decreased consumption of heating fuels, as well as cooler summer conditions, which reduced demand for electricity, (2) restraint on fuel consumption caused by rising fuel prices, primarily in the transportation sector and (3) increased use of natural gas and renewables in the electric power sector.

The primary GHG emitted by human activities in the United States was CO_2, representing approximately 84.8% of total GHG emissions (USEPA, April 2008). The largest source of CO_2, and of overall greenhouse gas emissions, was fossil fuel combustion. CH_4 emissions, which have declined from 1990 levels, resulted primarily from enteric fermentation associated with domestic livestock, decomposition of wastes in landfills, and natural gas systems. Agricultural soil management and mobile source fossil fuel combustion were the major sources of N_2O emissions. The emissions of substitutes for ozone depleting substances and emissions of HFC-23 during the production of HCFC-22 were the primary contributors to aggregate HFC emissions. Electrical transmission and distribution systems accounted for most SF_6 emissions, while PFC emissions resulted from semiconductor manufacturing and as a by-product of primary aluminum production.

[2] *Carbon dioxide equivalent (CDE or CO_2E) is a quantity that describes, for a given mixture and amount of GHGs, the amount of CO_2 (usually in metric tons; million metric tons [megatonne] = $MMTCO_2E$ = terragram [Tg] CO_2 Eq; 1,000 MMT = gigatonne) that would have the same global warming potential (GWP) when measured over a specified timescale (generally, 100 years).*

The residential and commercial end-use sectors accounted for 20 and 18 percent, respectively, of CO_2 emissions from fossil fuel combustion in 2006 (USEPA, April 2008). Both sectors relied heavily on electricity for meeting energy demands, with 72 and 79 percent, respectively, of their emissions attributable to electricity consumption for lighting, heating, cooling, and operating appliances. The remaining emissions were due to the consumption of natural gas and petroleum for heating and cooking.

California is a substantial contributor of global GHGs as it is the second largest contributor in the United States and the sixteenth largest in the world (AEP, 2007). Based upon the 2004 GHG inventory data (the latest year available) compiled by the California Energy Commission (CEC, December 2006), California produced 492 MMT CDE (7% of US total). The major source of GHG in California is transportation, contributing 41% of the state's total GHG emissions. Electricity generation is the second largest source, contributing 22% of the state's GHG emissions (CEC, December 2006). Most, 81%, of California's 2004 GHG emissions (in terms of CDE) were carbon dioxide produced from fossil fuel combustion, with 2.8% from other sources of CO_2, 5.7% from methane, and 6.8% from nitrous oxide (CEC, December 2006). California emissions are due in part to its large size and large population. By contrast, California in 2001 had the fourth lowest CO_2 emissions per capita from fossil fuel combustion in the country, due to the success of its energy-efficiency and renewable energy programs and commitments that have lowered the state's GHG emissions rate of growth by more than half of what it would have been otherwise (CEC, December 2006). Another factor that has reduced California's fuel use and GHG emissions is its mild climate compared to that of many other states.

5.2.3 Effects of Global Climate Change

GCC has the potential to impact numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. A warming of about 0.2°C (0.36°F) per decade is projected, and there are identifiable signs that global warming could be taking place, including substantial ice loss in the Arctic (IPCC, 2007).

According to ARB, some of the potential impacts in California of global warming may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (ARB 2006c, 2007c). Below is a summary of some of the potential effects reported by an array of studies that could be experienced in California as a result of global warming and climate change:

Air Quality. Higher temperatures, conducive to air pollution formation, could worsen air quality in California. Climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. If higher temperatures are accompanied by drier conditions, the potential for large wildfires could increase, which, in turn, would further worsen air quality. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution and reduce the incidence of large wildfires, thus ameliorating the pollution associated with wildfires. Additionally, severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state (CEC, February 2006).

Water Supply. Uncertainty remains with respect to the overall impact of global climate change on future water supplies in California. Studies have found that, "Considerable uncertainty about precise impacts of climate change on California hydrology and water resources will remain until we have more precise and consistent information about how precipitation patterns, timing, and intensity will change." (Climate Change and California Water Resources). For example, some studies identify little change in total annual precipitation in projections for California (California Climate Change Center, 2006). Other studies show significantly more precipitation (Climate Change and California Water Resources [(DWR 2006)]). Even assuming that climate change leads to long-term increases in precipitation, analysis of the impact of climate change is further complicated by the fact that no studies have identified or quantified the runoff impacts such an increase in precipitation would have in particular watersheds (California Climate Change Center, 2006)). Also, little is known about how groundwater recharge and water quality will be affected (Id.). Higher rainfall could lead to greater groundwater recharge, although reductions in spring runoff and higher evapotranspiration could reduce the amount of water available for recharge (Ibid.).

The California Department of Water Resources (DWR 2006) report on climate change and effects on the State Water Project (SWP), the Central Valley Project, and the Sacramento-San Joaquin Delta. concludes that "[c]climate change will likely have a significant effect on California's future water resources . . . [and] future water demand." It also reports that "much uncertainty about future water demand [remains], especially [for] those aspects of future demand that will be directly affected by climate change and warming. While climate change is expected to continue through at least the end of this century, the magnitude and, in some cases, the nature of future changes is uncertain" (DWR, 2006).

This uncertainty serves to complicate the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood (DWR, 2006). DWR adds that "[i]t is unlikely that this level of uncertainty will diminish significantly in the foreseeable future." Still, changes in water supply are expected to occur, and many regional studies have shown that large changes in the reliability of water yields from reservoirs could result from only small changes in inflows (Kiparsky 2003; DWR 2005; Cayan 2006, Cayan, D., et al, 2006).

Hydrology. As discussed above, climate changes could potentially affect: the amount of snowfall, rainfall and snow pack; the intensity and frequency of storms; flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events); sea level rise and coastal flooding; coastal erosion; and the potential for salt water intrusion. Sea level rise can be a product of global warming through two main processes: expansion of sea water as the oceans warm, and melting of ice over land. A rise in sea levels could result in coastal flooding and erosion and could jeopardize California's water supply. Increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

Agriculture. California has a $30 billion agricultural industry that produces half the country's fruits and vegetables. Higher CO_2 levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, water demand could increase; crop-yield could be threatened by a less reliable water supply; and

greater ozone pollution could render plants more susceptible to pest and disease outbreaks. In addition, temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thus affect their quality (CCCC, 2006).

Ecosystems and Wildlife. Increases in global temperatures and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists expect that the average global surface temperature could rise rise as discussed previously: 1.0-4.5°F (0.6-2.5°C) in the next fifty years, and 2.2-10°F (1.4-5.8°C) in the next century, with significant regional variation (EPA 2000). Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Sea level could rise as much as two feet along most of the U.S. coast. Rising temperatures could have four major impacts on plants and animals: (1) timing of ecological events; (2) geographic range; (3) species' composition within communities; and (4) ecosystem processes such as carbon cycling and storage (Parmesan, 2004; Parmesan, C. and H. Galbraith 2004.)

5.2.4 Regulatory Setting

International and Federal. The United States is, and has been, a participant in the United Nations Framework Convention on Climate Change (UNFCCC) since is was signed on March 21, 1994. The Kyoto Protocol is a treaty made under the UNFCCC and was the first international agreement to regulate GHG emissions. It has been estimated that if the commitments outlined in the Kyoto Protocol are met, global GHG emissions could be reduced by an estimated 5 percent from 1990 levels during the first commitment period of 2008–2012. It should be noted that although the United States is a signatory to the Kyoto Protocol, Congress has not ratified the Protocol and the United States has not bound itself to the Protocol's commitments (UNFCCC, 2007)

The United States is currently using a voluntary and incentive-based approach toward emissions reductions in lieu of the Kyoto Protocol's mandatory framework. The Climate Change Technology Program (CCTP) is a multi-agency research and development coordination effort (which is led by the Secretaries of Energy and Commerce) that is charged with carrying out the President's National Climate Change Technology Initiative (CCTP, December 2007; http://www.epa.gov/climatechange/policy/cctp.html).

To date, the USEPA has not regulated GHGs under the Clean Air Act, however, the U.S. Supreme Court in *Massachusetts v. EPA* (April 2, 2007) held that the USEPA can, and should, consider regulating motor-vehicle GHG emissions. The USEPA has not yet promulgated federal regulations limiting GHG emissions. The USEPA in December 2007 also denied California's request for a waiver to directly limit GHG tailpipe emissions, which prompted a suit by California in January 2008 to overturn that decision.

California Regulations. Assembly Bill (AB) 1493, requiring the development and adoption of regulations to achieve "the maximum feasible reduction of greenhouse gases" emitted by noncommercial passenger vehicles, light-duty trucks, and other vehicles used primarily for personal transportation in the State was signed into law in September 2002 by Governor Gray Davis. Governor Schwarzenegger issued Executive Order S-3-05 in 2005 that established statewide GHG emissions reduction targets. S-3-05 provides that by 2010, emissions

shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80 percent of 1990 levels (CalEPA 2006a).

Governor Schwarzenegger signed AB 32, the "California Global Warming Solutions Act of 2006," into law in the fall of 2006. AB 32 requires the California Air Resources Board (ARB) to adopt regulations by January 1, 2008 to require reporting and verification of statewide GHG emissions. ARB is to produce a plan by January 1, 2009, to indicate how emission reductions will be achieved from significant GHG sources via regulations, market mechanisms, and other actions. In addition, this law requires ARB to adopt regulations by January 1, 2010, to implement the early action GHG emission reduction measures that can be implemented before the adoption of those recommended by the 2009 plan. The bill requires achievement by 2020 of a statewide GHG emissions limit equivalent to 1990 emissions (essentially a 25% reduction below 2005 emission levels; same requirement as under S-3-05), and the adoption of rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions.

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an important environmental issue that requires analysis under CEQA. This bill directs the California Office of Planning and Research to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, by July 1, 2009. The Resources Agency is required to certify or adopt those guidelines by January 1, 2010.

Executive Order S-01-07 was enacted by Governor Schwarzenegger on January 18, 2007. The order mandates that a statewide goal be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. In addition, a Low Carbon Fuel Standard ("LCFS") for transportation fuels is to be established for California.

In response EO S-3-05, the CalEPA created the Climate Action Team (CAT), which, in March 2006, published the Climate Action Team Report (the "2006 CAT Report"). The 2006 CAT Report identifies a recommended list of strategies that the State could pursue to reduce climate change greenhouse gas emissions. These are strategies that could be implemented by various State agencies to ensure that the Governor's targets are met and can be met with existing authority of the State agencies. The strategies include the reduction of passenger and light duty truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/infrastructure, increased use of alternative fuels, increased recycling, landfill methane capture, etc.

The ARB in response to the requirements of AB-32 produced a list of 37 early actions for reducing GHG emissions in June 2007. ARB expanded this list in October 2007 to 44 measures that have the potential to reduce GHG emissions by at least 42 million metric tons of CO_2 emissions by 2020, representing about 25% of the estimated reductions needed by 2020 (ARB, October 2007). ARB staff is working on 1990 and 2020 GHG emission inventories in order to refine the projected reductions needed by 2020. After completing a comprehensive review and update process, the ARB has approved a 1990 statewide GHG level and 2020 limit of 427 MMT CDE.

For more information on the Assembly Bills and Executive Orders identified above, and to view reports and research referenced above, please refer to the following websites: www.climatechange.ca.gov and http://www.arb.ca.gov/cc/cc.htm.

Local Regulations and CEQA Requirements. GHG emissions contributing to global climate change have only recently been addressed in CEQA documents, such that CEQA and case law do not provide guidance relative to their assessment. Quantitative significance thresholds for this topic have not been adopted by the State of California, or any particular air pollution control district, including the VCAPCD. The Office of Planning and Research is directed under Senate Bill 97, to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions through CEQA by July 1, 2009. Those guidelines may recommend thresholds, but no adopted thresholds are available at this time.

5.2.5 Climate Change Impact Analysis

The information provided in this section is based on recently established California goals for reducing greenhouse gas (GHG) emissions as well as a project-specific emissions inventory developed for the proposed project. Determining how a proposed project might contribute to climate change, and what the overall effect of an individual project would be based on that contribution is still undergoing debate at this time. As previously discussed, no approved thresholds or methodologies are currently available for determining the significance of a project's potential cumulative contribution to global climate change in CEQA documents. An individual project (unless it is a massive construction project, such as a dam or a new freeway project, or a large fossil-fueled fired power plant) does not generate sufficient GHG emissions to directly influence global climate change; therefore, the issue of global climate change typically involves an analysis of whether a project's contribution towards a cumulative impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. The following is a good faith effort at disclosing the nature of the project's potential effect with regard to GHG emissions, and suggest measures as appropriate to reduce potential GHG emissions.

Methodology. This analysis is based on the methodologies recommended by the California Air Pollution Control Officers Association [CAPCOA] (January 2008) *CEQA and Climate Change* white paper. CAPCOA conducted an analysis of various approaches and significance thresholds, ranging from a zero threshold (all projects are cumulatively considerable) to a high of 40,000 – 50,000 metric tons CDE per year. For example, assuming a zero threshold and the AB 32 2020 targets, this approach would require all discretionary projects to achieve a 33% reduction from projected "business-as-usual" emissions to be considered less than significant. Another method based on a market capture approach that requires mitigation for greater than 90% of likely future discretionary development would use a quantitative threshold of greater than 900 metric tons CDE/year for most projects, which would generally correspond to office projects of approximately 35,000 square feet, retail projects of approximately 11,000 square feet, or supermarket space of approximately 6,300 square feet. Another potential threshold of 10,000 metric tons was considered by the Market Advisory Committee for inclusion in a Greenhouse Gas Cap and Trade System in California. A 10,000 metric ton significance threshold would correspond to the GHG emissions of approximately 550 residential units, 400,000 square feet of office space, 120,000 square feet of retail, and 70,000 square feet of supermarket space (CAPCOA, January 2008). This threshold would capture roughly half of new residential or commercial development (CAPCOA, January 2008). The basic concepts for the various approaches suggested by CAPCOA are used herein to determine whether or not the proposed project's GHG emissions are "cumulatively considerable."

Calculations of carbon dioxide, methane, and nitrous oxide are provided for full disclosure of the magnitude of potential project effects. The analysis focuses on carbon dioxide (CO_2), nitrous oxide (N_2O), and methane (CH_4) as these are those GHG emissions that the project would emit in the largest quantities as compared to other GHGs (such as chlorofluorocarbons [CFCs]). Calculations were based on the methodologies discussed in the CAPCOA white paper (January 2008) and included the use of the California Climate Action Registry General Reporting Protocol (March 2007).

Indirect Emissions. Operational emissions of CO_2 associated with space heating and landscape maintenance were quantified using the California Air Resource Board's URBEMIS 2007 (version 9.2.4) computer model. Nitrous oxide (N_2O) and methane (CH_4) emissions were quantified using the California Climate Action Registry General Reporting Protocol (March 2007) indirect emissions factors for electricity use (see Appendix for calculations). The calculations and emission factors contained in the General Reporting Protocol were selected based on technical advice provided to the Registry by the California Energy Commission. This methodology is considered to be reasonable and reliable for use as it has been subjected to peer review by numerous public and private stakeholders and in particular by the California Energy Commission, and is recommended by CAPCOA (January 2008).

Direct Emissions from Mobile Combustion. Emissions of CO_2 from transportation sources were quantified using the California Air Resource Board's URBEMIS 2007 (version 9.2.4) computer model. Nitrous oxide (N_2O) and methane (CH_4) emissions were quantified using the California Climate Action Registry General Reporting Protocol (March 2007) direct emissions factors for mobile combustion (see Appendix for calculations). Total daily mileage was calculated in URBEMIS 2007 and extrapolated to derive total annual mileage. Emission rates were based on the vehicle mix output generated by URBEMIS and the emission factors found in the California Climate Action Registry General Reporting Protocol.

It should be noted that one of the limitations to a quantitative analysis is that emission models such as URBEMIS evaluate aggregate emissions and do not demonstrate, with respect to a global impact, how much of these emissions are "new" emissions specifically attributable to the proposed project in question. For most projects, the main contribution of GHG emissions is from motor vehicles and the total vehicle miles traveled (VMT), but the quantity of these emissions appropriately characterized as "new" is uncertain. With respect to a Specific Plan project, existing traffic is generated by the present uses, traffic to the retail component of the Specific Plan can be comprised of diverted trips from other retail stores (and depending on location, either result in an increase or decrease in VMT), pass-by trips (where the store is en route to another primary location), or an additional, fully new trip associated with consumer choice to travel to the store in addition to other retail stores. In addition, the traffic associated with the residential portion of the project may be relocated trips from other locales, and consequentially, may result in either higher or lower net VMT. In this instance, it is likely that some of the proposed project-related GHG emissions associated with traffic and energy demand would be truly "new" emissions; but, it is also likely that some of the emissions represent diversion of emissions from other locations. Thus, although GHG emissions are associated with the project, it is not possible to discern how much diversion is occurring or what fraction of those emissions represent global increases. In the absence of information regarding the different types of trips, the VMT generated by URBEMIS is used as a reasonable and probably conservative estimate. The estimated CO_2 emissions of the Specific Plan have been decreased by that estimated for the existing development.

Estimate of GHG Emissions.

Operational Indirect and Stationary Direct Emissions. Build-out of the project site could consume up to 1,653,780 kilowatt-hours [kWh]/year (Table 5-1). The generation of electricity through combustion of fossil fuels typically yields carbon dioxide, and to a smaller extent nitrous oxide and methane. As discussed above, annual electricity emission can be calculated using the California Climate Action Registry General Reporting Protocol, which has developed emission factors based on the mix of fossil-fueled generation plants, hydroelectric power generation, nuclear power generation, and alternative energy sources associated with the regional grid. Carbon dioxide emission estimates using the URBEMIS model also take into account emissions from other operational sources such as natural gas use for space heating. Table 5-2 shows the estimated operational emissions of GHGs from the proposed Specific Plan.

Table 5-1 Estimated Electricity Consumption

Type of Use	Units	Electricity Demand Factor	Annual Electricity Demand
Retail	50,400 sf	15.7 kWH/unit/year [1]	791,280 kWH/year
Residences	1,500	575 kWH/unit/year [2]	862,500 kWH/year
Total			**1,653,780 kWH/year**

sf = square feet kWH = kilowatt hour
[1] Demand factor from Michael Brandman Associates, 2007, Panama Lane Shopping Center EIR, page 7-22
[2] CEC, 2007. California's Residential Electricity Consumption, Prices, And Bills, 1980-2005

Table 5-2 Estimated Annual Operational Emissions of Greenhouse Gases

	Annual Emissions	
Emission Source	**Emissions**	**CDE**
Carbon Dioxide (CO_2)[1]	2,565 tons (short, US)	2327.2 metric tons
Methane (CH_4) [2]	0.005 metric tons	0.1 metric tons
Nitrous Oxide (N_2O) [2]	0.003 metric tons	0.8 metric tons
	Project Total	**2,328 metric tons**

Source:
[1] See Appendix B for calculations.
[2] California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 2.2,March 2007, page 30-35.
See Appendix for GHG emission factor assumptions.

Transportation Emissions. Mobile source GHG emissions were estimated using the average daily trips estimate generated by the project traffic report and the total vehicle miles traveled estimated in URBEMIS 2007 (v. 9.2.4). The URBEMIS 2007 model estimates that approximately 43,003 daily VMT are associated with the project. Table 5-3 shows the estimated mobile emissions of GHGs based on this VMT minus that associated with the existing land uses.

Table 5-3 Estimated Annual Mobile Emissions of Greenhouse Gases

	Annual Emissions	
Emission Source	**Emissions**	**CDE**
Carbon Dioxide (CO_2)[1]	7,447 tons (short, US)	6,756 metric tons
Methane (CH_4)[2]	6.6 metric tons	152 metric tons
Nitrous Oxide (N_2O)[2]	7.2 metric tons	2,141 metric tons
	Project Total	**9,048 metric tons**

Source:
[1] Mobile Emissions from URBEMIS 2007 (version 9.2.4).
[2] California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 2.2,March 2007, page 30-35.
See Appendix B for GHG emission factor assumptions.

Combined Stationary and Mobile Source Emissions. Table 5-4 combines the operational and mobile GHG emissions associated with the proposed project, which total approximately 11,376 metric tons per year in carbon dioxide equivalency units. This total represents roughly 0.0023% of California's total 2004 emissions of 492 million metric tons. These emission projections indicate the majority of the project GHG emissions are associated with vehicular travel (80%). Please note that as discussed above, that the mobile emissions are in part a redirection of existing travel to other locations, and so already a part of the total California GHG emissions.

Table 5-4 Combined Annual Emissions of Greenhouse Gases

Emission Source	Annual Emissions
Operational	2,328 metric tons CDE
Mobile	9,048 metric tons CDE
Project Total	**11,376 metric tons CDE**

Sources: Operational Emissions from URBEMIS 2007 (version 9.2.4).
California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 2.2, March 2007.

GHG Cumulative Significance. CAPCOA (January 2008) provided several approaches to consider potential cumulative significance of projects with respect to GHGs. A zero threshold approach can be considered based on the concept that climate change is a global phenomenon in that all GHG emissions generated throughout the earth contribute to it, and not controlling small source emissions would potentially neglect a major portion of the GHG inventory. However, the *State CEQA Guidelines* also recognize that there may be a point where a project's contribution, although above zero, would not be a considerable contribution to the cumulative impact. Therefore, a threshold of greater than zero is considered more appropriate in this air quality analysis. Based on the information provided in the CAPCOA white paper for the various emissions thresholds considered, the proposed project's contribution of about 11,000 metric tons CDE/year would be considered a considerable contribution for 3 out of 5 of the numeric thresholds under the non-zero threshold approach. The other two thresholds (each approximately 40,000 metric tons CDE or greater) would capture too few of the GHG emissions for effective reductions

consistent with AB 32 and S-3-05. Based on this analysis, the project is considered to have a considerable contribution to a cumulatively significant impact.

The project would result in operational emissions of ROC, NO_x, and PM_{10} that exceed the VCAPCD thresholds. The project will be required to mitigate these emissions through payment to a TDM fund that will work to reduce emissions through reducing vehicular travel. Efforts to reduce these air pollutant emissions will, for the most part, likely result in substantial decreases in the total amount of GHG emissions associated with the project. CO_2 emissions are typically associated with NO_x emissions, particularly for mobile sources. If substantial (ie: 33% or more) reductions of operational NO_x emissions are achieved, then there would be a similar reduction in CO_2 emissions; this would meet the GHG reduction target needed under AB 32 for Year 2020 and reduce the cumulatively considerable effect of the project to a less than significant level.

The Climate Action Team, established by Executive Order S-3-05 has recommended strategies (Table 5-5) to reduce GHG emissions at a statewide level to meet the goals of the Executive Order (http://www.climatechange.ca.gov/ climate_action_team/index.html). Several of these actions are already required by California regulations. Project consistency with the Climate Action Team Strategies are discussed in Table 5-5.

Table 5-5 Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

Strategy	***Project Consistency***
California Air Resources Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the ARB in September 2004.	**Consistent** The vehicles that travel to and from the project site on public roadways would be in compliance with ARB vehicle standards that are in effect at the time of vehicle purchase.
Diesel Anti-Idling The ARB adopted a measure to limit diesel-fueled commercial motor vehicle idling in July 2004.	**Consistent** Current State law restricts diesel truck idling to five minutes or less. Diesel trucks operating from, and making deliveries to, the project site are subject to this state-wide law. Construction vehicles are also subject to this regulation.
Hydrofluorocarbon Reduction 1) Ban retail sale of HFC in small cans. 2) Require that only low GWP refrigerants be used in new vehicular systems. 3) Adopt specifications for new commercial refrigeration. 4) Add refrigerant leak-tightness to the pass criteria for vehicular inspection and maintenance programs. 5) Enforce federal ban on releasing HFCs.	**Consistent** This strategy applies to consumer products. All applicable products would comply with the regulations that are in effect at the time of manufacture.
Alternative Fuels: Biodiesel Blends ARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	**Consistent** The diesel vehicles that travel to and from the project site on public roadways could utilize this fuel once it is commercially available.

Table 5-5 Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

Strategy	*Project Consistency*
Alternative Fuels: Ethanol Increased use of E-85 fuel.	**Consistent** Employees and residents of the project site could choose to purchase flex-fuel vehicles and utilize this fuel once it is commercially available in the region and local vicinity.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy duty vehicles and an education program for the heavy duty vehicle sector.	**Consistent** The heavy-duty vehicles that travel to and from the project site on public roadways would be subject to all applicable ARB efficiency standards that are in effect at the time of vehicle manufacture.
Achieve 50% Statewide Recycling Goal Achieving the State's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48% has been achieved on a statewide basis. Therefore, a 2% additional reduction is needed.	**Consistent** The City of Oxnard's solid waste diversion rate was 67% in 2005. It is anticipated that the project would similarly divert at least 50 percent of its solid waste after the recyclable content is diverted. The project will be conditioned to provide recycling bins to promote recycling of paper, metal, glass, and other recyclable material.
Zero Waste – High Recycling Efforts to exceed the 50 percent goal would allow for additional reductions in climate change emissions.	**Consistent** The City of Oxnard's solid waste diversion rate was 67% in 2005. It is anticipated that the project would similarly divert at least 50 percent of its solid waste after the recyclable content is diverted. The project will be conditioned to provide recycling bins to promote recycling of paper, metal, glass, and other recyclable material. The project would also be subject to all applicable State and City requirements for solid waste reduction as they change in the future.
Department of Forestry	
Urban Forestry A new statewide goal of planting 5 million trees in urban areas by 2020 would be achieved through the expansion of local urban forestry programs.	**Consistent** The landscaping proposed for the project would include retention of old trees where feasible and increased landscaping throughout the site. Requirement for 30% coverage of parking lot areas.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce greenhouse gas emissions.	**Consistent** The project proposes to provide drought-tolerant, low water consumption plant varieties.
Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	**Consistent** The project will need to comply with the standards of Title 24 that are in effect at the time of development. In addition if adopted, Mitigation Measure AQ-2(b) requires an increase in efficiency to 20% more than Title 24.

Table 5-5 Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

Strategy	*Project Consistency*
Appliance Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the Energy Commission to adopt and periodically update its appliance energy efficiency standards (that apply to devices and equipment using energy that are sold or offered for sale in California).	**Consistent** Under State law, appliances that are purchased for the project - both pre- and post-development – would be consistent with energy efficiency standards that are in effect at the time of manufacture.
Fuel-Efficient Replacement Tires & Inflation Programs State legislation established a statewide program to encourage the production and use of more efficient tires.	**Consistent** Residents of the Project site could purchase tires for their vehicles that comply with state programs for increased fuel efficiency.
Municipal Utility Energy Efficiency Programs/Demand Response Includes energy efficiency programs, renewable portfolio standard, combined heat and power, and transitioning away from carbon-intensive generation.	*Not applicable*, but the project would not preclude the implementation of this strategy by municipal utility providers.
Municipal Utility Renewable Portfolio Standard California's Renewable Portfolio Standard (RPS), established in 2002, requires that all load serving entities achieve a goal of 20 percent of retail electricity sales from renewable energy sources by 2017, within certain cost constraints.	*Not applicable*, but the project would not preclude the implementation of this strategy by Southern California Edison.
Municipal Utility Combined Heat and Power Cost effective reduction from fossil fuel consumption in the commercial and industrial sector through the application of on-site power production to meet both heat and electricity loads.	*Not applicable* since this strategy addresses incentives that could be provided by utility providers such as Southern California Edison and The Gas Company. In addition, the commercial facility at the site are too small for efficient combined heat and power production.
Alternative Fuels: Non-Petroleum Fuels Increasing the use of non-petroleum fuels in California's transportation sector, as recommended as recommended in the CEC's 2003 and 2005 Integrated Energy Policy Reports.	**Consistent** Residents of the project site could purchase alternative fuel vehicles and utilize these fuels once they are commercially available in the region and local vicinity.
Business, Transportation and Housing	
Measures to Improve Transportation Energy Efficiency Builds on current efforts to provide a framework for expanded and new initiatives including incentives, tools and information that advance cleaner transportation and reduce climate change emissions.	**Consistent** The proposed project is an urban infill development; the proposed land uses would have readily available access to U.S. Highway 101, which could reduce the lengths of regional vehicle trips.
Smart Land Use and Intelligent Transportation Systems (ITS) Smart land use strategies encourage jobs/housing proximity, promote transit-oriented development, and encourage high-density residential/commercial development along transit corridors. ITS is the application of advanced technology systems and	**Consistent** The project locates new residences in relatively close proximity to existing places of employment and commercial areas located within the City of Oxnard. The proposed land use would have readily available access to U.S. Highway 101, thereby improving the efficiency of goods movement.

Table 5-5 Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

Strategy	*Project Consistency*
management strategies to improve operational efficiency of transportation systems and movement of people, goods and services. The Governor is finalizing a comprehensive 10-year strategic growth plan with the intent of developing ways to promote, through state investments, incentives and technical assistance, land use, and technology strategies that provide for a prosperous economy, social equity and a quality environment. Smart land use, demand management, ITS, and value pricing are critical elements in this plan for improving mobility and transportation efficiency. Specific strategies include: promoting jobs/housing proximity and transit-oriented development; encouraging high density residential/commercial development along transit/rail corridor; valuing and congestion pricing; implementing intelligent transportation systems, traveler information/traffic control, incident management; accelerating the development of broadband infrastructure; and comprehensive, integrated, multimodal/intermodal transportation planning.	
State and Consumer Services Agency	
Green Buildings Initiative Green Building Executive Order, S-20-04 (CA 2004), sets a goal of reducing energy use in public and private buildings by 20 percent by the year 2015, as compared with 2003 levels. The Executive Order and related action plan spell out specific actions state agencies are to take with state-owned and -leased buildings. The order and plan also discuss various strategies and incentives to encourage private building owners and operators to achieve the 20 percent target.	**Consistent** As discussed previously, the project is required to be constructed in compliance with the standards of Title 24 that are in effect at the time of development. The 2005 Title 24 standards are approximately 8.5 percent more efficient than those of the 2001 standards. In addition if adopted, Mitigation Measure AQ-2(b) requires an increase in efficiency to 20% more than Title 24.
Public Utilities Commission (PUC)	
Accelerated Renewable Portfolio Standard The Governor has set a goal of achieving 33 percent renewable in the State's resource mix by 2020. The joint PUC/Energy Commission September 2005 Energy Action Plan II (EAP II) adopts the 33 percent goal.	*Not applicable*, but the project would not preclude the implementation of this strategy by energy providers.
California Solar Initiative The solar initiative includes installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses, increased use of solar thermal systems to offset the increasing demand for natural gas, use of advanced metering in solar applications, and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	**Consistent** Although solar roofs are not proposed as part of the project, it is recommended that the Developer consider the installation and use of solar equipment.

The proposed project would be consistent with the 2006 CAT Report. It should be noted that the project is higher-density residential development, which ultimately helps in reducing vehicle miles traveled. In addition, the Specific Plan proposes to maintain a cooler street and parking lot

environment, which will reduce heat and reflectivity of surfaces. Chapter 7 of the Specific Plan contains the following specific standards:

- Trees with a spreading canopy in parking areas shall be used to cover at least 30% of parking surface with tree canopy within five years of installation.

- Surface parking lots shall have a landscaped area with a minimum width of ten feet (10′) provided along the peripheral edges of the parking area. These areas must be landscaped and maintained with a combination of trees, shrubs, and groundcovers.

- Trees shall be distributed throughout the surface parking areas.

- Surface parking lots shall utilize "Orchard Style" tree planting for shade and screening purposes. Island finger planters shall include at least 2 trees (one tree in each end of the island).

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6.0 ALTERNATIVES

As required by Section 15126.6 of the State CEQA Guidelines, this EIR examines a range of reasonable alternatives to the proposed project. Included in this analysis are four alternatives that involve different configurations, sizes and intensity of development on the site, including the CEQA-required "no project" alternative. This section also identifies the Environmentally Superior Alternative in accordance with CEQA.

The following alternatives are evaluated in this EIR:

- *Alternative 1: No Project (no change to existing land uses)*
- *Alternative 2: Reduced/No Towers Project with School Site. This project alternative would consist of 1,000 residential units, configured to reduce several of the environmental impacts identified in the EIR. Building heights would be a maximum of three stories. The historic structures would be renovated and would remain, whether in their original uses or adaptive reuse. A 15-acre school site would also be included in this alternative.*
- *Alternative 3: Buildout under Existing General Plan/Zoning Designations. This alternative consists of 479,000 square feet (sf) of two-story retail development and 810 three-story townhouses. The historic structures would be renovated and would remain, whether in their original uses or adaptive reuse.*
- *Alternative 4: Increased Commercial/Decreased Residential and Reconfigured Specific Plan. This alternative is based on a 1990s proposal for the site, and consists of 130,000 sf of general commercial development, 1.45 million sf of office space, a 16,000 sf restaurant and 250 residential units in buildings of up to eight stories. The historic structures would be renovated and would remain, whether in their original uses or adaptive reuse. Structural components of the project would be set back greater distances from Highway 101 and the railroad tracks to reduce noise and air quality impacts.*

Table 6-1 provides a summary comparison of the development characteristics of the proposed project and the alternatives. A more detailed description of the alternatives is included in the impact analysis for each alternative.

Table 6-1 Comparison of Project Alternatives' Buildout Characteristics

Characteristic	Alternatives				
	Proposed Project	No Project Alternative	Reduced + School Alternative	Existing General Plan/Zoning Alternative	Increased Commercial/ Reconfigured Alternative
Residential Density	~23.5 units/acre (1,500 units)	~2.7 units/acre (171 Mobile Home Spaces)	~15.6 units/acre (1,000 units)	~12.7 units/acre (810 units)	~4 units/acre (250 units)
Commercial/Industrial Square Footage	50,400	~700,000	50,400	479,000	~1.6 million
Maximum Building Height	270 feet, 25 stories	2 stories	4 stories	3 stories	8-20 stories
Historic Structures	Demolition	Preservation	Preservation	Preservation	Preservation

6.1 NO PROJECT

This alternative assumes that the proposed improvements are not implemented and that the existing commercial, industrial and residential (mobile home) uses continue to operate under fully-leased conditions. It should be noted that implementation of the No Project alternative would not preclude future renovations or expansions of structures or uses at the Wagon Wheel site, including those that would be exempt from CEQA and/or City discretionary review.

The No Project alternative would avoid the proposed project's environmental impacts in every issue area studied in the EIR. One exception is long term water quality impacts. Water quality impacts would be reduced with implementation of the project, which includes some permeable surfaces and passive water quality measures, in comparison to the existing conditions, as almost the entire site is currently paved or covered with structures and most runoff is untreated.

Despite avoiding most of the environmental impacts of the proposed project, the No Project Alternative would not provide new housing opportunities in Oxnard or revitalization of the Wagon Wheel site.

6.2 REDUCED/NO TOWERS PROJECT WITH SCHOOL SITE

This alternative involves the construction of fewer residential units in order to reduce the proposed project's impacts in several issue areas. This alternative would not include high-rise towers, in order to reduce the project's visual impacts, and would include a 15-acre[1] school site, to reduce impacts to school facilities and, potentially, traffic impacts. Finally, this alternative would involve preservation of the historic structures for their historic uses and/or adaptive reuse consistent with the Secretary of the Interior's standards for historic structures, rather than demolition, to avoid the significant historic resources impacts of the proposed project. All other proposed improvements, including the commercial space, would be similar to those of the proposed project.

The Reduced/No Towers Project with School Site Alternative would provide 1,000 residential units rather than the proposed project's 1,500 units, a reduction of 33%. The residential units would be located in three- and four-story multi-family buildings, mixed-use buildings and live/work units. Subterranean parking would not be required, as two-car garages and on-street parking would satisfy the parking demands for residents and guests. The historic structures would be preserved and used for their original purposes or appropriate adaptive reuse. Approval of a Specific Plan and General Plan Amendment would be required (similar to the proposed project), as the land use and residential density would not be consistent with the current commercial zoning. This alternative would meet the applicant's general objectives of redeveloping the Wagon Wheel site with a residential project with a neighborhood serving commercial component. (Please see Subsection 2.5 *Project Objectives* in Section 2.0 *Project Description* for a statement of objectives.)

[1] *According to the state Department of Education's Guide to School Site Analysis and Development – 2000 Edition a high school site should be a minimum of 19.2 acres (elementary schools generally require less space). Based on the limited space available on the project site, and considering the smaller size of other nearby high schools (e.g. Foothill Polytechnic, at 7.5 acres), 15 acres is considered a reasonable size.*

6.2.1 Aesthetics

Without high-rise towers and with the inclusion of the visual relief of a mostly open school site, the changes to the visual character of the site, including the general visual character as well as light and glare, would be somewhat reduced, as would the impacts of that change. In addition, the less-than significant impacts to views of the mountains would be slightly reduced, particularly of the views of the Santa Monica Mountains looking east. However, under this alternative the development's appearance and massing at street level would be similar to the proposed project. Overall, the project's visual impacts would be reduced, but as the visual character would still change substantially compared to current conditions the change to the visual character of the site would remain significant and unavoidable.

6.2.2 Air Quality

Temporary impacts to air quality resulting from construction of this alternative would be similar, although somewhat reduced, in comparison with the proposed project. Fewer emissions would be expected without excavation for and construction of the high-rise towers and parking structures. However, construction of 1,000 residential units and commercial space, and in particular site preparation and grading, which produce a substantial percentage of emissions, would still generate considerable emissions. Operational emissions associated with vehicle traffic and energy consumption would be reduced with the reduction in residential units associated with this alternative and, as with the proposed project, would be less than significant with mitigation incorporated. All mitigation measures recommended for the proposed project would apply to this alternative.

6.2.3 Biological Resources

As the overall footprint of the project would be similar under this alternative, and the intensity of development would be similar nearest the Santa Clara River riparian corridor, impacts would be roughly similar to the proposed project and would remain significant and mitigable. All mitigation measures recommended for the proposed project would apply to this alternative.

6.2.4 Cultural Resources

The Reduced/No Towers Project with School Site Alternative would include preservation of the onsite historic structures. Therefore the significant impact to historic resources associated with the proposed project would be reduced to a less than significant level. As a majority of the site would be graded for this alternative, potential impacts to unrecorded archaeological resources would be the same as for the proposed project, and mitigation measures recommended for the proposed project for unexpected discovery of such resources would apply.

6.2.5 Geology and Soils

Impacts relating to seismic activity, liquefaction and groundwater would be somewhat reduced under this alternative in comparison to the proposed project, primarily because the deep foundations and excavation required for the high-rise towers and subterranean parking would not be necessary. All mitigation measures recommended for the proposed project, except those

directly related to excavation and safety issues for the high rise structures and subterranean garages, would apply to this alternative and would reduce impacts to a less than significant level.

6.2.6 Hazards and Hazardous Materials

Impacts related to hazards and hazardous materials would be similar to those expected to result from the proposed project, with the exception of concerns arising from the location of tall structures in proximity to the airport. Demolition of existing structures that could release asbestos and other hazardous materials would still take place, and excavation and development would take place in generally the same potential areas of soil and groundwater contamination in either scenario, although at reduced depth in specific areas. Mitigation measures recommended for the proposed project would apply, with the exception of FAA review of the high-rises, and, as with the proposed project, would reduce impacts to a less than significant level.

6.2.7 Hydrology and Water Quality

Impacts to drainage and water quality would be similar to those expected to result from the proposed project, but may be slightly reduced because the school site would include sports fields that would provide further opportunities for stormwater infiltration, retention and passive treatment. Both the proposed project and this alternative would therefore represent an improvement over current site conditions in terms of the quality and quantity of site runoff. As drainage patterns and required storm drainage infrastructure needs would be roughly the same for the project and the Reduced/No Towers Project with School Site Alternative, impacts and mitigation measures would be the same. Mitigation measures for both construction and operational water quality protection would apply.

6.2.8 Land Use and Planning

The slight reduction in air quality, noise and traffic impacts, due to having 33% fewer residential units, would reduce potential land use incompatibility with surrounding uses in comparison with the proposed project, which would still be less than significant. In addition, the Reduced/No Towers Project with School Site Alternative would not contribute as much to the City's jobs/housing imbalance as the proposed project, because some if not all of the jobs in the historic structures to remain would likely be retained, and the project would introduce fewer housing units. Overall, land use impacts would be reduced under this alternative.

6.2.9 Noise

Project-generated operational noise impacts from the Reduced/No Towers Project with School Site Alternative, both from vehicular traffic and stationary sources at the site, would be similar to those from the proposed project. The reduction in density and building height would have only a limited effect on these impacts, which would be less than significant for both the proposed project and this alternative. Construction noise may be substantially reduced in comparison to the proposed project, at least during a portion of the construction period, due to a shorter construction duration and because the excavation for and construction of the high-rise towers and parking garages would no longer be required. All mitigation recommended for the

proposed project would apply with the exception of those related to pile driving for the tower foundations.

6.2.10 Population and Housing

Based on the City average of 4.0 persons per household, the proposed addition of 859 residential units (1,000 minus 141 existing occupied mobile home spaces to be removed) would generate a net increase of approximately 3,436 residents (~33% lower than the proposed project). Based on the estimated 2008 citywide population of 194,905 residents, the addition of 3,436 residents would increase Oxnard's population by about 1.7%. The addition of 859 housing units would also increase the current (2007) number of households in the City by about 1.6%. Fewer households and residents would be accommodated by this alternative; neither the proposed project nor the alternative would exceed SCAG's growth or population projections for the City of Oxnard.

Neither the proposed project nor the Reduced/No Towers Project with School Site Alternative would be inconsistent with City Housing Element policies regarding housing numbers, types or affordability. The City's Inclusionary requirements would apply to this alternative as well as the proposed project; however, it should be noted that this alternative would likely result in provision of fewer affordable units than the proposed project based on the required Inclusionary percentages. Impacts related to closure of the mobile home park would be similar to those for the proposed project, and would be less than significant. As commercial space would be the same as for the proposed project, employment numbers would also be reduced under this alternative, as with the proposed project, but less so as some of the jobs associated with the historic structures to remain would likely be retained. As with the proposed project, population and housing impacts would be less than significant.

6.2.11 Public Services

Impacts to public services would be reduced under the Reduced/No Towers Project with School Site Alternative in comparison with the proposed project. This would be primarily due to the fact that the onsite population would be 33% lower. In particular, school impacts would be reduced because a school site would be provided. In addition, project specific special police and fire protection services needed to service the high rise structures may not be needed under this alternative. Specifically, mitigation measures PS-1 (b) and PS-3 would not be required under this alternative. Some impacts to public services from the proposed project would be less than significant with the incorporation of the proposed mitigation measures, which would be similar to those recommended for the proposed project

6.2.12 Recreation and Parks

Demands on recreational facilities and the amount of park space required to serve the project would be reduced under the Reduced/No Towers Project with School Site Alternative because 33% fewer housing units would be constructed. Specifically, the project's deficit for park land would be 12 acres rather than 18 (three acres per 1,000 residents). In addition, school play fields would provide an additional recreational opportunity for residents during off-hours. Finally, at least one private recreational facility, the bowling alley, would likely remain as it is housed in a

historic structure. Overall, impact levels would remain the same as for the proposed project. The same mitigation measure would apply, but required fees or additional park space would be less.

6.2.13 Transportation and Traffic

As the Reduced/No Towers Project with School Site Alternative would include the same amount of commercial space as the proposed project but 33% fewer residential units, it would generate less traffic and require fewer parking spaces. The overall traffic impacts of this alternative would be less than those associated with the proposed project. Some or all of the proposed mitigation measures would likely still apply, and in either case impacts would be less than significant with mitigation.

The potentially significant but mitigable parking impact associated with the proposed project could be reduced to a less than significant level under this alternative because fewer parking spaces would be required and it is expected that the proposed individual garages and on-street parking could accommodate the reduced demand. CMP impacts would be reduced in comparison to the proposed project and would remain less than significant. Finally, impacts related to safety of routes to school would remain less than significant, but would be further reduced because those students attending the on site school would not need to cross any major streets or intersections on their way to school.

6.2.14 Utilities and Service Systems

Impacts to other utilities and services, including water supply, wastewater capacity, water pressure/fire flows and solid waste generation would be less than significant after mitigation for the Reduced/No Towers Project with School Site Alternative as well as the proposed project. As the Reduced/No Towers Project with School Site Alternative would have fewer units and residents, these impacts would be reduced overall in comparison and would be less than significant as well. Fire flows would be less critical as no high-rise buildings would be built. Still, most of the mitigation measures identified for the proposed project would apply to this alternative, with the exception of those specifically related to the residential towers.

6.3 GENERAL PLAN AND ZONING ORDINANCE CONSISTENT ALTERNATIVE

This alternative involves development of the site in accordance with the General Commercial Planned Development (C-2-PD) and Commercial and Light Manufacturing (CM) Zone District height and density limits, while still achieving the fundamental project objectives of redeveloping the Wagon Wheel site with residential and commercial uses. In addition to meeting the ordinance requirements, the historic structures would remain and be used for their historic uses or adaptive reuse consistent with the Secretary of the Interior's standards for historic structures.

This alternative would consist of 479,000 square feet of two-story retail development and 810 three-story townhouses, consistent with the allowable uses, height limits, setbacks and residential density current allowed under the site's existing zoning designations.

Table 6-2
Comparison of Existing Development and Alternative 3 Development

Use	Existing (at full occupancy)	Alternative 3	Net Change
Residential Units	171 (Mobile Home Spaces)	810 (Attached Units)	+ 639 Units
Commercial/Industrial/ Institutional/restaurant/office etc.	~797,000 sf	479,000 sf	- 318,000 sf
Sources: City of Oxnard, June 1999; Daly Owens Group 2006			

6.3.1 Aesthetics

Without high-rise towers and with the mix of uses and building types under this alternative, the changes to the visual character of the site would be somewhat reduced, as would the impacts of that change. Light and glare impacts would likely be more severe due to the much higher level of commercial use, which could include more extensive parking lot and security lighting as well as signage. The less-than significant impacts to views of the mountains would be slightly reduced, particularly of the views of the Santa Monica Mountains looking east, without high-rise towers. Under this alternative the development's massing at street level would be similar to the proposed project, although the visual character would be a mix of commercial and residential rather than virtually entirely residential as under the proposed project. Overall, despite the absence of high-rise towers, the more commercial nature of the project would likely result in slightly more severe visual impacts. The project's visual impact level determinations would be similar to the proposed project; light and glare impacts would be potentially significant but mitigable, and as the visual character would still change substantially compared to current conditions, the change to the visual character of the site would remain significant and unavoidable.

6.3.2 Air Quality

Temporary impacts to air quality resulting from construction of this alternative would be similar, although somewhat reduced, in comparison with the proposed project. Fewer emissions would be expected without excavation for and construction of the high-rise towers and parking structures. However, construction of 810 residential units and 479,000 square feet of commercial/industrial space, and in particular site preparation and grading, which produce a substantial percentage of emissions, would still generate considerable emissions. Operational emissions associated with vehicle traffic and energy consumption would be similar to the proposed project, and would be less than significant with similar mitigations measures. All mitigation measures recommended for the proposed project would apply to this alternative.

6.3.3 Biological Resources

As the overall footprint of the project would be similar under this alternative, and the intensity of development would be similar nearest the Santa Clara River riparian corridor, impacts would be roughly similar to the proposed project and would remain significant and mitigable. All mitigation measures recommended for the proposed project would apply to this alternative.

6.3.4 Cultural Resources

The General Plan and Zoning Ordinance Consistent Alternative would include preservation of the onsite historic structures. Therefore the significant impact to historic resources associated with the proposed project would be reduced to a less than significant level. As a majority of the site would be graded for this alternative, potential impacts to unrecorded archaeological resources would be the same as for the proposed project, and mitigation measures recommended for the proposed project for unexpected discovery of such resources would apply.

6.3.5 Geology and Soils

Impacts relating to seismic activity, liquefaction and groundwater would be somewhat reduced under this alternative in comparison to the proposed project, primarily because the deep foundations and excavation required for the high-rise towers and subterranean parking would not be necessary. All mitigation measures recommended for the proposed project, except those directly related to excavation and safety issues for the high rise structures and subterranean garages, would apply to this alternative and would reduce impacts to a less than significant level.

6.3.6 Hazards and Hazardous Materials

Impacts related to hazards and hazardous materials would be similar to those expected to result from the proposed project, with the exception of concerns arising from the location of tall structures in proximity to the airport. Some additional, but mitigable impacts would result from the potential use and transport of hazardous materials associated with commercial and industrial uses. Demolition of existing structures that could release asbestos and other hazardous materials would still take place, and excavation and development would take place in generally the same potential areas of soil and groundwater contamination in either scenario, although at reduced depth in specific areas. Mitigation measures recommended for the proposed project would apply, as would additional measures to address commercial and industrial land uses, with the exception of FAA review of the high-rises, and, as with the proposed project, would reduce impacts to a less than significant level.

6.3.7 Hydrology and Water Quality

Impacts to drainage and water quality would be similar to those expected to result from the proposed project, but may be slightly greater because there would be less opportunities for landscaped/permeable areas associated with the commercial uses. Still, both the proposed project and this alternative would represent an improvement over existing site conditions in

terms of the quality and quantity of site runoff as the site is currently almost completely impervious. As drainage patterns and required storm drainage infrastructure needs would be roughly the same for the project and the General Plan and Zoning Ordinance Consistent Alternative, impacts and mitigation measures would be the same. Mitigation measures for both construction and operational water quality protection would apply.

6.3.8 Land Use and Planning

Land use compatibility impacts would be similar to the proposed project, and would be less than significant. Although the project would put extensive commercial/light industrial uses in close proximity to residential uses, sensitive site design and adherence to performance standards and existing regulations (e.g. noise limitations) would be able to avoid significant conflicts. As the site currently supports commercial and light industrial uses near the existing residential neighborhood to the south, a mixed use project under the General Plan and Zoning Ordinance Consistent Alternative would not result in more severe conflicts than currently exist.

The General Plan and Zoning Ordinance Consistent Alternative would not contribute as much to the City's jobs/housing imbalance as the proposed project, because it would result in more employment opportunities and the project would introduce fewer housing units. Overall, land use impacts would be reduced under this alternative; the potential for land use conflicts would be slightly higher, but the impacts to the jobs/housing balance would not be as severe.

6.3.9 Noise

Project-generated noise impacts from the General Plan and Zoning Ordinance Consistent Alternative, both from vehicular traffic and stationary sources at the site, would be slightly higher those from the proposed project due to more truck trips, idling, loading/unloading, and light manufacturing activities associated with the commercial and light industrial uses. However, the noise would be distributed more evenly throughout the day consistent with commercial hours and as peak hour traffic associated with fewer residential units would be lower. Construction noise would be substantially reduced in comparison to the proposed project, at least during a portion of the construction period, because the excavation for and construction of the high-rise towers and parking garages would no longer be required. All mitigation recommended for the proposed project would apply with the exception of those related to pile driving for the tower foundations, and additional mitigation measures to reduce commercial noise generation, including hours of operation and truck loading/unloading as well as truck idling, would likely be required.

6.3.10 Population and Housing

Based on the City average of 4.0 persons per household, the proposed addition of 669 residential units (810 minus 141 existing occupied mobile home spaces to be removed) would generate a net increase of approximately 2,676 residents (~50% lower than the proposed project). Based on the estimated 2008 citywide population of 194,905 residents, the addition of 2,676 residents would increase Oxnard's population by about 1.4%. The addition of 669 housing units would also increase the current (2007) number of households in the City by about 1.3%. Fewer households and residents would be accommodated by this alternative; neither the proposed project nor the alternative would exceed SCAG's growth or population projections for

the City of Oxnard.

Neither the proposed project nor the General Plan and Zoning Ordinance Consistent Alternative would be inconsistent with City Housing Element policies regarding housing numbers, types or affordability. The City's Inclusionary requirements would apply to this alternative as well as the proposed project; however, it should be noted that this alternative would likely result in provision of fewer affordable units than the proposed project based on the required Inclusionary percentages. In addition, impacts related to closure of the mobile home park would be similar to those of the proposed project, and would be less than significant. As this alternative proposes more commercial space than the proposed project but less than the site currently supports, employment numbers would also be reduced under this alternative, but less so. As with the proposed project, population and housing impacts would be less than significant.

6.3.11 Public Services

Impacts to public services would be reduced under the General Plan and Zoning Ordinance Consistent Alternative in comparison with the proposed project. This would be primarily due to the fact that the onsite population would be almost 50% lower, and because commercial uses generate less demand for virtually all of the services considered. The elimination of the proposed towers would also eliminate project-specific demands for police and fire protection services compared to a more traditional design. All impacts to public services from the proposed project would be less than significant with incorporation of the proposed mitigation measures, which would be roughly similar to those recommended for the proposed project.

6.3.12 Recreation and Parks

Demands on recreational facilities and the amount of park space required to serve the project would be reduced under the General Plan and Zoning Ordinance Consistent Alternative because 50% fewer housing units would be constructed. Specifically, the project's deficit for park land would be approximately 9.7 acres rather than 18 (three acres per 1,000 residents). The same mitigation measure would apply, but required fees or additional park space would be less.

6.3.13 Transportation and Traffic

The General Plan and Zoning Ordinance Consistent Alternative would include substantially more commercial space than the proposed project and 50% fewer residential units. This would reduce project-generated traffic in comparison with the proposed project and distribute it more evenly throughout the day. The overall traffic impacts of this alternative would be less than those associated with the proposed project. Some or all of the proposed mitigation measures would likely still apply, and in either case impacts would be less than significant with mitigation.

The potentially significant but mitigable parking impact associated with the proposed project would likely be reduced to a less than significant level under this alternative because the project could be designed and configured to accommodate the reduced demand, possibly with incorporation of a two-level parking structure to serve commercial uses if necessary. Impacts

related to safety of routes to school would be similar to the proposed project and would remain less than significant. CMP impacts would be reduced in comparison to the proposed project and would remain less than significant.

6.3.14 Utilities and Service Systems

Impacts to other utilities and services, including water supply, wastewater capacity, water pressure/fire flows and solid waste generation would be less than significant after mitigation for the General Plan and Zoning Ordinance Consistent Alternative as well as the proposed project. As this alternative would have fewer units and residents, these impacts would be reduced overall in comparison and would be less than significant as well. Fire flows would be based upon the type, size and occupancy of building proposed to be built under this alternative.. Still, most of the mitigation measures identified for the proposed project would apply to this alternative as well, with the exception of those specifically related to the residential towers. Mitigation measures for solid waste would likely be modified to account for specific considerations related to collection and disposal of waste from the commercial and manufacturing uses.

6.4 INCREASED COMMERCIAL/DECREASED RESIDENTIAL AND RECONFIGURED SPECIFIC PLAN ALTERNATIVE

This alternative would redevelop the Wagon Wheel site with 130,000 square feet of general commercial space (one- to two-story), 1,450,000 square feet of office space (five 22-story towers), 16,000 square feet of restaurant space and 250 residential units in up to five buildings of up to eight stories each. Historic structures would be preserved, rather than demolished, to avoid the significant historic resources impacts of the proposed project. The project would also be reconfigured to provide a larger buffer between proposed new uses and the adjacent Highway 101 and railroad corridors. Approval of a Specific Plan and General Plan Amendment would be required, as for the proposed project, as the proposed intensity of use and building heights would not be consistent with the current zoning. This alternative would meet the applicant's general objectives of redeveloping the Wagon Wheel site with a mixed-use project, although at a much different ratio of residential to commercial uses than that of the proposed project. (Please see Subsection 2.5 *Project Objectives* in Section 2.0 *Project Description* for a statement of objectives.)

6.4.1 Aesthetics

The overall volume of structural development associated with the Increased Commercial/ Reconfigured Alternative would be comparable to the proposed project. However, the substantially taller building heights would result in a much different site profile, massing and visual experience. While almost the entire site would appear to be built up with the proposed project, but mostly at a relatively low profile with the exception of three towers, this alternative would house almost all of the development in towers from eight to 20 stories high. This would also leave more space "open," which would be used for parks, landscaping and surface parking. Thus although the visual character of the site would change in a different way from the proposed project, the change would still be considerable and would be significant and unavoidable, similar to the proposed project.

Obstruction of mountain views would be more severe under this alternative. Although a full visual analysis would be required to determine significance, it is anticipated that impacts may be significant and unavoidable, in comparison with the less than significant impacts to views associated with the proposed project. Light and glare impacts would be expected to be mitigable, as with the proposed project. Overall, visual resources impacts would be increased under this alternative in comparison to the proposed project.

6.4.2 Air Quality

Temporary impacts to air quality resulting from construction of this alternative would be somewhat greater than those associated with the proposed project, as more extensive excavation work would be needed for the multiple towers, and the existing site structures and paving would have to be demolished and removed and the entire site graded similar to the proposed project. Although impacts would be more severe, their temporary nature would be considered less than significant with incorporation of mitigation, consistent with VCAPCD thresholds. Operational emissions associated with vehicle traffic and energy consumption would be comparable to the proposed project, and would likely be less than significant with payment of TDM fees. All mitigation measures recommended for the proposed project would apply to this alternative.

Impacts associated with new residents' exposure to emissions from Highway 101 would be less than those associated with the proposed project, as the housing units would be located further from the highway. Impacts would be less than significant in either case.

6.4.3 Biological Resources

Because the structural footprint of the Increased Commercial/Decreased Residential Reconfigured Alternative would be slightly smaller than that of the proposed project, the opportunity would be available to provide a greater buffer between site structures, particularly residential uses, and the Santa Clara River corridor. As a result, impacts from pets and lighting/glare would be reduced in comparison to the proposed project; however they would still likely remain potentially significant but mitigable. All mitigation measures recommended for the proposed project would apply to this alternative.

6.4.4 Cultural Resources

The Increased Commercial/Decreased Residential Reconfigured Alternative would include preservation of the onsite historic structures. Therefore the significant impact to historic resources associated with the proposed project would be reduced to a less than significant level. As a majority of the site would be graded for this alternative, potential impacts to unrecorded archaeological resources would be the same as for the proposed project, and mitigation measures recommended for the proposed project for unexpected discovery of such resources would apply.

6.4.5 Geology and Soils

Impacts relating to seismic activity, liquefaction and groundwater would be elevated under this alternative in comparison to the proposed project, primarily because several more high-rise structures would be built, with associated deep foundations and excavation. All mitigation measures recommended for the proposed project would apply to this alternative, although they may be expanded due to the additional scope of excavations, and would be expected to reduce impacts to a less than significant level.

6.4.6 Hazards and Hazardous Materials

Impacts related to hazards and hazardous materials would be elevated in comparison with those expected to result from the proposed project. Demolition of existing structures that could release asbestos and other hazardous materials would still take place. Deep excavation for high-rise foundations would take place over more potential areas of soil and groundwater contamination than for the three towers of the proposed project. Mitigation measures recommended for the proposed project would apply, but may be expanded due to the larger scope of excavation, and would still be expected to reduce impacts to a less than significant level.

6.4.7 Hydrology and Water Quality

Impacts to drainage and water quality would be somewhat reduced compared to those expected to result from the proposed project, as the increased height of structures would provide more open space and hence more opportunities for stormwater infiltration, retention and passive treatment. Both the proposed project and this alternative would therefore represent an improvement over current site conditions in terms of the quality and quantity of site runoff. As drainage patterns and required storm drainage infrastructure needs would be roughly the same for the project and the Increased Commercial/Decreased Residential Reconfigured Alternative, impacts and mitigation measures would be roughly the same. Mitigation measures for both construction and operational water quality protection would apply.

6.4.8 Land Use and Planning

Land use compatibility impacts would be similar to the proposed project, and would be less than significant. Although the project would put extensive commercial uses in close proximity to residential uses, sensitive site design would be able to avoid significant conflicts. As the site currently supports commercial and light industrial uses near the existing residential neighborhood to the south, a mixed use project under the Increased Commercial/Decreased Residential Reconfigured Alternative would not result in more severe conflicts than would exist with the proposed project.

The Increased Commercial/Decreased Residential Reconfigured Alternative would not exacerbate the City's jobs/housing imbalance as the proposed project would, because it would result in more employment opportunities and the project would introduce fewer housing units. Overall, land use impacts would be reduced under this alternative; the potential for land use

conflicts may be slightly higher, but the impacts to the jobs/housing balance would not be as severe.

6.4.9 Noise

Project-generated noise impacts from the Increased Commercial/Decreased Residential Reconfigured Alternative, both from vehicular traffic and stationary sources at the site would be similar to those from the proposed project. The reduction in residential density and increase in commercial uses would have only a limited effect on these impacts, which would be less than significant for both the proposed project and this alternative. Construction noise would be elevated in comparison to the proposed project, at least during a portion of the construction period, due to a greater amount of excavation required and, potentially, pile-driving for and construction of the high-rise towers. All mitigation recommended for the proposed project would apply, but would likely need to be augmented to address the specific noise impacts associated with the new configuration.

This alternative may have reduced noise impacts on new residents, as the housing units would be located further from the adjacent transportation corridors than those in the proposed project. Impacts would be less than significant in either case.

6.4.10 Population and Housing

Based on the City average of 4.0 persons per household, the proposed addition of 109 residential units (250 minus 141 existing occupied mobile home spaces to be removed) would generate a net increase of approximately 436 residents (over 90% lower than the proposed project). Based on the estimated 2008 citywide population of 194,905 residents, the addition of 436 residents would increase Oxnard's population by about 0.2%. The addition of 109 housing units would also increase the current (2007) number of households in the City by about 0.2%. Fewer households and residents would be accommodated by this alternative; neither the proposed project nor the alternative would exceed SCAG's growth or population projections for the City of Oxnard.

Neither the proposed project nor the Increased Commercial/Decreased Residential Reconfigured Alternative would be inconsistent with City Housing Element policies regarding housing numbers, types or affordability. The City's Inclusionary requirements would apply to this alternative as well as the proposed project; however, it should be noted that this alternative would likely result in provision of fewer affordable units than the proposed project based on the required Inclusionary percentages. In addition, impacts related to closure of the mobile home park would be similar to those for the proposed project, and would be less than significant. As this alternative would involve much more commercial space than the proposed project and current site conditions, the project would generate a substantially higher number of jobs. However, SCAG projections foresee an additional approximately 5,000 jobs for the City by 2015, and the increased employment associated with approximately 1.6 million square feet of commercial space would fall well within this projection. As with the proposed project, population and housing impacts would be less than significant.

6.4.11 Public Services

Impacts to public services would be reduced under the Increased Commercial/Decreased Residential Reconfigured Alternative in comparison with the proposed project. This would be primarily due to the fact that the onsite population would be over 90% lower than the proposed project, and commercial uses typically require fewer of these services. In addition, the increased height of structures would provide more open space and hence a possible opportunity for an optional school site. All impacts to public services from the proposed project would be less than significant with incorporation of the proposed mitigation measures, which would be similar to those recommended for the proposed project. Increased demands for services specific to high rise facilities would be slightly increased for this alternative as it involves a greater number of these types of buildings.

6.4.12 Recreation and Parks

Demands on recreational facilities and the amount of park space required to serve the project would be reduced under this alternative because over 90% fewer net housing units would be constructed. Specifically, the project's deficit for park land would be 1.5 acres rather than 18 acres (three acres per 1,000 residents). In addition, as discussed above, the increased height of structures would provide more open space and hence an opportunity to provide onsite parks and recreational facilities. The same mitigation measure would apply, but required fees or additional park space would be less.

6.4.13 Transportation and Traffic

The Increased Commercial/Decreased Residential Reconfigured Alternative includes nearly 1.6 million square feet of office and commercial space and 250 residential uses. This represents over 90% fewer net residential units and 1.55 million more commercial square feet than the proposed project. Overall, it would generate less traffic and require fewer parking spaces. This is based partially on trip generation rates of office vs. residential uses, and also because some percentage of the employees would be expected to live in the residential component of the site or nearby in residential neighborhoods including Riverpark, close enough to where many employees would not need to drive to work.

Although the overall traffic impacts of this alternative would be less than those associated with the proposed project, the potential impacts at the two specified intersections would likely remain significant, and the proposed mitigation measures would still apply. The potentially significant but mitigable parking impact associated with the proposed project would be reduced to a less than significant level under this alternative because fewer parking spaces would be required and it is expected that the subterranean garages and on-street parking could accommodate the reduced demand for the residential units and surface and parking-structure parking would accommodate the commercial and office demand.

6.4.14 Utilities and Service Systems

Impacts to other utilities and services, including water supply, wastewater capacity, water pressure/fire flows and solid waste generation would be less than significant after mitigation

for the Increased Commercial/Decreased Residential Reconfigured Alternative as well as the proposed project. As the Increased Commercial/Decreased Residential Reconfigured Alternative would have fewer units and residents, these impacts would be reduced overall in comparison and would be less than significant as well. Fire flows, however, may be a more critical issue due to the challenges of providing sufficient pressure to upper floors. Still, most of the mitigation measures identified for the proposed project would apply to this alternative as well, and would likely keep impacts to less than significant levels.

6.5 ALTERNATIVE SITES

The California Supreme Court, in *Citizens of Goleta Valley v. Board of Supervisors* (1990), indicated that a discussion of alternative sites is needed if the project "may be feasibly accomplished in a successful manner considering the economic, environmental, social, and technological factors involved" at another site. As suggested in *Goleta*, several criteria form the basis of whether alternative sites need to be considered in detail. These criteria take the form of the following questions:

1. *Could the size and other characteristics of another site physically accommodate the project?*
2. *Is another site reasonably available for acquisition?*
3. *Is the timing of carrying out development on an alternative site reasonable for the applicant?*
4. *Is the project economically feasible on another site?*
5. *What are the land use designation(s) of alternative sites?*
6. *Does the lead agency have jurisdiction over alternative sites? and*
7. *Are there any social, technological, or other factors that may make the consideration of alternative sites infeasible?*

Other sites that could physically accommodate the proposed project may be present in Oxnard, and some sites have land use designations that would accommodate the general scale of the proposed project. However, one of the fundamental objectives of the proposed project is to redevelop the Wagon Wheel site, which is also a General Plan objective. Relocating the project to another site would not achieve this objective. Moreover, the applicant does not have access to other sites and has already made a substantial investment in the current project site. Therefore, relocating the project to another site would not be feasible from either an economic or timing standpoint. Consequently, because relocation of the project to an alternative site is not feasible, discussion of the impacts of alternative sites is not warranted.

6.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the identification of the environmentally superior alternative among the options studied. When the "No Project" alternative is determined to be environmentally superior, CEQA also requires identification of the environmentally superior alternative among the development options.

The No Project alternative would avoid almost all of the project's impacts. One exception would be impacts related to water quality, as the proposed project (with mitigation) would be beneficial to both the quality and quantity of stormwater runoff. Consequently, the No Project

alternative is considered environmentally superior. However, the No Project alternative would not fulfill the basic objectives of the project stated in Section 2.0, *Project Description*.

Among the other alternatives being considered, the Existing General Plan and Zoning Ordinance Consistent Alternative would be considered environmentally superior, as it would reduce impacts in virtually all issue areas, would eliminate the unavoidably significant historic resources impacts of the proposed project, and could potentially reduce visual resource impacts to below a level of significance. This alternative would generally meet the project objectives, although fewer housing units would be constructed.

Table 6-3 indicates whether each alternative's environmental impact is greater, lesser, or similar to the proposed project.

Table 6-3
Comparison of Environmental Impacts of Alternatives

Issue	Proposed Project	No Project Alternative	Reduced/ No Towers + School Alternative	Existing General Plan/Zoning Alternative	Increased Commercial/ Reconfigured Alternative
Aesthetics	**=**	**+**	**+**	**-**	**+**
Air Quality	=	+	+	=	-
Biology	=	+	=	=	+
Cultural Resources	**=**	**+**	**+**	**+**	**+**
Geology/Soils	=	+	+	+	-
Hazards	=	+	=	-	-
Hydrology/Water Quality	=	-	+	-	+
Land Use	=	+	+	+	+
Noise	=	+	=	-	-
Public Services	=	+	+	+	+
Population and Housing	=	+	+	+	+
Recreation	=	+	+	+	+
Transportation/Traffic	=	+	+	+	+
Utilities	=	+	+	+	+
Overall	n/a	+	+	+	+

+Superior to the proposed project
- Inferior to the proposed project
= Similar impact to the proposed project
Bold typeface indicates a significant and unavoidable (Class I) impact.

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Diamond West Engineering

Michael Harrison, P.E.

San Buenaventura Research Associates

Judy Triem, Historian
Mitch Stone, Preservation Planner

Applied Earthworks, Inc.

Wendy M. Nettles, M.A., RPA

Post/Hazeltine Associates

Pamela Post

Fugro West

Kathleen Riedel, Engineering Geologist
Leland M. Kraft, Jr., Geotechnical Engineer

Kennedy/Jenks Consultants

Richard Bardin

8.0 RESPONSES to COMMENTS on the DRAFT EIR

This section includes comments received during the circulation of the Draft Environmental Impact Report (EIR) for the Oxnard Village Specific Plan Project, responses to the comments on the Draft EIR, and corrections to the EIR, where warranted, based on information provided by commenters relative to the proposed project and its environmental effects. Changes made to the EIR based on the comments received are noted in the responses and are also reflected in the correction pages provided in Section 9.0, *Correction Pages*. The correction pages also show minor corrections, minor technical edits and other administrative edits that do not affect the conclusions of the EIR.

The Draft EIR was circulated for a 49-day public review period that began on May 30, 2008 and concluded on July 18, 2008. Verbal comments were also received at a Planning Commission public hearing on the Draft EIR on July 17, 2008. The City received 62 comment letters (37 of which are grouped together and listed as "Letter 12" below) on the Draft EIR. Commenters and the page number on which each commenter's letter appears are listed below.

	Letter No. and Commenter	Page No.
1.	Elmer Alvarez, IGR/CEQA Program Manager, California Department of Transportation (Caltrans) District 7	8-3
2.	Greg Holmes, Unit Chief, California Department of Toxic Substances Control	8-12
3.	Jacob Lieb, Program Manager, Environmental Planning Division, Southern California Association of Governments	8-21
4.	Alicia Stratton, Ventura County Air Pollution Control District	8-31
5.	Nazir Lalani, Deputy Director, Ventura County Public Works Transportation Department	8-38
6.	Sergio Vargas, P.E., Ventura County Watershed Protection District	8-42
7.	Stephen P. Brown, Director of Planning and Marketing, Gold Coast Transit	8-44
8.	Kim Hocking, Staff, Ventura County Cultural Heritage Board	8-47
9.	Sherianne Cotterell, Superintendent, Rio School District	8-49
10.	Deborah Meyer-Morris, Vice President, Oxnard Council PTA	8-56
11.	Susie Ruiz, Ventureño Chumash Council	8-66
12.	Grouped letters from the following commenters: Virginia Banks, Adriene Biondo, Gwen Creighton, Lisa Dodge, Milford Donaldson, Julie Drazan, Yvonne Ellett, Miguel Fernandez, Laura Friedman, Andrea Galvin, Tina Gruen, Ruth Handel, Teresa Hames, James Hanson, Alan Hess, Russell Howard, Leslie Kahlenberg, Marilyn and Bill Kellar, Tracy King, Anthony Mark, Nathan Marsak, Dena M. Mercer, Chris Nichols, Jonathan Nicoll, Orbit In Hotel Staff, Andrew D. Perkins, Rosanna Ratliff, Stephen Schafer, Keith A. Sculle, Sherry and Craig Sotres, Mary-Margaret	8-68

Letter No. and Commenter	Page No.
Stratton, Cynthia Thompson, Nora Trentacoste, Adrian Turner, Sherry Tyler, Douglas Wren, San Buenaventura Conservancy Board of Directors	
13. Wendi Lewis	8-125
14. Chris Ford	8-128
15. Daniel Lechliter	8-131
16. Anonymous ("A Concerned Citizen")	8-134
17. Tony and Donna Athens	8-136
18. Jack Shaffer	8-138
19. Edward Castillo	8-140
20. Barbara Macri-Ortiz	8-146
21. Patricia K. Munro	8-185
22. Sarah Wayne	8-190
23. Christopher Mulrooney	8-192
24. Burt Perello	8-194
25. Marika Arthur	8-199
26. Jeffrey T. Ponting, California Rural Legal Assistance, Inc.	8-202

The comment letters and the City's responses follow. Each comment letter has been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a letter. The responses to each comment identify first the number of the comment letter, and then the letter assigned to each issue (Response 1A, for example, indicates that the response is for the first issue raised in comment letter 1).

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
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1

Flex your power!
Be energy efficient!

Ms. Kathleen Mallory
City of Oxnard
214 South C St.
Oxnard, CA. 93030

Oxnard Village Specific Plan, Draft EIR
IGR/CEQA# 080610NY, SCH#2006101099
VEN/101/22.73

July 23, 2008

Dear Ms. Mallory:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Oxnard Village Specific Plan previously Wagon Wheel Specific Plan.

We have reviewed the project's traffic study included in the environmental impact report. According to the City's criteria for significance, the proposed project by itself or cumulatively is expected to significant transportation impacts at the following State facilities:

- Oxnard Boulevard (State Route 1) and Vineyard Avenue (State Route 232)
- Oxnard Boulevard (State Route 1) and US 101 Southbound Ramps
- Oxnard Boulevard (State Route 1) and US 101 Northbound Ramps
- Oxnard Boulevard (State Route 1) and Main Street / Spur Drive
- Vineyard Boulevard (State Route 232) and Esplanade Drive

A

We acknowledge the following mitigation measures are proposed:

Oxnard Boulevard and Vineyard Avenue: T-1(a): Add one northbound and one southbound through lane.

Oxnard Boulevard and US 101 Southbound Ramps: Lane reconfigurations.

Oxnard Boulevard and US 101 Northbound Ramps: T-1(b): A second left-turn lane from the US 101 northbound off-ramp onto Oxnard Boulevard shall be added to the intersection design.

Oxnard Boulevard and Main Street / Spur Drive: T-1(c): A third southbound through lane on Oxnard Boulevard shall be added. Also, an additional southbound left turn lane shall be added to accommodate the left-turn volume into the Esplanade Shopping Center. Furthermore, a southbound right-turn lane shall be added to handle traffic traveling to the project.

B

Traffic Impacts to State Routes 1, 34, 232

The proposed mitigation to the Oxnard Boulevard and US-101 southbound off-ramps includes reconfiguration of Oxnard Boulevard to at least three through lanes northbound and southbound from Vineyard Avenue (State Route 232), through Main Street, Southbound 101 ramps and northbound 101 ramps. We are concern about any lane reductions between these intersections. Lane drop details and a merging analysis would be needed for any reduction in through lanes. Particular attention must be made to the future (FY09) signalized intersection at Orchard Place, the acceleration lane at Spur Drive, and the railroad tracks. C

All improvements mentioned above will need to be coordinated with Caltrans. Their implementation will be done through either an encroachment permit or a Project Initiation Document like a Project Study Report (PSR). An encroachment permit is usually required for improvements that cost less than one million dollars ($1,000,000). For improvements with higher cost estimates a Project Study Report is required. A PSR might examine additional mitigation alternatives than the one proposed in this traffic study. To avoid delays during the implementation phase we request the City coordinate with Caltrans as early as possible.

Of course, all improvements to State facilities will need to meet State standards and specifications. We remind you that Caltrans uses Highway Capacity Manual, a control delay methodology, to analyze traffic operations on its facilities. If it is determined that additional right-of-way would be needed, it would need to be dedicated in a manner acceptable to the State. D

We note that additional improvements planned during the 2020 General Plan update are listed and assumed in place for analysis purposes. We request that all future transportation improvements assumed in place for analysis purposes are completed prior to buildout of the Oxnard Village Specific Plan along with those improvements listed as mitigations T-1(a), T-1(b), and T-1(c).

Vineyard Avenue at US-101

Temporary construction lanes have been removed from the southbound 101 off ramp to Vineyard Avenue. The analysis should be redone showing two not three lanes. E

Freeway Analysis – US-101

We have the following comments regarding the freeway analysis performed:

Future traffic projections: We note that traffic projections extend to 2014, the expected specific plan build-out year. In addition to cumulative traffic impacts to build-out year, we usually request that traffic studies include level of service analysis to general plan horizon year or 20-year from the baseline year. Since the city is in the process of updating its general plan to year 2030, we request inclusion of a 2030 with project and without project analysis. F

Freeway lane capacity: The capacity of a freeway lane varies depending on roadway conditions, traffic conditions, and control conditions. Where any of these are less then ideal the service flow rate is reduced. Example of roadway conditions are narrow lanes or shoulders; for traffic conditions you may have trucks (big rigs), recreational vehicles (RVs); and for control conditions there may be some type of metering. Without capacity adjustment computations for each freeway segment, 2000vphpl is a good rule of thumb to use for capacity analysis. The 2350 volume in the Caltrans' Traffic Impact Study (TIS) guide represents a maximum flow rate for capacity for level of service at the E/F cusp, it is usually an unsustainable flow in some areas especially during peak commuting periods, and not appropriate for a capacity analysis. G

Between Oxnard Blvd. and Johnson Drive on US-101 there are 4-through lanes North and South bound directions, therefore the level of service calculations should be revised to reflect the capacity of 4-lanes. H

Freeway Thresholds of Significance: We note that using Ventura County's Congestion Management Program significant impact criteria, traffic from the proposed project would not result in significant impacts. Caltrans as a responsible agency under CEQA has jurisdiction superceding that of Ventura County Transportation Commission in identifying the freeway analysis needed for this project. Caltrans is responsible for obtaining measures that will off-set project vehicle trip generation that worsens Caltrans facilities. Therefore its thresholds of significance should be used.

As stated in the TIS guide, Caltrans endeavors to maintain a target level of service (LOS) at the transition between LOS "C"and "D" on State highway facilities. However, it acknowledges that this may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target level of service. If the facility is operating at a less than the appropriate target LOS, the existing one should be maintained. For these segments of US-101 the appropriate level of service is "D" as it represents a level near capacity, and though there may be significant driver discomfort and incidents may be expected to cause queuing, conditions are still far more stable than those at LOS "E". LOS "E" is not appropriate for a target as it represents highly unstable flow on the verge of breakdown and incidents are more common, causing significant delays. Then, technically, any addition of vehicle trips to a facility already operating at LOS worse than our target one, can be viewed as a significant impact but tracking minimal additions is viewed as too burdensome. Therefore, the addition of 50 trips during peak periods to a facility operating unacceptably is considered significant. Our records indicate that US-101 south of Oxnard Boulevard currently operates LOS "E" during PM peak periods. The proposed project is projected to send over 50 vehicle trips south on US-101 to Central Avenue. Thus, based on our criteria of significance, the proposed development project might contribute cumulatively to potentially significant impacts on US-101 south of Oxnard Boulevard to Central Avenue. I

To mitigate potential cumulative traffic impacts to US-101, we suggest the City of Oxnard coordinate with its neighboring cities, County of Ventura, Ventura County Transportation Commission, and Caltrans to procure the addition of at least one more mixed flow lane south of Oxnard Boulevard. Caltrans as the agency with jurisdiction over State highway facilities,

may accept fair share funding contributions towards pre-established or future improvements as mitigation. ↑

Noise Impacts

The proposed Oxnard Village Specific Plan location borders US-101 highway and possible land uses include residential projects. Please be aware that residential developements adjacent to freeways, generally will be exposed to noise levels exceeding the acceptable noise standards for sensitive receptors. To ensure compliance with established noise standards and guidelines, and to protect future occupants from potential adverse effects associated with traffic noise levels exceeding these standards, sound walls need to be implemented in the zoning, architectural design, and construction. Otherwise, future traffic noise controversy might result. California statues do not legally entitle owners of property who are building adjacent to or near freeways to any noise mitigation program funded by the State. J

Encroachment Permit

Additionally, because of the plan area proximity to the State right of way, there is the possibility that construction work may encroach onto State property. In all instances where the proposed work falls within or affects the State right-of-way such as constructions, grading, changes to hydraulic run-off, etc., a Caltrans encroachment permit will be needed, consequently, plans will need to be reviewed by our Office of Permits. K

Vehicle trip reductions

We note that vehicle reductions are used for existing land uses. Parts of the project site have been vacant for some time, therefore, the proposed development should reduce its trip generation by a fraction of the existing trips. L

The traffic study also claims transit trip credits. We recommend the project is condition to a transit related mitigation measure to ensure that transit is good alternate option for future occupants and or patrons. Perhaps including bus stop(s), pedestrian friendly paths throughout, and/or additional buses, may be considered. M

If you have any questions regarding this response, please call the Project Engineer/Coordinator Mr. Yerjanian at (213) 897-6536 or myself at (213) 897-6696 and refer to record number 080610NY.

Sincerely,

Elmer Alvarez
IGR/CEQA Program Manager
Regional Transportation Planning

Letter 1

COMMENTER: Elmer Alvarez, IGR/CEQA Program Manager, California Department of Transportation (Caltrans) District 7

DATE: June 23, 2008

Response 1A

The commenter lists five locations on state facilities at which the project, according to the commenter, would have significant transportation impacts. The EIR identifies significant impacts at four of the five listed locations. However, based on the City of Oxnard's significant impact criteria, the proposed project would not result in a significant project or cumulative impact at the Vineyard Boulevard and Esplanade Drive intersection. Please see Section 4.13, *Transportation and Circulation,* of the EIR as well as the traffic impact analysis in the EIR appendices for a complete discussion of transportation impacts.

Response 1B

The commenter lists proposed mitigation measures from the Draft EIR which, according to the commenter, includes lane configurations at the Oxnard Boulevard and US 101 southbound ramps. This reference is incorrect as the EIR does not identify mitigation measures for Oxnard Boulevard and U.S. 101 southbound ramps. Please see Section 4.13, *Transportation and Circulation* of the EIR as well as the traffic impact analysis in the EIR appendices for a complete discussion of transportation impacts and proposed mitigation measures.

Response 1C

The commenter mistakenly states that lane reductions are proposed on Oxnard Boulevard from Vineyard Avenue through Main Street. According to City of Oxnard Transportation Department staff, there will be no lane reductions between these intersections. Future plans include three continuous northbound and southbound through lanes on Oxnard Boulevard between U.S. 101 and Vineyard Avenue.

Response 1D

The commenter states Caltrans' requirements for encroachment permits and meeting State standards for improvements to State facilities. The commenter requests that future transportation improvements assumed in place for analysis purposes are completed prior to buildout of the Oxnard Village Specific Plan, along with the improvements associated with mitigation measures T-1(a), T-1(b), and T-1(c). This comment and request are noted.

Response 1E

The commenter states that temporary construction lanes have been removed from the southbound U.S. 101 off-ramp to Vineyard Avenue, and requests that the analysis be redone showing two, not three, lanes. The geometry of this intersection has been verified, and the changes include two lanes on the off-ramp and only two northeast through lanes instead of

three through lanes. The Intersection Capacity Utilization (ICU) calculations have been updated to reflect the current geometry and show no significant project impacts at this location. The results show that the intersection operates at LOS C both with and without the project (AM and PM peak hours) with a V/C increase of 0.00:

Project Title: 2067 - Wagon Wheel
Intersection: US 101 SB Ramps & Vineyard Av
Description: EXISTING PLUS PENDING PROJECTS (2014)

Date/Time: AM PEAK HOUR

Thru Lane:	1600 vph	N-S Split Phase :	N
Left Lane:	1600 vph	E-W Split Phase :	N
Double Lt Penalty:	0 %	Lost Time (% of cycle) :	0
ITS:	0 %	V/C Round Off (decs.) :	3
OLA Movements :			
FF Movements:	WBR		

APPROACH	MVMT	LANES	VOLUME	CAPACITY	V/C	ICU ANALYSIS	
Southbound	RT	1.00	287	1,600	0.179 *	N-S(1):	0.178
	TH	0.00	0	0	0.000	N-S(2):	0.179 *
	LT	1.00	284	1,600	0.178	E-W(1):	0.570 *
Westbound	RT	1.00	403	1,600	0.000	E-W(2):	0.297
	TH	3.00	1,427	4,800	0.297		
	LT	0.00	0	0	0.000 *	V/C:	0.749
Northbound	RT	0.00	0	0	0.000	Lost Time:	0.000
	TH	0.00	0	0	0.000	ITS:	0.000
	LT	0.00	0	0	0.000 *		
Eastbound	RT	1.00	912	1,600	0.570 *	ICU:	0.749
	TH	2.00	1,510	3,200	0.472		
	LT	0.00	0	0	0.000	LOS:	C

Date/Time: PM PEAK HOUR

APPROACH	MVMT	LANES	VOLUME	CAPACITY	V/C	ICU ANALYSIS	
Southbound	RT	0.92	276	1,465	0.188 *	N-S(1):	0.188 *
	TH	0.00	0	0	0.000	N-S(2):	0.188 *
	LT	1.08	327	1,735	0.188 *	E-W(1):	0.593 *
Westbound	RT	1.00	338	1,600	0.000	E-W(2):	0.447
	TH	3.00	2,146	4,800	0.447		
	LT	0.00	0	0	0.000 *	V/C:	0.781
Northbound	RT	0.00	0	0	0.000	Lost Time:	0.000
	TH	0.00	0	0	0.000 *	ITS:	0.000
	LT	0.00	0	0	0.000 *		
Eastbound	RT	1.00	949	1,600	0.593 *	ICU:	0.781
	TH	2.00	1,473	3,200	0.460		
	LT	0.00	0	0	0.000	LOS:	C

* - Denotes critical movement

Project Title: 2067 - Wagon Wheel
Intersection: US 101 SB Ramps & Vineyard Av
Description: EXISTING PLUS PENDING PLUS PROJECT (2014)

Date/Time: AM PEAK HOUR

Thru Lane:	1600 vph	N-S Split Phase :	N
Left Lane:	1600 vph	E-W Split Phase :	N
Double Lt Penalty:	0 %	Lost Time (% of cycle) :	0
ITS:	0 %	V/C Round Off (decs.) :	3
OLA Movements :			
FF Movements:	WBR		

APPROACH	MVMT	LANES	VOLUME	CAPACITY	V/C	ICU ANALYSIS	
Southbound	RT	1.00	287	1,600	0.179 *	N-S(1):	0.178
	TH	0.00	0	0	0.000	N-S(2):	0.179 *
	LT	1.00	284	1,600	0.178	E-W(1):	0.570 *
Westbound	RT	1.00	403	1,600	0.000	E-W(2):	0.298
	TH	3.00	1,429	4,800	0.298		
	LT	0.00	0	0	0.000 *	V/C:	0.749
Northbound	RT	0.00	0	0	0.000	Lost Time:	0.000
	TH	0.00	0	0	0.000	ITS:	0.000
	LT	0.00	0	0	0.000 *		
Eastbound	RT	1.00	912	1,600	0.570 *	ICU:	0.749
	TH	2.00	1,538	3,200	0.481		
	LT	0.00	0	0	0.000	LOS:	C

Date/Time: PM PEAK HOUR

APPROACH	MVMT	LANES	VOLUME	CAPACITY	V/C	ICU ANALYSIS	
Southbound	RT	0.92	276	1,465	0.188 *	N-S(1):	0.188 *
	TH	0.00	0	0	0.000	N-S(2):	0.188 *
	LT	1.08	327	1,735	0.188 *	E-W(1):	0.593 *
Westbound	RT	1.00	338	1,600	0.000	E-W(2):	0.452
	TH	3.00	2,169	4,800	0.452		
	LT	0.00	0	0	0.000 *	V/C:	0.781
Northbound	RT	0.00	0	0	0.000	Lost Time:	0.000
	TH	0.00	0	0	0.000 *	ITS:	0.000
	LT	0.00	0	0	0.000 *		
Eastbound	RT	1.00	949	1,600	0.593 *	ICU:	0.781
	TH	2.00	1,482	3,200	0.463		
	LT	0.00	0	0	0.000	LOS:	C

* - Denotes critical movement

Response 1F

The commenter notes that traffic projections extend to 2014, and requests inclusion of a 2030-with-project and without-project analysis. The project buildout year was identified as 2014, and pending project information was included to cover that timeframe. The City of Oxnard's traffic impact analysis guidelines do not require analysis 20 years from the baseline year.

Response 1G

The commenter notes that capacity of a freeway lane varies depending on roadway conditions, traffic conditions, and control conditions, and that where any of these are less then ideal the service flow rate is reduced. The commenter states an opinion that without capacity adjustment computations for each freeway segment, 2,000 vehicles per hour per lane (vphpl) is a good general "rule of thumb" to use for capacity analysis. This is less than the vphpl capacity used in the traffic study for the EIR. The freeway analysis was performed using a capacity of 2,300 vphpl as this was considered an appropriate value for the freeway in the study area. This value was derived from the LOS criteria for basic freeway segments in the Highway Capacity Manual (HCM), Transportation Research Board 2000. The freeway capacity values in the HCM range from 2,250 to 2,400 vphpl.

Response 1H

The commenter states an opinion that the level of service calculations should be revised to reflect the capacity of four lanes, as between Oxnard Boulevard and Johnson Drive on U.S. 101 there are four through lanes in the north- and southbound directions. The capacity analysis for this section was based on four through lanes and two auxiliary lanes. This configuration has been verified in the field.

Response 1I

The commenter states an opinion that the appropriate level of service (LOS) for the studied segment of U.S. 101 is "D." The commenter further opines that the addition of 50 peak-hour trips to this segment of the highway constitutes a significant impact because the highway is already operating at LOS E, which is below the target level of service. Finally, the commenter suggests that a fair-share contribution toward the construction of at least one more mixed-flow lane between Oxnard Boulevard and Central Avenue may mitigate this impact. The Ventura County Transportation Commission (VCTC) is governed by the State of California's Congestion Management Program (CMP). VCTC has subsequently developed a local CMP, and is responsible for ensuring that all of its elements are implemented and that the local cities (in this case Oxnard) are in compliance. The traffic analysis for the proposed project has been undertaken in accordance with the VCTC CMP, which is the statutory requirement. As discussed in Section 4.13, *Transportation and Circulation,* as well as the traffic impact analysis in the EIR appendices, impacts to U.S. 101 would be less than significant based on CMP criteria. Nevertheless, although not required to mitigate the impact, the applicant has agreed to a provision in the Development Agreement requiring payment of an additional fee for the future expansion of US 101 based on the project's contribution of 50 peak-hour trips.

Response 1J

The commenter states a concern over the impacts on noise from U.S. 101, which is adjacent to the project site, on future site residents, and notes that future residents are not entitled to noise protection funded by the State. This comment is noted. Noise impacts are discussed in Section 4.9, *Noise*, and would be less than significant with proposed mitigation. Implementation of the

mitigation measures would be the responsibility of the project developer, but would be monitored by the City.

Response 1K

The commenter notes that proposed construction, grading, and drainage improvements that would encroach onto State property would require an encroachment permit from Caltrans. This comment is noted. Encroachment permits would be obtained as necessary for project-related actions affecting State facilities.

Response 1L

The commenter notes that portions of the project site have been vacant for some time and states an opinion that the proposed development should reduce its trip generation by a fraction of the existing trips. The trip reduction for the existing land uses in the traffic analysis was based on the occupied/active land uses on the project site. Field checks were undertaken to verify this. The active land uses and corresponding trip generation calculations are considered appropriate.

Response 1M

The commenter states that the traffic study relies on transit trip credits, and recommends that mitigation be incorporated to ensure that transit is a feasible option for future site occupants. No transit trip credits were taken or included in the traffic study, in order to ensure a conservative analysis. The Draft EIR describes specific transit/TDM measures that are included as part of the proposed on-site Transit Center. These components include:

- *Express morning and afternoon shuttle service to the Oxnard Transportation Center and traditional bus services to other local and regional destinations*
- *A park-and-ride facility*
- *Opportunities to rent personal electric vehicles or car sharing*
- *Vanpool services to major employment centers such as Santa Barbara, Amgen and Warner Center*
- *A potential future Metrolink transit stop*
- *Information provided to all residents regarding TDM programs, routes, schedules, carpools/vanpools, shuttle/bus maps, etc.*
- *A carpool/vanpool/ride-matching program*

2

Department of Toxic Substances Control

Linda S. Adams
Secretary for
Environmental Protection

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630

Arnold Schwarzenegger
Governor

July 15, 2006

Ms. Kathleen Mallory, AICP
Development Services, Planning Division
City of Oxnard
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Kathleen.Mallory@ci.oxnard.ca.us

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE OXNARD VILLAGE SPECIFIC PLAN (PREVIOUSLY WAGON WHEEL SPECIFIC PLAN), PLANNING & ZONING PERMIT NOS. 06-620-03 (GENERAL PLAN AMENDMENT); 06-570-05 (ZONE CHANGE); 06-670-02 (DEVELOPMENT AGREEMENT AND OWNER PARTICIPATION AGREEMENT); 06-300-08 (TENTATIVE SUBDIVISION MAP); 06-630-02 (SPECIFIC PLAN AMENDMENT); AND 06-260-01 (MOBILE HOME CLOSURE PERMIT; OXNARD, VENTURA COUNTY (SCH. NO 2006101099)

Dear Ms. Mallory:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Availability (NOA) for an Environmental Impact Study for the above-mentioned project. The following project description is stated in your document: "The proposed project involves a General Plan Amendment, Zone Change, Development Agreement/Owner's Participation Agreement, Tentative subdivision Map, Mobile Home Closure Permits, and adoption of a Specific Plan (The Village Specific Plan) to guide future development within the project area. The Specific Plan envisions the phased redevelopment of all existing uses on the site with a mixed-use commercial and residential project and sets forth: 1) the proposed location and extent of land uses within the Specific Plan Area; 2) the location, extent, and general intensity of major components of public and private transportation sewage, drainage, water, solid waste disposal, energy, and other essential facilities planned to support the land uses described in the Specific Plan; 3) the criteria by which development would proceed, including development standards, design guidelines and a phasing program; and 4) program of implementation measures, including regulations, programs, public works projects, and financing measures." DTSC has the following comments; please address if applicable.

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1) The EIR should identify the current or historic uses at the project site that may have resulted in a release of hazardous wastes/substances, and any known or potentially contaminated sites within the proposed Project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the pertinent regulatory agencies:

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- Envirostor: A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

A

2) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents. Please see comment No. 14 below for more information.

B

3) Your document states: "Prior to demolition or remodeling of any existing building, a California Certified Environmental Assessor shall conduct a walk-through of the building to determine if there are any structures or features (such as an

C

underground storage tank or sump) within or near the building that could have been used to store, contain, or dispose of hazardous materials. If such a feature is found, the applicant shall obtain all necessary permits from the City of Oxnard or County of Ventura. If required ..., the applicant shall perform soil sampling and analysis in the area of the removed feature. A work plan shall be completed to address the sampling protocols to be followed as well as the number of samples to be taken and the chemical analysis required. Upon lead agency approval, the work plan shall be implemented and the results of the soil or groundwater sampling shall be forwarded to the lead regulatory agency (City of Oxnard, VCEHD, RWQCB, or the DTSC). If concentrations of contaminants warrant remediation, contaminated materials shall be remediated...The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation and under the direction of the lead oversight agency." All environmental investigations, sampling and/or remediation for the site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found should be clearly summarized in a table. C

4) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted at the site prior to the new development or any construction. All closure, certification or remediation approval reports by these agencies should be included in the EIR. D

5) If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a Border Zone Property. E

6) Your document states: "Prior to issuance of a demolition permit for any structure, a lead-based paint and asbestos survey shall be performed by a qualified and appropriate licensed professional. The lead-based paint and asbestos survey report shall quantify the areas of lead-based paint and asbestos containing materials." If buildings or other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should be conducted for the presence of other related hazardous chemicals, lead-based paints or products, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies. F

Suspected

7) Project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination. G

8) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. If it is found necessary, a study of the site and a health risk assessment overseen and approved by the appropriate government agency and a qualified health risk assessor should be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment. H

9) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. I

10) Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA. J

11) If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB). K

12) If during construction/demolition of the project, the soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. L

13) If the site was used for agricultural, livestock or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project. M

14) EnviroStor is a database primarily used by the California Department of Toxic Substances Control, and is accessible through DTSC's website. DTSC can provide guidance for cleanup oversight through an Environmental Oversight N

Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

15) In future CEQA documents please provide the contact person's email address. Also, if the project title changes, please provide historical project title(s).

If you have any questions regarding this letter, please contact Ms. Teresa Horn, Project Manager, at thorn@dtsc.ca.gov or by phone at (714) 484-5477.

Sincerely,

Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program - Cypress

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
1001 I Street, 22nd Floor, M.S. 22-2
Sacramento, California 95814
gmoskat@dtsc.ca.gov

CEQA#2190

Letter 2

COMMENTER: Greg Holmes, Unit Chief, Brownfields and Environmental Restoration Program, California Department of Toxic Substances Control

DATE: July 15, 2008

Response 2A

The commenter recommends that current or historic uses of the project site that may have resulted in the release of hazardous wastes/substances should be identified in the EIR, and that the EIR should evaluate whether conditions exist at the site that will affect human health or the environment. The commenter also provides a list of regulatory databases that serve as information sources for site contamination issues. As discussed in Section 4.6, *Hazards and Hazardous Materials*, of the Draft EIR, environmental site assessments were conducted for the project site in 2002, 2004, and 2007. These assessments included database searches, a review of historic and current land uses and activities and materials sampling. Section 4.6 includes discussions of the potential threats associated with known and suspected hazards and hazardous materials and concludes that impacts after mitigation would be less than significant.

Response 2B

The commenter recommends that the EIR identify the mechanism to initiate any required investigation and/or remediation for site contamination. Mitigation Measures HAZ-1 through HAZ-3 in Section 4.6 of the Draft EIR, which address potentially significant impacts associated with hazardous materials, include specific timing and parameters for further investigation where required and for remediation activities where warranted.

Response 2C

The commenter notes that all environmental investigations, samplings, or remediation need to be conducted under a work plan approved and overseen by a regulatory agency that oversees hazardous substance cleanup. This requirement is stated in Mitigation Measure HAZ-2(d) in Section 4.6 of the Draft EIR.

Response 2D

The commenter states an opinion that sampling and remediation should be accomplished prior to development. The procedures and timing of the mitigation measures and the provisions of existing regulations that apply to the project reflect this recommendation. The commenter requests that certification and remediation approval reports from regulatory agencies be included in the Final EIR. As described in the mitigation measures included in the Draft EIR, any remediation work needed on the site would be performed after EIR certification and project approval (if any); therefore, inclusion of certification and remediation approval reports in the Final EIR is not feasible. The City of Oxnard would review all relevant reports and results to ensure compliance with required measures prior to issuance of grading and building permits.

Response 2E

The commenter notes that the project site may be considered a "Border Zone of a Contaminated Property" if adjacent properties within 2,000 feet of the project are contaminated with hazardous materials. Implementation of the mitigation measures associated with Impact Haz-2 in Section 4.6 of the Draft EIR incorporates all the necessary precautions to mitigate the hazards associated with the site falling within the "Border Zone" of a Contaminated Property. No additional precautions are necessary.

Response 2F

The commenter notes that any buildings structures, asphalt or concrete paved surfaces that are planned to be demolished should be investigated for the presence of related hazardous chemicals, lead based paint, mercury and asbestos containing materials. The necessary precautions to mitigate a possible hazardous release resulting from the site demolition are included in Mitigation Measures HAZ-1 and 2 in Section 4.6 of the Draft EIR.

Response 2G

The commenter states that if contaminated soil is encountered during excavation or backfilling it must be properly disposed of. The contingency plan included as Mitigation Measure HAZ-2(b) would outline the measures that will be implemented in the event that undocumented contaminants are suspected or discovered during site grading activities.

Response 2H

The commenter notes that human health and the environment of sensitive receptors should be protected during construction or demolition activities. The commenter states that if it is found to be necessary, a study of the site and a health risk assessment overseen and approved by the appropriate governmental agency should be conducted to determine is any releases of hazardous materials may pose a risk to human health of the environment. As described in Mitigation Measure HAZ-2(d) in Section 4.6 of the Draft EIR, a workplan to address the issue would be prepared for lead regulatory agency approval in the event that hazardous materials are encountered or suspected to be hazardous to human health and the environment. If it is determined that a site and health risk assessment are necessary, they would be proposed in the work plan or directed by the oversight agency and subsequently completed under the oversight of the appropriate regulatory agency.

Response 2I

The commenter states that if hazardous wastes are or will be generated by the proposed operations, the waste must be managed in accordance with the California Hazardous Waste Control Law. Additionally, the commenter notes that if hazardous wastes will be generated the facility should also obtain a United States Environmental Protection Agency Identification Number. This information is noted. These requirements are included under Mitigation Measure HAZ-2(d) in Section 4.6 of the Draft EIR, which states that "[a]ll proper waste handling and disposal procedures shall be followed." The proposed project is not anticipated to involve the generation of hazardous waste.

Response 2J

The commenter notes that certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). These procedural requirements have been included under Mitigation Measure HAZ-2(d) in Section 4.6 of the Draft EIR. The commenter also states that information regarding the requirements for authorization can be obtained by contacting the local CUPA. This information is noted.

Response 2K

The commenter states that if the project plans include discharging waste water to a storm drain, a NPDES permit from the Regional Water Quality Control Board may be required. This comment is noted. The developer would be required to obtain necessary RWQCB permits, as discussed in Section 4.7, *Hydrology and Water Quality*. This requirement will be reflected in the conditions of approval for the project.

Response 2L

The commentor states that if contaminated soil or groundwater is encountered during construction or demolition, the project must stop and appropriate health and safety procedures must be implemented. Mitigation Measure HAZ-2(b) states that "prior to issuance of any grading or dewatering permits the applicant shall prepare a contingency plan that outlines measures that will be implemented in the event that presently undocumented contaminants, structures, or features are suspected or discovered during grading. The contingency plan shall identify appropriate measures to be followed if contaminants are found or suspected." The California Occupational Safety and Health Act requires every employer to provide and maintain a healthful workplace for employees. The intention of Mitigation Measure HAZ-2(b) in Section 4.6 of the Draft EIR is to provide for the necessary procedures that must be followed by law in the instance that contamination is encountered or suspected. Therefore, providing for appropriate health and safety procedure implementation must be included as one of the "appropriate measures to be followed if contaminants are found or suspected."

Response 2M

The commenter states that if the site was used for agricultural uses proper investigation and remedial actions, if necessary, should be conducted. Since 2002, numerous site investigations have been conducted at the site to assess for hazardous materials in the soil and groundwater. At no time was there evidence of hazardous materials associated with historical agricultural uses. Additionally, Mitigation Measure HAZ-2 in Section 4.6 of the Draft EIR requires that the appropriate assessment and remediation procedures be completed under the oversight of the appropriate regulatory agency in the event that presently undocumented contaminants are suspected or discovered during grading.

Response 2N

The commenter provides information of the EnviroStor database, used by the California Department of Toxic Substances Control and on DTSC guidance and oversight through the

Environmental Oversight Agreement and the Voluntary Cleanup Agreement. The comment is noted.

Response 2O

The commenter requests that in the future CEQA documents provide the contact person's email address and that in the instance that the project title changes, historical project titles should be provided. These requests are noted.

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June 23, 2008

3

Ms. Kathleen Mallory, Project Planner
City of Oxnard, Planning Division
City of Oxnard Service Center
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RE: SCAG Comments on the Draft Environmental Impact Report (DEIR) for the Oxnard Village Specific Plan Project [State Clearinghouse Number 2006101099] - SCAG No. I20080325

Dear Ms. Mallory,

Thank you for submitting the **Draft Environmental Impact Report (DEIR) for the Oxnard Village Specific Plan Project [State Clearinghouse Number 2006101099] - SCAG No. I20080325,** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project involves a General Plan Amendment, Zone Change, Development Agreement/Owner's Participation Agreement, Tentative Subdivision Map, Mobile Home Closure Permit, and adoption of a Specific Plan (the Village Specific Plan).

We have evaluated this project based on the policies of SCAG's Regional Comprehensive Plan and Guide (RCPG), Regional Transportation Plan (RTP), and Compass Growth Vision (CGV) that may be applicable to your project. The RCPG, RTP and CGV can be found on the SCAG web site at: http://scag.ca.gov/lcp/. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. Please provide a copy of the Final Environmental Impact Report (FEIR) for our review. If you have any questions regarding the attached comments, please contact Christine Fernandez at (213) 236-1923. Thank you.

Sincerely,

Jacob Lieb, Program Manager
Environmental Planning Division

DOCS# 146664

The Regional Council is comprised of 76 elected officials representing 187 cities, six counties, five County Transportation Commissions, and a Tribal Government representative within Southern California.

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE OXNARD VILLAGE SPECIFIC PLAN PROJECT [STATE CLEARINGHOUSE NUMBER 2006101099] - SCAG NO. I20080325

PROJECT DESCRIPTION

The proposed project involves a General Plan Amendment, Zone Change, Development Agreement/Owner's Participation Agreement, Tentative Subdivision Map, Mobile Home Closure Permit, and adoption of a Specific Plan (the Village Specific Plan). The Specific Plan envisions the phased redevelopment of all existing uses on the site with a mixed-use commercial and residential project. The total unit count for the Specific Plan Area would not exceed 1,500 residential units and the maximum density for each land use area is not exceeded. Fifteen percent or 225 of the total units would be designated on site as "affordable housing". The project would include closing the existing on-site mobile home park. In addition to the mobile home park, the site is currently fully built out with commercial development and infrastructure improvements. Virtually all on site structures and infrastructure would be removed and replaced with new facilities and development.

The project would include a sub-transportation center with approximately 50 designated parking stalls and a bus stop for Gold Coast and Vista bus services. The sub-transportation center would also be available for a future Metrolink stop and/or future commuter shuttle service for nearby communities to and from the Oxnard Transit Center and other forms of multi-modal transportation.

The approximately 64-acre project site is located near the northwestern edge of the City of Oxnard, and is bounded by Highway 101 to the north, Oxnard Boulevard to the east, the Union Pacific Railroad and El Rio Drain to the south, and North Ventura Road to the west. The site is not a listed toxic site.

CONSISTENCY WITH REGIONAL COMPREHENSIVE PLAN AND GUIDE POLICIES

The **Growth Management Chapter (GMC)** of the Regional Comprehensive Plan and Guide (RCPG) contains the following policies that are particularly applicable and should be addressed in the Final EIR.

Regional Growth Forecasts

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

Adopted SCAG Regionwide Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,464	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted Ventura Council of Governments (VCOG) Subregion Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	862,606	900,355	937,372	968,698	996,106	1,013,756
Households	275,117	290,996	302,949	312,925	321,782	330,169
Employment	373,444	395,936	416,936	434,937	449,937	463,227

Adopted VCOG Subregion – Unincorporated Area Forecasts[1]

	2010	2015	2020	2025	2030	2035

Population	97,532	99,408	104,182	108,223	111,758	114,035
Households	31,783	32,696	33,681	34,504	35,234	35,928
Employment	45,219	46,059	46,822	47,477	48,023	48,506

Adopted City of Oxnard Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	205,461	219,555	237,415	252,528	265,752	274,267
Households	51,984	57,131	63,201	68,266	72,763	77,031
Employment	63,118	67,351	71,199	74,498	77,247	79,683

1. The 2006 RTP growth forecast at the regional, county and subregional level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

3.01 *The population, housing, and jobs forecasts, which are adopted by SCAG's Regional Council and that reflect local plans and policies shall be used by SCAG in all phases of implementation and review.*

SCAG Staff Comments: Section 4.10 states, "*Table 4.10-3 compares project-generated population and housing growth to SCAG growth projections for the City of Oxnard. As indicated, the net 5,436 new residents associated with project buildout would make up approximately 25% of the projected citywide population growth through 2015 and 6.3% of projected citywide population growth through 2030. The net 1,359 housing units associated with project buildout would make up approximately 22% of the projected citywide housing growth through 2015 and 8% of projected citywide housing growth through 2030. As indicated in Table 4.10-3, the increases in housing and population as a result of the proposed project are within SCAG projections for the City of Oxnard.*" Therefore SCAG staff conclude the proposed project is consistent with SCAG Policy 3.01.

GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL STANDARD OF LIVING

The Growth Management goals to develop urban forms that enable individuals to spend less income on housing cost, that minimize public and private development costs, and that enable firms to be more competitive, strengthen the regional strategic goal to stimulate the regional economy. The evaluation of the proposed project in relation to the following policies would be intended to guide efforts toward achievement of such goals and does not infer regional interference with local land use powers.

3.04 *Encourage local jurisdictions' efforts to achieve a balance between the types of jobs they seek to attract and housing prices.*

3.05 *Encourage patterns of urban development and land use which reduce costs on infrastructure construction and make better use of existing facilities.*

3.09 *Support local jurisdictions' efforts to minimize the cost of infrastructure and public service delivery, and efforts to seek new sources of funding for development and the provision of services.*

3.10 *Support local jurisdictions' actions to minimize red tape and expedite the permitting process to maintain economic vitality and competitiveness.*

SCAG Staff Comments: Section 4.8 states, "*As shown in Table 4.8-4, development of the project site with the proposed residential and commercial uses would result in a net decrease in job opportunities within Oxnard and an increase in residential units. Although it is anticipated that a number of on-site businesses would move to other sites within the City of Oxnard, the development of the proposed specific plan would potentially decrease the jobs to housing ratio to 1.16:1; however, this ratio is within the Ventura Council of*

Governments' recommended range of 1.1 to 1.34 jobs per household." In addition, Table 4.8-1 [General Plan Policy Consistency] addresses the issue by noting the "*approved Riverpark project, under construction directly to the north across Highway 101, includes a substantial square footage of commercial and office uses.*" Therefore, SCAG staff conclude the proposed project is consistent with SCAG Policy 3.04.

The project site is located in an entirely urbanized area with access to existing infrastructure and public services. "*In addition to the mobile home park, the site is fully built out with extensive commercial development and infrastructure. Virtually all onsite structures and infrastructure would be removed and replaced with new facilities and development.*" However, the new infrastructure would include design features to reduce water usage and improve the condition of the current wastewater system and other critical infrastructure. As discussed in Section 4.14 [Utilities and Service Systems], impacts to utilities and service systems are mitigable to less than significant levels. Similarly, as stated in Section 4.11 [Public Services], the impact to public services by the proposed project would be mitigable to less than significant. Therefore, SCAG staff conclude the proposed project is consistent with SCAG Policies 3.05 and 3.09.

"*Entitlements requested for the project include an amendment to the Oxnard General Plan, a Zone Change, adoption of a Specific Plan, a Development Agreement, a Mobile Home Park Closure Permit, a Planned Development Permit, and a Tentative Subdivision Map(s).*" SCAG staff conclude the proposed project is also consistent with SCAG Policy 3.10.

GMC POLICIES RELATED TO THE RCPG GOAL TO IMPROVE THE REGIONAL QUALITY OF LIFE

The Growth Management goals to attain mobility and clean air goals and to develop urban forms that enhance quality of life, that accommodate a diversity of life styles, that preserve open space and natural resources, and that are aesthetically pleasing and preserve the character of communities, enhance the regional strategic goal of maintaining the regional quality of life. The evaluation of the proposed project in relation to the following policies would be intended to provide direction for plan implementation, and does not allude to regional mandates.

3.11 *Support provisions and incentives created by local jurisdictions to attract housing growth in job-rich subregions and job growth in housing-rich subregions.*

SCAG Staff Comments: See staff comments regarding GMC Policies Related to the RCPG Goal to Improve the Regional Standard of Living. SCAG Staff conclude the proposed project is consistent with SCAG Policy 3.11.

3.12 *Encourage existing or proposed local jurisdictions' programs aimed at designing land uses which encourage the use of transit and thus reduce the need for roadway expansion, reduce the # of auto trips and vehicle miles traveled, and create opportunities for residents to walk and bike.*

3.13 *Encourage local jurisdictions' plans that maximize the use of existing urbanized areas accessible to transit through infill and redevelopment.*

3.14 *Support local plans to increase density of future development located at strategic points along the regional commuter rail, transit systems, and activity centers.*

3.15 *Support local jurisdictions' strategies to establish mixed-use clusters and other transit-oriented developments around transit stations and along transit corridors.*

3.16 *Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.*

SCAG Staff Comments: The proposed project will provide bicycle/pedestrian linkages and a transportation center for bus stop services. As stated in the project description [Section 2.0], "The

existing Wagon Wheel Road traversing the outer portions of the project site would be abandoned and redirected through the center of the project to provide an automobile and pedestrian/bicycle linkage paralleling Highway 101 between Oxnard Boulevard and North Ventura Road. Opportunities for pedestrian/bicycle linkages to the Riverpark development across U.S. Highway 101 to the north would also be provided as part of the project via Ventura Road. The Project also proposes pedestrian connections to the City's River Edge Trail along Ventura Road and the east via the project's main street and Wagon Wheel Road bridge. The project would include a sub-transportation center with approximately 50 designated parking stalls and a bus stop for SCAT and VISTA bus services. The sub-transportation center would also be available for a future Metrolink stop and/or future commuter shuttle service for nearby communities to and from the Oxnard Transit Center.Internally, the Specific Plan would provide an enhanced pedestrian network connecting the various residential neighborhoods, neighborhood commercial and mixed uses, and recreational facilities to each other and to the sub-transportation center. The bicycle circulation network proposed as part of The Village Specific Plan includes a Class I off-street bicycle pathway along the project's Oxnard Boulevard frontage, the project's northern frontage along US Highway 101 and the project's frontage along Ventura Road. This pathway provides a regional connection between Oxnard Boulevard, Ventura Road, and the Santa Clara River. Class II and Class III bicycle lanes are proposed along Main Street and the neighborhood streets." An additional discussion of transit accessibility is contained in Table 4.8-2 [Consistency with SCAG Goals, Policies, and Principles] of the draft EIR. Therefore SCAG staff conclude the proposed project is consistent with SCAG policies 3.12 through 3.16.

3.17 *Support and encourage settlement patterns, which contain a range of urban densities.*

SCAG Staff Comments: The proposed project will contain a mix of residential types including high density residential, live/work residential, very high density residential, high rise residential, and a mixed-use component [Section 2.0, Project Description]. Therefore SCAG staff conclude the proposed project is consistent with SCAG Policy 3.17.

3.18 *Encourage planned development in locations least likely to cause adverse environmental impact.*

3.19 *Support policies and actions that preserve open space areas identified in local, state, and federal plans.*

3.20 *Support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals.*

SCAG Staff Comments: As discussed in Table 4.8-2 and Section 4.3 [Biological Resources], the project site is highly disturbed and *"Existing vegetation on the project site consists of ornamental trees, shrubs, and groundcover planted in parking lots, along street frontages, and near some storefronts. The planted areas are small and scattered on site. Because of the ornamental nature of the vegetation onsite and the scattered locations, this vegetation has very low biological value. ... The project site is almost entirely developed with commercial and industrial uses and is virtually devoid of native vegetation, and is therefore unsuitable for most native wildlife species. Because of the lack of native vegetation or habitats on site, only a few common species (primarily birds) that have adapted to urbanized conditions utilize the site."* Therefore SCAG staff conclude the proposed project is consistent with SCAG Policies 3.18 through 3.20.

3.21 *Encourage the implementation of measures aimed at the preservation and protection of recorded and unrecorded cultural resources and archaeological sites.*

SCAG Staff Comments: The project site is located in an area historically occupied by the Chumash. However, *"based on the results of the archaeological records search, outlined below, there is no evidence that any of the known Chumash places are located within or adjacent to the project site [Section 4.4 Cultural Resources]."* Other historic structures less than 50 years old are located on the project site but these structures have been altered since their original creation. With appropriate mitigation measures, the impact to these structures is reduced, but not completely eliminated. *"At their hearing of March 26, 2007, the Ventura County Cultural Heritage Board, acting as the Oxnard Cultural*

Heritage Board, unanimously voted to forward a recommendation of landmark designation for the four structures (Junction and Wagon Wheel Motels, Wagon Wheel Restaurant, El Ranchito Restaurant, & Wagon Wheel Bowling Alley) on these properties to the Oxnard City Council." SCAG staff conclude the proposed project is generally consistent with SCAG Policy 3.21.

3.22 *Discourage development, or encourage the use of special design requirements, in areas with steep slopes, high fire, flood, and seismic hazards.*

3.23 *Encourage mitigation measures that reduce noise in certain locations, measures aimed at preservation of biological and ecological resources, measures that would reduce exposure to seismic hazards, minimize earthquake damage, and to develop emergency response and recovery plans.*

SCAG Staff Comments: As discussed in Section 4.5 [Geology and Soils], the project site is located on an alluvial plain near active and potentially active faults that can induce groundshaking. The appropriate mitigation measures have been included to reduce potential impacts from seismic hazards and other hazards associated with soil to a less than significant impact. Mitigation measures have been included in Section 4.7 [Hydrology and Water Quality] to reduce impacts from potential flooding. Therefore, the proposed project is consistent with SCAG Policies 3.22 and 3.23.

GMC POLICIES RELATED TO THE RCPG GOAL TO PROVIDE SOCIAL, POLITICAL, AND CULTURAL EQUITY

The Growth Management goals to develop urban forms that avoid economic and social polarization promotes the regional strategic goal of minimizing social and geographic disparities and of reaching equity among all segments of society. The evaluation of the proposed project in relation to the policy stated below is intended guide direction for the accomplishment of this goal, and does not infer regional mandates and interference with local land use powers.

3.24 *Encourage efforts of local jurisdictions in the implementation of programs that increase the supply and quality of housing and provide affordable housing as evaluated in the Regional Housing Needs Assessment.*

SCAG Staff Comments: *"Fifteen percent (225 units) of the 1,500 residential unit development would be designated as on-site "affordable housing" and would be required to meet the City's income criteria for very low- and moderate-income families."* SCAG staff also agree with the discussion provided in Table 4.8-2 and conclude the proposed project is consistent with SCAG Policy 3.24.

AIR QUALITY CHAPTER

The **Air Quality Chapter** core actions related to the proposed project include:

5.11 *Through the environmental document review process, ensure that plans at all levels of government (regional, air basin, county, subregional, and local) consider air quality, land use, transportation, and economic relationships to ensure consistency and minimize conflicts.*

SCAG Staff Comments: Section 4.2 [Air Quality] of the draft EIR states, *"The current City population is estimated at 194,905 (California Department of Finance, 2006). Therefore, the proposed project would result in a total population of 200,341persons (194,905 + 5,436). This population increase is below the 2015 RTP Baseline Growth Forecast (SCAG, 2008; see Section 4.10, Table 4.10-2) of 220,000 people for the City of Oxnard. Thus, the project is consistent with the current SCAG population growth forecasts and those used in the Draft 2007 AQMP. Since the project would be consistent with the SCAG population growth forecasts, and because local air quality planning is based on SCAG forecasts, planned and pending development within the City would not generate emissions exceeding that accounted for in the AQMP. The*

proposed project would be consistent with the AQMP, and impacts would be less than significant." Therefore SCAG staff conclude the proposed project is consistent with SCAG Policy 5.11.

OPEN SPACE AND CONSERVATION CHAPTER

The **Open Space and Conservation Chapter** goals related to the proposed project include:

- **9.01** *Provide adequate land resources to meet the outdoor recreation needs of the present and future residents in the region.*
- **9.02** *Increase the accessibility to open space lands for outdoor recreation.*
- **9.03** *Promote self-sustaining regional recreation resources and facilities.*
- **9.04** *Maintain open space for adequate protection to lives and properties against natural and manmade hazards.*
- **9.05** *Minimize potentially hazardous developments in hillsides, canyons, areas susceptible to flooding, earthquakes, wildfire and other known hazards, and areas with limited access for emergency equipments.*
- **9.08** *Develop well-managed viable ecosystems or known habitats of rare, threatened and endangered species, including wetlands.*

SCAG Staff Comments: SCAG staff concur with the discussion on recreation provided in table 4.8-1 of the draft EIR. As stated although the project falls short of the required 3 acres of park per 1,000 residents requirement, an in-lieu fee option will be assessed by the City of Oxnard for the future park development. Similarly, SCAG staff concur with the biology discussion provided in table 4.8-1. The project site does not support unique or sensitive lands. However, there is riparian habitat adjacent to the project site which may be impacted by development of Oxnard Village. A number of mitigation measures, including mitigation measure BIO-3 (the prohibition of invasive and non-native species of greatest ecological concern in Oxnard Village) have been included to reduce this impact. See also staff comments for SCAG Policies 3.18 through 3.20, 3.22, and 3.23. Therefore, SCAG staff conclude the proposed project is consistent with SCAG Policies 9.01 through 9.05 and 9.08.

WATER QUALITY CHAPTER RECOMMENDATIONS AND POLICY OPTIONS

The **Water Quality Chapter** goals related to the proposed project include:

- **11.02** *Encourage "watershed management" programs and strategies, recognizing the primary role of local governments in such efforts.*
- **11.07** *Encourage water reclamation throughout the region where it is cost-effective, feasible, and appropriate to reduce reliance on imported water and wastewater discharges. Current administrative impediments to increased use of wastewater should be addressed.*

SCAG Staff Comments: As discussed in Section 4.14 [Utilities and Service Systems], "*the City's current and projected future water demand was included in the regional demands analyzed in the CMWD (Calleguas Municipal Water District) 2005 UWMP (Urban Water Management Plan)… CMWD has reported that based on the District's current water supply portfolio, it will have a supply surplus ranging from 2 to 30 percent for the normal water year, single dry-water year and multiple dry-water year scenarios.*[8] *Thus, CMWD has indicated that it will have sufficient water supplies to meet all water demands in its service area, including those of the City and the Project, through 2030.*" CMWD's assessment of water availability is based on MWD's estimations of its (MWD's) ability to continue to provide water to all its customers. "*As described below [in Section 4.14], MWD has consistently stated that its water supplies are fully reliable supplies are fully reliable to meet the demands of its customers, in all hydrologic conditions through at least 2030… The conclusion of the Blueprint and supplemental information published by MWD, such as its Integrated Resources Plan Update and annual Implementation Reports, is that with its current water supply portfolio and planned actions, MWD will have sufficient water to deliver to CMWD (and the*

City) to meet all of the water demands within the CMWD service area, including the Project, for the next 20 years." Therefore SCAG staff conclude the proposed project is consistent with SCAG Policy 11.02.

The proposed project will also include the development of a pipeline extension and construction of a recycled water main pipeline system for an On-site Recycled Water System [Mitigation Measure UTL-1(b)]. Therefore SCAG staff conclude the proposed project is consistent with SCAG Policy 11.07.

REGIONAL TRANSPORTATION PLAN

The **2004 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

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

SCAG Staff Comments: SCAG staff concur with the analysis provided in Table 4.8-2. In addition, the mixed-use nature of the project, the provision for a transit center, and dedicated bike paths all contribute to promoting a more accessible and mobile region. Therefore staff conclude the proposed project is consistent with SCAG's Regional Transportation Goals.

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

The Compass Blueprint 2% Strategy is a guideline for how and where we can implement the Growth Vision for Southern California's future. It calls for modest changes to current land use and transportation trends on only 2% of the land area of the region – the 2% Strategy Opportunity Areas. Investing our planning efforts and resources according to the 2% Strategy will yield the greatest progress toward improving measures of mobility, livability, prosperity and sustainability for local neighborhoods and their residents.

Principle 1: Improve mobility for all residents.

GV P1.1 *Encourage transportation investments and land use decisions that are mutually supportive.*
GV P1.2 *Locate new housing near existing jobs and new jobs near existing housing.*
GV P1.3 *Encourage transit-oriented development.*
GV P1.4 *Promote a variety of travel choices*

Principle 2: Foster livability in all communities.
GV P2.1 *Promote infill development and redevelopment to revitalize existing communities.*
GV P2.2 *Promote developments, which provide a mix of uses.*
GV P2.3 *Promote "people scaled," walkable communities.*
GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

Principle 3: Enable prosperity for all people.
GV P3.1 *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
GV P3.2 *Support educational opportunities that promote balanced growth.*
GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
GV P3.5 *Encourage civic engagement.*

Principle 4: Promote sustainability for future generations.
GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas.*
GV P4.2 *Focus development in urban centers and existing cities.*
GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
GV P4.4 *Utilize "green" development techniques*

SCAG Staff Comments: SCAG staff concur with the discussion of the proposed project's consistency with SCAG's Compass Growth Vision provided in Table 4.8-2. Therefore, staff conclude the proposed project is consistent with the principles of SCAG's Compass Growth Vision.

CONCLUSION

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA.

When a project is of statewide, regional, or areawide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resource Code Section 21018.7, and CEQA Guidelines Section 15097 (g).

Letter 3

COMMENTER: Jacob Lieb, Program Manager, Environmental Planning Division, Southern California Association of Governments (SCAG)

DATE: June 23, 2008

The commenter provides a review of the proposed project's consistency with SCAG regional planning documents, stating that the information is intended to help the City evaluate the project in the context of the association's regional planning goals and policies. The consistency review states concurrence with the findings of the Draft EIR with respect to consistency with regional land use policies (see Section 4.8, *Land Use and Planning*) and concludes that the potential population increase associated with the project is within SCAG's regional growth forecasts. The review further concludes that the project is consistent or generally consistent with all of the SCAG policies included in the review. Finally, the commenter requests that transportation information in the required monitoring or reporting program be submitted to SCAG as it becomes available. The concurrence with the Draft EIR conclusions is noted. In accordance with CEQA requirements, monitoring information regarding needed transportation improvements will be provided to SCAG as it becomes available.

Post-it® Fax Note 7671	Date	# of pages ▸ 3
To Abe Leider	From K. Mallory	
Co./Dept.	Co.	
Phone #	Phone #	
Fax # 641-1072	Fax #	

4

D

A COUNTY
CONTROL DISTRICT

Memorandum

TO: Kari Finley/Dawnyelle Addison, Planning DATE: July 7, 2008

FROM: Alicia Stratton AS

SUBJECT: Request for Review of Draft Environmental Impact Report (DEIR) No. 06-03, Oxnard Village Specific Plan Project, Daly Owens Group/Oxnard Village Investments, LLC, City of Oxnard (Reference No. 08-023)

Air Pollution Control District staff has reviewed the subject project, which involves a General Plan Amendment, Zone change, Development Agreement/Owner's Participation Agreement, Tentative Subdivision Map, Mobile Home Closure Permit, and adoption of a Specific Plan to guide future development within the project area. Each proposed Planning Area has a designated maximum number of allowable dwelling units and building types; the total number of dwelling units would not exceed 1,500 units. A mobile home park is currently on the site and would be closed, and the site is currently fully built out with other commercial development and infrastructure improvements. Virtually all onsite structures and infrastructure would be removed and replaced with new facilities and development. Proposed land uses include 30 acres of high density residential, 0.6 acres of Live/Work town homes, 2.1 acres of Very High Density Residential, 4.8 acres of High-Rise residential, 8 acres of Mixed-Use, 0.6 acre of Public Facilities transit center, 6.3 acres of Community Parks and Open Space and 10 acres of major streets. The project location is a 64-acre site located near the northwestern edge of the City of Oxnard and is bounded by Highway 101 to the north, Oxnard Blvd. to the east, the Union Pacific Railroad and the El Rio Drain to the south, and North Ventura Road to the west.

Section 4.2 of the DEIR addresses air quality issues of the Oxnard Village Specific Plan. We have reviewed this chapter of the DEIR, as well as the Appendix B, *Air Quality Human Health Risk Assessment* and submit the following comments:

General Comments

Table 4.2-5, Estimated Operational Emissions, indicates that both ROG and NOx emissions from the project will exceed the APCD significant threshold (134.5 lbs/day and 54.8 lbs/day respectively), and that these excess emissions would be mitigated through implementation of Mitigation Measure AQ-2(a) TDM Fees. The applicant used the current inflation rate and the Year 2006 to mitigate the excess emissions, and refers

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readers to Appendix B to view the TDM fee estimates. Review of Appendix B, however, does not present any calculations of this fee other than the URBEMIS computer model runs print-outs. We recommend this mitigation measure discussion be expanded to specify more current costs per pound of pollutants and more detailed presentation of the data. A cont'd

Asbestos

The proposed project involves demolition of existing buildings. Building demolition activities may cause possible exposure to asbestos. The applicant shall notify the District prior to issuance of demolition permits for any onsite structures. Demolition and/or renovation activities shall be conducted in compliance with District Rule 62.7, *Asbestos – Demolition and Renovation*. Rule 62.7 governs activities related to demolition of buildings with asbestos-containing materials. This rule establishes the notification and emission control requirements for demolition activities. Specifically, this rule requires that the owner or operator of a facility shall remove all asbestos-containing material from a facility being demolished. For additional information on asbestos, or to download a copy of Rule 62.7, please visit our website at www.vcapcd.org/asbestos.htm. You can also contact the District's Asbestos Coordinator, Jay Nicholas at (805) 645-1443 or by email at jayn@vcapcd.org. B

Health Risk Assessment

Appendix B discusses the health risk assessment performed on the diesel engine exhaust particulates that would be generated by construction activities on the project site (Impact AQ-4) and concludes that health risks associated with onsite grading exceed the VCAPCD thresholds and would be significant, but with implementation of mitigation measures AQ-4(a) and (b) (Alternative Fuels and Equipment Limitations) would be reduced to a less than significant level. We have some concerns about this health risk assessment, as it appears it was performed using a number of nonstandard and possibly incorrect methods. No maps or site plans were furnished, so District staff could not determine if the model inputs, such as the area to be graded and the receptors locations were correct. Terri Thomas of the District, our staff Air Toxics expert, recalculated the risk, based on the applicant's inputs, using more standard methods. The maximum lifetime excess cancer risk she calculated was 23 in a million. This was based on exposure to the maximum diesel exhaust emissions (grading and site preparation phase) for nine years. Nine years may well exceed the actual exposure, but OEHHA has stated that this is the minimum exposure period that should be considered for cancer risk assessments for short-term projects. C D

The applicant submitted calculations showing a reduction in risk due to proposed mitigation. The mitigation proposed was to use Tier 4 equipment within 100 meters of the edge of the construction area and Tier 2 equipment for the rest of the project. It is E

unclear how this proposal is reflected in calculated emissions with mitigation. The mitigated emission calculations reflect Tier 2 emission limits, but also include different types and numbers of pieces of equipment as well as revised operating hours as compared to the original proposal.

E Cont'd

Ms. Thomas used the mitigated emissions of 612 grams per day (1.35 lbs/day) and recalculated the risk. The risk was reduced to 16 in a million, again based on a nine-year exposure. It should be noted that the applicant's mitigated risk assessment used revised emissions and also changed the receptor height from 1.5 meters (commonly used for a person's breathing zone height) to 10 meters. The reason for the change in receptor height is not clear. We recommend the receptor height be no more than 1.5 meters unless clear and convincing justification is provided to use the 10 meters height.

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The risk after mitigation, according to Ms. Thomas's calculation, is still significant. A refined health risk assessment using ISCST3 should be used to refine the assessment. The assessment included a discussion of how conservative SCREEN3 is compared to ISCST3, but for unknown reasons SCREEN3 was used anyway.

G

The health risk assessment included an extensive discussion of risks to life and health from various sources to demonstrate that people are exposed to larger risks than would be produced by this project. The District's Board letter for the adoption of 10 in a million lifetime excess cancer risk as significant for the Air toxics "Hot Spots" Program included a discussion of how the significant risk level was chosen. This document is available at http://www.vcapcd.org/pubs/Engineering/AirToxics/sigrisk.pdf

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On a separate subject, the health risk assessment also notes that California Air Resources Board recommends not siting residences within 500 feet of a freeway. The risk to residents from emissions from the freeway could be significant, based on assessments performed on similar projects. The applicant states that the significant risk would be reduced by approximately 70 percent by using sound walls and landscaping. The assessment states that these measures would reduce the health risk by removing particulate matter from the air, but does not explain how that would occur. The applicant also suggests that residences nearest the freeway could be sealed and the air going into them filtered to reduce the risk. This is a very unusual mitigation measure that would seem to require residents to remain inside with the doors and windows closed for their health, and is probably unreasonable and infeasible.

I

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

Letter 4

COMMENTER: Alicia Stratton, Ventura County Air Pollution Control District (VCAPCD)

DATE: July 7, 2008

Response 4A

The commenter requests a calculation of the Transportation Demand Management (TDM) Fund fees identified in Mitigation Measure AQ-2(a) on a cost per pound of pollutants basis. The calculation has been added to Appendix B of the Final EIR (please see Section 9.0, *Correction Pages*) and is summarized here:

Pollutant	Summer Daily Emissions	Excess Emissions	Adjusted Unit Cost	Total Cost
ROC	134.5	109.5	$6.43	$771,322
NOx	54.8	29.8	$9.40	$306,822

The total estimated TDM fund fee would be $771,322.

Response 4B

The commenter provides information on the APCD's Asbestos – Demolition and Renovation regulations, District Rule 62.7. Mitigation Measure HAZ-1(b) in Section 4.6, *Hazards and Hazardous Materials,* requires that "onsite structures that contain asbestos must have the asbestos containing material removed according to proper abatement procedures recommended by the asbestos consultant and as required by the VCAPCD."

Response 4C

The commenter states an opinion that nonstandard and possibly incorrect analytical methods were used in the health risk assessment performed for the project and summarized in Section 4.2, *Air Quality*. The potential health risks due to diesel particulate emissions during the grading and construction phases were examined using two approaches. The first was the use of the SCREEN3 model to determine concentrations at nearby residential units during the Phase 1 demolition and grading activity. As discussed in Appendix B, SCREEN3 is used as a modeling tool to determine whether or not there is a likelihood of impact, not the precise degree of impact. As such, it is conservative in its estimates, often over an order of magnitude (up to 10x) greater than a more refined estimate that could be provided using a more detailed model such as the Industrial Source Complex Version 3 model (ISC3). SCREEN3 is a simplified version of ISC3 with conservative default parameters and is simple to use, whereas ISC3 is relatively complex and is intended for use in determining specific effects for the purpose of regulatory permits for stationary sources. Based on the use of the conservative screening approach, the EIR determined that the project could cause a potentially significant health risk to nearby residents.

The second approach used was to compare the project's construction to a health risk assessment for a detailed generic urban construction scenario that ARB prepared (ARB, April 2007b). This analysis used ISCST3 to determine an estimated cancer risk associated with construction on a

3.5-acre urban area using the West Los Angeles meteorological data (which is similar to that experienced in the Oxnard area). This analysis was based on a nine-year exposure period with operations time-weighted for 365 days per year. The ARB scenario substantially exceeds the air pollutant emissions that would be associated with the project since the main construction activities using heavy duty diesels at the site would occur for only about 3-4 years and also would be limited to 260 construction days per year. Therefore, the ARB scenario also substantially overestimates the impacts likely at the project site. Nonetheless, it was used to illustrate the potential for health risk impacts to the nearest receptors and the general direction of that risk with respect to similar long scale meteorology. As with the screening model approach, this approach similarly determined that the project could cause a potentially significant health risk to nearby residents during the construction phase.

Response 4D

The commenter states that no maps or site plans are included in the Draft EIR. This is incorrect. Maps and site plans were provided in Section 2.0, *Project Description,* of the Draft EIR, which includes site plans that illustrate the location of the proposed grading phases (see Figure 2-15). SCREEN3 does not require the use of these maps since it is a simplified model.

The commenter also states that the VCAPCD performed its own calculations of the risk, which resulted in a higher potential risk than that identified in the Draft EIR. As stated in the Draft EIR text, the actual duration and length of time that emissions occur at any particular location within the construction phase area will change, and consequentially, so will the risk associated with nearby emissions of diesel particulates. Calculations conducted by the VCAPCD were based on a longer construction period that does not correlate to what is proposed by the project applicant. The minimum nine year exposure period used by OEHHA refers to the average time period of occupancy of a resident at any one location; this is used to determine exposure to a continuous source, not to an intermittent, short term source. If nine years is to be used as the exposure duration, then the construction emissions would need to be correspondingly averaged across the nine year period and further reduced by the factor 260/365 such that the entire mass of emissions to which the receptors are exposed is not any more than that associated with the actual 3-4 year construction scenario. This would roughly reduce the emissions factor by 65% and similarly the calculated health risk. It is further noted that the risk calculated by the VCAPCD is the same as that determined for a child receptor using the SCREEN3 approach in the Draft EIR and so does not alter the conclusions of the Draft EIR regarding impact significance. A more complicated analysis could be performed in which ISCST3 is performed in three-month increments as the sources are moved across the site during the course of the construction activity, with the multiple concentrations then experienced at specific receptors cumulatively summed to determine the actual potential exposure, which is then entered into the health risk calculations. However, such an analysis would likely result in a lower, not higher, estimate of health risk impacts. Therefore, the conservative approaches used in the EIR as discussed in Response 4C above are considered adequate for the purposes of CEQA.

Response 4E

The commenter discusses the results of the VCAPCD's analysis and also states an opinion that one of the inputs in the model used in the Draft EIR analysis was incorrect, which led to incorrect results. (It is noted that the mitigation analysis was prepared by the EIR consultant,

not the applicant as the commenter states.) The VCAPCD used an emission factor of 1.35 pounds per day of diesel exhaust particulates based on the mitigated emissions calculation in the Draft EIR. On review by Rincon Consultants, it was determined that this calculation was in error. In addition, the 10-meter receptor height used in the mitigated analysis is the default selected by SCREEN3 in the absence of a specific height being entered, and it is agreed that the 1.5-meter receptor height recommended by the commenter should be used. Therefore, the calculation with respect to mitigation was corrected for the Final EIR. The revised calculations confirmed that, with mitigation, the project construction impact on health would be reduced to a less than significant level. The Final EIR and Appendix B to the Final EIR text have been changed to provide the revised results (see also Section 9.0 *Correction Pages*).

Response 4F

The commenter states that the VCAPCD analysis indicates that the health risk would be significant, and questions the use of the SCREEN3 model. As noted above, the SCREEN3 model is conservative and likely overstates the actual health risk associated with project construction. The revised calculations indicate that during the worst phase of construction, the project with mitigation would not result in a health risk to the adjacent residential receptors.

Response 4G

The commenter questions the context discussion included in the Draft EIR related to health risks. The Draft EIR includes a discussion of risks so that the analysis is put into a relational context. The Draft EIR also states the threshold level recommended for risk management, namely that VCAPCD uses the Proposition 65 threshold of 10 in one million. Regardless of whether or not people are exposed to greater risks, the Draft EIR analysis considers any excess risk greater than 10 in one million to be significant and project construction is thus considered significant, as stated in the EIR.

Response 4H

The commenter states an opinion that health risks associated with residences near a major transportation corridor (U.S. 101) could be significant, and notes the Draft EIR discussion of sound walls and landscaping contributing to a reduction of that risk, asking how that reduction would occur. Both sound walls and landscaping reduce particulate matter by creating surfaces on which such matter falls, removing it from the air. For example, John Geiger with the Center for Urban Forest Research states that 1,000 trees remove approximately 3,000 pounds of particulates (Growing Cleaner Air. The Tree Factor; Great Valley Conference, Sacramento, California, May 11, 2005). The discussion in the Draft EIR has been misread by the commenter. It does not state that 70% of the risk would be removed by the sound wall and landscaping; rather it states that diesel exhaust particulates form 70% of the toxicity associated with freeway traffic and that an unspecified portion of particulates would be removed from the air by these features. The EIR then subsequently states that the location of residences near a busy freeway is considered a potentially significant impact requiring mitigation. It should also be noted that existing residences are already present onsite at the same distance from the freeway; therefore the project creates no greater risk than already exists at the project site. This risk will be reduced in the future through the ongoing implementation of the California Air Resources Board Diesel Risk Reduction Program and the State Implementation Plan.

Response 4I

The commenter questions Mitigation Measure AQ-5 of the Draft EIR. This mitigation measure is intended to provide a clean indoor air environment such that the net exposure to freeway air pollutant emissions would be reduced. Considering that the average person spends at least 1/3 of the day sleeping, it is important that a clean environment be provided during this major portion of the day, a time in which many people have their windows closed in any event. In addition, the USEPA *Exposure Factors Handbook* (updated August 1997), which is used to determine exposure to toxic substances based on activity patterns, states that adults spend 16.4 hours per day inside in a residential environment. Clearly, maintaining a clean indoor environment would substantially reduce the risk associated with living near a freeway. It is further noted that the EIR does not require people to remain inside, nor does it state that the residences should be "sealed." Rather, the measure requires that the residences be well weather-proofed, a mitigation measure that reduces energy consumption and so also reduces air pollutant emissions, and that filters be used on the ventilation system such that particulate matter is removed from the indoor air environment. This is not an unusual mitigation measure, nor is it unreasonable or infeasible. As noted above, the measure would clearly be effective given the amount of time that people spend in the indoor environment.

RESOURCE MANAGEMENT AGENCY
county of ventura

Planning Division
Kimberly L. Rodriguez
Director

July 14, 2008

5

City of Oxnard
Planning Division
City of Oxnard Service Center
214 South C Street
Oxnard, CA 93030
Attn: Ms. Kathleen Mallory

E-mail: Kathleen.Mallory@ci.oxnard.ca.us

Subject: Comments on DEIR; Oxnard Village Specific Plan

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 Kari Finley, 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 Kari Finley at (805) 654-3327.

Sincerely,

Kim Rodriguez
County Planning Director

Attachment

County RMA Reference Number 08-023

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

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

DATE: July 10, 2008

TO: Resource Management Agency, Planning Division
Attention: Kari Finley

FROM: Nazir Lalani, Deputy Director

SUBJECT: **Review of Document 08-023, Oxnard Village Specific Plan**
Draft Environmental Impact Report (EIR). Project involves adoption of a Specific Plan for the development of approximately 64-acre property with a mixed use development located in the northern edge of the City of Oxnard.
Project Applicant: Daly Owens Group
Oxnard Village Investments, LLC
Lead Agency: **City of Oxnard**
APN 139-0-022-01, 03, 04, 06, 12, 15, 139-0-150-13, 11, 139-0-170-01, 02, 03, 04, 05, 08, 139-0-161-01, 02, 139-0-162-04, 07, 08.

Pursuant to your request, the Public Works Agency -- Transportation Department has reviewed the Draft EIR for the Oxnard Village Specific Plan. The proposed project involves the adoption of a Specific Plan and various other discretionary approval that would allow the development of approximately a 64-acre property (known locally as the Wagon Wheel site) with a mixed use development of 1,500 dwelling units and 50,400 SF of commercial space. Project site is located near the northern edge of the City of Oxnard and is bounded by U.S. Highway 101 to the north, Oxnard Boulevard to the east, the Union Pacific Railroad and El Rio Drain to the south, and North Ventura Road to the west.

We offer the following comments:

1. We generally concur with the comments in the Draft EIR for those areas under the purview of the Transportation Department. No project specific impacts on County roadways were identified in the Draft EIR. The Draft EIR should evaluate and provide mitigation measures for the site-specific impacts this project may have on the County's Regional Road Network. Of particular interest to the County are the potential traffic impacts to the roadways in the El Rio Community, U.S. Hwy 101, as well as the intersection of Vineyard Avenue (State Route [SR] 232/SR 118, and SR 118/Rose Avenue. A

2. Page 4.13-14, second paragraph of the Draft EIR, dated May 2008, provides that the proposed project will generate approximately 6,816 net daily vehicle trips: 439 and 462 net vehicle trips in the a.m. and p.m. peak hours, respectively. Page 4.13-12, last paragraph of the same document provides that the project would be required to pay a County fee to mitigate for project related contributions to the regional road network.

3. The cumulative impacts of the development of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, will be potentially significant. To address the cumulative adverse impacts of traffic on the County Regional Road Network, the appropriate Traffic Impact Mitigation fees should be paid to the County when development occurs. Based on the information provided in the Draft EIR and the reciprocal agreement between the City of Oxnard and the County of Ventura, the fee due to the County is:

   6,816 ADT X $30.58/ADT = $208,433.28

   The above estimated fee may be subject to adjustment at the time of deposit, due to provisions in the Traffic Impact Mitigation Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record construction cost index. The above is an estimate only based on information provided in the Draft EIR.

B

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

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

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Letter 5

COMMENTER: Nazir Lalani, Deputy Director, Public Works Agency Transportation Department

DATE: June 12, 2008

Response 5A

The commenter expresses general agreement with the information and conclusions in the Draft ElR for those areas under the purview of the Transportation Department, and notes that no project-specific impacts on County roadways were identified in the Draft EIR. The commenter requests that the Draft ElR evaluate and provide mitigation measures for the site-specific impacts the proposed project may have on the County's Regional Road Network, including the roadways in the EI Rio Community, U.S. 101, and other specified intersections.

The traffic distribution of the project was based on detailed information from the City of Oxnard's travel model. Overall, the effect of the project north of U.S. 101 is expected to be minimal. The project's impact on SR 232, SR 118 and intersections on those facilities is expected to be minor given the relatively low projected number of vehicles from the proposed Oxnard Village development that would use those locations. The traffic study analyzed intersections on Vineyard Avenue (SR 232) north of U.S. 101, namely Vineyard Avenue and Riverpark Boulevard, Vineyard Avenue & Walnut Drive and Vineyard Avenue & Stroube Street. No significant traffic impacts were identified at these locations. The analysis of these intersections presents a conservative coverage of the area, given the project's trip distribution. An analysis was conducted for U.S. 101 from Thousand Oaks to Ventura using guidelines specified in the VCTC CMP which is the statutory requirement. No significant traffic impacts were identified.

Response 5B

The commenter notes the project's estimated trip generation and accordingly estimates the Traffic Impact Mitigation Fee that would be due to the County of Ventura for the project at $208,433.28. This comment is noted. The applicant would be required to pay the applicable Traffic Impact Mitigation Fee in accordance with the reciprocal fee agreement between the City and County.

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

6

DATE: July 2, 2008

TO: Kari Finley, Resource Management Agency

FROM: Sergio Vargas, P.E.
Planning and Regulatory

SUBJECT: Non-County "Outside" Environmental Document Review
Oxnard Village Specific Plan – RMA 08-023

The Watershed Protection District has reviewed the above project and our comments are as follows:

ENVIRONMENTAL SERVICES

No comment at this time

WATER RESOURCES

There are approximately 6 water supply wells located within the proposed project area showing a status of abandoned or destroyed according to the County of Ventura Master Well Index. All abandoned wells should be destroyed prior to development of the proposed phases of the Oxnard Village project.

PLANNING AND REGULATORY

The Draft EIR text says that only 5% of the site drains to the El Rio Drain, while the H-Z study indicates a much larger percentage going to the El Rio Drain. The Disconnect should be resolved.

End of Text

Letter 6

COMMENTER: Sergio Vargas, P.E., Planning and Regulatory

DATE: July 2, 2008

Response 6A

The commenter states that there are approximately six abandoned or destroyed water supply wells on the subject site, and requests that all abandoned wells be destroyed prior to development of the proposed phases of the Oxnard Village project. This is consistent with standard City requirements for new development.

Response 6B

The commenter notes that the Draft EIR states that only 5% of the project site drains to the El Rio Drain, while the Huitt-Zollars study indicates a larger percentage. The commenter requests that the discrepancy between the figures be resolved. During the peer review of the Huitt-Zollars report and associated on site reconnaissance by Diamond West Engineering, it was determined that the majority of the project site currently drains directly to the Santa Clara River and does not utilize the El Rio Drain. Records and field observations indicate that only about 5% of the site currently drains into the El Rio Drain, while the rest of the site flows through a separate drainage system terminating at the Santa Clara River. As discussed in Section 4.7 *Hydrology and Water Quality,* the proposed grading and drainage plan would not result in any drainage to the El Rio Drain.

To Abeleides	From K. Mallory
Co./Dept.	Co.
Phone #	Phone #
Fax # 641-1072	Fax #

TRANSIT.ORG 7

RECEIVED
JUL 07 2008
PLANNING DIVISION
CITY OF OXNARD

July 2, 2008

Kathleen Mallory, Project Planner
Planning Division, City of Oxnard
Oxnard Service Center
214 South C Street
Oxnard, CA 93030

Dear Kathleen:

Thank you for the opportunity to comment on the Draft Specific Plan and Environmental Impact Report for the Oxnard Village Specific Plan Project. We are very interested in this project, particularly with its emphasis on integrating alternative modes of transportation in the original design of the land uses. The intended mix of uses and the park-once strategies will also help discourage unnecessary vehicular trips. A

We have the following comments as they relate to the Specific Plan:

- We very pleased with the attention given to making pedestrian mobility as comfortable and safe as possible, since this is the key to linking land uses and transportation more efficiently. We would suggest that all landscaping around bus stops be open and allow for a clear view for people approaching the stop as well as the line of vision of the bus operator. There should be a clear path directly to all bus stops so that pedestrians do not have to walk far to access them.
- Arcades, front-facing storefronts and short setbacks provide inviting environments for pedestrians, as do well-tended landscapes and streetscapes.
- It appears that the only pedestrian access to the Sub-Transportation Center is via the sidewalk adjacent to it. While there is a secondary pedestrian pathway bisecting the adjacent surface parking lot, it is suggested that pedestrian pathways through the landscaped areas (and segregated from the parking stalls) be provided. This eliminates vehicle-pedestrian conflicts as drivers back out of parking stalls. B
- The design rendition of the Sub-Transportation Center area shows color-differentiated streetscape at the passenger waiting area. It also shows a bus driving over that differentiated streetscape area. It is strongly recommended that any drive aisles or vehicle dwelling areas be physically differentiated from waiting areas to avoid confusion and maintain safety.
- While not explicitly noted in the Specific Plan, we would encourage the incorporation of Village-related wayfinding and signage designs into bus stop signage and amenities, tying them into the overall identity of the project. We will, however, expect that all Gold Coast Transit information and logos be incorporated intact.

301 E. Third St, Oxnard, CA 93010-6048 • 805.483.3959 • FAX 805.487.0925 • www.goldcoasttransit.org

A Joint Powers Agency of:
City of Ojai • City of Oxnard • City of Port Hueneme • City of Ventura • County of Ventura

Gold Coast TRANSIT DRC
Your Community Connection

- Please make sure that there is sufficient bicycle parking at the Sub-Transportation Center.
- It is not mentioned in the parking section, but we would highly recommend that some amount of parking be reserved for users of the transit services available.
- The TDM program appears to be inclusive and well thought out. It does not, however, indicate how long transit fares would be subsidized for users. We would recommend the establishment of a timeline with some indication of how long these subsidies would be in place. Also, while the Specific Plan describes the TMA and its overall mission, it does not delve into how it would be organized and managed, where it would be based, and how participants would make decisions relative to a long term program.
- We would recommend establishing benchmarks and milestones for the TDM program so that it can be easily monitored and evaluated by participants, the City of Oxnard, and included transit service providers.
- If it is at all possible, the TMA could become a fare sales outlet for us. That would make it easy for all transit users to conveniently purchase multi-ride transit fares.

Assuming a rigorous TDM program and the continued active participation of all the owners, tenants, patrons and residents on this site, it is hoped that the level of trip reduction on this site might be sizable. We are pleased to be working closely with all the parties involved in the Oxnard Village and we look forward to a very transit-friendly site in this part of our Gold Coast Transit service area!

If you have any questions regarding our comments, please don't hesitate to contact us.

Sincerely,

Steven P Brown

Steven P. Brown

Director of Planning and Marketing

cc: Chuck McQuary, Transit Planner

Helene Buchman, Transit Planner

301 E. Third St, Oxnard, CA 93030-6048 • 805.483.3959 • FAX 805.487.0925 • www.goldcoasttransit.org

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Letter 7

COMMENTER: Stephen P. Brown, Director of Planning and Marketing, Gold Coast Transit

DATE: July 2, 2008

RESPONSE:

Response 7A

The commenter states an opinion that the project design and features have the potential to discourage unnecessary vehicle trips. This comment is noted.

Response 7B

The commenter lists a variety of suggestions to improve the proposed specific plan's function and project design in regards to pedestrian access, bus stops, bicycle facilities, sub-transportation center design, streetscapes and other related transportation programs. These comments are noted and will be included in the Final EIR for consideration by the City's decision makers along with all of the public comments and responses in this section of the EIR. Alternative transportation elements of the proposed project are discussed in sections 2.0, *Project Description,* and 4.13, *Transportation and Circulation,* of the Draft EIR.

Response 7C

The commenter recommends that parking spaces be reserved for potential future transit users. As noted in Section 4.13, *Transportation and Circulation*, approximately 50 designated parking stalls are proposed to serve the proposed sub-transportation center.

Response 7D

The commenter lists specific details of the proposed Transportation Demand Management (TDM) and Transportation Management Association programs discussed in Section 6.0 of the draft Specific Plan and states an opinion that certain details of these programs have not been identified. As discussed in Section 4.13, *Transportation and Circulation*, successful implementation of the TDM measures could reduce project-generated trips; however, as it would be speculative to attempt to predict the success of the measures, the traffic data and projections used for the traffic study and Draft EIR analysis do not include a reduction for TDM measures. Therefore, although these comments are noted, details of the TDM and TMA programs would not affect the conclusions of the Draft EIR as these programs are not accounted for in the analysis.

8

Ventura County Cultural Heritage Board
Certificate of Environmental Review No. 2008-254
Wagon Wheel, Oxnard

Action Date: June 23, 2008
Applicant: Mr. Vince Daly

Project: Environmental Impact Report: Demolish Buildings/Pending General Plan and Specific Plan Amendment, Development Agreement, Subdivision, etc. (**Exhibit 1**)

Finding: The environmental impact report was reviewed and the Board made the following findings:

1. Confirmed once again that the site is historically significant, expanding the site to include the bowling alley.

2. The Board further found that the demolition of the buildings on the site would have an adverse effect on the historic resource and,

3. That the impact could be only mitigated by the following measure:

Rehabilitate on site through adaptive re use the Wagon Wheel Restaurant and Motel Office building.

By order of the Ventura County Cultural Heritage Board

Kim Hocking
Staff

Letter 8

COMMENTER: Kim Hocking, Staff, Ventura County Cultural Heritage Board

DATE: June 23, 2008

RESPONSE:

Response

The commenter transmits the opinion of the Ventura County Cultural Heritage Board that the Junction and Wagon Wheel Motels, Wagon Wheel Restaurant, El Ranchito Restaurant and Wagon Wheel Bowling Alley are historically significant; that their demolition would be a significant adverse environmental effect; and that only on site rehabilitation/adaptive reuse of the structures would mitigate the impact to below levels of significance. As discussed in Section 4.4, *Cultural Resources*, of the Draft EIR, these four structures are considered historic resources pursuant to CEQA and the impact associated with their demolition would remain significant after the proposed mitigation measures. Therefore, the comments do not conflict with or challenge the analysis or conclusions of the EIR regarding the project's potential impacts to historic resources. Proposed measures include documentation of the resource, an on-site interpretive display, and project design features that incorporate elements of the existing buildings.

Rio
School District
Sherianne Cotterell
Superintendent

9

July 18, 2008

City of Oxnard Developement Services
Planning Division
City of Oxnard Service Center
214 South C Street
Oxnard, CA 93030

Attn: Ms. Kathleen Mallory, AICP

Re: Oxnard Village Specific Plan Project; Draft Environmental Impact Report

Dear Ms. Mallory:

This letter is sent in regard to the Draft Environmental Impact Report dated May 2008 for the Oxnard Village Specific Plan Project (the "Specific Plan" or "Project"). The Rio School District, in tandem with the Oxnard High School District provides public educational services at grades Kindergarten through 12 for the Project.

The Specific Plan describes the estimated number of students to be generated from the Project at Table 4.11-2. This data states that the estimated 1,500 multi-family units to be built within the Project could yield 716 Kindergarten through eighth grade students at the Rio School District given the District's student generation rate of 0.477 students per dwelling unit.

Table 4.11-3 of the Draft EIR estimates that the Rio School District, while currently under capacity, will be over capacity as a result of the Project.

A

The Draft EIR goes on to state at page 4.11-15 under the heading "Mitigation Measures" that no mitigation measures on behalf of the Rio School District are required at this time since "state-mandated school impact fees would be collected at the time of building permit issuance." The explanation for this position is stated further in the Draft EIR by a provision which reads:

"Payment of the applicable state-mandated school impact fees is considered full mitigation for the proposed Project's impacts under CEQA, though it should be noted that new students generated by the proposed Project would cause an exceedance of capacity at the Rio School District and would add to existing overcrowded conditions at the Oxnard Union High School District."

Rio
School District
Sherianne Cotterell
Superintendent

While it is true that certain limitations are imposed on cities and counties in the area of school facility mitigation, it is critical to the residents of the City of Oxnard that adequate school facilities be available in a timely fashion to serve our growing community. With a development project the size of the Oxnard Village Specific Plan, not only are the long-term needs of public students important, but it is equally important to ensure that short-term planning can accommodate the residential growth that can reasonably be anticipated to be derived from the Project.

The School Impact Fee Program referred to in the Draft EIR is a fee-based program, payable at the time of building permit issuance for construction and calculated on a per square foot basis. Presently, the maximum fee authorized under state law funds approximately one-quarter to one-third of the overall cost of new school facilities faced by the Rio School District. While it is true that the State of California operates a public school funding program that is intended to assist local school districts in funding the differential between revenue derived from the local school impact fees and the total cost of new school construction, the state project has not been capable of fully funding this deferential. In fact, the Rio School District anticipates that it will be faced with a situation similar to the vast majority of California public school districts, namely, inadequate funding for new school construction. Typically, revenue generated at the local level in the form of school impact fees can fund as much as one-third of the total cost of new school construction. Revenue provided through the State of California's School Construction Program can, for qualifying school districts, fund an additional one-third. It is the remaining one-third shortfall that is critically important to be addressed. The Rio School District previously solved this critical problem in regard to the earlier RiverPark Project by way of a school impact mitigation agreement that called for state revenue to fund the new schools made necessary by the RiverPark Project and also called for the establishment of a Mello Roos community facilities district, in lieu of school impact fees, to fund the remaining costs of school facilities.

A

The School District has signed a Memorandum of Understanding with the Project in an effort to reach consensus on an approach to provide adequate school construction revenues. A mitigation agreement will be developed in the upcoming months to formally enact terms of the Memorandum of Understanding, which is attached to this letter. We thank the Project's representatives for working with the Rio School District to develop a balanced and comprehensive mitigation plan for the proposed project.

Presently, the Rio School District and the Project Developer are considering the establishment of a Mello Roos community facilities district along with certain additional monetary contributions from the developer that will ensure the adequacy of funds for the school facilities made necessary by the Project. The Rio School District and the Project's representatives have been working to agree upon the key terms of the proposed

B

Rio
School District
Sherianne Cotterell
Superintendent

mitigation agreement. It is anticipated that these terms will be agreed upon shortly and result in the approval of the mitigation agreement by both the developer and the Rio School District's Board.

It is the request of the Rio School District that information consistent with this process is set forth in the EIR for the Project and that the terms and conditions of the mitigation agreement, once entered into between the School District and the Developer, be incorporated in or referenced in the final EIR. B

We would like to note several minor corrections for the record:

On page 4.11-5, Figure 4.11-3 appears to show boundaries of the Oxnard School District rather than the Oxnard Union High School District. C

On page 4.11-6, Level 1 Developer Fees were last increased prior to your "Notice of Preparation" date on January 25, 2006. Rates were updated again on January 30, 2008. For information, the maximum rate on October 11, 2006 was $2.63 per square foot for residential projects, and $0.42 per square foot for non-residential projects. The maximum rate after January 2008 is $2.97 per square foot for residential projects, and $0.47 per square foot for non-residential projects. D

Also on page 4.11-6, it is important to note that the Rio del Mar Elementary School is being paid for by the Community Facilities District of the River Park development and will ultimately be filled by students from that master-planned community. Those seats are part of an existing mitigation agreement with River Park and are not available to other developments. This one adjustment – reserving seats created under a separate mitigation agreement – indicates that the balance of the District is operating at 97% of capacity. E

On page 4.11-14 it is stated that the River Park West Elementary School is scheduled to open in August 2008. This is not correct; this future capacity is already committed to mitigating impacts from the River Park community. F

On page 4.11-16, the last sentence states "With the collection of these fees for all new developments, cumulative impacts to schools would be mitigated to a less than significant level." This statement is misleading and implies that fees and state funding will be available at all times through build out of the city, and the only impact to schools from new development is construction of more classrooms. G

Page 6-1 introduces Alternative 2, which includes a 15-acre school site. Text should make clear whether Alternative 2 contemplates a small high school or a school for grades Kindergarten through eight. Footnote 1 on page 6-2 discusses only high school sites, H

Rio
School District
Sherianne Cotterell
Superintendent

while paragraph 6.2.11 on page 6-5 states that impacts to elementary schools would be reduced. Please clarify and modify in the Final EIR. H

School district staff will work with the project developer to identify a school bus loading area, potentially in the park area labeled as "PA-6" in Figure 2-5. A bus pullout lane would benefit traffic circulation when the bus is loading or unloading. In addition, the two roundabouts should be designed to allow adequate turning radius for a standard school bus. I

Representatives of the School District welcome your comments and response to this letter and are prepared to meet with representatives of the City as necessary to review these important issues. In the meantime, please feel free to contact me at the District Office.

Sincerely,

Sherianne Cotterell

Sherianne Cotterell
Superintendent

cc: Board of Trustees
Mr. Vince Daly

Letter 9

COMMENTER: Sherianne Cotterell, Superintendent, Rio School District

DATE: July 18, 2008

Response 9A

The commenter begins by summarizing and quoting information from the Draft EIR regarding potential project impacts on local schools, and states an opinion that the needs of students served by the Rio School District are important and that planning for accommodation of the residential growth associated with the project is also important. The commenter goes on to state that the state-mandated fees cited in the Draft EIR for reducing impacts to schools from project residential growth covers only one-quarter to one-third of the actual overall costs to the district for new school facilities, and that additional State funding covers an additional one-third, for a total of two-thirds covered by State funds. According to the commenter, the discrepancy will result in inadequate funding for new school construction. Finally, the commenter notes that the one-third funding shortfall was overcome in the case of the Riverpark project's school impacts through a school impact mitigation agreement that resulted in creation of a Mello-Roos community facilities district to generate the needed funds.

These comments are noted. The discussion of impacts to schools contained in Section 4.11, *Public Services* notes that according to Government Code Section 65996, the development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation" under CEQA. The City has no authority to require funding beyond State requirements. Nevertheless, the City acknowledges the funding shortfall noted by the commenter. A Memorandum of Understanding has been executed between the project developer and the Rio School District. The MOU establishes student generation from the proposed project, the amount of school facilities required to fully mitigate the project's anticipated school facilities impacts, and the school facilities to be constructed and/or funded with the mitigation funds. The MOU is available for public review at the Development Services Department, Planning Division, 214 South C Street in Oxnard.

Response 9B

The commenter states that the Rio School District is currently in discussions with the Oxnard Village project applicant in an effort to provide additional funding for the district if the project is approved. One possible mechanism being considered is a Mello-Roos district, similar to that used for Riverpark. The commenter requests that the results of these discussions be incorporated into or referenced in the Final EIR. In the likely event that the Final EIR is prepared and forwarded to the decision makers before such an agreement is reached, such a change to the EIR would not be possible. Nevertheless, the EIR, including the discussion of impacts to schools, would remain adequate without this information. Up to date information may be provided to the Planning Commission and City Council at any time notwithstanding the EIR process.

Response 9C

The commenter points out that Figure 4.11-3 shows the boundaries of the Oxnard School District rather than the Oxnard Union High School District. This figure has been corrected and the revised figure is shown in Section 9.0, *Correction Pages* as well as in the Final EIR.

Response 9D

The commenter states that Level 1 Developer Fees were last increased prior to release of the Notice of Preparation. The current rates are reflected in the Final EIR and the corrections are also shown in Section 9.0, *Correction Pages*.

Response 9E

The commenter states that the Rio School District is operating at 97% capacity rather than 85% as indicated in Table 4.11-1 of the Draft EIR. According to the commenter, this is because capacity in the Rio del Mar Elementary School is reserved for Riverpark students as part of Riverpark's mitigation agreement with the district. This information has been added to the footnote for Table 4.11-1. The numbers in the table were not changed because the commenter's calculations could not be verified. However, please note that the Rio School District enrollment and capacity information has been updated in the Final EIR (see also Section 9.0 *Correction Pages*) and the percentages recalculated. The precise percentage of capacity does not affect the overall analysis or the conclusion of the Draft EIR.

Response 9F

The commenter states an opinion that the Draft EIR is not correct in stating that the River Park West Elementary School is scheduled to open in August of 2008, because the future capacity is committed to mitigating the impacts of new students generated by the construction of Riverpark. The commenter does not explain how this fact changes the opening date. Therefore, it is assumed that the school will open as scheduled, regardless of the available capacity at opening. Consistent with the information provided by the commenter, Section 4.11 of the Draft EIR states that "…it is not possible to know if there will be room at Riverpark West Elementary School as children of families within Riverpark will have fist priority to attend this school since fees paid by families within Riverpark financed this school…" Accordingly, changes to the EIR are not warranted.

Response 9G

The commenter states an opinion that the Draft EIR is incorrect that ongoing collection of school fees for new development would mitigate cumulative impacts to a less than significant level because it implies that fees and State funding would continue to be available as development continues. As noted in Section 4.11, Government Code Section 65996 specifies that the development fees authorized by SB 50 are deemed to be 'full and complete school facilities mitigation' under CEQA. The City of Oxnard has no authority to override the State Legislature with respect to this determination. The commenter appears to imply that State funding for schools may cease in the future. However, to base an analysis or conclusion on such an event would be speculative and inappropriate. Accordingly, changes to the EIR are not warranted.

Response 9H

The commenter points out that size of the school site included in Alternative 2 is based on a high school site, but that the impact discussion references reducing impacts on elementary schools. The intention was to provide space for a school in this alternative but not to specify what kind of school as if such an alternative would be adopted the type of school most needed by the community would be built. The acreage of the conceptual school site was based on the size of high schools, which are larger, to allow for either kind of school. The text of subsection 6.2.11 has been modified to clarify this, as shown in Section 9.0, *Correction Pages,* and reflected in the Final EIR.

Response 9I

The commenter notes that the Rio School District will work with the developer to identify and design a school bus loading area to proper specifications. This comment is noted.

Oxnard Council
PTA

1051 South "A" Street
Oxnard, California 93030

10

July 18, 2008

Oxnard Planning Commission
305 Third Street
Oxnard, CA 93030

RE: Agenda Item F2 July 17, 2008
Wagon Wheel DEIR

Dear Planning Commission:

Oxnard Council PTA is submitting the attached documents in further support of oral comments offered by last night at during the public comment period on the DEIR.

As you can see from the attached documents, students in the Oxnard School District are near the bottom statewide in terms of fitness. Conversely, they are also near the top of the state in obesity and are one of the most obese student populations in the State of California.

In the DEIR the category of Rec-1 is listed as a "less than significant" impact due to the ability of the developer to pay Quimby fees in lieu of building out the 16.5 acres of parkland required for a project the size of the one proposed. Given the sorry physical state of our students, it would appear that the lack of parkland in the City of Oxnard is greater than a "less than significant" impact and years of collection of Quimby fees is no substitute for recreational activities places within biking or walking distance of children.

Therefore, we respectfully request that no matter what size or shape the ultimate project at Wagon Wheel takes that sufficient meaningful recreational activities be built at the site so that families and children will be able to recreate together close to their homes in a safe environment. While pocket parks with slides are nice, older children need additional amenities such as basketball and volleyball courts, baseball diamonds and large open spaces for meaningful recreation to occur. A bowling alley and/or other similar family oriented commercial recreational opportunity would also be a welcome addition as well.

Sincerely,

Deborah Meyer-Morris

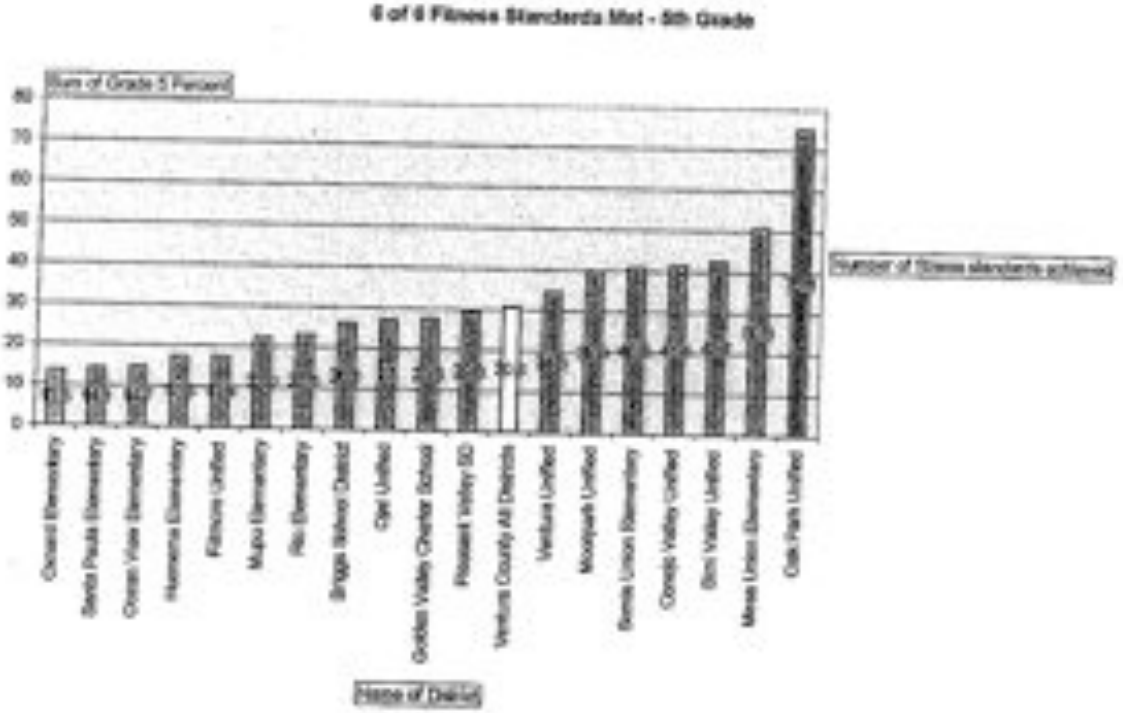
Deborah Meyer-Morris
Vice President, Oxnard Council PTA

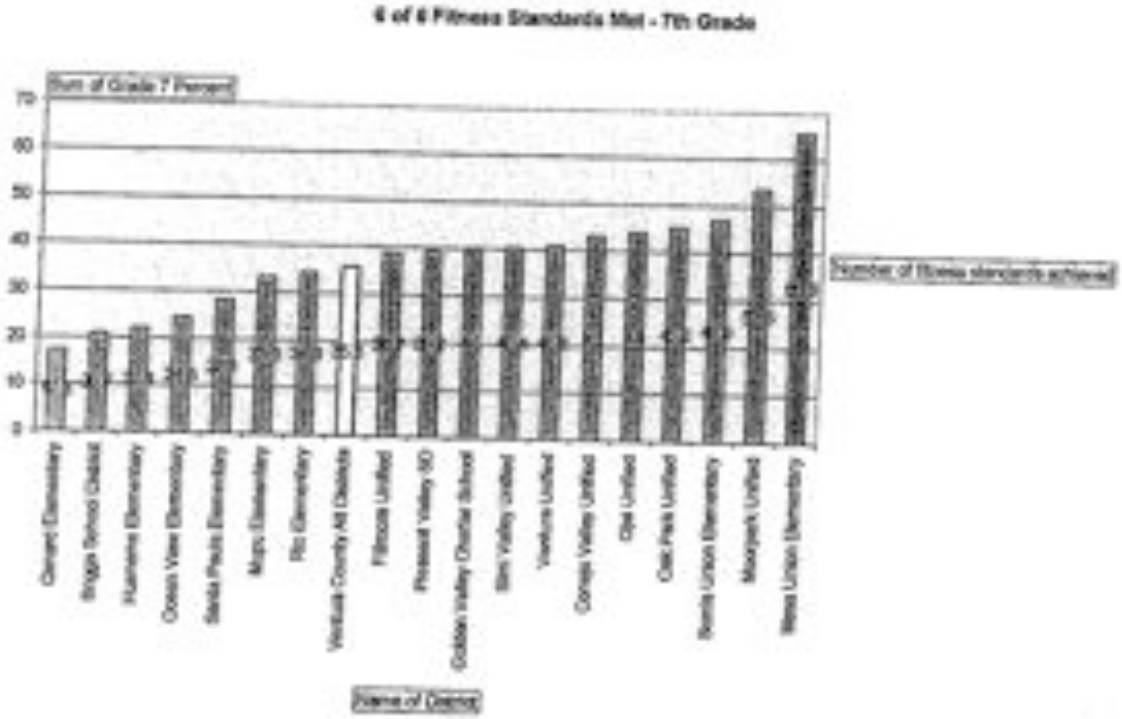
Encl.

2005-2006 California Physical Fitness Test Results
A Comparison of Ventura County Schools

The test results for the 2005-2006 California Physical Fitness Test are posted on the CDE website in the Dataquest section along with the scores of all Ventura County schools. These include elementary, junior high schools, middle schools and high schools. This report will focus on the elementary (fifth grade) and junior high school (seventh grade) results in the Oxnard Elementary School District and compare these results with other districts in Ventura County.

The 2005-2006 California Physical Fitness Test included six tasks on which students were rated. These tasks were Aerobic Capacity, Body Composition, Abdominal Strength, Upper Body Strength, Trunk Extension and Flexibility. In the Oxnard Elementary School District 1,723 fifth graders were tested. Of those tested, 234 or 13.6% met the standard in all six categories. In seventh grade, 1,646 students were tested and 284 or 17.3 % met the standard in six out of six categories. When looking at results in Ventura County as a whole, 30.8% of fifth grade students and 35.6% of seventh grade students met all six standards with Oxnard having the least students accomplishing this goal.

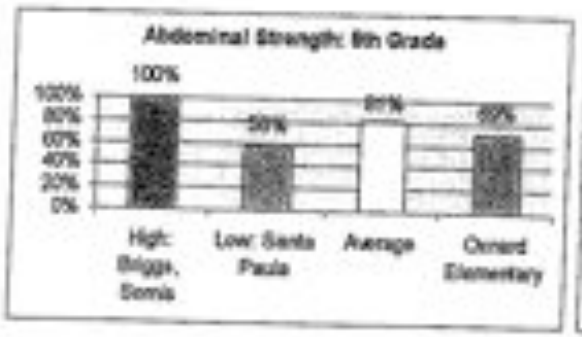


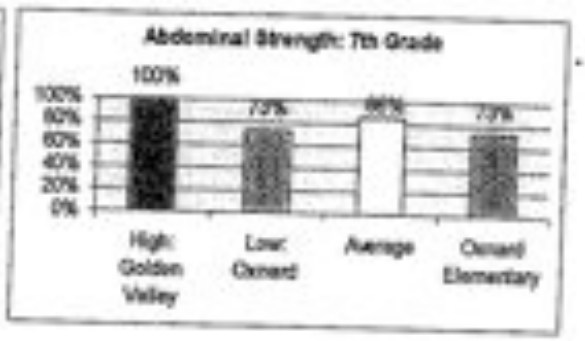


Physical Fitness Tasks

Abdominal Strength

Abdominal strength is important because it helps to promote good posture and correct pelvic alignment. The Curl-Up is the method employed to test this area of fitness. In this segment of the PFT, (California Department of Education 2006-2007) 69% of fifth grade students in Oxnard achieved the desired level of accomplishment. This was 12% less than the county average. Briggs and Somis both scored 100% in this area and were the highest scoring districts. Santa Paula was the lowest with 56%. Seventh grade results showed that Golden Valley achieved 100%. The county average was 86% with 73% of Oxnard students passing this section of the test making them the lowest performing.

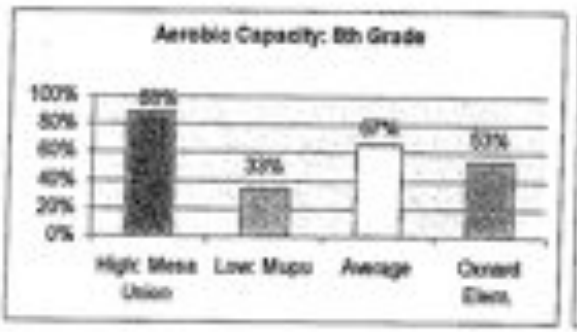


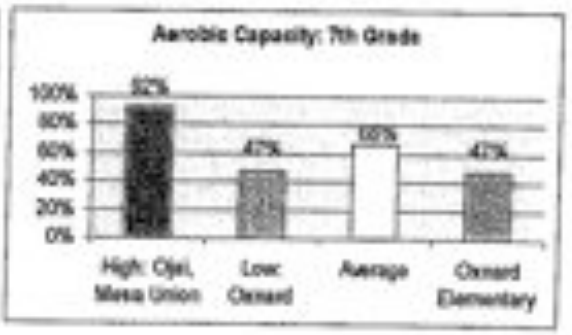


Aerobic Capacity

The Aerobic Capacity section of the PFT means "the maximum rate that oxygen can be taken in to and used by the body during exercise." This has been included on the test because adults having good aerobic capacity have fewer health problems. (California Department of Education 2006-2007) There are three test options for this component: The Progressive Aerobic Cardiovascular Endurance Run, the One-Mile Run, and the Walk Test which is used for students who are at least 13 years of age.

In this test, fifth grade students scored fourteen points below the average percentage of 67%. They scored twenty percentage points higher than the lowest district (Mupu) and thirty-five percentage points below Mesa Union. Seventh grade students scored 19% points below the average and were the lowest of all districts.

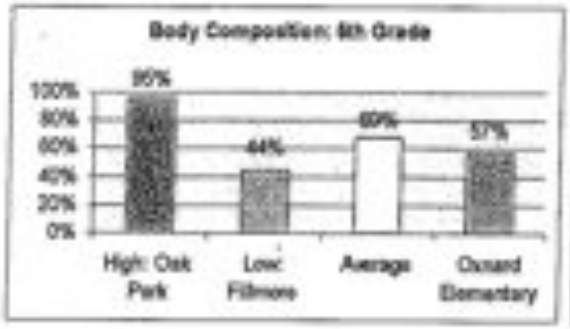


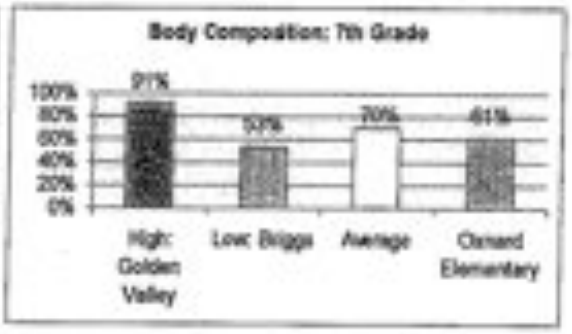


Body Composition

The body composition segment of the test looks at the factors contributing to the total weight of the participants including the percent of muscle, bone, organ and fat content. This test estimates the amount of body fat in an individual. It is included in the PFT because of the correlation between excessive fat content and health problems including coronary heart disease, stroke, and diabetes. Two tests can be used to measure body composition for the purpose of this segment. They are skinfold measurements and Body Mass Index. The second method is less desirable than the first but is permitted due to limitations caused by policies in some districts.(California Department of Education 2006-2007)

Oxnard students in the fifth grade scored below the average by twelve percentage points with Oak Park achieving the highest percentage and Fillmore the lowest. Seventh grade students scored nine percentage points below the average. Golden Valley had the highest score in this area and Briggs had the lowest.

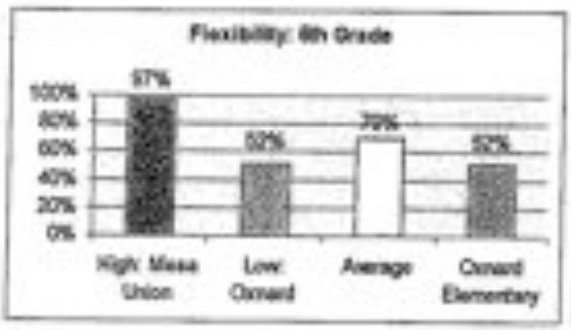


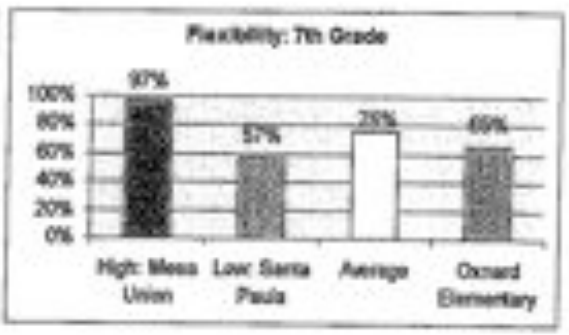


Flexibility

This area of fitness was included on the test because of the importance of maintaining the flexibility of the joints. People with flexibility consistently benefit in all areas of physical activity. There are two possible ways to test flexibility: the Back-Saver Sit and Reach and the Shoulder stretch.(California Department of Education 2006-2007)

Fifth graders in Oxnard scored the lowest of all districts with 52% reaching their goal. Mesa Union scored 97% to achieve the highest score and the county average was 70%. Seventh graders in Mesa Union also scored the highest in flexibility with 97%. Oxnard scored 65% which was 11% below the county average, and Santa Paula received the lowest score of 57%.

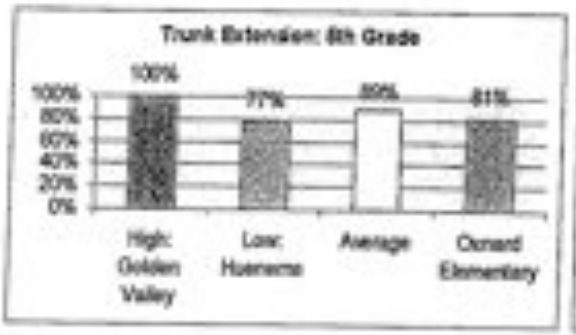


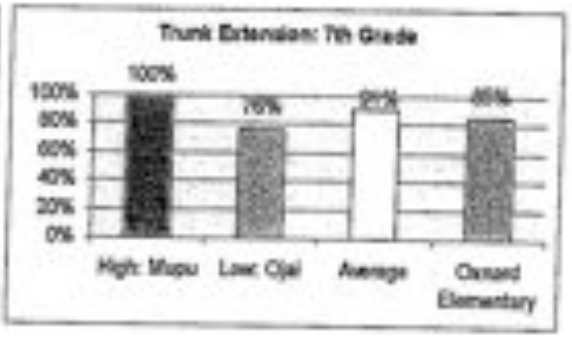


Trunk Extension Strength

This area of the test is important because it aids in predicting lower back pain which is a common health problem in the United States. By addressing a lack of flexibility at an early age, future health problems may be avoided. (California Department of Education 2006-2007). The trunk lift is the method used to test this trunk extension strength.

81% of fifth grade students in Oxnard achieved the desired goal this is 8 percentage points lower than the county average. The highest ranked district was Golden Valley and the lowest Hueneme. 85% of Oxnard seventh graders met the goal with 91% being the county average. Ojai students were the low scorers and Mupu the high scorers in this segment of the test.

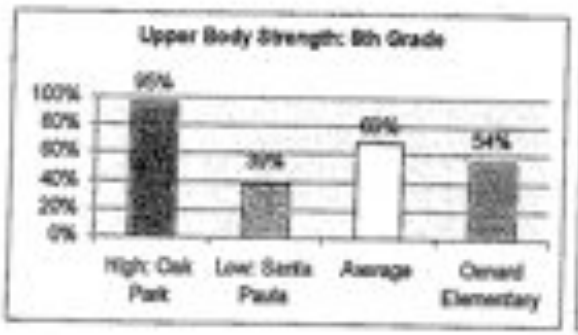


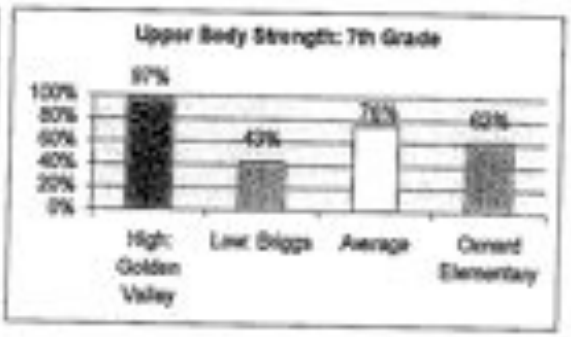


Upper Body Strength

This area is included on the test because of its correlation with maintaining functional health and good posture. There are three possible ways to test students in this area: the Push-Up, Modified Pull-Up and the Flexed-Arm Hang. (California Department of Education 2006-2007)

Oxnard fifth graders achieved 54% success in this exercise with the county average being 69%. The lowest percentage was reached in Santa Paula and the highest in Oak Park. Seventh grade students in Oxnard scored 62% fourteen points below the county average. Golden Valley reached the pinnacle with 97% and Briggs had the lowest percentage with 43.





Additional information on the implementation of the various Physical Fitness Tests can be found in the 2006-2007 Physical Fitness Test Reference Guide.

Physical Fitness Tasks

Aerobic Capacity. This is perhaps the most important indicator of physical fitness and assesses the capacity of the cardiorespiratory system by measuring endurance.

The Pacer (Progressive Aerobic Cardiovascular Endurance Run). This is a multi-stage fitness test set to music, which provides a valid, engaging alternative to the customary distance run. It is strongly encouraged for students K - 3 but may be used for all ages. The objective is to run as long as possible back and forth across a 20-meter distance at a specified pace that increases each minute.

One Mile Walk/Run. The objective is to walk and/or run a mile distance at the fastest pace possible.

Walk Test. The objective is to walk a one mile distance as quickly as possible while maintaining a constant walking pace the entire distance. This test is for students ages 13 and older. It is scored in minutes, seconds, and heart rate.

Body Composition. Body composition results provide an estimate of the percent of a student's weight that is fat in contrast to the "fat-free" body mass made up of muscles, bones, and organs.

Percent Fat. Measurements of the thickness of the skinfold on the back of the upper arm and the inside of the right calf are taken using a device called a skinfold caliper. A formula is used to calculate percent body fat using these measurements.

Body Mass Index. This test provides an indication of a student's weight relative to his or her height. Height and weight measurements are used to calculate a body mass index number. Although not as accurate an indicator of body composition, districts and schools find this measurement less controversial than skinfold measurements.

Abdominal Strength and Endurance. Abdominal strength and endurance are important in promoting good posture and correct pelvic alignment. Strength and endurance of the abdominal muscles are important in maintaining lower back health.

Curl-up Test. The objective of this test is to complete as many curl-ups as possible, up to a maximum of 75, at a specified pace.

Trunk Extensor and Flexibility. This test is related to lower back health and alignment.

Trunk Lift. The objective of this test is to lift the upper body 12 inches off the floor using the muscles of the back and to hold the position to allow for the measurement.

Upper Body Strength and Endurance. This test measures the strength and endurance of the upper body and is related to maintenance of correct posture. It is important to have strong muscles that can work forcefully and/or over a period of time.

Push-up. The objective of this test is to complete as many push-ups as possible.

Modified Pull-up. The objective of this test is to successfully complete as many modified pull-ups as possible.

Pull-up. The objective of this test is to correctly complete as many pull-ups as possible.

Flexed Arm Hang. The objective of this test is to hang with the chin above a bar as long as possible.

Overall Flexibility. This Test measures joint flexibility which is important to functional health.

Back Saver Sit and Reach. The objective is to assess the flexibility of the lower back and posterior thigh. The student should be able to reach a specified distance while sitting at a sit-and-reach box. Both the right and left side of the body are measured.

Shoulder Stretch. This is a simple test of upper body flexibility. The student should be able to touch the fingertips together behind the back by reaching over the shoulder and under the elbow.

About the *Fitnessgram*

The *Fitnessgram* uses criterion-referenced standards to evaluate fitness performance. The standards were established by the Cooper Institute for Aerobics Research to represent a level of fitness that offers some degree of protection against diseases that result from sedentary living. Performance is classified into two general areas: "in the healthy fitness zone (HFZ)" and "needs improvement."

All information obtained from the California Deparment of Education website.

FITNESSGRAM
Standards for Healthy Fitness Zone*

FEMALES

Age	One Mile min:sec	PACER # laps	VO2max ml/kg/min	Percent Fat	Body Mass Index	Curl-up # completed
10	12:30 - 9:30	15 - 41	40 - 48	32 - 17	23.5 - 16.6	12 - 26
11	12:00 - 9:00	15 - 41	39 - 47	32 - 17	24 - 16.9	15 - 29
12	12:00 - 9:00	23 - 41	38 - 46	32 - 17	24.5 - 16.9	18 - 32
13	11:30 - 9:00	23 - 51	37 - 45	32 - 17	24.5 - 17.5	18 - 32
14	11:00 - 8:30	23 - 51	36 - 44	32 - 17	25 - 17.5	18 - 32
15	10:30 - 8:00	23 - 51	35 - 43	32 - 17	25 - 17.5	18 - 35
16	10:00 - 8:00	32 - 61	35 - 43	32 - 17	25 - 17.5	18 - 35

Age	Trunk Lift inches	Push-up # completed	Modified Pull-up # completed	Pull-up # completed	Flexed Arm Hang seconds	Back Saver Sit & Reach ** inches	Shoulder Stretch
10	9 - 12	7 - 15	4 - 13	1 - 2	4 - 10	9	Passing = Touching the fingertips together behind the back.
11	9 - 12	7 - 15	4 - 13	1 - 2	6 - 12	10	
12	9 - 12	7 - 15	4 - 13	1 - 2	7 - 12	10	
13	9 - 12	7 - 15	4 - 13	1 - 2	8 - 12	10	
14	9 - 12	7 - 15	4 - 13	1 - 2	8 - 12	10	
15	9 - 12	7 - 15	4 - 13	1 - 2	8 - 12	12	
16	9 - 12	7 - 15	4 - 13	1 - 2	8 - 12	12	

MALES

Age	One Mile min:sec	PACER # laps	VO2max ml/kg/min	Percent Fat	Body Mass Index	Curl-up # completed
10	11:30 - 9:00	23 - 61	42 - 52	25 - 10	21 - 15.3	12 - 24
11	11:00 - 8:30	23 - 72	42 - 52	25 - 10	21 - 15.8	15 - 28
12	10:30 - 8:00	32 - 72	42 - 52	25 - 10	22 - 16.0	18 - 36
13	10:00 - 7:30	41 - 72	42 - 52	25 - 10	23 - 16.6	21 - 40
14	9:30 - 7:00	41 - 83	42 - 52	25 - 10	24.5 - 17.5	24 - 45
15	9:00 - 7:00	51 - 94	42 - 52	25 - 10	25 - 18.1	24 - 47
16	8:30 - 7:00	61 - 94	42 - 52	25 - 10	26.5 - 18.5	24 - 47

Age	Trunk Lift inches	Push-up # completed	Modified Pull-up # completed	Pull-up # completed	Flexed Arm Hang seconds	Back Saver Sit & Reach ** inches	Shoulder Stretch
10	9 - 12	7 - 20	5 - 15	1 - 2	4 - 10	8	Passing = Touching the fingertips together behind the back.
11	9 - 12	8 - 20	6 - 17	1 - 3	6 - 13	8	
12	9 - 12	10 - 20	7 - 20	1 - 3	6 - 13	8	
13	9 - 12	12 - 25	8 - 22	1 - 4	12 - 17	8	
14	9 - 12	14 - 30	9 - 25	2 - 5	15 - 20	8	
15	9 - 12	16 - 35	10 - 27	3 - 7	15 - 20	8	
16	9 - 12	18 - 35	12 - 30	5 - 8	15 - 20	8	

* Number on left is lower end of HFZ; number on right is upper end of HFZ.
** Test scored Pass/Fail; must reach this distance to pass.

Letter 10

COMMENTER: Deborah Meyer-Morris, Vice President, Oxnard Council PTA

DATE: July 18, 2008

The commenter states an opinion that Oxnard School District students rank low statewide in physical fitness, and that payment of park fees as provided for in Mitigation Measure REC-1 in Section 4.12, *Recreation,* would not reduce the project's recreation impacts to a less than significant level. The commenter also states an opinion that pocket parks and playgrounds may meet the recreational needs of small children, but do not meet the needs of older children who require facilities such as sports fields/courts or bowling alleys. Finally, the commenter states an opinion that the City should require the developer to build recreational facilities on site rather than allow the developer to pay fees in lieu of providing such amenities on the site. These comments are noted, and will be forwarded to the decision makers for consideration along with all of the public comments received on the Draft EIR and the City's responses to the comments, which comprise the Final EIR. It should also be noted that the proposed project includes active recreational amenities, including a swimming pool and a recreational center for organized activities. The applicant has also agreed to additional recreational amenities such as a skate park or other active use as directed by the City Council. However, payment of park fees would provide funding for needed recreational facilities and the City considers this adequate mitigation for recreational impacts under CEQA.

July 7, 2008

11

Kathleen Mallory
Project Planner
City of Oxnard Planning
Division
214 South "C" Street
Oxnard, CA 93030

RE: Oxnard Village, DEIR, State Clearinghouse #2006101099

This letter is in regards to Cultural Resources addressed in this DEIR. I am writing to ensure that the mitigation measures continue to be included in documents such as this one. In the Summary of Environmental Impacts, the measures are listed as CR-1(a), CR-1(b) and CR-1(c). In this section each measure is listed and explained fully. A

These measures have been very helpful in having the opportunity for preservation and to offset any adverse effects to Cultural Resources that may be present and not yet discovered. I am not sure if there has been any updated archaeological survey's completed in this area as well. If there has not been any completed, I would also like to request that this be completed on each section being developed. This would give us any information before the land is re-developed in our modern methods of today. B

This issue has always been a concern to the Native Chumash Community of Ventura County. Such implementation of guidelines and measures such as these address this concern. Thank you for including these measures in this document. Should there be any other information needed regarding Cultural Resources or future consultation, please do not hesitate to call.

Sincerely,

Susie Ruiz
Ventureno Chumash Council
P.O. Box 6612
Oxnard, CA 93031

RECEIVED
JUL 09 2008
PLANNING DIVISION
CITY OF OXNARD

Letter 11

COMMENTER: Susie Ruiz, Ventureño Chumash Council

DATE: July 7, 2008

Response 11A

The commenter refers to mitigation measures CR-1 (a) through CR-1(c), requesting that such mitigation protecting potential unrecorded archaeological resources that might be uncovered during project grading continue to be included in City environmental documents. This comment is noted.

Response 11B

The commenter requests that archaeological surveys be completed before each phase of site development. As discussed in Section 4.4, *Cultural Resources*, a records search was conducted by faculty at the South Central Coastal Information Center (SCCIC), California State University, Fullerton in January of 2008. There are records of two previous archaeological investigations within the project boundaries, and 14 previous archaeological studies performed within a 0.5-mile radius of the site. No prehistoric or historic archaeological sites were identified on the project site or within a 0.5-mile radius of the site. Based on these negative results, and due to extensive site disturbance from prior land uses and development, the probability of encountering unknown resources does not warrant additional surveys. However, mitigation measures CR-1(a) through (c) require that a Native American monitor is present during all subsurface grading, trenching or construction activities on the project site, and that in the event that archaeological resources are unearthed during project construction, all earth disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find. This measure is considered sufficient to mitigate potential impacts to archaeological resources.

OXNARD VILLAGE SPECIFIC PLAN PROJECT **12**

FAX TO: (805/385-7417)
Draft E I R #2006101099
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Contact: Ms. Kathleen Mallory

Dear Ms. Mallory,

I grew up in Southern California and still live here. One of the most memorable landmarks on our occasional family trips was the Wagon Wheel.

Please save this childhood memory and historic landmark for generations to come.

Sincerely,

Virginia Banks

15155 Camarillo Street
Sherman Oaks, CA 91403

July 17, 2008

The City of Oxnard
Development Services, Planning Division
305 West Third Street
Oxnard, California 93030
Attention: Ms. Kathleen Mallory

Sent via fax: (805) 385-7417

Re: Oxnard Village Specific Plan Project
Response to Draft EIR #2006101099

Dear Ms. Mallory and Planning Members:

As a Southern California native who values our heritage, I have been following the Wagon Wheel issue for some time. I am also chairman of the Los Angeles Conservancy's Modern Committee and So Cal rep for the Recent Past Preservation Network.

The City of Oxnard possesses a historical resource long embraced by highway travelers who might otherwise have bypassed the town of Oxnard altogether. With its own exit off the 101, the Wagon Wheel complex provided the community with a unique recreation center for well over fifty years. It now presents a rare opportunity to showcase an authentic roadside experience that is historically relevant with direct tie-ins to the region's western roots. The Wagon Wheel's adaptive reuse should be regarded as a vehicle for incorporating an authentic gateway that embraces local history and honors Oxnard's premier developer Martin V. Smith. It would be a shame to travel this section of the 101 past mile after mile of sound wall replacing this historic ranch style village and robbing travelers of a unique journey through this corridor.

Though the site remains unsecured and vulnerable to vandalism, the Wagon Wheel maintains its integrity from its 1947-1965 period of significance, and therefore qualifies as an historic resource. These structures are eligible on the basis of Oxnard landmark criteria #2 and 8. Notably, there are two significant personages associated with the Wagon Wheel complex: (1) Martin V. Smith, regarded as the most influential developer in the history of Oxnard, and (2) architect Arthur Froehlich, known for his innovative racetrack designs for Hollywood Park, Belmont, as well as world famous Hanna-Barbera Cartoon Studios. Adaptive reuse needs to be considered, and remain consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. Since feasible alternatives to the proposed development exist, there is no legal precedent for a Statement of Overriding Consideration.

Across our nation, postwar Americana continues to be permanently erased at an alarming rate. Martin Smith's Wagon Wheel represents a significant moment in Oxnard's history and its tourism value needs to be reevaluated as marketable retro-tourism. This genre is experiencing growing popularity as Americans travel in search of one-of-a-kind destinations.

It is being done – and done well – visit

- developer Rick Caruso's record-breaking development ***The Grove*** which dynamically incorporates historic Farmer's Market into a family atmosphere that also doubles as a much-sought-after filming destination
  http://www.thegrovela.com/location-filming/

- the successful ArcLight Hollywood, which combines the historic 1963 Cinerama Dome with an up-to-the-minute theatre complex, cafe and bookstore
  https://www.arclightcinemas.com/static/AboutArcLight.html

- the blend of old and new successfully redeveloped into the historic Santa Monica Pier
  http://www.santamonicapier.org/

I urge you to assess preservation alternatives that incorporate this unique example of vernacular architecture into the proposed project.

Sincerely,

Adriene Biondo
17125 Lisette Street
Granada Hills, California 91344-1438
AdrieneBiondo@gmail.com

OXNARD VILLAGE SPECIFIC PLAN PROJECT

Draft E I R #2006101099

The City of Oxnard, Development Services, Planning Division

305 West Third Street, Oxnard,
California 93030

Contact: Ms. Kathleen Mallory

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer – Martin V. Smith – instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicone Valley.

The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. It should be adaptively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources.

These structures are eligible on the basis of Oxnard landmark criteria #2. (Is identified with persons or events which are significant in national, state or local history). And #8 (It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen). In this case the significant person associated with the structures is Martin V. Smith, the most influential developer in the history of Oxnard. No better monument to Smith exists, and many of his projects have already been demolished or redeveloped. The Wagon Wheel structures are an excellent example of the themed roadside motel, and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or redeveloped at an alarming rate leaving few intact examples. The Wagon Wheel was Martin V. Smith's pioneering development, featuring unique architecture, a western theme, and an ever-expanding destination for weary travelers on the 101. These qualities still exist, although since the property was closed, in 2005 no maintenance or care has been given to the buildings and they have suffered recent vandalism fallen into a state of cosmetic disrepair. Their tourism value is fantastic, because like Farmer's Market on Fairfax in Los Angeles, the Wagon Wheel is authentic, not a themed mall, but a truly American resource, that with restoration will become more and more desirable over time as other structures of this type are razed. The Environmental Impact Report, referencing the historic resource peer reviews, states that the four buildings are historic resources and therefore their demolition cannot be mitigated. The project could be modified to maintain the Wagon Wheel or one of the EIR alternatives could be accepted. The EIR lists a range of feasible alternatives, they all include preservation of the historic resources and adaptive re-use thereof, any of the alternatives are favorable to the project, which would demolish all structures on the site.

Thank you,

Gwen Creighton
Los Angeles, CA
gwencreighton@gmail.com

Lisa Dodge
2279 Hillcrest
Ventura,ca 93001
rowley-5@sbcglobal.net

Re: E I R #2006101099

The City of Oxnard, Planning Division
305 West Third Street
Oxnard, CA 93030
Attn: Ms. Kathleen Mallory

Dear Ms. Mallory,

I write to you today to express my great desire to save and preserve the historic value of the wagon wheel. I am a forty-year-old resident who has bowled many a gutter ball and skinned a few knees as a kid in the roller rink.

Before bigger and better showed up this was a magic place for a lot of travelers and local residents! What a wonderful opportunity for Oxnard to preserve such a gem from the past.

You could create an island oasis which travelers from miles around would come visit, and with built in entertainment! We are a much richer society when we value and preserve the echoes of our past. Please see the wagon wheel for the beauty she is and preserve her!

Peace,

Lisa Dodge

Abe Leider

From: Donaldson, Milford [mwdonaldson@parks.ca.gov]
Sent: Friday, July 18, 2008 4:34 PM
To: Kathleen.Mallory@ci.oxnard.ca.us
Subject: Oxnard Village SP DEIR Comments

OXNARD VILLAGE SPECIFIC PLAN PROJECT

Draft Environmental Impact Report #2006101099

The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard, California 93030

The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. These structures are eligible on the basis of Oxnard landmark criteria #2. (Is identified with persons or events which are significant in national, state or local history). And #8 (It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen).

It is a significant historical resource not only to Oxnard and Ventura County, but to California as a whole, because so few of these resources exist. The structures are eligible for the California Register of Historical Resources. The Wagon Wheel Motel is one of the best remaining examples of this roadside building type that represents California's early automobile vacation culture. The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and is indicative of mid-century American and western themes, one-of-a-kind architecture with proximity to the Highway.

It has demonstrated historic significance and it still retains enough integrity of location, design, materials, association and feeling for the property to convey its significance. It is the best remaining early example of structures developed by the late Martin V. Smith, the most influential developer in the history of Oxnard. Many of his past projects have already been demolished or redeveloped.

The Wagon Wheel Motel, The Wagon Wheel Restaurant (including the motel's neon horse and buckboard sign), bowling alley and the El Ranchito restaurant should be adaptively re-used. Re-use is consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties.

The Environmental Impact Report clearly states that four of the Wagon Wheel buildings are historic resources, and that the project would create a class I impact to cultural resources, and therefore their demolition cannot be mitigated. The Wagon Wheel Motel, The Wagon Wheel Restaurant (including the motel's neon horse and buckboard sign), bowling alley and the El Ranchito restaurant should be adaptively re-used. Re-use is consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The project should be modified to maintain the four buildings. Alternatively, the EIR included preservation and adaptive re-use in all of the alternatives to the project. Any of the alternatives could also be accepted.

Therefore, it is my professional opinion that the property is a historical resource for the purposes of the California Environmental Quality Act (CEQA) and that the proposed project should explore alternatives to first avoid or minimize impacts on this resource in accordance with CEQA.

Milford Wayne Donaldson FAIA
State Historic Preservation Officer

Office of Historic Preservation
Department of Parks and Recreation
State of California
1416 9th Street, Rm. 1442-7
Sacramento, CA 95814
TEL: 916 651 9404
FAX: 916 653 9824
CELL: 916 826 5637
EMAIL: mwdonaldson@parks.ca.gov
WEB: www.ohp.parks.ca.gov

Contact Twila Willis-Hunter 916 653 7113 or thunter@parks.ca.gov

OXNARD VILLAGE SPECIFIC PLAN PROJECT

FAX TO: (805/385-7417)
Draft E I R #2006101099
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Contact: Ms. Kathleen Mallory

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer – Martin V. Smith – instead of yet another endless corrch of 18 foot high cinderblock wall, like every other community from Orange County to Silicone valley.
The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. It should be adaptively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources. These structures are eligible on the basis of Oxnard landmark criteria #2. (Is identified with persons or events which are significant in national, state or local history). And #8 (It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen). In this case the significant person associated with the structures is Martin V. Smith, the most influential developer in the history of Oxnard. No better monument to Smith exists, and many of his projects have already been demolished or redeveloped. The Wagon Wheel structures are an excellent example of the themed roadside motel, and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or redeveloped at an alarming rate leaving few intact examples. The Wagon Wheel was Martin V. Smith's pioneering development, featuring unique architecture, a western theme, and an ever expanding destination for weary travelers on the 101. These qualities still exist, although since the property was closed, in 2005 no maintenance or care has been given to the buildings and they have suffered recent vandalism fallen into a state of cosmetic disrepair. Their tourism value is fantastic, because like Farmer's Market on Fairfax in Los Angeles, the Wagon Wheel is authentic, not a themed mall, but a truly American resource, that with restoration will become more and more desirable over time as other structures of this type are razed. The Environmental Impact Report, referencing the historic resource peer reviews, states that the four buildings are historic resources and therefore their demolition cannot be mitigated. The project could be modified to maintain the Wagon Wheel or one of the EIR alternatives could be accepted. The EIR lists a range of feasible alternatives, they all include preservation of the historic resources and adaptive re-use thereof, any of the alternatives are favorable to the project, which would demolish all structures on the site.

Please help save a part of history!

Sincerely

Julie Drazan

Julie Drazan
7-16-08

Draft E I R #2006101099
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Dear Ms. Kathleen Mallory,

The Wagon Wheel Motel typifies Mid-Century roadside architecture. As buildings from its 1947-1965 era are demolished, an entire segment of Southern Californian architecture rapidly reaches extinction. While buildings such as the Wagon Wheel are being razed, Hollywood races to immortalize them in commercials and in movies.

Like Farmer's Market on Fairfax in Los Angeles and its recently renovated and reopened Dupar's resturant, the Wagon Wheel is authentic, not built to recreate a theme of the era, not a diorama in an Automotive Museum. It's former use is representative of that true American need to "get in the car and hit the road". Restoration will make it more valuable while increasing the worth of other buildings from its generation.

The Environmental Impact Report, referencing historic resource peer reviews, states that the four buildings on the Wagon Wheel property are historic resources and therefore their demolition cannot be mitigated. The project could be modified to maintain the Wagon Wheel or one of the EIR alternatives could be accepted. The EIR lists a range of feasible alternatives; they all include preservation of the historic resources and adaptive re-use.

Sincerely,
Yvonne Ellett
fashunchik@yahoo.com

Miguel V. Fernandez
ARCHITECT

July 18, 2008

Kathleen Mallory
Case Planner
City of Oxnard,
Development Services - Planning Division
214 South C Street
Oxnard, CA 93030

Re: Oxnard Village Specific Plan Project, Response to Draft EIR #2006101099

Dear Ms. Mallory:

I am writing in support of saving the historic Wagon Wheel buildings. I write as a member of the Oxnard Cultural Heritage Board, but also as a longtime resident of the city of Oxnard, having called this town home since I was a toddler in 1964.

My personal and professional library is lined with books that are filled with photographs of stellar examples of buildings that no longer exist. Two of those books are entitled "Images of America – Oxnard 1867-1940", and "Images of America – Oxnard 1941-2004". Those two are especially poignant, because they are chock full of pictures of buildings in our own city that were allowed to decay and be demolished, or were deemed to be "standing in the way of progress", and were demolished.

Imagine how much richer our struggling downtown would be if some of the amazing looking buildings in these books were still standing, instead of having been leveled to make parking lots for the ill fated pedestrian mall development of the 1960s. The people who decided that those buildings should be destroyed are no longer with us, but the legacy of their misguided decisions will be with us forever. And those former jewels of Oxnard's downtown are also gone forever.

The Wagon Wheel is worthy of being saved, restored, rehabilitated, and re-purposed. It is a prime example of a significant era of our past – known as mid-century roadside eclectic. It is eligible for the granting of historic status, and if saved, will be one of the very last existing examples of its kind.

When we members of the Oxnard Cultural Heritage Board were first shown this developer's proposals for the Wagon Wheel area, their proposed mitigations to deal with the loss of the historic Wagon Wheel structures seemed to us wholly inadequate and weak, and we encouraged them to work with our board and other local proponents of historic preservation to find a middle ground that we could all live with.

1050 Oxford Drive • Oxnard, CA 93030 • Ph. 805-988-0659 • Fax 805-988-1559

When the developer came back to us a year and a half later, absolutely NOTHING had changed in their proposed mitigations. Shockingly so. Their proposals in mitigating the loss that would result if this historic resource were to be destroyed are still completely inadequate.

The historic Wagon Wheel buildings comprise less than 5% of the total acreage that is being redeveloped. The buildings are not even situated on one of the three pads where the developer proposes to erect their hi-rise residential towers.

We have no doubt that this developer intends to bring forth a project that is attractive, and provides many amenities to our community.

All we ask is that the historic Wagon Wheel buildings be saved and be given new life so that they may become an integral part of this development, and so that they may be experienced, enjoyed and cherished by generations to come.

Anyone who thinks that a new development can not co-exist side by side with an older historic structure and both benefit from the synergistic effects of their adjacencies need only go visit The Grove in L.A., which was built right next to, and has given new life to, the historic and much older Farmers' Market.

The Wagon Wheel has the potential for some of the same magic.... if we do NOT allow it to fade away — only to be remembered on the pages of books like those on my shelves.

Your inclusion of this letter among those responding to the draft EIR referenced above is much appreciated.

Very truly yours,

Miguel V. Fernandez

Draft E I R #2006101099
Kathleen Mallory
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Dear Ms. Mallory,

The loss of The Wagon Wheel Motel would be a blow to the uniqueness of Oxnard. It is a charming piece of architecture, well worthy of restoration. There is no good reason why this unique building cannot be reused. It is a character defining feature of the area which residents and visitors love.

The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources. It is the responsibility of a city to protect cultural resources for the good of the entire community.

These structures are eligible on the basis of Oxnard landmark criteria #2. (Is identified with persons or events which are significant in national, state or local history). And #8 (It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen). In this case the significant person associated with the structures is Martin V. Smith, the most influential developer in the history of Oxnard. No better monument to Smith exists, and many of his projects have already been demolished or redeveloped. The Wagon Wheel structures are an excellent example of the themed roadside motel, and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or redeveloped at an alarming rate leaving few intact examples. The Wagon Wheel was Martin V. Smith's pioneering development, featuring unique architecture, a western theme, and an ever-expanding destination for weary travelers on the 101. These qualities still exist, although since the property was closed, in 2005 no maintenance or care has been given to the buildings and they have suffered recent vandalism fallen into a state of cosmetic disrepair.

I have visited this site, and would find it difficult to visit Oxnard if it were destroyed. It is the history and character that such buildings give a place that make it unique. Without them, there is nothing to distinguish Oxnard from any other city in the state.

Laura Friedman
300 Brockmont Dr.
Glendale, CA 91202
818-241-2284

GalvinPreservationAssociates

G P A

July 15, 2008

Oxnard Village Specific Plan Project, Response to Draft EIR #2006101099
City of Oxnard, Development Services, Planning Division
305 West Third Street
Oxnard, California 93030
Attention: Ms. Kathleen Mallory

RE: Proposed Demolition of the Wagon Wheel Motel and Restaurant

Dear Ms Mallory

My name is Andrea (Morrison) Galvin and I am an architectural historian that has been working in the field of historic preservation in California for a number of years. I am the principal of Galvin Preservation Associates Inc. (GPA) and have formerly worked for the California Department of Parks and Recreation, Caltrans, and the California Office of Historic Preservation as an architectural historian. I have a Master of Science Degree in Historic Preservation from the University of Pennsylvania, a Preservation Planning Certificate from Istanbul Technical University and a B.S. in Environmental Design. My professional job requires that I routinely evaluate properties for historic significance as required by various local, state and national laws.

It has been brought to my attention that a proposed development project is planned for site of the Wagon Wheel Motel and Restaurant. I am quite familiar with the Wagon Wheel site as it was the subject of a study that I conducted while employed by Caltrans back in 1999 and 2000 (Morrison, 1999). I worked with San Buenaventura Research Associates to evaluate the site as part of the Santa Clara River Bridge Project from Vineyard Avenue to Johnson Drive. At the time of the original study, I had conversations with San Buenaventura regarding the potential significance of the Motel and Restaurant. We both recognized that the property type was potentially significant due to its property type and location.

The Wagon Wheel Hotel was strategically located at the intersection of Highway 101 and Highway 1. It was located near the roadway to maximize the visibility of those driving by. In the early years of the automobile, it was common for people to go for drives along the coastline to vacation. This is how the concept of the Motel began; it was an offshoot of the motor courts, which served the needs of early automobile vacationers. Motor courts were different from earlier hotels because they directly related to the automobile. The drivers could pull right up to their little bungalow rooms and park the car in front or under an adjacent car port. This is how early motels began to form. The property type of the early motel or motor court is exemplified in the Wagon Wheel Motel. In addition to

its form and function, this motel also exhibits many of the qualities and stylistic characteristics that were popular in the 1950s culture. This motel was not the same boring motel as other examples. The Wagon Wheel exudes kitchy references to the Wild West that was popularized in television programs during the 1950s. Additionally, it is designed in the Ranch Style that was also very poplar at the time. Yes, the property has undergone some changes over time, such as the addition of barracks and their transformation into additional rooms. However, these changes have added to the story and significance of the property and have not diminished the overall integrity of the building or its ability to convey its historic significance. I have driven nearly every highway in California and I am quite familiar with its roadside resources. Aside from the Madonna Inn in San Luis Obispo, the Wagon Wheel Motel is one of the best remaining examples of this roadside building type that represents California's early automobile vacationing culture. It is located in a prominent location at the intersection of two major highways and has served as a visual landmark to drivers for a half century. Therefore, I feel that this property does meet the California Register Criterion C as a distinctive example of a mid-century motor court style motel.

Additionally, the property's significant association to Martin Smith has been well documented in several reports and peer reviews. Without going into additional detail regarding this fact, the property also strongly represents one of Mr. Smith's contributions to the development of Oxnard and was one of his first major developements in the City. Therefore, I also feel that this property meets the Criterion A of the California Register.

The subject of the property's integrity has been brought to discussion in recent evaluations of this building as a result of the proposed developement. However, these evaluations have not adequately defined what aspects of integrity would be necessary for the property to convey its significance under the various contexts within which it was evaluated. For a property to "have integrity" it must have the majority of its character defining features for it to convey its significance and the aspects of integrity and level of integrity varies based on the resource and the context. In other words, evaluating integrity is not as simple as picking apart the number of alterations that has occurred over the years. The evaluation of integrity is more qualitative in the sense that it is the evaluator's responsibility to clearly frame the context and define what the essential features are to convey or represent the property's significance, and THEN determine whether or not enough of those characteristics are present for the property to convey its significance. Some aspects of integrity may be more important than other aspects depending on the resource type, rarity, and the context. The evaluations that I read did not go through this evaluative process but rather just identified changes and therefore made the conclusion that the property no longer had integrity because it had been changed from its original construction. I actually disagree that the property does not retain integrity to convey its significance. In fact, I feel that it still strongly repeesents the property type that it is and even with vandalism and boards over the windows, it still strongly serves as a visual icon in a distinct location. It is an excellent example of vernacular roadside architecture from the mid-century and an excellent example of the trend of motor courts and motels from California's early automobile years.

So, the question may arise as to why our original 1999 evaluation of the property found it not to be significant and now the property does appear to be significant. When the property was first evaluated, the building barely met the minimum threshold of 45-50 years old. After the evaluation of the building, it did not meet the criteria as exceptionally significant (for properties less than 50 years old), although it was right on the cusp of meeting the criteria. Even at the time of the original evaluation, I knew that it would easily meet the criteria in a few years after the building had aged a bit and the professional industry had a broader perspective on mid-century resources. This is the reason for the 50 year cutoff in the first place; it takes about 50 years for the architectural history profession to understand the significance of the more recent architectural trends. Now that nearly ten years have passed from the original evaluation, the building clearly meets the criteria for the California Register of Historical Resources. It has demonstrated historic significance and it still retains enough integrity of location, design, materials, association and feeling for the property to convey its significance. Therefore, it is my professional opinion that the property is a historical resource for the purposes of the California Environmental Quality Act (CEQA) and that the proposed project should explore alternatives to first avoid or minimize impacts on this resource in accordance with CEQA.

Although I am a professional practicing in the field of architectural history, I am writing this letter due to my personal interest in the preservation of the Wagon Wheel Motel. For the past ten years, I have driven by the motel and recognized it as one of the best and rare (last remaining intact) examples of its type. I will personally miss the motel if it were to be demolished as a result of development.

I strongly encourage you to consider all alternatives to the demolition of this property. It is a significant historical resource not only to the Ventura County area, but to California as a whole. I thank you for your consideration of my views and look forward to the ongoing environmental process. Please feel free to contact me with any questions that you may have regarding this letter at (310) 792-2690.

Sincerely,

Andrea Galvin

Andrea Galvin

Tina Gruen
1900 Armacost Ave.
Los Angeles, CA 90025
tmgruen@yahoo.com

To: The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Attn: Ms. Kathleen Mallory
FAX: (805/385-7417)

Re: OXNARD VILLAGE SPECIFIC PLAN PROJECT
Draft E I R #2006101099

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer – Martin V. Smith – instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicon Valley.

The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. It should be adaptively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Environmental Impact Report and two peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources.

These structures are eligible on the basis of Oxnard landmark criteria #2. (Is identified with persons or events which are significant in national, state or local history). And #8 (It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or

historical type or specimen). In this case the significant person associated with the structures is Martin V. Smith, the most influential developer in the history of Oxnard. No better monument to Smith exists, and many of his projects have already been demolished or redeveloped. The Wagon Wheel structures are an excellent example of the themed roadside motel, and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or redeveloped at an alarming rate leaving few intact examples. The Wagon Wheel was Martin V. Smith's pioneering development, featuring unique architecture, a western theme, and an ever-expanding destination for weary travelers on the 101. These qualities still exist, although since the property was closed, in 2005 no maintenance or care has been given to the buildings and they have suffered recent vandalism fallen into a state of cosmetic disrepair. Their tourism value is fantastic, because like Farmer's Market on Fairfax in Los Angeles, the Wagon Wheel is authentic, not a themed mall, but a truly American resource, that with restoration will become more and more desirable over time as other structures of this type are razed.

The Environmental Impact Report, referencing the historic resource peer reviews, states that the four buildings are historic resources and therefore their demolition cannot be mitigated. The project could be modified to maintain the Wagon Wheel or one of the EIR alternatives could be accepted. The EIR lists a range of feasible alternatives, they all include preservation of the historic resources and adaptive re-use thereof, any of the alternatives are favorable to the project, which would demolish all structures on the site. Please preserve the Wagon Wheel Motel and associated buildings for this and future generations.

Thank you.

Tina Gruen
Former resident of Channel Islands Harbor

OXNARD VILLAGE SPECIFIC PLAN PROJECT

FAX TO: (805/385-7417)
Draft E I R #2006101099
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Contact: Ms. Kathleen Mallory

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer – Martin V. Smith – instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicone Valley.

I have a 3 year old son, and my dream is to show him the incredible architectural landmarks that we have enjoyed, and make this country great. What will we share with him if it is all gone?

The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. It should be adaptively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources.
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Jul 16 06 09:41a Kamnos 310-915-6673 p.1

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PLEASE PLEASE PLEASE SAVE THIS HISTORIC SITE.

Ruth Handel
Lloyd Scott
3553 Moore Street
Los Angeles, CA 90066

Jul 16 06 09:42a Hansoo 310-915-0673 p.2

RE: OXNARD VILLAGE SPECIFIC PLAN PROJECT

Environmental Impact Report #2006101099

Oxnard Development Services, Planning Division
305 West Third Street,
Oxnard, CA
93030

Dear Ms. Kathleen Mallory and/or others whom this may concern:

I'm writing to strongly encourage you to save the Wagon Wheel Motel complex. Growing up in Southern California, we were always driving up and down the coast. Passing by the Wagon Wheel in Oxnard was always one of the highlights of the drive; a benchmark and even a beacon. As an avid historian who serves on the board of my own local Historical Society, I know that our past is extremely important and vital to our future so I'm asking you to please preserve the Wagon Wheel for future generations.

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer - Martin V. Smith - instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicon Valley.

The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. It should be adaptively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources.

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No better monument to Smith exists, and many of his projects have already been demolished or redeveloped. The Wagon Wheel structures are an excellent example of the themed roadside motel, and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or redeveloped at an alarming rate leaving few intact examples.

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Thank you for your time and consideration.

Sincerely,
Teresa Hames
Topanga, California
teresa@teresahames.com

To Kathleen Malloy,

Please do not allow the Wagon Wheel to be demolished. It would be a shame and travesty to lose such a rare and important architectural landmark. For Oxnard to lose such a unique treasure would be a sad day not only for the City but all of California as well. Please do not allow it to happen on your watch

Sincerely
James Hanson
Glendale CA.
818-767-3501

July 16, 2008

The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

To the Planning Division:

I write in strong support of the preservation of the Wagon Wheel Motel as an important example of a major trend and style in California architectural history. The Ranch House style was one of the most influential and widespread styles in the mid-twentieth century. It captured a sense of our Western heritage, but was also updated to be practical and useful in the Modern era. As a car-oriented commercial business, the Wagon Wheel is also a significant and threatened architectural type.

Ranch style has not been taken seriously as an architectural style until fairly recently. That should not be taken as a reason to dismiss it, however; every other style which we now consider significant (Victorian, California Bungalow, Art Deco) also went through a period of being ignored, until scholars and the public rediscovered and rehabilitated it. We are all richer for being able to enjoy these buildings in our cities.

Recent scholarship has been documenting and discussing the Ranch style. Dr. Daniel Gregory new book on architect Cliff May is one example. I myself have written two architectural histories on the style: The Ranch House (New York: Harry Abrams 2004) and Rancho Deluxe (San Francisco: Chronicle Books 2000.) I am an architect, architectural historian, and architecture critic for the San Jose Mercury News. I have published seventeen histories of Western and mid-twentieth century architecture.

Many examples of this style have disappeared with little notice in recent years. Notably, Rickey's Motel on El Camino Real in Palo Alto, designed by noted Bay Area architect Ernest Kump, was an excellent design which has now been demolished. This fact underscores the necessity to preserve the Wagon Wheel as a piece of California history. Its architecture, its use as a roadside commercial business, and its signage are all significant. They also add a depth and diversity to the city of Oxnard which contributes to its urban quality. New construction cannot replace the richness of a good historic structure.

Thank you for your consideration. If you have any further questions, I am happy to answer them.

Alan Hess
architect
4991 Corkwood Lane
Irvine, CA 92612
949/551 5343
alhess@aol.com

From: Rushow@aol.com
Subject: Houston Supports Wagon Wheel
Date: July 17, 2008 11:27:09 AM PDT

Russell Howard
2115 Briarpark Drive
Houston, Texas 77042
rushow@aol.com

Ms. Kathleen Mallory
The City of Oxnard
Development Services- Planning Division
305 West Third Street
Oxnard, California 93030
FAX TO: (805/385-7417)
Draft E I R #2006101099

Re: OXNARD VILLAGE SPECIFIC PLAN PROJECT

Dear Kathleen Mallory:

The Wagon Wheel Motel, restaurant, and related bowling alley are precisely the type of elements that make your city unique and make it memorable. I strongly urge you and your committee to promote their incorporation into the redevelopment plans for the area. Without the Wagon Wheel, it sounds like the proposed redeveloped area will be of little interest and go unnoticed to anyone who is not directly involved. When I visit a new area, places like the Wagon Wheel are the ones I search for first. I believe places that are unique and specially created for the context in which they exist deserve and earn much more attention when compared to today's typical generic developments commonly found across the country.

Please don't allow this unique local asset be lost.

Sincerely,
Russell Howard
HoustonMod.org

Merrill Lynch

FACSIMILE COVER SHEET

TO	:	Kathleen Mallory
AT	:	
FAX	:	18053857417
FROM	:	Merrill Lynch
SENDER	:	Leslie Kahlenberg
DATE	:	Thu Jul 17 07:07:35 PDT 2008

If the transmission is incomplete or illegible, please contact the sender.

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No of Page(s) (including this page) : 2

Subject : **SAVE the Wagon Wheel**

Draft E I R #2006101090
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Dear Mr. Mallory,

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer - Martin V. Smith - instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicone Valley.
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Sincerely,

Leslie Kahlenberg
(310) 858-4672
(877) 822-4613 Toll Free
(310) 694-5698 Fax

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Comment on Oxnard Village Specific Plan

EIR #2006101099

The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Since Wagon Wheel Motel qualifies as an historic resource, we are writing to urge you to save, and restore its content to its "heyday" status. Its layout was a pivotal contribution to courtyard motels to come.

As "cutting edge baby boomers" who grew up in Ventura, "cowboy and Indian" themes were a large part of our childhood memories, from Roy Rogers to Gene Autry.

We both vividly remember the galloping horse neon sign enticing travelers to Wagon Wheel. We also recall the fond memories of eating at the Wagon Wheel restaurants with our respective families.

(Why not restore at least one eatery to perhaps famed Knott's Berry Farm status, as an eventful meal destination, with billboard advertisement such as "Andersen's Pea Soup Restaurant"?) It is as important that Wagon Wheel be saved, as it would be to save the nostalgic Smoking Cowboy sign in downtown Las Vegas!

As a flip side to the cowboy theme, the [Indian] Wig Wam Motel in Rialto, CA has been deemed of historical significance to have been spared, for the sake of posterity.

Not only would saving Wagon Wheel be an apt tribute to the late developer, Martin "Bud" Smith, it is an imporant part of Americana history and, with easy freeway access, still has great potential as a destination for future travelers. Rather than to see it gone, only to have traffic rushing by to the next convenient, non-descript "pit stop". PLEASE SAVE WAGON WHEEL as an important reminder of who we were at a certain period in time.

Marilyn and Bill Kellar
Ventura, CA

kellars_comet@hotmail.com

OXNARD VILLAGE SPECIFIC PLAN PROJECT

FAX TO: (805/385-7417)
Draft E I R #2006101099
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Contact: Ms. Kathleen Mallory

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer – Martin V. Smith – instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicone Valley.
The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. It should be adaptively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources.
These structures are eligible on the basis of Oxnard landmark criteria #2. (Is identified with persons or events which are significant in national, state or local history). And #8 (It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen). In this case the significant person associated with the structures is Martin V. Smith, the most influential developer in the history of Oxnard. No better monument to Smith exists, and many of his projects have already been demolished or redeveloped. The Wagon Wheel structures are an excellent example of the themed roadside motel, and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or redeveloped at an alarming rate leaving few intact examples. The Wagon Wheel was Martin V. Smith's pioneering development, featuring unique architecture, a western theme, and an ever-expanding destination for weary travelers on the 101. These qualities still exist, although since the property was closed, in 2005 no maintenance or care has been given to the buildings and they have suffered recent vandalism fallen into a state of cosmetic disrepair. Their tourism value is fantastic, because like Farmer's Market on Fairfax in Los Angeles, the Wagon Wheel is authentic, not a themed mall, but a truly American resource, that with restoration will become more and more desirable over time as other structures of this type are razed. The Environmental Impact Report, referencing the historic resource peer reviews, states that the four buildings are historic resources and therefore their demolition cannot be mitigated. The project could be modified to maintain the Wagon Wheel or one of the EIR alternatives could be accepted. The EIR lists a range of feasible alternatives, they all include preservation of the historic resources and adaptive re-use thereof, any of the alternatives are favorable to the project, which would demolish all structures on the site.

Please save this historic site!

Tracy King
2014 Estes Rd
Los Angeles, CA 90041
tracy@tracyking.com
626-844-2256

ANTHONY MARK
1479 Excelsior Ave.
Oakland, CA 94602
(510) 530-8591
pharospro@earthlink.net

July 16, 2008

Ms. Kathleen Mallory
The City of Oxnard, Development Services, Planning Division
305 West Third Street
Oxnard, California 93030
Draft E I R # 2006101099

Dear Ms. Mallory:

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer – Martin V. Smith – instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicone Valley. The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. It should be adaptively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources.

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Thank you,

Sincerely,

Anthony Mark

NATHAN MARSAK
PO BOX 412636
LOS ANGELES, CALIF 90041

July 16, 2008

VIA FACSIMILE: (805) 385-7417

RE: DRAFT EIR 2006101099
OXNARD VILLAGE SPECIFIC PLAN PROJECT

City of Oxnard Development Services
Planning Division
305 West Third St.
Oxnard, CA 93030

ATTN: Ms. Kathleen Mallory

My name is Nathan Marsak, and I am the author of *Los Angeles Neon* (Schiffer Publishing, 2002). Despite it having been titled *Los Angeles Neon* (it being a photographic and historical compendium of neon signage in Los Angeles after all), I still felt it necessary to fudge it a little and drive up to Oxnard to photograph both the Wagon Wheel stagecoach and bowling signage for my book. They're *just that good*.

I'd argue that such magnificent specimens of mid-century splendor remaining *in situ* with their original structures is of paramount importance to the Oxnard area. The Wagon Wheel complex is without question integral—elemental, if you will—to the historic fabric of Oxnard as it resonates with every fundamental key point…architectural, historical (and of course emotional) that justifies it for adaptive reuse and landmark status.

Please, please do what you can to save this piece of incalculably valuable Americana.

Yours sincerely,

July 17, 2008
The City of Oxnard

Sent via fax: (805) 385-7417

Development Services, Planning Division
305 West Third Street, Oxnard, California 93030

Attention: Ms. Kathleen Mallory

Re: Oxnard Village Specific Plan Project, Response to Draft EIR #2006101099

I strongly feel that the Wagon Wheel Motel and its related buildings should be preserved as a historical landmark. The buildings on this site have significant historical and cultural significance which would make their preservation an asset to the City of Oxnard.

Despite the Wagon Wheel's current state of disrepair, the buildings continue to convey their historic significance. The Wagon Wheel is a pleasant reminder of the uniqueness of motels not connected to the mass chain of the mundane such as the Holiday Inns, etc. Motels such as the Wagon Wheel are vanishing from our roadsides and being replaced by a variety of less attractive and common sites rarely noticed by passersby or visitors to the area. The Wagon Wheel could be a valuable visitor resource to the Oxnard area.

Martin V. Smith, who was a most influential developer within the City of Oxnard, began the development of the Wagon Wheel in 1947. The motel continued to expand for several decades, gradually adding a restaurant and several other buildings. This was Smith's first development in Oxnard and became the last one he would sell. His vision of a western theme succeeded and prospered.

The Wagon Wheel Motel & buildings (Motel, Office, Restaurant, El Ranchito and Bowling Alley) have been recommended for local Oxnard landmark status. (4.4-17) I, too, feel that they have sufficient integrity to be eligible for State and National Register of Historic Places listing. They are historic resources under CEQA. Their demolition would be a Class I impact, Significant and Unavoidable, and can not be mitigated.

The mitigations assembled in the Historic Resource Report and peer review, are only adequate for the demolition of the non-historic buildings and features in Wagon Wheel Junction. The proposed mitigations are not sufficient to mitigate demolition of the Wagon Wheel Motel, Restaurant, El Ranchito, and Bowling Alley.

All alternatives discussed in the EIR include adaptive re-use of the listed Wagon Wheel structures. The San Buenaventura Conservancy strongly recommends any of the alternatives to the project because they recognize the importance of the resources in the Wagon Wheel Junction.

Since feasible alternatives to the proposed development exist, there is no legal precedent for a Statement of Overriding Consideration, allowing demolition of the resource. Demolition would create a significant and unavoidable impact to the environment.

I urge this committee to consider the above reasons for preserving the Wagon Wheel Motel and its related buildings. This site has the potential to draw visitors and residents of Ventura County to revisit a piece of history and appreciate the work of a visionary developer.

Regards,
Dena M. Mercer
Ventura , CA denamercer@sbcglobal.net

Chris Nichols
28 W. Palm St. Altadena, CA 91001
(213) 842-6797
nixols@yahoo.com

July 17, 2008

OXNARD VILLAGE SPECIFIC PLAN PROJECT

FAX: (805) 385-7417
Draft E I R #2006101099
City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard, CA 93030

Attention: Ms. Kathleen Mallory

Dear Ms. Mallory,

I am writing to urge the preservation and adaptive re-use of the historic Wagon Wheel property. I am the California state representative of the Recent Past Preservation Network, located in Washington, DC and the former chair of the Los Angeles Conservancy Modern Committee. For many years I have lectured and written about roadside architecture and historic buildings and urge you to include the Wagon Wheel buildings in your redevelopment plans.

There are numerous examples of successful developments incorporating historic structures. The EIR finds that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources. Please use creative planning to save these important places.

Thank you.

07/17/2008 13:37 3238018106 LOS ANGELES MAGAZINE PAGE 01/01

OXNARD VILLAGE PROJECT

EIR #2006101099
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Contact: Ms. Kathleen Mallory

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer – Martin V. Smith – instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicone Valley.

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These structures are eligible on the basis of Oxnard landmark criteria #2 (which reads as "It is identified with persons or events which are significant in national, state or local history") and #8 (which read as "It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen"). In this case, the significant person associated with the structures is Martin V. Smith, the most influential developer in the history of Oxnard. No better monument to Smith exists, and many of his projects have already been demolished or redeveloped. The Wagon Wheel structures are an excellent example of the themed roadside motel, and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or redeveloped at an alarming rate leaving few intact examples. The Wagon Wheel was Martin V. Smith's pioneering development, featuring unique architecture, a western theme, and an ever-expanding destination for weary travelers on the 101. These qualities still exist, although since the property was closed, in 2005 no maintenance or care has been given to the buildings and they have suffered recent vandalism fallen into a state of cosmetic disrepair. Their tourism value is fantastic, because like Farmer's Market on Fairfax in Los Angeles, the Wagon Wheel is authentic, not a themed mall, but a truly American resource, that with restoration will become more and more desirable over time as other structures of this type are razed. The Environmental Impact Report, referencing the historic resource peer reviews, states that the four buildings are historic resources and therefore their demolition cannot be mitigated. The project could be modified to maintain the Wagon Wheel or one of the EIR alternatives could be accepted. The EIR lists a range of feasible alternatives, they all include preservation of the historic resources and adaptive re-use thereof, any of the alternatives are favorable to the project, which would demolish all structures on the site.

Yours sincerely,

Jonathan Nicoll
Belleville, Ontario, Canada
jonathannicoll@gmail.com

You cannot demolish that wonderful property!
And put up what? Isn't there a street named wagon wheel?

Please see how we took an old run down motel like the wagon wheel and restored it and it is now a thriving historical destination.

Go to www.orbitin.com
Please, please, reconsider!
Thank you very much!
Kevin Miller (owner- Orbit In Hotel)

Best Regards, The Staff

Orbit In Hotel
760 323 3585 | reception
877 996 7248 | toll-free reservations
760 323 3599 | fax

www.orbitin.com

Andrew D. Perkins – 16345 Gledhill St., North Hills, CA 91343 – 818-981-6255

July 17, 2008

Draft E I R #2006101099
The City of Oxnard, Development Services, Planning Division
305 West Third Street
Oxnard, CA 93030
Attn: Ms. Kathleen Mallory

VIA FACSIMILE (805) 385-7417

To Whom It May Concern:

It is with much urgency that I write to ask that you save the historic Wagon Wheel.

I lived in Oxnard for many years, growing up amongst the strawberry fields before graduating from high school and heading off to college. I have only the fondest memories of Oxnard as a truly one-of-a-kind town.

Over the years, though, I have watched as many landmarks in Oxnard disappeared—the Colonial House and the Esplanade Mall among others—and the Wal-Marts and Best Buy stores took their place and threatened the City's unique character. One bastion of familiarity that has always been there was the Wagon Wheel, welcoming me back into town whenever I returned. While I knew little about the Wagon Wheel when I was younger, I knew at least one thing: this place was unlike any other place I knew of.

The Wagon Wheel remains a wholly untouched example of themed roadside architecture and, if preserved, can remain for many future generations to enjoy. The San Buenaventura Conservancy and Oxnard Cultural Heritage Board both concur that the Wagon Wheel is eligible for and worthy of preservation as an architectural resource. Moreover, this site holds a special place as the first development project by Martin V. Smith, who would of course literally transform the City of Oxnard in subsequent years. If nothing else, the Wagon Wheel stands as a reminder of Smith's contribution to this town.

Having grown up in Oxnard, I can attest that the City has taken laudable steps to preserve elements of its past. I have toured the finely preserved Carnegie Art Museum. I have watched as the City transported a group of dilapidated old farmhouses to an empty lot and created a spectacular Heritage Square. I have wandered along the tree-lined, historic "F" Street countless times.

As the City moves forward, I implore its stewards to take the lead in saving one of its last remaining post-War roadside motels, and one of its most classic examples of themed architecture.

Sincerely,

Andrew D. Perkins

RE: OXNARD VILLAGE EIR #2006101099

The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Contact: Ms. Kathleen Mallory

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Thank you,
Roxanna Ratliff
1402 Dominion St.
Dallas, TX 75208

roxygirl@sbcglobal.net

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PO Box 24218
Ventura CA, 93002
805|652.1000

July 18, 2008

The City of Oxnard, Development Services, Planning Division
305 West Third Street
Oxnard, CA 93030

RE: Historic preservation of the Wagon Wheel Motel
Draft E I R #2006101099
Applicant: Mr. Vince Daly
Oxnard Village Specific Plan Project, Response to Draft EIR

Attention: Ms. Kathleen Mallory.

Please see following 6 page letter and illustrations.

Regards,
Stephen Schafer
President
HABSPHOTO.COM

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REINVENTING THE WAGON WHEEL

The Wagon Wheel turns 60 years old this year, creating a fabulous opportunity for Oxnard to restore an authentic roadside attraction at its gateway and celebrate its most influential developer at the same time.

The last of Bud Smith's early projects, the pioneering Wagon Wheel Motel, with its neon lights highlighting the western theme.

Like hot dog stands shaped like hotdogs, coffee shops with giant donuts on the roof, and motel rooms shaped like tepees, the Wagon Wheel is a snapshot of optimistic post-war America before IHop and Holiday Inn took the concept worldwide. The Wagon Wheel's pioneer spirit greets every one of the millions who drive by on their way to somewhere or from somewhere. Contrast that with the 18 foot tall cinder block wall that will replace this roadside icon if the Oxnard Village Specific Plan gets approval in its present form, and you – in effect – are trading a unique resource for a carbon-copy suburban sound wall and easy-to-maintain landscaping.

Corvettes, Studebakers, Corvairs, even Edsels have a loyal following now that the 50s are back in style.

Like a classic car that was loved when new, and then got run-down, a visionary can see a beautiful teal-green 57 under the rust and fading paint. It's no surprise that the Wagon Wheel has those same aficionados. The best part about those classic roadsters...they become more valuable every year.

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MAKING THE CASE FOR AUTHENTICITY

Today I had lunch at the Experimental Cafe, in the Restored Woolworth's Building in Downtown Oxnard. Chock up another percent of tax revenue from the fertile combination of historic preservation, cultural tourism, downtown promotion, and authenticity. If I wanted to eat at McDonald's, I could have gone to Ventura or Camarillo or Orange County or even Budapest.

The theme was "dug up on the site." Bud Smith hired Hollywood set designed Roy Beaty to transform the used Sea Bee barracks into themed rooms with cattle-brand details and lamps made from horseshoes.

I make the same case for art and culture. Local artists spend money on their passion, they promote their local area to the world. They bring in revenue and tourists. Their product is authentic, and can't be imported or outsourced to third-world countries. Artists become cheerleaders for their area, and the cities that master a cooperative advertising campaign with artists have an automatic draw for tourists and locals alike. Authentic destinations like the Channel Islands Harbor, the Carnegie Museum and Heritage Square have the same ability, and that's why they keep showing up on Visitors Bureau brochures. No city I know of ever promotes "Come see the things that you can find everywhere."

Can we get any more authentic than the Wagon Wheel? The reason "Hollywood types' made the drive out of Los Angeles in the 50s was to get away from the everyday. There's a Marriott in every town, but restored jewels like the Wagon Wheel are hard to find; there's the Madonna Inn in San Luis Obispo, which grew up in the same era. They still have waiting lists (6 months to 1 year) for the themed western, and kitchy Caveman rooms.

The "Pick & Shovel" is the official brand for the Madonna Ranches and can be seen on the walkways throughout the Inn. The Pick & Shovel suite features a rustic fireplace and living room. The wall-to-wall leather couch and the tractor-seat bar stools and tiled floors continue the western theme. Currently $449 per night.

The Experimental Cafe – once the abandoned Woolworth in Downtown Oxnard – is the perfect blend of creativity and restoration.

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MAKING THE CASE FOR MARTIN V. SMITH

Martin Vance Smith passionately believed in Oxnard, where he raised his family and eventually became the most important developer in its history. For 60 years, he was a passionate Oxnard advocate, outshining any other developer in the city's history, period. It should be noted that even the Oxnard brothers never lived in Oxnard; they sold their interest in the Oxnard Sugar Beet Factory two years after it was built, and never came back. (Smithfield would be a more apropos name.)

Smith's hugely successful Colonial House Restaurant & Coffee Shop on Oxnard Boulevard.
Though he never owned the property, he used it as his offices until moving them to Wagon Wheel Junction.

Smith's first Oxnard venture was a tiny hamburger stand that evolved into the renowned Colonial House, an Oxnard cultural landmark. The Colonial House grew quickly to accommodate Smith's success, featuring two bars, seven private dining rooms and many recycled-brick fireplaces.

The Colonial House is a 'missed opportunity.'
Once one of the most culturally significant structures in Oxnard, it was demolished.
20 years later, only a chimney stands testament to the development planned for this site that never materialized.

Today a forlorn fireplace still sits in a weed-filled lot, commemorating promises of a development that would redevelop the area, but never happened.

Bud Smith never owned the land under the Colonial House, but he used it as his offices until he began buying real estate and starting developments in Oxnard.

"Today there is a profound challenge in memorializing Bud Smith. He lived in various luxury apartments and condos, so no 'Smith Villa' really exists. Many of his early projects have been demolished or redeveloped like the Esplanade, Carriage Square, Casa Sirena, and the Lobster Trap. Of the places he is famous for — like the Colonial House and the Tradewinds Restaurant — only the Wagon Wheel still exists."

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Smith began his development career with what others thought would be his downfall. He bought a forty-acre hog farm near the river that was prone to flooding. Situated three miles north of the Colonial House, that site became the most recognizable landmark on the 101 Freeway for the next 60 years: Wagon Wheel Junction.

He Began by recycling surplus Seabee barracks, cutting some in half and combining others into a restaurant. Smith found branding irons from the livestock on the ranch, and he modeled the theme for the entire development on the wild west image of Gene Autry and Roy Rogers. He hired Hollywood set designer Roy Beaty to design and furnish the rooms with rustic wood furniture and create lamps and hardware from branding irons and horseshoes.

From this humble first project an entire 40 acre development grew. A 1980s brochure for Martin V. Smith & Associates boasted "... 2,500 tenants placed in three and one half million square feet of buildings, on over 20 million square feet of property." By the time he retired, he had some 4,500 tenants and over 200 properties from Calabasas to Santa Maria. He divested himself of most of his properties but he never sold the Wagon Wheel.

Besides Western, Smith's restaurants had various themes like Fisherman's Wharf and the renowned Trade Winds which was Polynesian/Tiki style and sported a rickshaw and a full size Chinese junk.

Smith died in November 2001, his legacy responsible for more growth and prosperity than any other Oxnard developer, and a philanthropic legacy to match. Before he died, he and his wife then created the Martin V. and Martha K. Smith Foundation which still gives millions through grants to community organizations.

This late 50s photo shows the 12 room addition built in 1952 and the western landscaping designed to set the Motel apart from the competition and attract the weary traveler. An early sign read: NEW AND MODERN - BREAKFAST SERVICE DAY AND NIGHT • SINGLE $3 DOUBLE $4

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MAKING THE CASE FOR AMERICANA

After completing the Wagon Wheel Motel, Bud Smith's future projects included a bowling alley designed by famed Beverly Hills architect Arthur Froehlich, then shopping centers, roller skating rink, and a row of restaurants including the plush Trade Winds Polynesian restaurant adorned with a full-sized Chinese junk and rickshaw.

In 1959, Smith bought the American Beet Sugar factory with its 156-foot twin smokestacks. Smith later used recycled brick in every project he could, including the Wagon Wheel's expansions and fireplaces. Smith always used unique architecture in his projects, even when he was the first developer to erect what is still the tallest office buildings in Ventura County, first a 14 story and then later a second 20 story tower at his Oxnard Financial Plaza.

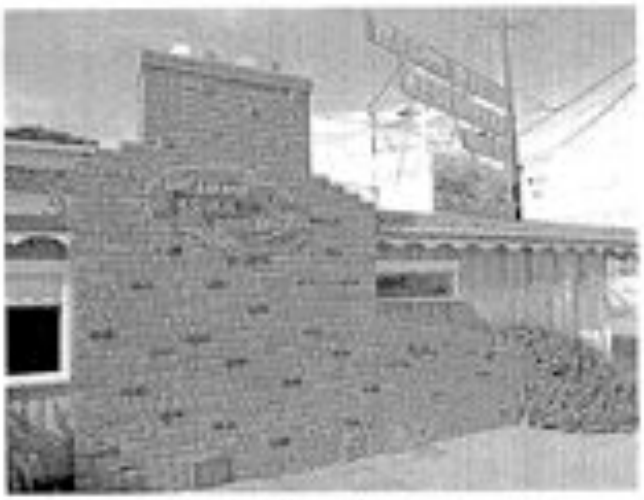
Bud Smith's creativity and vision were unique. He chose the popular wild west theme from the post-war era and ran with it.

The dramatic architecture of the Wagon Wheel was eye-catching and unique. Neon lights and signs surrounded every feature.

So how can something so unique and eclectic be so familiar at the same time?

Because the values and themes that Smith used in the Wagon Wheel were purely American themes. They resonated then — and resonate now — in our collective American memory. That is why his vision - embodied in these structures — needs to be preserved, because it's a part of our American culture and it doesn't happen anywhere else. As much as Chevrolet and even apple pie have been globalized, authentic roadside America can't be copied. We have Cowboys and Indians, we have Monument Valley, and the Route 66 and, for the moment, we have the Wagon Wheel.

Buildings go out of fashion after the trends and values that made them fashionable go out of style. The



The bricks from the Oxnard Sugar Factory found their way into most of Bud Smith's projects.

Smith summed it up best in 1991 when he said, "I live here, I'd hate to see this area become like Orange County around the John Wayne Airport."

50s are just coming back into fashion, because 50s style is now considered beyond fashion, its illustrative of that era, its values, its music, cars, hopes and dreams. The Wagon Wheel illustrates those values too; new families of baby boomers on the road for summer vacations, traveling door-to-door salesmen, greasers and Zoot-Suiters. If the Wagon Wheel is demolished, what representative examples of that time in our culture are left in Oxnard? The restoration of the Wagon Wheel is critical, the project proposed for the site could be adapted to include and even embrace the historic structures. Then just like a restored 1957 Cadillac the value will rise steadily higher every year as it becomes even more rare.

The new vision for the Wagon Wheel area has been proposed by an Orange County developer. It emulates a European village and its prospectus is filled with illustrations of cobblestone streets, and historic buildings. The plan for the village is ironically the antithesis of historic preservation, because the plan first requires blanket demolition of every building on the 64 acre site. The landmark Wagon Wheel would be replaced by medium-density residential buildings, set at the foot of three high-rise 25 story towers. The whole development will be hidden behind an 18 foot tall cinder-block wall stretching along the 101 Freeway from the Santa Clara River to Oxnard Boulevard.

The Oxnard Cultural Heritage board explores the Motel before making the determination that the site was eligible as a Oxnard landmark.

July 18, 2008

The City of Oxnard, Development Services, Planning Division

305 West Third Street

Oxnard, CA 93030

RE: Historic preservation of the Wagon Wheel Motel

Draft E I R #2006101099

Dear Planning Division:

The City of Oxnard should take pride in the legally correct CEQA process they have applied to this project, thus far. Three peer reviews and the existing E I R have clearly established the presence of historic resources of the state of California on this site. Furthermore, there is abundant evidence within the documents submitted that these resources are eligible for listing on both the California Register of Historical Resources and the National Register of Historic Places.

The E I R correctly outlines feasible means to preserve the resources, and CEQA process law mandates that the lead agency must error on the side of preserving the resource. Many letters from the public have confirmed the opinion put forth by the E I R that the historic resources present on this project site are significant to the environment, and CEQA 15064.c requires the

> *"Lead Agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency."*

Therefore, since feasible means of preserving the historic resources have been identified in the E I R #2006101099, it is not legally possible to adopt a statement of overriding consideration.

Were the City of Oxnard to adopt a statement of overriding consideration in this particular project, it would leave the city legally vulnerable to litigation.

Respectfully,

Cynthia Thompson

Oak View, California

cynthia@authenticventura.com

Draft E I R #2006101099
Kathleen Mallory
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Dear Ms. Mallory,

The loss of The Wagon Wheel Motel would be a blow to the uniqueness of Oxnard. It is a charming piece of architecture, well worthy of restoration. There is no good reason why this unique building cannot be reused. It is a character defining feature of the area which residents and visitors love.

The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources. It is the responsibility of a city to protect cultural resources for the good of the entire community.

These structures are eligible on the basis of Oxnard landmark criteria #2. (Is identified with persons or events which are significant in national, state or local history). And #8 (It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen). In this case the significant person associated with the structures is Martin V. Smith, the most influential developer in the history of Oxnard. No better monument to Smith exists, and many of his projects have already been demolished or redeveloped. The Wagon Wheel structures are an excellent example of the themed roadside motel, and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or redeveloped at an alarming rate leaving few intact examples. The Wagon Wheel was Martin V. Smith's pioneering development, featuring unique architecture, a western theme, and an ever-expanding destination for weary travelers on the 101. These qualities still exist, although since the property was closed, in 2005 no maintenance or care has been given to the buildings and they have suffered recent vandalism fallen into a state of cosmetic disrepair.

I have visited this site, and would find it difficult to visit Oxnard if it were destroyed. It is the history and character that such buildings give a place that make it unique. Without them, there is nothing to distinguish Oxnard from any other city in the state.

Laura Friedman
300 Brockmont Dr.
Glendale, CA 91202
818-241-2284

From: "sculle" <sculle@gcctv.com>
Date: July 15, 2008 6:45:48 PM PDT
Subject: Wagon Wheel

Re EIR #2006101099
The City of Oxnard, Planning Division

Preservation of such a building complex is a rare opportunity presented to a community. I've looked at various such buildings across the country as I have traveled and written for 34 years on roadside America. Such a place should be saved as is, or plans for its adaptive reuse undertaken with great sensitivity.

Sincerely,

Keith A. Sculle
Co-author,
The Motel in America
(Johns Hopkins University Press, 1996)

Via E-mail

Mr. Sculle is head of research and education at the

Illinois Historic Preservation Agency.

VIA FAX TO: (805-385-7417)

The City of Oxnard
Development Services, Planning Division
305 West Third Street
Oxnard CA 93030

Attn: Ms. Kathleen Mallory:

Re: **Draft E I R #2006101099 - OXNARD VILLAGE SPECIFIC PLAN PROJECT**

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer – Martin V. Smith – instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicone Valley.

The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. It should be adaptively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources.

These structures are eligible on the basis of Oxnard landmark criteria #2. (Is identified with persons or events which are significant in national, state or local history). And #8 (It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen). In this case the significant person associated with the structures is Martin V. Smith, the most influential developer in the history of Oxnard. No better monument to Smith exists, and many of his projects have already been demolished or redeveloped. The Wagon Wheel structures are an excellent example of the themed roadside motel, and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or redeveloped at an alarming rate leaving few intact examples.

The Wagon Wheel was Martin V. Smith's pioneering development, featuring unique architecture, a western theme, and an ever-expanding destination for weary travelers on the 101. These qualities still exist, although since the property was closed, in 2005, no maintenance or care has been given to the buildings and they have suffered recent vandalism fallen into a state of cosmetic disrepair. Their tourism value is fantastic, because like Farmer's Market on Fairfax in Los Angeles, the Wagon Wheel is authentic, not a themed mall, but a truly American resource, that with restoration will become more and more desirable over time as other structures of this type are razed.

The Environmental Impact Report, referencing the historic resource peer reviews, states that the four buildings are historic resources and therefore their demolition cannot be mitigated. The project could be modified to maintain the Wagon Wheel or one of the EIR alternatives could be accepted. The EIR lists a range of feasible alternatives, they all include preservation of the historic resources and adaptive re-use thereof, any of the alternatives are favorable to the project, which would demolish all structures on the site.

Thank you.

Sherry & Craig Sotres
9320 Debra Avenue
North Hills CA 91343

Atomic Age Alliance
Las Vegas Chapter

2620 South Maryland Parkway #345
Las Vegas, NV 89169
www.atomicage.org 1-888-Mid-Mod1

July 17, 2008

RE: OXNARD VILLAGE SPECIFIC PLAN PROJECT

Draft E I R #2006101099 □The City of Oxnard, Development Services, Planning Division □305 West Third Street, Oxnard, □California 93030

Dear Ms. Mallory,

I am writing to you on behalf of the Atomic Age Alliance, a 501 c3 non profit organization based in Las Vegas, NV, dedicated to celebrating historic Mid Century Modernism and Atomic Age design, signage, architecture, culture and business through ongoing community advocacy, activism and educational programs.□

I am writing to you in support of preservation of the Wagon Wheel Motel.

The Environmental Impact Report and 2 peer reviews found that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are eligible as City of Oxnard Landmarks. But I would take that one step further , these structures are absolutely eligible as California landmarks and from the objective perspective from another city/state, the Wagon Wheel is deserving of the National Register of Historic Places and worthy of all the accompanying tax and financial benefits that can be helpful towards its restoration.

□The Wagon Wheel Motel is deserving of restoration. It is an authentic American cultural resource and has the ultimate in kitsch tourist value. Instead of destroying something that can never ever be replaced, adaptive reuse offers an opportunity to have an unique gateway to Oxnard that embraces local and state history.

Please do not miss the opportunity to save it. Once it's gone, it's gone forever.

Mary-Margaret Stratton
Executive Director
Atomic Age Alliance
818-789-5321

July 18, 2008

The City of Oxnard, Development Services, Planning Division

305 West Third Street

Oxnard, CA 93030

RE: Historic preservation of the Wagon Wheel Motel

Draft E I R #2006101099

Dear Planning Division:

The City of Oxnard should take pride in the legally correct CEQA process they have applied to this project, thus far. Three peer reviews and the existing E I R have clearly established the presence of historic resources of the state of California on this site. Furthermore, there is abundant evidence within the documents submitted that these resources are eligible for listing on both the California Register of Historical Resources and the National Register of Historic Places.

The E I R correctly outlines feasible means to preserve the resources, and CEQA process law mandates that the lead agency must error on the side of preserving the resource. Many letters from the public have confirmed the opinion put forth by the E I R that the historic resources present on this project site are significant to the environment, and CEQA 15064.c requires the

> *"Lead Agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency."*

Therefore, since feasible means of preserving the historic resources have been identified in the E I R #2006101099, it is not legally possible to adopt a statement of overriding consideration.

Were the City of Oxnard to adopt a statement of overriding consideration in this particular project, it would leave the city legally vulnerable to litigation.

Respectfully,

Cynthia Thompson

Oak View, California

cynthia@authenticventura.com

Draft E I R #2006101099
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

Contact: Ms. Kathleen Mallory

Ms. Mallory and Planning Division:

I am writing to urge you to adopt a plan to re-use the Wagon Wheel development along your Highway 101 corridor. This development, while in a state of cosmetic disrepair, represents an increasingly rare example of Mid Century roadhouse architecture, and should be preserved and extended. Such a project could bring increased revenue and tourism to your area.

I live along the Highway 101 corridor in San Luis Obispo County, and have been part of many discussions to establish and preserve, where possible, the viewshed and gateway to our communities. In our area, we have determined through considerable study that this is key to capturing tourism dollars spent on 101, as well as to contributing to local pride and a stable economy.

Moreover, I travel several times a month on 101 for business purposes, and am familiar with the property in question. Each week, I stay in at least two hotels along 101 and frequent dining establishments while doing my business. Currently, there is no reason for me to stay in Oxnard, but I assure you that would change were the Wagon Wheel restored and available for my business.

My husband and I are part of a larger community restoring, supporting, and extending Mid-Century architecture. The bulk of our entertainment and tourism dollars are spent in this area. You'll find a sizable group dedicated to the preservation and enjoyment of this vital part of our American heritage. There IS a market for the restored Wagon Wheel.

Don't give in to the standard chant of developers lacking in vision. Oxnard has a chance to create/restore a unique property that would contribute to the character and lifestyle in your town as well as being a viable commercial opportunity. I pledge my patronage at least one time per month if this venue were open for my business.

Sincerely,

Nora Trentacoste
Sales/Marketing Consultant
Central California
chutti_pen@yahoo.com

July 16, 2008

The City of Oxnard
Development Services, Planning Division
305 West Third Street
Oxnard, CA 93030

RE: Historic preservation of the Wagon Wheel Motel
Draft E I R #2006101099

Dear Planning Division,

I am writing to voice my concern for historic preservation of the Wagon Wheel Motel, situated off Highway 101 in Oxnard, CA. The structure is documented in the following Wikipedia article:

http://en.wikipedia.org/w/index.php?title=Wagon_Wheel%2C_Oxnard%2C_California&oldid=224774962

The Wagon Wheel Motel is of historical significance and is a unique architectural specimen of the mid-century modern era. I strongly urge the City of Oxnard to consider other alternatives to demolition, and to consider investing resources to preserve this well-known and landmark structure. It is one of the few remaining examples in the County possessing distinguishing architectural characteristics from this period.

Sincerely,

Adrian Turner
Orange, CA 92869

tnaturner@earthlink.net

OXNARD VILLAGE SPECIFIC PLAN PROJECT

July 17, 2008
Draft E I R #2006101099

The City of Oxnard
Development Services | Planning Division
305 West Third Street
Oxnard, California 93030
Contact: Ms. Kathleen Mallory

Martin V. Smith's "*The Wagon Wheel Motel, Wagon Wheel Restaurant, Bowling Alley & El Ranchito Restaurant*" is unique to Oxnard's history and its people. Since about 2006, this mid-century, roadside Americana architectural gem is currently experiencing 'demolition by neglect' – ever so slowly. The current property owner clearly demonstrates pure contempt for this property with a do-nothing approach to this irreplaceable asset. Perhaps it is the hope of the current owner that if it becomes a complete shamble, neighborhood eyesore, gang-infested complex, and possible fire hazard, it will be much easier to get rid of it – and maybe with the blessing of the city. A beautiful strategized plan for a no-contest demolition. And perhaps, the final death-blow to the early legacy of Bud Smith, Oxnards most influential developer, entrepreneur and philanthropist.

The decision lies in the hands of this planning commission and this city council for the fate of the Wagon Wheel complex. The EIR states many adaptive re-use alternatives for these buildings other than demolition. The location of the Wagon Wheel has been the greeter to Oxnard for many years. It's a 'one-of-a-kind', and not a 'many-of-kind' that are found everywhere in America today. Embrace your history. Remember your people. And start to help save the environment [it's green to restore]reuse than to demolish] as well. Restore the Wagon Wheel Complex.

Sherry Tyler • 1758 Poli Street • Ventura, California 93001

ALTERNATIVEOFFICESOURCE
THE CONTRACT FURNITURE RESALE COMPANY
2431 Orange Ave., Signal Hill, CA 90755
562-989-8500, Fax 562-989-3737

July 16, 2005

OXNARD VILLAGE SPECIFIC PLAN PROJECT

Draft E I R #2006101099
The City of Oxnard, Development Services, Planning Division
305 West Third Street
Oxnard, California 93030
FAX: [805/385-7417]

Ms. Kathleen Mallory

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer – Martin V. Smith – instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicone Valley.
The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. It should be adaptively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources.
These structures are eligible on the basis of Oxnard landmark criteria #2. (Is identified with persons or events which are significant in national, state or local history). And #8 (It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen). In this case the significant person associated with the structures is Martin V. Smith, the most influential developer in the history of Oxnard. No better monument to Smith exists, and many of his projects have already been demolished or redeveloped. The Wagon Wheel structures are an excellent example of the themed roadside motel,

and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or redeveloped at an alarming rate leaving few intact examples. The Wagon Wheel was Martin V. Smith's pioneering development, featuring unique architecture, a western theme, and an ever-expanding destination for weary travelers on the 101. These qualities still exist, although since the property was closed, in 2005 no maintenance or care has been given to the buildings and they have suffered recent vandalism fallen into a state of cosmetic disrepair. Their tourism value is fantastic, because like Farmer's Market on Fairfax in Los Angeles, the Wagon Wheel is authentic, not a themed mall, but a truly American resource, that with restoration will become more and more desirable over time as other structures of this type are razed. The Environmental Impact Report, referencing the historic resource peer reviews, states that the four buildings are historic resources and therefore their demolition cannot be mitigated. The project could be modified to maintain the Wagon Wheel or one of the EIR alternatives could be accepted. The EIR lists a range of feasible alternatives, they all include preservation of the historic resources and adaptive re-use thereof, any of the alternatives are favorable to the project, which would demolish all structures on the site.

Sincerely,
Douglas Wren

President

Alternative Office Source, Inc.
2431 Orange Ave.
Signal Hill, CA 90755

www.alternativeofficesource.com
www.usedresolve.com
www.modernvintagefurniture.com

San Buenaventura Conservancy

www.sanbuenaventuraconservancy.org

7-10-2008
OXNARD VILLAGE SPECIFIC PLAN PROJECT
Draft Environmental Impact Report No. 2006101099

City of Oxnard, Development Services, Planning Division
305 West Third St. Oxnard, CA 93030
Contact: Ms. Kathleen Mallory, AICP
(805) 385-7896

Comments on Draft Environmental Impact Report:

The San Buenaventura Conservancy works through advocacy and outreach to preserve the irreplaceable historic, architectural and cultural resources of San Buenaventura and surrounding areas.

The Conservancy's comments regarding **Cultural Resources** re:Wagon Wheel Specific Plan are:

1. The Wagon Wheel Motel & buildings (Motel, Office, Restaurant, El Ranchito and Bowling Alley) as defined by the Ventura County/Oxnard Cultural Heritage Commission, have been recommended for local Oxnard landmark status. (4.4-17) The Conservancy feels they also have sufficient integrity to be eligible for State and National Register of Historic Places listing. They are historic resources under CEQA. Their demolition would be a Class I impact, Significant and Unavoidable, and can not be mitigated.

2. The Wagon Wheel was the first-ever real estate development by Martin V. Smith, who we now know was the MOST IMPORTANT developer in the history of Oxnard, (he died 2001). It was the first development begun Smith, and the last one he sold. He had the vision of the site, created the western theme, succeeded with the projects there, And – from his first office there – began to develop more projects in Oxnard than any other developer.

3. The Wagon Wheel structures despite their current state of disrepair, still convey their historic significance. The Motel was begun in 1947. It thrived in the mid-century, grew and sprouted a restaurant, pool, more rooms... etc., those changes are in-keeping with the significance of the site. (4.4-17)

4. The themed road-side Motels of the " pre-Holiday Inn" era are a quickly vanishing resource that have recently gained recognition as landmarks and historic attractions. The impact on aesthetics would also be increased by demolition of the resources, which would be replaced by a 18' high cinder-block sound wall. (4.1-3)

5. The mitigations assembled in the Historic Resource Report and peer review, are only adequate for the demolition of the non-historic buildings and features in Wagon Wheel Junction. The proposed mitigations are not sufficient to mitigate demolition of the Wagon Wheel Motel, Restaurant, El Ranchito, and Bowling Alley.

6. All alternatives discussed in the EIR include adaptive re-use of the listed Wagon Wheel structures. The San Buenaventura Conservancy strongly recommends any of the alternatives to the project because they recognise the importance of the resources in the Wagon Wheel Junction.

7. Since feasible alternatives to the proposed development exist, there is no legal precedent for a Statement of Overriding Consideration, allowing demolition of the resource. Demolition would create a significant and unavoidable impact to the environment.

Regards,
San Buenaventura Conservancy Board of Directors.

Post Office Box 23263 - Ventura, California 93002

Letter(s) 12

The letters above have been grouped together because they all express similar comments. The comments and themes common to the group of letters are summarized below, followed by responses.

COMMENTERS: Virginia Banks, Adriene Biondo, Gwen Creighton, Lisa Dodge, Milford Donaldson, Julie Drazan, Yvonne Ellett, Miguel Fernandez, Laura Friedman, Andrea Galvin, Tina Gruen, Ruth Handel, Teresa Hames, James Hanson, Alan Hess, Russell Howard, Leslie Kahlenberg, Marilyn and Bill Kellar, Tracy King, Anthony Mark, Nathan Marsak, Dena M. Mercer, Chris Nichols, Jonathan Nicoll, Orbit Inn Hotel Staff, Andrew D. Perkins, Rosanna Ratliff, Stephen Schafer, Keith A. Sculle, Sherry and Craig Sotres, Mary-Margaret Stratton, Cynthia Thompson, Nora Trentacoste, Adrian Turner, Sherry Tyler, Douglas Wren, San Buenaventura Conservancy Board of Directors

DATE: Some undated; all others received during Draft EIR comment period

Response 12A

The commenters discuss the historic significance of the four structures identified as historic resources in the Draft EIR, citing the historic eligibility and significance discussion in the Draft EIR; existing books and other publications; personal experience; and other sources and opinions. Draft EIR Section 4.4, *Cultural Resources*, identifies these four structures as historic resources pursuant to CEQA. Many commenters also state the opinion that the mitigation measures proposed in the Draft EIR to reduce impacts associated with the demolition of these structures would not mitigate the impact to a less than significant level. As stated in the impact and mitigation discussion for this impact (Impact CR-2), the impact would remain significant after mitigation. Many of the commenters also refer to impacts associated with the cumulative loss of historic resources in Oxnard, and/or the cumulative loss statewide of the type of roadside architecture represented on the site. Draft EIR Section 4.4, *Cultural Resources*, identifies cumulative impacts to historic resources as significant and unavoidable. These comments are generally consistent with the analysis and conclusions of the EIR regarding the project's potential impacts to historic resources.

Response 12B

All commenters in this group opine in some manner that these structures should be preserved and/or rehabilitated or adaptively reused, whether as part of the project, through adoption of one of the alternatives analyzed in the Draft EIR, or through denial of the project. Many commenters also state opinions regarding the value that preserving and rehabilitating/adaptively reusing these structures would provide to the City, including through preserving the character of the area, stimulating tourist interest and other factors. These comments are noted and will be included in the Final EIR for consideration by the City's decision makers along with all of the public comments and responses in this section of the EIR. As these comments do not question or challenge the analysis or conclusions of the Draft EIR, no change to the Draft EIR is warranted.

Response 12C

Several commenters express the opinion that replacement of the historic structures with the proposed development would have an adverse impact on the aesthetic quality of the site. Draft EIR Section 4.1, *Aesthetics*, acknowledges this impact and concludes that the change to the visual character to the site would be significant and unavoidable.

Response 12D

Several commenters in this group state an opinion that the City may not "legally" approve the project because project alternatives are available that meet most of the objectives of the proposed project while avoiding the significant impact to historic resources. This comment relates to the decisionmakers' action on the project rather than the analysis or conclusions of the Draft EIR. In order for City decisionmakers to approve the project rather than an environmentally superior alternative, they would need to adopt findings, supported by substantial evidence, explaining why the alternative is infeasible. The applicant has submitted a financial analysis prepared by a financial consultant that could potentially support a finding that adaptive reuse of the Wagon Wheel Motel/Restaurant and the El-Ranchito Restaurant would not be financially feasible. This data is currently under review by the City. (CEQA does not require the adoption of alternatives that are not feasible – see CEQA *Guidelines* Section 15126.6.) Project alternatives are discussed in Section 6.0, *Alternatives*.

13

Wendi Lewis
Professional Ice Skating Coach - PSA Double Rated
P.O. Box 6261, Ventura CA 93006
(805) 701-2362
wendi@myiceskatingcoach.com

July 17, 2007

Attn: Maria Santana
City of Oxnard Planning Department
City of Oxnard Service Center
214 South "C" Street
Oxnard, CA 93030

Dear City of Oxnard Planning Department:

I am writing to comment as I will be unable to attend the meeting tonight.

I have been an ice skating coach at the Oxnard Ice Skating Center, now Channel Islands Ice Center, since it opened in May, 1999. I am also team coach and manager for Ventura County's only ice theater team, Pacific Ice Theater. The ice rink provides a unique recreational opportunity for the community, as does the neighboring bowling alley.

Specifically referring to the problems of obesity that seem to be occurring with more and more of our children, as well as adults, I would like to request that the City of Oxnard take whatever steps are necessary to increase the amount and variety of recreational opportunities that are available to its citizens. The uniqueness and affordability of the family-oriented activities offered by the ice rink and the bowling alley make them worthwhile for inclusion as important components of Oxnard's overall recreational plan.

A

Further, it is my understanding that the proposed Wagon Wheel Specific Plan project falls short in providing needed recreational facilities. I would like to propose to the developer, Daly Owens Group, and the City of Oxnard that both the ice rink and the bowling alley be included in the project and that provisions should be made to accommodate these two essential recreational facilities.

Further, I would like to add my voice in support of the biking and pedestrian linkages that are proposed. Perhaps these could be expanded upon to make them even more useable by the residents. For instance, bike lanes would be more likely to be used if they were constructed separately from and yet concurrent to the regular traffic lanes. Oxnard could be a leader in developing safe bike lanes!

Also to be commended are the plans for the sub-transportation center for bus service and Metrolink shuttle. With the increased population expected due to the residential units proposed, and being that the railroad tracks run right through the site, an actual Metrolink stop should also be highly recommended, especially with the additional residential units now nearing completion just across the freeway. Again, safe bike lanes linked from across the freeway to the Wagon Wheel site should be considered. B

Thank you for your consideration of my comments. Should the ice rink remain in the area, I have an idea that may be of interest to the community. I have done some preliminary planning for a program that could provide low cost after-school care and ice skating activities to children. If interested, Wagon Wheel Bowl could participate in this program by hosting field trips for the children. If we can all work together to share our ideas and expertise to support the best interests of our citizens, we can make our community a model for other communities to follow. C

Sincerely,

Wendi Lewis

cc: Daly Owens Group
Wagon Wheel Bowl
Kathleen Mallory, City of Oxnard

Letter 13

COMMENTER: Wendi Lewis

DATE: July 2, 2008

Response 13A

The commenter states an opinion that the existing ice skating rink and bowling alley on the project site, which would be demolished to prepare the site for the proposed project, provide a unique recreational resource to the community. The commenter suggests that increased recreational space in general and the ice rink and bowling alley in particular should be incorporated into the project, adding that recreational space and amenities are important in addressing obesity. These comments are noted and will be included in the Final EIR for consideration by the City's decision makers along with all of the public comments received and the City's responses to the comments, which comprise the Final EIR. The comments are pertinent to the project itself and do not challenge or question the analysis or conclusions of the Draft EIR. It should also be noted that the proposed project includes active recreational amenities, including a swimming pool and a recreational center for organized activities. The applicant has also agreed to provide additional recreational amenities such as a skate park or other active use as directed by the City Council.

Response 13B

The commenter expresses support for the project's proposed bicycle and pedestrian facilities and linkages and for the proposed transportation center. The commenter also suggests that bicycle lanes be separated from regular traffic lanes and that a Metrolink station be developed at the site. These comments are noted. Proposed transportation features of the project are discussed in sections 2.0, *Project Description,* and 4.13, *Transportation and Circulation.* The project as proposed includes an off-street bicycle pathway along the site's Oxnard Boulevard frontage, the project's northern frontage along U.S. Highway 101 and the project's frontage along Ventura Road. In addition, the proposed transportation center would be located adjacent to the railroad tracks, and the developer has indicated that this would facilitate a future Metrolink stop if the City and Metrolink operators determine that this is warranted.

Response 13C

The commenter offers to develop a youth program involving the skating rink and potentially the bowling alley should those facilities remain on the site. This comment is noted.

CHRIS FORD, ATTORNEY AT LAW
3435 Wilshire Boulevard, Suite 1900 • Los Angeles • California 90010
cfordlaw@earthlink.net
O 213-487-8000, F 213-487-8001

14

July 16, 2008

Ms. Kathleen Mallory
City of Oxnard,
Development Services, Planning Division
305 West Third Street
Oxnard, CA 93030

VIA FACSIMILE: 805-385-7417

Re: Oxnard Village Specific Plan Project
The Wagon Wheel
Draft EIR No. 2006101099

Dear: Ms. Mallory

The Wagon Wheel Motel is a unique architectural specimen, worthy of restoration. The Wagon Wheel's adaptive reuse should be looked at as an opportunity to have an authentic gateway feature that embraces local history and memorializes an Oxnard pioneer – Martin V. Smith – instead of yet another endless stretch of 18 foot high cinderblock wall, like every other community from Orange County to Silicone Valley.

The Wagon Wheel maintains its integrity from its period of significance (1947 through 1965), and therefore qualifies as an historic resource. It should be adaptively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. The Environmental Impact Report and 2 peer reviews find that the Wagon Wheel Motel, the Wagon Wheel Restaurant, bowling alley and the El Ranchito restaurant are potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has found the four buildings eligible for City of Oxnard Historic Landmark status. The San Buenaventura Conservancy has also found these buildings worthy of preservation and inclusion on their list of 11 Most Endangered Historic Resources.

These structures are eligible on the basis of Oxnard landmark criteria #2. (Is identified with persons or events which are significant in national, state or local history), and #8 (It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen). In this case the significant person associated with the structures is Martin V. Smith, the most influential developer in the history of Oxnard. No better monument to Smith exists, and many of his projects have already been demolished or "redeveloped." A

The Wagon Wheel structures are an excellent example of the themed roadside motel, and development from the pre-Holiday Inn era. Mid-century roadside Americana is being demolished or "redeveloped" at a disastrous rate, leaving few intact examples – the city of Anaheim represents one of the most flagrant examples of such destruction.

The Wagon Wheel was Martin V. Smith's pioneering development, featuring unique architecture, a western theme, and an ever-expanding destination for weary travelers on Highway 101. These qualities still exist, although since the property was closed in 2005, no maintenance or care has been gives to the buildings and they have suffered recent vandalism fallen into a state of cosmetic disrepair.

Nonetheless, their tourism value is very high, because like Farmer's Market on Fairfax Avenue in Los Angeles, the Wagon Wheel is authentic, not a themed mall, but a truly American resource, that with

restoration will become more and more desirable over time as other structures of this type are razed. Mid-Century architecture has become and is becoming ever more popular. It would be a travesty for the city of Oxnard to allow a development that would destroy the city's own world-famous example of this architecture.

The Environmental Impact Report, referencing the historic resource peer reviews, states that the four buildings are historic resources and therefore their demolition cannot be mitigated. The project should be modified to maintain the Wagon Wheel or one of the EIR alternatives could be accepted. The EIR lists a range of feasible alternatives, they all include preservation of the historic resources and adaptive re-use thereof, any of the alternatives are favorable to the project, which would demolish all structures on the site. A

Skateboard park idea: Since the Wagon Wheel was closed and abandoned, some youths took to skateboarding in the pool. See http://www.artsington.com/video/WW/monty.mov. Predictably, the owners put a stop to this, but the city should think creatively. Why not make part of the new or adaptive-reuse development a skateboard park, with the old motel pool as its centerpiece. Skateboarding is extremely popular in Southern California, and my own two children, a boy age 10 and girl age 8, visit our local skateboard park almost daily. Skateboarding is a healthy and enjoyable to build athleticism – and a great alternative to the usual videogames and DVD- or TV-watching.

Please go beyond the predictable drudgery of yet another shopping mall and yet another overpriced condo complex – complete with the truly awful, hodge-podge architecture typical of today's buildings – something for which neither Oxnard nor California has any great need. Think creatively and reuse the motel pool as the centerpiece for a new skateboard park. B

Bottom line: Please landmark the maximum number of Wagon Wheel buildings, at minimum the motel (and its pool), bowling alley, and El Ranchito and Wagon Wheel restaurants and require the developer to maintain those areas intact and build its (unneeded) shopping mall and condos elsewhere on the property. (2) Please be sure that the motel pool is the centerpiece for a skateboard park that could demonstrate to local youth the value of respecting the past while providing a healthy outlet for athleticism and skill. C

Very truly yours,

Chris Ford, Esq.

Letter 14

COMMENTER: Chris Ford

DATE: July 16, 2008

Response 14A

These comments address historic resources issues. Please see the responses to Letter 12 (group) above.

Response 14B

The commenter asserts that since the Wagon Wheel Motel has been closed, the pool onsite has been used for skateboarding. The commenter suggests incorporating the pool as part of a skateboard park at the redevelopment. This suggestion is noted, and will be included in the Final EIR for consideration by the City's decision makers along with all of the public comments received and the City's responses to the comments. The comment is pertinent to the project itself and does not challenge or question the analysis or conclusions of the Draft EIR. However, the applicant has agreed to expand on-site active recreational amenities, potentially including a skateboard park or other active use pending discussion before the City Council.

Response 14C

The commenter summarizes comments 14A and 14B above.

Planning and Environmental Services Division
305 West Third Street
Oxnard, Cal. 93030
Date; June 13, 2008

15

RECEIVED
JUN 16 2008

Daniel lechliter
1201 hibiscus St.
Oxnard, cal. 93036

Ref: Wagon Wheel Redevelopment Project

To whom it may concern;
I have resided in Oxnard since the early 70's, at my current North Oxnard address in the Flower Tract since 1975, and have watched as our wonderful little city has lost it's identity and has been paved over without concern for the Soul of the city, such as the Tournement Bowl, the beautiful Colonial House, etc.. I am vehemently against this Wagon Wheel project as are many others. Wagon Wheel has landmarks like the Wagon Wheel Hotel complex and the last Bowling alley in Oxnard, the Wagon Wheel Bowl. Every Friday and Saturday night the bowling alley has what's called "Rock and Bowl" which is designed for our city's youth and the alley is usually filled with kids that otherwise might be on our streets! Losing this last Bowling Alley resource would be a real disservice to our City AND OUR City's children!! Seniors take advantage of the bowling alley during the week too. Oxnard needs to extract

itself from the "rubber stamp" development mentality before it's too late, lest we become another Orange County!! As I was obtaining signatures for the Traffic Initiative, scores of residents voiced their opposition of just another Rubber Stamp project in our beautiful City that is losing much of it's character due to the demolishment of treasures like the Wagon Wheel. Enough!!

The skating rink at Wagon Wheel entertains numerous kids and adults also. Why are we in such a hurry to pave over our beautiful City with it's wonderful quaint little nitches? Could it be the lust for the almighty dollar??! I think so rather than for the betterment of our City. No to the Wagon Wheel development!! Let's stop this insanity now! Daniel E. Lechliter

RECEIVED
JUN 1 8 2006
PLANNING DIVISION
CITY OF OXNARD

Letter 15

COMMENTER: Daniel Lechliter

DATE: June 13, 2008

The commenter expresses opposition to the proposed project, citing the loss of historic resources and the proposed demolition of the bowling alley and ice skating rink among other reasons. The commenter notes the recreational value of the bowling alley and ice skating rink to the community, particularly for youth and seniors.

The comments are pertinent to the project itself and do not challenge or question the analysis or conclusions of the Draft EIR. These comments are noted, and will be included in the Final EIR for consideration by the City's decision makers along with all of the public comments received and the City's responses to the comments. As noted above, the proposed project includes active recreational amenities, including a swimming pool and a recreational center for organized activities. The applicant has also agreed to additional recreational amenities such as a skate park or other active use as directed by the City Council.

16

TWIN LAKES

With the rugged Sawtooth Ridge as a backdrop, Twin Lakes is a popular destination resort. One of some of the best fishing in the Sierra Nevada, Twin Lakes is home to several state trophy fish records. Brook, Brown and Rainbow trout are caught along with California's only landlocked Kokanee Salmon.

RECEIVED
JUN 1 2 2008
PLANNING DIVISION
CITY OF OXNARD

USA

Hi: Section A of Vertical Stra urges us to use less water Section B informs us of a massive Wagon Wheel project Are we supposed to use less water so we can have more projects OR do we have a drought? Drought = No projects If we really have a drought, we should have No New Projects - A concerned citizen

POSTCARD

Kathleen Mallory
Planning & Environmental Services Division
305 W. Third St.
Oxnard, Ca. 93030

Letter 16

COMMENTER: Anonymous, Oxnard Resident

DATE: June 12, 2008

Response 16A

The commenter expresses concern that the project would increase water demand on the site during a drought. This comment is noted. Water supply impacts are discussed in Section 4.14, *Utilities and Service Systems,* of the Draft EIR. Impacts were found to be less than significant with incorporation of the proposed mitigation measures which include measures to reduce water use.

17

June 7, 2008

Kathleen Mallory, City Planner
City of Oxnard
Planning and Environmental Servs. Div.
305 W. Third Street
Oxnard, CA 93030

Re: Planned "Wagon Wheel" Development project

Dear Ms. Mallory:

We read in the paper this morning that we could mail our thoughts and comments regarding the project mentioned above to your attention.

My husband and I live in Ventura near the 101 Freeway and Johnson Drive. Our housing tract backs up to the Santa Clara River. Traffic in this area has long been a nightmare. Even now, after all of the work done on the freeway bridge, traffic is still horrendous, especially at rush hours. The cities of Ventura and Oxnard cannot even keep up with the maintenance of the bike path along the bridge. There is a foot of dirt and debris (and graffiti) that is always there. No one seems to care enough about it to clean it up. When the City of Oxnard put in the River Park project, we were very dismayed. All of this added traffic was just what we needed. NOT. And now this new project right across the freeway. How can this even be considered at an area that is already at its max? The thought of three high buildings is nauseating. We moved to Ventura from W. Los Angeles 30 years ago to get away from the traffic and the dense population. Ventura and Oxnard (my husband owns a marine business by the Oxnard Airport) were cities that had a charm all their own.

Now is seems that Oxnard is bent on becoming just what we fled in the first place, a CITY full of traffic and noise. There must be some other place in Oxnard besides the area at Wagon Wheel for this project. It's just too much !!!

Thank you.
Sincerely,

Tony and Donna Athens
2333 Panda Place
Ventura, CA 93003

RECEIVED
JUN 9 - 2008
PLANNING DIVISION
CITY OF OXNARD

Letter 17

COMMENTER: Tony and Donna Athens

DATE: June 7, 2008

The commenters express opposition to the proposed project, citing increased density and scale of the proposed development as well as project-generated and cumulative traffic and noise impacts.

The project's potential traffic impacts are discussed in Section 4.13, *Transportation and Circulation* of the Draft EIR. Noise impacts are discussed in Section 4.9, *Noise*. Visual impacts, including the introduction of high-rise buildings, are discussed in Section 4.1, *Aesthetics*.

The comments are pertinent to the project itself and do not challenge or question the analysis or conclusions of the Draft EIR. These comments are noted, and will be included in the Final EIR for consideration by the City's decision makers along with all of the public comments received and the City's responses to the comments.

Jack Shaffer, Architect 7113 Owl Court Ventura CA 93003

18

16 July 2008

RE: Draft E I R #2006101099
The City of Oxnard, Development Services, Planning Division
305 West Third Street, Oxnard,
California 93030

ATT: Ms. Kathleen Mallory

The Wagon Wheel Motel is a resource as defined by CEQA and must be treated as such. It should be additively reused consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties.

The Environmental Impact finds the Wagon Wheel Motel, the Wagon Wheel Restaurant, Bowling Alley and the El Ranchito Restaurant potentially eligible as a City of Oxnard Landmarks. The Oxnard Cultural Heritage Board has declared the four buildings eligible for City of Oxnard Historic Landmark status. These structures are eligible on the basis of Oxnard landmark criteria:

#2) Identified with persons or events which are significant in national, state or local history.

Martin V. Smith's first development

#6) It is one of the few remaining examples in the County possessing distinguishing characteristics of an architectural or historical type or specimen.

The Wagon Wheel structures are an excellent example of the themed Mid-century roadside Americana.

The Wagon Wheel Motel may even meet criteria for the California register of Historic Places.

The EIR lists a range of feasible alternatives. All of the alternatives include preservation of these historic resources. Any of the alternatives are better than the proposed project, which would demolish all structures on the site.

My understanding is that the buildings may only be demolished only if there are over-riding circumstances. Furthermore, recent studies published in the LA Times show that children living within one mile of highway traffic suffer pulmonary disease at an alarming rate. Should we really have additional housing units at this location?

Demolition would create a significant and unavoidable impact to the environment. Adopt one of the alternatives listed in the EIR.

Sincerely,

Jack Shaffer, Architect
Chairman, City of Ventura's Historic Preservation Committee

Letter 18

COMMENTER: Jack Shaffer

DATE: July 16, 2008

Response 18A

These comments address historic resources issues. Please see the responses to Letter 12 (group).

Response 18B

The commenter expresses concern over potential health effects of locating housing units adjacent to a busy highway. The project's potential health effects related to proximity to highway traffic are discussed in detail in Section 4.2, *Air Quality,* of the Draft EIR. Based on the U.S. 101 traffic volume, the excess cancer risk is estimated to be about 300 - 400 in one million for those proposed residences that would be located nearest the freeway. This is 30 to 40 times greater than the Ventura County Air Pollution Control District's significance threshold of 10 in one million. The inclusion of the sound wall and landscaping proposed under the Specific Plan would reduce a portion of this effect, as about 70% of the toxicity is associated with diesel exhaust particulates and both of these features will aid in removing particulate matter from the air. Nonetheless, the proximity to the freeway is considered a potentially significant impact of the project, and the Draft EIR includes mitigation measure AQ-5, which requires structural treatments in those units closest to the freeway, to reduce the impact to a less than significant level. Please see also Response 4H above.

June 18, 2008

To City of Oxnard Planning Commissioners
To City of Oxnard, Ms. Kathleen Mallory, AICP
To Rincon Consultants

19

From Edward M. Castillo, Oxnard Resident
805-815-3366

Re **Public Comments and Written Concerns**
Oxnard Village Specific Plan Project
Draft EIR
SCH#2006101099

Please allow this document to serve as my issues of concerns as it relates to the above EIR for the Oxnard Village Specific Plan Project, also known as the Wagon Wheel Project.

The following are my concerns I have raised at the Planning Commission meeting of July 18, 2008 plus additional issues of concerns I want to be reflected in the final EIR when it returns to the Planning Commission from Rincon Consultants.

1. Table ES-1 Page ES-27 Impact to the Oxnard Fire Department. The report states it will have an impact to the Fire Department and affect personnel, equipment, and the organization of the department. Your report states the impact is Less Than Significant. Your proposed mitigation is to provide funding for an additional ladder truck response vehicle, which will be housed at the nearest fire station. Also upgrade and improve the existing fire station to accommodate additional personnel that would be needed to the site.

I disagree with this recommendation of mitigation. More needs to be done to mitigate the Fire department impacts by the developer.

I recommend the developer be responsible and required to provide a new sub-fire station to this development. Though there is a fire station within 1.75 miles from this development, the Wagon Wheel Development will need an additional station to provide the safety for citizens of Oxnard and ensure the safety to personnel as well. In case of an emergency, we need to have a unit available to respond in the quickest fashion possible. To have a fire station 1.75 miles away when high raisers are introduced at this development places the city in a position of legal liability. I strongly recommend having additional personnel, equipment, and fire station provided by the developer and not the residence of this community. Anything less would be a tremendous burden on this already stretched personnel within the Fire Department. A

I also recommend having incorporated into the Final EIR discussions, comments, and recommendations from the Oxnard Fire Fighter's Association. This is a must to ensure safety and personnel issues. B

Under Section 4.11 PUBLIC SERVICE, Page 4.11-8 through 4.11-10, these are the only pages that discuss impacts to the fire department in detail. This needs to be expanded with discussions from both the Fire Department's administration and the Oxnard Fire Fighter's Association and comparison to other city's plans of emergencies when dealing with high raise issues such as the City of Los Angeles, Glendale and San Francisco. Possible other equipment will be needed. C

A question I raise for this EIR as it was raised for the North East Community Specific Plan: What is the legal responsibility and liability to the City of Oxnard if a death or injury were to take place due to the lack of a fire station within the proposed specific plan? I would like a legal opinion answer to this question and not from the consultant. And Part 2 to this question; how does this compare to the fact to this date there is no Fire Station within the NECSP as required in the specific plan? What is the city's responsibility and liability in case of death or injury? D

Other issues of concern:

The lack of certification from FEMA as it relates to the levy must not only be addressed but also satisfied with formal commitments from the federal level prior to the issuing of the certification of this Final EIR. Anything less could jeopardize the safety, health, and welfare of the people of Oxnard. E

The lack of a levy along Ventura Road at Wagon Wheel needs to be addressed and satisfied.

The rail road bridge at Ventura Road/ 101 Freeway needs more clarification as to the potential of flooding and damage during a 100 year storm. F

More documentation of the back to back 100 year storm of January/February 1969 should be incorporated into this Final EIR. G

The previous EIR for Wagon Wheel must be incorporated into this Final EIR. H

The traffic study should be more detailed and direct in relationship to the requirements of LOS as required by the 2020 General Plan and not be the standards of the CMP. Also, the Traffic Study of the Updated General Plan Book dated April 2007 should also be incorporated into this Final EIR. And a comparison and contrast should be explained in detail as to the differences in studies. I

Thank you for the opportunity to provide my personal comments for this EIR. I strongly believe it is the responsibility of the citizens to offer comments. But more importantly, it is the responsibility of the consultant and City Government to answer the issues of concern in the most upmost and transparent manner.

Respectfully,

Edward M. Castillo
805-815-3366

Letter 19

COMMENTER: Edward M. Castillo

DATE: June 18, 2008

Response 19A

The commenter states an opinion that the mitigation measures included in the Draft EIR to address impacts related to fire protection services are not adequate to reduce impacts to a less than significant level. The commenter suggests that the project should be required to provide a new sub-fire station, as well as funding for personnel and equipment, at the site, particularly due to the introduction of high-rise residential structures. These comments are noted. The mitigation measures included in the Draft EIR are based on communication and correspondence with Fire Department personnel as well as the relatively close proximity of the nearest existing fire station, Fire Station 4, located at 230 West Vineyard Avenue approximately 1.75 miles from the site. As discussed in Section 4.11, *Public Services,* of the Draft EIR, improvements to this existing station would be required in order to increase its capacity to serve the new development, and the developer would be required to fund the needed fire equipment identified in Mitigation Measure PS-1 (a). As further noted in Section 4.11, funding for fire staff would be provided through a Community Facilities District or other funding mechanism as required in Mitigation Measure PS-1 (c).

It should also be noted that CEQA's focus with respect to impacts relating to public services such as fire protection is technically limited to physical impacts that would result from construction of new facilities if a need for such facilities is caused by a project (see *CEQA Guidelines* Appendix G, Item XIII.a: "Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives…?") As noted in Section 4.11, *Public Services*, "All modifications would be per department specification and would comply with all existing codes at the time of construction. Any modifications would be within the property lines of the existing fire station property. The existing fire station is in an urbanized area surrounded by commercial and residential development. Thus, these improvements would not introduce new environmental impacts to warrant further environmental review."

Finally, as also noted in Section 4.11, the Fire Department will have the opportunity to impose additional conditions of approval on the project at the project approval stage of the entitlement process as part of their standard review.

Response 19B

The commenter recommends that comments and recommendations from the Oxnard Fire Fighter's Association be incorporated into the Final EIR. These comments are noted; however, the commenter neither provides the information referenced nor explains why such information is necessary to complete the EIR or why the EIR is inadequate without it. This information may be

forwarded to City staff or decision makers by the public or the Association if so desired, but need not be part of the Final EIR.

Response 19C

The commenter suggests that the discussion of impacts related to fire protection service should be expanded to include discussions from both Fire Department staff and the Oxnard Fire Fighter's Association, as well as comparisons between the City's requirements for high-rise structures and other cities' such as Los Angeles, Glendale and San Francisco. The commenter opines that special equipment might be needed. Consultation with Fire Department staff as cited in the Draft EIR resulted in the requirement in Mitigation Measure PS-1(b) that the developer provide elevator shaft smoke detection equipment. Consultation with Fire Department staff also resulted in the requirement in Mitigation Measure PS-1(a) that the developer provide a new ladder truck and fire station upgrades. The Fire Department has not indicated that additional specific equipment would be needed beyond these items, and the commenter does not provide examples of special equipment nor evidence that additional equipment is needed. Mitigation Measure PS-3 requires that an emergency plan for the high-rise structures addressing such issues as evacuation, emergency procedures and fire safety be developed and submitted for City approval prior to occupancy clearance. Changes to the Final EIR are not warranted.

Response 19D

The commenter raises a question regarding legal liability to the City in case of a death or injury on the site, and also asks a question regarding implementation of the North East Community Specific Plan. Both of these questions are noted but are not relevant to the EIR for the Oxnard Village Specific Plan project.

Response 19E

The commenter states an opinion that the current status of levees in proximity to and protecting the project site should be addressed in the EIR, and that formal federal commitments regarding the levee must be received prior to EIR certification.

At the time the Draft EIR Notice of Preparation was circulated on October 16, 2006, the levee was considered sufficient to protect the project site from the 100-year flood. In May 2008, the Federal Emergency Management Agency (FEMA) released a preliminary study of the Santa Clara River. This preliminary study indicated that portions of the levee along the Santa Clara River may not meet FEMA standards and resulted in the Santa Clara River levee not being provisionally accredited by FEMA. The final Santa Clara River study is expected to be completed within the next two years. It should be noted that the preliminary draft floodplain map based on the study was not (and still has not been) officially published by FEMA and, as such, currently has no regulatory relevance. The published FEMA flood zone maps, as used in the analysis in the Draft EIR, were at the time of Draft EIR circulation, and continue to be, the official FEMA flood zone maps for the City. Because it was not, and still is not, known whether and in what form any revised maps may be formally published by FEMA, it would be speculative for the City to make any assumptions about the validity of the existing published FEMA maps. Section 15145 of the *CEQA Guidelines* discourages agencies from engaging in idle speculation about possible environmental effects.

The developer would be required to comply with the requirements of Chapter 18 (Floodplain Management) of the City of Oxnard Municipal Code. This section requires residential structures to have the finished floor elevated two feet above the base flood elevation. If new official FEMA flood zone maps have been published by the time the developer submits plans for grading and building permits, it is possible that those plans would have to reflect higher finished floor elevations to accommodate flood zones. This may or may not be feasible for site development. If it is, such revisions may be considered substantial changes to the preliminary grading plans studied in the EIR, therefore requiring supplemental environmental analysis under CEQA.

Response 19F

The commenter requests clarification regarding potential flooding at the U.S. 101 bridge over the Santa Clara River during a 100-year storm event, and states an opinion that the lack of a levee along Ventura Road at the project site must be addressed in the EIR. The conditions along the Santa Clara River are partially responsible for the intermittent flooding that occurs on Ventura Road at the underpass of the railroad tracks. Development of the proposed project would not contribute to this flooding and, in fact, may help alleviate it by decreasing impervious surfaces on the site, thereby increasing infiltration and decreasing direct runoff to the river. The periodic localized flooding that occurs at the under-crossing of the railroad tracks at Ventura Road was addressed in Section 4.13, *Transportation and Circulation,* Impact T-5, of the Draft EIR, which discusses the impact of such flooding on project traffic and circulation. In addition, the applicant has agreed to fund an automatic pump to help alleviate the periodic flooding at the undercrossing; this will be reflected in the Development Agreement. Please see Response 19E for further discussion of the Santa Clara River flood zone.

Response 19G

The commenter states an opinion that documentation of the "back to back" 1969 storm events should be incorporated into the Final EIR. The commenter does not explain how this information is necessary to complete the EIR. Project impacts related to flooding and hydrology are discussed in Section 4.7, *Hydrology and Water Quality*. Impacts would be less than significant with mitigation incorporated. Also, please see Response 19E.

Response 19H

The commenter states an opinion that the 1999 EIR for the previous project should be incorporated into the Final EIR. The commenter does not state what aspects of that document are relevant to the current project or how the information in the 1999 EIR would supplement that in this EIR. The 1999 EIR was for a different project and was written over nine years ago. It should be noted that the 1999 EIR was reviewed during the preparation of this project EIR and therefore is cited in Section 7.0, *References and Preparers*.

Response 19I

The commenter requests more information regarding the project's traffic impacts in relation to the City's significance thresholds. The Draft EIR quotes the CMP standards, but the analysis contained

in the traffic study was undertaken using the traffic impact assessment requirements set forth by the City of Oxnard. The City also uses the same methodology to calculate LOS as the VCTC CMP but has different standards for LOS, as described in the General Plan. 4.13, *Transportation and Circulation* has been revised to emphasize this point (see Section 9.0, *Correction Pages*).

The commenter may also be referring to the impact at the intersection of Oxnard Boulevard and Vineyard Avenue and the associated mitigation measure. Mitigation Measure T-1(a) at the intersection of Oxnard Boulevard and Vineyard Avenue would improve the PM peak hour volume to capacity (V/C) ratio of the Oxnard Boulevard and Vineyard Avenue intersection to 0.84. This mitigation measure leads to a V/C improvement of 0.06 over the existing plus pending projects scenario. Subsequently, the intersection would operate at LOS D. The mitigation measure that has been described in the Draft EIR traffic study fully mitigates the project's impact. Additionally, the 2020 General Plan Circulation Element states that Oxnard's LOS C standard does not necessarily apply to intersections on Oxnard Boulevard. This section of the Circulation Element of the General Plan is quoted below and can be found in Section C.1 on page VI-24 of Chapter 6:

> *The Circulation Element policies are intended to guide the City so that both governmental and private activities contribute to meeting the goals and objectives of the Circulation Element. As such, the policies act as the linkage between the broader goals and objectives and the specific implementation programs.*
>
> *…Where environmentally feasible, all intersections in the City of Oxnard should operate at Level of Service "C," with the exception of Oxnard Blvd. (State Route1), which will experience higher levels of congestion until a bypass expressway is constructed.*

The commenter also requests that a 2007 traffic study prepared as part of the General Plan update process be incorporated into the Final EIR and compared to the project traffic study. The traffic study prepared for the project addresses project impacts in the context of the existing traffic setting as well as the existing plus cumulative projects setting. Therefore the General Plan update study would not add significant relevant information to the EIR. The General Plan Background Report, including an overview of citywide traffic issues, may be accessed on the internet at http://www.westplanning.com/oxnard/library.htm or at City Hall. A comparison between the City standards and CMP standards is not applicable in this situation as the CMP does not replace local standards/guidelines.

Law Office of
BARBARA MACRI-ORTIZ
P.O. Box 6432
Oxnard, California 93031

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Telephone: (805) 486-9665

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E-mail: b.macriortiz@verizon.net

July 17, 2008

City of Oxnard
Planning Division
ATTN: Ms. Kathleen Mallory, AICP
Project Planner
City of Oxnard Service Center
214 South "C" Street
Oxnard, California 93030

RE: COMMENTS CONCERNING THE DRAFT ENVIRONMENTAL IMPACT REPORT - OXNARD VILLAGE SPECIFIC PLAN PROJECT WAGON WHEEL AREA, OXNARD, CA

Dear Ms. Mallory:

I represent the Wagon Wheel Residents' Committee, and I am submitting these comments on their behalf. As you know, I also submitted a letter on November 17, 2006, in response to your request for input concerning the scope of the EIR. Unfortunately, that letter was not included in the EIR study, and consequently, the serious issues that I raised were not appropriately addressed in the EIR. As part of my comments concerning the draft EIR, I am attaching a copy of that letter which is hereby incorporated by reference.

Additionally, on October 1, 2007, I submitted written comments to the Planning Commission regarding the deficiencies contained in the Mobile Home Park Closure Impact Report ("Impact Report") that was prepared by Star Management. As part of my comments concerning the draft EIR, I am also attaching a copy of that letter, which is hereby incorporated by reference. I expect the City of Oxnard and Rincon Consultants, Inc. to seriously consider the matters raised in these two letters, as well as the comments that follow, and make the appropriate adjustments to the draft EIR. In accordance with Public Resources Code Section 21153, I hereby request that the City, as the lead agency in this matter, consider and respond in writing to the matters that are raised herein, and in my previous communications.

A

ISSUES, CONCERNS AND PROBLEMS WITH THE DRAFT EIR

There are a multitude of issues that must be addressed before the draft EIR can be said to be ready for the Planning Commission's serious consideration. In particular, the inaccuracies in the document need to be corrected. Also, as I will explain below, some of the areas require additional study or evaluation based on the facts. One glaring problem that must be addressed is the fact that the City has not yet adopted its Housing Element for the period 2006 - 2014. This element should have been adopted by June 30, 2008. Thus, at this time since the City does not have an updated, adopted Housing Element on file, the City cannot legally make land use decisions. The absence of an updated Housing Element also calls into question the authority of the Planning Commission to act on the instant EIR, and until such time as the City has in place an adopted Housing Element that complies withe State Law, the efficacy of the EIR is questionable at best. B

In the following paragraphs, I will highlight a number of the areas of concern that should be addressed and rectified by the City. As a preliminary matter, it should be noted that it would have been easier to follow the organization of the Environmental Impact Analysis, had the document contained an accurate Table of Contents. I would hope that the Table of Contents in the final document will be corrected.

1. Population and Housing

A. The closure of the Mobile Home Park.

The DEIR failed to properly analyze the impact of the proposed closure of the mobile home park, including 141 occupied units, and an additional 30 units that have in the past been available to meet the housing needs of the low income community. At page 4.10-4, the EIR erroneously implies that the mobile home units are somehow not affordable housing because "no housing units in the mobile home park are designated as affordable units." However, as stated in the City's 2000 Housing Element at page III-12, "the City established a Mobile Home Rent Review Board to monitor the rents charged at the parks" because of the fact that "mobile homes provide a significant source of affordable housing for lower income persons." This is borne out by Exhibit 6 of the Impact Report, which demonstrates that the monthly rents at the Park range from $294.74 to $425.27, with the vast majority of the residents paying rents in the $300 range. These rents are considered affordable to "extremely low income" (i.e. earning a maximum of 30% of the area median income). C

The EIR must acknowledge and reconcile the serious impact of the potential loss of such a ↓

large number of housing units that are now, and but for the project, would continue to be affordable to farm workers and other very low wage workers by virtue of the City's rent control ordinance. Furthermore, the City's planning documents contemplated that the Wagon Wheel Mobile Home Park would be relocated prior to the redevelopement of the Wagon Wheel area [See 2020 General Plan, XIII-30]. Relocation of the mobile home park was anticipated in order to comply with the City's policy as stated in the 2020 General Plan to preserve the 6% mix of mobile home parks in the City's housing stock. [See 2020 General Plan, XIII-75]. Thus, the Oxnard Village Specific Plan Project will be inconsistent with the City's General Plan unless it provides a replacement mobile home park for the Wagon Wheel residents or other viable mitigation measure to permanently house the residents in comparable affordable housing that will be preserved as affordable housing over the long term. D

It should also be noted that the 2020 General Plan projected that the number of dwelling units in mobile homes would increase from 2,843 in 1989 to 3,195 in 2020, an increase of 352 rent controlled units. [See 2020 General Plan, Table IV-1, page IV-5]. According to Department of Finance's January 1, 2008 E5 City/County Population and Housing Estimates for Ventura County, Oxnard had 2,946 mobile homes, a gain of only 103 units. The elimination of the 171 Wagon Wheel units would result in a net loss of 68 mobile homes as compared to 1989. This is a significant impact that must be analyzed, and mitigation measures put in place in order to reverse this serious negative impact on the City's affordable housing stock. E

The developer's proposal includes the absolute ***minimum*** number and affordability levels of inclusionary units required under California Redevelopment Law -- 225 units, including 90 units affordable at 50% of median income and 135 affordable at 120% of median income. These affordability levels do nothing to mitigate the true impact of the proposed closure of the park. The EIR must acknowledge this problem and include mitigation measures to require the developer to relocate the mobile home park or replace these 171 units on site and at their ***same level of affordability***. F

B. Mitigation measures to reduce impacts related to the displacement of housing.

The Draft EIR suggests that as long as the "Mitigation Options" contained in the Impact Report are implemented, the impacts related to the displacement of housing and population would be reduced to a less than significant level. Nothing could be further from the truth! The five options listed in the report at 4.10-4 - 5 are totally inadequate because even if they were implemented as proposed, the mobile home park residents would be displaced and their housing destroyed without them receiving adequate relocation assistance. Thus, the EIR must require additional mitigation measures to address the significant impacts that the proposed project would G

have on these residents. Please refer to my October 1, 2007, letter addressed to the Planning Commission for further analysis of this issue.

Furthermore, Housing Element Policy 3.6 mandates the City to support the conservation of mobile home parks, and other sources of housing that is affordable to lower-income households. Buffering that view is the statement in the Land Use Element concerning the potential redevelopment of the Wagon Wheel Infill/Modification Area. The City is directed to establish policies for the relocation of the Wagon Wheel mobile home park. These policies do not conflict as suggested on page 4.8-18 of DEIR. Rather, these policies are internally consistent because they both recognize the necessity of preserving the affordable housing that is presently at the Wagon Wheel site. These policies must be read together. Furthermore, these policies are consistent with the HERO objective to "***preserve and rehabilitate existing low and moderate income housing.***" All parties recognize that at this time there is no available land upon which to relocate the mobile home park. Thus, if the project is to proceed, the most appropriate mitigation measure would be to require the developer to preserve the affordable housing in the mobile home park by replacing the mobile homes with an alternate source of ***comparable*** affordable housing that is constructed and integrated into the specific plan. The project area is 65 acres, with 1,500 residential units planned. Surely, the developer should be able to accommodate the residents of the mobile homes on site, and thereby preserve their community and their affordable housing, albeit in a different form.

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C. The cumulative impacts of the Project related to housing and population are significant and have the potential to create a significant physical change to the environment.

As discussed in the Draft EIR at 4.10-2, population impacts "would be considered potentially significant if growth associated with the proposed project would exceed SCAG growth projections for the area and if such an exceedance would have the potential to create a significant physical change to the environment."

The draft EIR contains only a superficial analysis of the growth projections for the City of Oxnard. We are in the midst of the most serious housing crisis that we have experienced since the Great Depression. It is estimated that there are currently 1,500 homes in various stages of foreclosure in the City of Oxnard. That is as many homes as are proposed by this project.

This problem was created by a significant increase in home prices coupled with creative financing mechanisms and sub-prime home mortgages that allowed people to incur higher levels of debt than they could support based on their incomes. We now have an abundance of housing

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units that our residents cannot afford and a severe shortage of housing that is affordable to the majority of our residents. This fiasco was fueled by a severe imbalance in the production of housing units over the last twenty years.

According to the City of Oxnard's 2020 General Plan Housing Element, 4,592 building permits were issued during the period 1980 through 1989. [Figure XII-2]. During this period essentially all of the development consisted of detached or attached homes that were sold at prices affordable to moderate or above moderate income households. Virtually no apartments were constructed during the 1980s, and consequently little or no housing opportunities were created for the very low and low income segment of Oxnard's population.

Housing production slowed during the recessionary period of the 1990s, but affordable housing developers began to make a little progress, producing a total of 770 very low and low income apartments and homes during the 7/1989 - 6/1998 planning period (45% of the combined RHNA Goal for these income levels). However, even though the City as a whole produced only 87% of its total RHNA need during this period, the City surpassed its need for above moderate income homes, building 2,178 homes or 142% of its above moderate income RHNA goal. [See Attachment A[1]]. I.

During this last planning period (1998 -2005) housing production skyrocketed and the City actually surpassed its overall RHNA goal by 182%. Yet the disparity was even more pronounced as 5,087 homes or 85 % of the total production catered to the above moderate income buyer, only 410 units were produced for very low income households, and none of the RHNA goals were met for the very low, low or moderate income households!

This persistent disparity in housing production by income categories has had a sobering and long lasting effect. The Housing Element reported that from 1980 to 1990, overcrowding among Oxnard households increased from 16% to 25%. The number of overcrowded units rose to 30.5% according to the 2000 U.S. Census. According to the Census, 13,310 of Oxnard's 43,620 housing units were overcrowded. This overcrowding

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[1]. Attachment A was prepared using the data from a number of sources, including the City, the Department of Finance, and the draft EIR. Additionally, some of the information was compiled and verified against housing production records that I have compiled over the years in my affordable housing law practice. The City and Rincon Consultants, Inc. are invited to contact me if they require any additional information or have any questions concerning the statistics included in the Attachment or the methodology used.

was not limited to rental housing, as some might suspect. In fact, 40.5% of the overcrowded households in 2000 resided in owner occupied housing. The picture is even bleaker now in 2008 as the monumental rise in housing costs coupled with the sub-prime meltdown has led to even more overcrowding. As of January 1, 2008, the Department of Finance reported that the number of persons per household in Oxnard rose to 3.869, the highest ratio in the County, and one of the highest ratios in the country.

The negative consequences of overcrowding of existing neighborhoods are felt in many ways. Most of the overcrowding is occurring in older, primarily single family neighborhoods and small one and two bedroom apartment complexes that were built in the 1950s through the early 1970s. The infrastructure serving these homes and apartments is not equipped to handle the higher numbers of residents requiring service. We have already seen large families displaced from their homes due to fires that were caused by overloaded electrical circuits. We have also experienced a shortage of available on street and off street parking in older communities that were not designed to accommodate extended families. In many instances families are competing with cars for space in garages, and the fact that garages have been converted to provide a desperately needed source of shelter has placed additional strains on the parking problems in many neighborhoods. However bleak the situation, these alternatives still do not meet the over riding need for decent, safe and sanitary affordable housing, and as a result we have seen the numbers of homeless families steadily rise in our community and throughout the County. I cont'd

The cumulative effects inherent with the anticipated amount of above moderate residential development during the next planning period, including this project, as demonstrated in the DEIR, [Table 1, 3-4 - 3-6] , and Attachment A, will have a significant impact on the entire community, but in particular in the older sections of Oxnard that are least able to accommodate the increased population that these neighborhoods are housing by default. This unplanned population growth in existing communities will likely create a significant physical change to the environment as the housing stock and infrastructure in these neighborhoods deteriorates from the strain created by the resulting overload. The mitigation measures are relatively simple. Developments should be expected to accommodate the appropriate percentage of the population growth that corresponds to each income level as expressed in the RHNA goals, and furthermore, any development that removes affordable housing stock should be expected to replace that housing at the existing affordability levels in the early stages of the development in order not to exacerbate the existing problems caused by overcrowding.

Thus, Oxnard Village should first replace the 141 occupied mobile home units on site at their existing affordability levels. Furthermore, instead of Oxnard Village building 85% of its housing to serve the above moderate community, it should allocate the remaining production J

among all income groups to correspond to the need as expressed in the RHNA goals, i.e. 41.4% for above moderate income households; 21% affordable to very low and extremely low income households; 17.2% affordable to low income households; and 20.4% affordable to moderate income households.

Such an equitable manner of disbursement of housing types affordable to all income groups consistent with the real housing needs in Oxnard is critical to the long term health of the overall Oxnard community. Right now this is especially so because in addition to the projected housing needs as determined in the RHNA for the 2006 - 2014 planning period, there also is a compelling, present, existing and desperate need for affordable housing by the existing lower and moderate income residents of Oxnard in order to reduce overcrowding.

J cont'd

Requiring the housing opportunities in this development to mirror the community needs would also be consistent with SCAG's Growth Visioning Principle 3, (i.e. ***Enable prosperity for all people***). Furthermore, since the Oxnard Village project represents 26.5% of the projected citywide population growth through 2015 and 17.2% of projected citywide population growth through 2020 (DEIR, pg. 5-1), this project has the potential to either make a huge contribution to address the overcrowding problem and thereby improve our City, or it can have a devastating effect and further complicate and exacerbate one of the most serious problems confronting the City.

Such an approach would be in harmony with Land Use Element Objective 2 (i.e. provide a variety of housing types throughout the City), and Housing Element Policy 2.2 ("Encourage the production of housing that meets all economic segments of the population, including lower, moderate and upper income housing ***to achieve a balanced community.***" Furthermore, this approach would also be consistent with SCAG's Growth Management Policy 3.24, that encourages local jurisdictions to implement programs that increase the supply and quality of housing and provide affordable housing ***as evaluated in the Regional Housing Needs Assessment.***" [See Table 4.8-2, p. 4.8-26]

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The population and housing section of the DEIR does not discuss the proposed make up of the housing units. However, Table 7 in the Traffic Impact Study for the Oxnard Village Development Project indicates that the required parking spaces for the residential portion of the project were based on 200 one bedroom units and 1,300 2+ bedroom units. In light of the above discussion regarding overcrowding, the DEIR should include an analysis of the effect that the construction of a significant percentage of small units may have on the City's overcrowding problem.

2. Jobs/Housing Balance

The DEIR reports that Oxnard currently has a jobs per household ratio of 1.2:1, which falls within VCOG's recommended range of 1.1 to 1.34 jobs per household. However, the proposed project would result in a net reduction of 257 jobs on the project site and a net increase of 1,359 new housing units. This shift will lower the jobs per household ratio to 1.16:1. Furthermore, when the proposed project is considered in light of the current situation and cumulative developement, including the project, the jobs per household balance slips to 1.02, and falls completely outside of VCOG'S recommended range. [DEIR, page 4.8-27 - 29]. This erosion of the jobs/housing balance is significant, especially when so many households must have two or more household members working full time in order to pay their living expenses, including housing expenses that consume an increasing portion of their disposable income, i.e. oftentimes over 50% of the household's monthly income.

The data contained in the DEIR at page 4.8-28, establishes that the proposed project will cause the elimination of 240 light industrial and 173 commercial jobs. The proposed project will likely generate 43 retail, 77 office and 36 restaurant jobs, for a net loss of 257 jobs. Besides the actual job losses, the project will be eliminating the higher paying jobs and creating lower paying jobs, many of which generally do not offer any fringe benefits. Where will these 156 low wage workers live? The project proposes only 90 units of very low income housing, no low income units and the 135 moderate income units will not be affordable to these low wage workers. The situation is further complicated by the accurate observation in the DEIR at page 4.8.27, that "additional jobs may be generated by the proposed residential component of the project, such as domestic workers, private security personnel, maintenance staff, landscapers etc." Virtually all of these jobs pay minimum wages. So where will these minimum wage workers live? One of the selling points of a high density planned development is that the community is self contained, and thus, is in a position to lessen our dependence on fossil fuels. It would seem that part of maintaining an appropriate jobs/housing balance would be to provide sufficient housing within the new development that will be affordable for those who will be filling the jobs that are created in the project area. This would facilitate two goals: 1) ensure that the workforce will have an affordable place to live; and 2) provide housing in close proximity to employment centers in order to alleviate the need for long commutes, and lower the dependence on the automobile.

The 2020 General Plan provides direction on this point which should be considered and analyzed in the DEIR and considered by the Planning Commission and City Council as they review this and other projects that will come before them:

"In addition to producing the proper amount of housing, however, it is also important to

> encourage the appropriate mix of housing types (e.g., single family, apartments, handicapped) to accommodate the family and income characteristics of the City's workforce. SCAG's Growth Management Plan encourages the adoption of implementation measures which would promote a match between an area's price of housing and the household income of those who work there, "to assure not only a numerical match between jobs and housing but also an economic match in terms of the type of jobs and housing." [2020 General Plan, pg. IV-11].

The DEIR should delve into this area, and further, it should study another admonishment contained in the Jobs/Housing section of the 2020 General Plan:

> "It is important to consider carefully the effect of changes over time in household size, the employment rate and the workers/household rate. Otherwise, unintended consequences, such as overcrowding or overbuilding, may result." [2020 General Plan, pg. IV-11].

Overcrowding is already a fact of life in Oxnard, and its side effects place a huge stressor on the City and the residents' quality of life. This overcrowding is not the result of a lack of housing stock. Oxnard has consistently surpassed its overall RHNA goals, having produced 182% of the total number of units called for in its 1998 - 2005 RHNA goals. Yet, today more of our residents are living in garages or crowding into homes and apartments with two or three other families. The reason why this is happening is simple to understand when one considers that we were able to meet the 1998 - 2005 RHNA goal for only one income group in our City - above moderate. During the last planning period we witnessed the construction of 5,087 high end homes when our City needed only 1,507. Thus, we built 3.4 times as many homes for this income group than was needed during this period. This mismatch of housing types exacerbated the existing overcrowding problems we face, and has made it more difficult for the City to adequately address the housing needs of its workforce.

The reduction in the jobs/housing balance must be addressed in the DEIR, as a significant impact of this project. The DEIR must also study this problem in the context of the Department of Finance's report that Oxnard's household size has grown to 3.869 persons per household. These two indicators must be reconciled, and appropriate mitigation measures should be put in place before the EIR for this project or for any other large scale housing project should be certified.

It should also be noted that contrary to the DEIR's conclusion at page 5-16, higher-density residential development in and of itself does not reduce vehicle miles traveled. Trip reductions are accomplished best when one lives in a self contained community, which includes

jobs, schools, shopping and services within walking distance. By far the most important of these is jobs because working is something we do every day, except for holidays and an annual vacation, if we are lucky. Thus, in this era of Global Warming and concern for greenhouse gas emission reduction strategies, the most important strategy we can adopt is to locate more jobs closer to our population. Unfortunately, although this project had the potential to move us in the right direction, it does not propose to do so. M

3. Levees

The Hydrology Reports contained in Appendix D took on increased significance in light of the recent revelation that FEMA withheld preliminary certification of seven county-owned levees, including two levees that directly impact this project, a levee on the Santa Clara River near Highway 101 and another on the El Rio Drain. In an article that appeared in the *Ventura Star* on June 21, 2008, Oxnard Public Works Director, Ken Ortega, was quoted as stating that the "northwestern portion of Oxnard also is in danger of being listed in the flood plain because three nearby levees have been found inadequate," explaining that preliminary data suggests that some sections of the levees may fall six inches short of the federal requirement.

The significance of being included in the flood plain has huge ramifications for those property owners whose properties fall within the flood plain because of the requirement for flood insurance, which can cost between $1,000 - $2,000 a year. Jeff Pratt, executive director of the Ventura County Watershed Protection District, the public agency responsible for the levee system in the County, acknowledged in that same article that some of the levees will have to be raised. He explained that the tests and other preliminary work that will be required will cost from $3 million to $5 million, with the upgrades to meet federal standards costing millions of dollars more. But Mr. Pratt compared these costs with the potential insurance costs, and was quoted as saying: N

> "it's a spit in the ocean compared to what's going to go out of the county (in insurance) if we don't do it. It would be a lot cheaper to fix the levees than it would be for everyone to collectively pay flood insurance."

After the Katrina experience, it would make sense to fix the levees regardless of any issues with respect to flood insurance.

This situation is of particular concern because of two findings in the Huitt-Zollars Preliminary Drainage/Water Quality Report, dated April 29, 2008. It is reported that: O

> "The El Rio Drain is operating significantly overcapacity. As this is a regional problem

requiring a well-considered approach, this project proposes to direct all on-site flow directly to the Santa Clara River as part of site development." [Huitt-Zollars Report, pg. 4]

"Flooding of Ventura Road has been and continues to be an issue of major concern for the City of Oxnard.... The ultimate solution for this condition will be a levee similar to that on the north side of the 101 Freeway that will protect the entire east bank from river flooding." . . . .

"Until such time that this facility is built, the developer of the Wagon Wheel site is willing to provide interim solutions to 'minor storm' flooding. ..... As can be seen, various steps can be taken relatively easily to mitigate some of this concern until such time that the ultimate levee facility can be built." [Huitt-Zollars Report, pg. 5]

O cont'd

The DEIR should undertake additional study and consideration in light of the existing situation, as we not only need a third levee, but the other two levees in the area may require major upgrades. It makes no sense to move forward with a 1,500 unit project without knowing whether these residents would have to pay flood insurance, and more important, it makes no sense to put this many people in harms way.

Additionally, in light of this issue, the DEIR should revisit the conclusion in Impact T-5, contained in Section 4.13 - Transportation and Circulation, i.e. that impacts to traffic circulation from closures of Ventura Road due to flooding would be "Class III, *less than significant*." (pg. 4.13-39). During peak storm events under the present conditions Ventura Road is subject to periodic flooding due to overflow surface water from the El Rio Drain and the Santa Clara River (Paul Wendt, Senior Civil Engineer for the City of Oxnard; pg. 4.13-39). During such events Ventura Road is temporarily closed. We have been in a drought for several years, so although we have not experienced any serious rain events lately, a rainy season could change the situation dramatically. Also, at present the traffic flow in that area is fairly light, so finding an alternate route via Oxnard Blvd. is not too difficult. However, the situation should be analyzed taking into consideration the dramatic increase in population that will come with the project, including the corresponding reliance on that roadway to access the 101 from the west side of the project area.

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4. Parks

The recreational amenities proposed under the Specific Plan are no substitute for a community park. Tot lots, and other proposed private recreational opportunities do not address the need for children, especially those over nine years of age, to be able to run freely, exercise and

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play soccer and other sports. It is disconcerting that this 65 acre site would be developed without at least one functional park for older children, teenagers and young adults.

The benefit of high density housing is that the compact housing design makes it possible for a site this big to be able to accommodate something besides housing. As such, this site should be able to accommodate this new community's need for a park where youth, as well as their parents, can run and play, and enjoy the outdoors. The residents of this development should not have to get in their car in order for their children to be able to practice their soccer skills or play a scrimmage game with other neighborhood youth.

The Quimby fee solution is no solution at all when the City is already so far behind in meeting the residents' recreational needs. What the City needs more than money is park land that is free and accessible to the citizens of the various communities. This is a quality of life issue. The proposed project should be conditioned to contribute sufficient land on site in order to meet the residents' need for community park land. This is not a numbers game. It is inappropriate to include a golf course in calculating the acreage needed for park lands based on the population in the City. A golf course is a single use facility that is not designed to address the general recreational needs of the residents. Unless the City is prepared to allow bar-b-ques and soccer practices on the fairways and greens, it should not count the golf course acreage in determining the need for public open space. Q cont'd

Furthermore, if the City is concerned that it does not have sufficient funding to develop the park itself, then it should consider placing a condition on the specific plan approval that would make the developer responsible for the park improvements prior to dedicating the park land to the City. Our City is growing. We need more parks to accommodate our needs. We need to find ways not to sell our residents short.

5. Schools

The draft EIR's analysis of the impacts to schools must be redone because it is totally inaccurate. Table 4.11-1 - Current Enrollments and Capacity at Local School Districts, does not list all of the schools in the Rio School District. The Table should include Rio Real, and the new intermediate school that recently opened in RiverPark. Also, it should be noted that a second elementary school in the RiverPark area should be coming on line as development in that area progresses. The DEIR should ascertain the status of that elementary school. Of course, the residents in RiverPark have priority to attend the three schools in the RiverPark area based on the school financing in place there (CFD), so that fact must be taken into consideration in evaluating the school impacts of the proposed Oxnard Village Specific Plan project. R

In addition, the project is located within in both the Rio School District (K - 8 District) and the Oxnard Union High School District (High School and Adult Ed). However, contrary to the information contained in Figure 4.11-3, the boundaries of the two districts are not distinct. In fact, the Oxnard Union High School District (OUHSD) serves all the high school children who reside in the Rio School District, as well as the high school children who reside in the other elementary school districts in Oxnard (Oxnard Elementary, Ocean View, Hueneme), and Pleasant Valley School District in Camarillo.

The DEIR must reflect the fact that the OUHSD. is a district of high schools only. It contains no elementary schools! Figure 4.11-3 should not include schools that are in the Oxnard Elementary School District since those schools will not serve the children living in the project area. It should be noted that although Rio Mesa High School is within the borders of the Rio School District, both Pacifica High School and Oxnard High School are much closer to the project site. Therefore, one or both of these schools might be better situated to integrate high school students from the project area, although current overcrowding conditions at these two high schools may very well prohibit such an option. S

The DEIR must also correct Table 4.13-11 - Oxnard Area Schools, in Section 4.13, the Transportation and Circulation section. Table 4.13-11 includes three schools from the Oxnard Elementary School District, Sierra Linda, Thurgood Marshall, and Robert J. Frank Intermediate. Instead of including these three schools, the Table should include the two elementary schools (Rio del Mar and an unnamed school that I believe is under construction) and the intermediate school in the RiverPark project, as well as Rio Plaza and Rio Real, both of which might possibly be considered to handle any overflow of students from the project area. T

6. ***Recycled Water***

On page 4.14-45, the DEIR reports that when the "recycled water is available, and connection to the recycled water system is made, the developer shall remove the connection to the domestic water system." At page 4.14-46, the DEIR states that "[a]t such time as recycled water is available, the developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled water system, including appropriate signage." In reviewing the document, it was unclear how long into the future it would be before the recycled water program will be implemented. Thus, the question remains as to who will be responsible for these commitments if the project is completed and/or sold prior to the time when the City is ready to transition to recycled water? U

I trust that this time around, my comments will be considered and appropriate responses provided.

I specifically request that I be provided notice and a copy of the updated draft EIR upon its completion.

If I can be of any assistance to the City or Rincon Consultants, please feel free to contact me.

Sincerely,

Barbara Macri-Ortiz

xc: Wagon Wheel Residents' Committee
Southern California Association of Governments
Edmund F. Sotelo, Oxnard City Manager
Members of the Oxnard Planning Commission

REGIONAL HOUSING NEEDS ASSESSMENT
PRODUCTION GOALS AND ACHIEVEMENTS
CITY OF OXNARD

Income Category	Very Low Income			Low Income			Moderate Income			Above Moderate Income		
Planning Period	Goal	Production		Goal	Production		Goal	Production		Goal	Production	
7/1989 - 6/1998	745	191		974	579		1,101	836		1,534	2,178	
1998 - 2005	797	410		489	465		505	54		1,507	5,087	
2006 - 2014 *	1,491	592		1,221	629		1,445	880		2,936	8,363	
Totals:	3,033	1,197	39%	2,684	1,673	62%	3,051	1,770	58%	5,977	15,628	261%

* Per Oxnard Village DEIR Production estimates for planning period, based on projects proposed, approved, in plan check or under construction. See pg. 3-5 & Table 3-2 -- Total Cumulative Development (Estimates of affordable housing production based on 15% inclusionary for all projects on chart + specific affordable projects that are in the pipeline, i.e. The Courts, CEDC, Sycamore Sr., Habitat)

RHNA GOALS & ACHIEVEMENTS BY PLANNING PERIOD

	7/1989 - 6/1998			1998 - 2005			2006-2014 *		
	Goal	Production		Goal	Production		Goal	Production	
VERY LOW	745	191		797	410		1,491	592	
LOW	974	579		489	465		1,221	629	
MODERATE	1,101	836		505	54		1,445	880	
ABOVE MODERATE	1,534	2,178		1,507	5,087		2,936	8,367	
TOTALS:	4,354	3,784	87%	3,298	6,016	182%	7,093	10,468	148%

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ATTACHMENT "A"

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November 17, 2006

Ms. Kathleen Mallory, AICP
Project Planner
Planing & Environmental Services Division
City of Oxnard
305 West Third Street
Oxnard, California 93030

RE: PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT WAGON WHEEL SPECIFIC PLAN PROJECT, OXNARD, CA

Dear Ms. Mallory:

This letter is written in accordance with the request made at the Community Workshop on November 13, 2006, for input concerning the scope of the EIR for the Wagon Wheel project.

As you know, at the meeting I raised several areas of concern that should be thoroughly studied in the EIR, including the impacts of this project on the City's existing housing stock for its very low and low income community, especially in light of the proposed closure of the mobile home park.[1] If approved as proposed, the project would eliminate

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[1]. I also suggested that the consultant study the changes that are currently underway in redefining the flood plain, and I raised concerns related to the impact of this project on the City's ability to provide an adequate supply of parklands to serve the entire community. I noted the acute shortage of parks available for youth soccer and other youth sports programs. These shortages will no doubt continue to grow as the City continues to grow. The increasing demands placed upon the parks by an expanding population must be viewed as a significant impact of the Wagon Wheel and other projects being proposed in the City. I will not address these issues in this letter, but I do expect these topics will be seriously addressed, and I invite the consultant to

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171 units of affordable housing at the Wagon Wheel Trailer Lodge, as well as additional residential units at the Wagon Wheel Motel.

The Wagon Wheel Trailer Lodge has been home to many very low and low income long time Oxnard residents. This mobilehome park provides decent, safe and sanitary housing to many farm workers and other low wage workers who have faithfully served this community for many years. According to the Mobilehome Park Closure Impact Report that was recently prepared for the Wagon Wheel Trailer Lodge, the average tenancy at the lodge is 11 years, and as was testified to at the community workshop, and as documented in the report, numerous citizens have resided at the park for decades.

The Closure Impact Report makes it clear that it is virtually impossible for any of these residents to relocate to other trailer parks in Oxnard, much less in Ventura County or even within a radius of 150 miles from the park. What does this mean in relation to the EIR? As I explained at the workshop, the closure of this mobile home park that has traditionally served the very low income community must be viewed as a significant impact that ***must be mitigated*** in order for the proposed project to proceed.

The EIR must also evaluate the cumulative effect that the park closure would have on the very serious overcrowding issues that we presently face in the City of Oxnard. As was recognized in the 2000 - 2005 Oxnard Housing Element,

> "Overcrowding occurs when housing costs are so high relative to income that families double-up to save income to afford necessities of life." [Oxnard Housing Element, p. II-31]

The Housing Element reported that from 1980 to 1990, overcrowding among Oxnard households increased from 16% to 25%. The number of overcrowded units rose to 30.5% according to the 2000 U.S. Census. According to the Census, 13,310 of Oxnard's 43,620 housing units were overcrowded. This overcrowding is not limited to rental housing, as some might suspect. In fact, 40.5% of the overcrowded households in 2000 resided in owner occupied housing. The picture is even bleaker now in 2006 as the monumental rise in housing costs has led to even more overcrowding. We have seen a trend of two and three families pooling resources to buy existing homes, as well as new

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contact me directly as he gathers additional information related to the youth sports programs that utilize Oxnard park facilities.

housing stock that has been developed in the Northeast Community and other areas of the City. Many of these new home owners have lived in Oxnard for years. Some are buying bigger homes to accommodate adult children who are unable to compete for high cost rental housing, and others are opting for home ownership instead of continuing to pay ever increasing rents at poorly maintained rental units.

As was stated in the Housing Element:

> "[a]n important measure of quality of life is the extent of overcrowding in a community. Planning areas with high levels of overcrowding are often associated with a relatively higher level of noise, deterioration of homes, and a shortage of on-site parking. Therefore, maintaining a reasonable level of occupancy and alleviating overcrowded housing conditions is an important contributor to quality of life." [2000 - 2005 Housing Element, p. II-31]

X cont'd

These complaints continue to be raised by the public, as the City suffers the stressors of serious overcrowding. In response to some of these complaints, the City Council has begun to entertain plans to require residential parking permits as a vehicle to address the shortage of parking in some of the City's neighborhoods. However, parking permits do not address the systemic problem inherent in overcrowded neighborhoods.

The problem is simple. We are not building the type of housing stock that our community requires, and very little of the housing that is being built is affordable to those in the community who need the housing. This is a real problem that will be exacerbate if the mobile home park closes in a manner that leaves many long time citizens of Oxnard among those competing for affordable housing in this impacted community.

At the workshop many citizens questioned the impact that this development would have on our already overcrowded elementary and high school districts that would serve the Wagon Wheel community. The EIR must address the impact that this project will have if the units are priced beyond the reach of our residents because most Oxnard families simply cannot afford $500,000.00 homes, or even $350,000.00 homes. As long as we keep building housing products that our own citizens cannot afford, we will surely perpetuate the overcrowding problems in our schools. We will also make it impossible for our school administrators to be able to adequately plan for the student population that they will be responsible to serve because school projections, including mitigation fees, are based on one family per housing unit. Unfortunately, if the present trend of high housing costs continues, the notion of one family per housing unit will soon be an

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endangered species, as our working families and adult children continue to adjust to a family and community unfriendly environment.

I appreciate the opportunity to participate in this process, and I look forward to an honest and realistic evaluation of the impacts that this project will have on our community.

Please feel free to contact me, if you have any questions or require additional information.

Sincerely,

Barbara Macri-Ortiz

xc: Wagon Wheel Residents' Committee

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October 1, 2007

Dr. Sonny Okada
Chairman
Oxnard Planning Commission
305 West Third Street
Oxnard, CA 93030

RE: WAGON WHEEL REDEVELOPMENT PROJECT
Planning & Zoning Permit No. 06-260-01 (Mobile Home Closure Permit)
Public Hearing Scheduled for October 4, 2007

Dear Chairman Okada and members of the Planning Commission:

I represent the Wagon Wheel Residents' Committee, including many of the individual residents of the Park, and as such I submit this correspondence on their behalf.

Preliminary Considreations

As a preliminary matter, it appears that the Notices of Public Hearing that were issued by the Planning Staff on August 30, 2007, and September 20, 2007, were issued prematurely, in that the Staff report describes the business to be conducted at the October 4, 2007, hearing as

> "a presentation from the Daly Owens Group of the City's Mobile Home Closure Ordinance, the State of California Mobile Home Park Residency Law (MRL), the applicant's Closure Impact Report dated September 1, 2006, and the supplemental proposal for tenant relocation benefits dated July 24, 2007 for the Wagon Wheel Mobile Home Park."

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The Staff Report further indicates that "*No final action on the Mobile Home Closure Permit will occur until action on the EIR has taken place.*" It should be noted that the EIR has yet to be released to the public. Thus, the October 4, 2007, meeting should have been agendized and noticed for what it really is, a study session, apparently requested by the developer, to begin to educate the Planning Commission about its proposal to close the mobile home park.

However, the Notices of Public Hearing both state that the first order of business at the public hearing is for the Oxnard Planning Commission to "consider closure of the Wagon Wheel Trailer Lodge," and that the Planning Commission will also "consider the Mobilehome Park Closure Impact Report" and the "supplemental proposal for tenant relocation benefits."

Z cont'd

I have been assisting and/or representing the Wagon Wheel Committee and the residents since August 2005. Throughout my representation I was informed by the City that the first step in the process would be the EIR, and that all the permit applications for the Wagon Wheel site would be processed concurrently after completion of the EIR. While I do not object to a "study session," I believe that it is inappropriate to notice the Public Hearing for review of the Closure Permit prior to the release of the environmental document for the project.

I respectfully request that the public hearing be properly noticed in advance of the hearing when the Planning Commission will in fact begin to consider the Mobile Home Closure Permit, and that such hearing not be commenced until after the EIR has been released and the public has had an opportunity to review its contents.

<u>Oxnard's Mobile Home Closure Ordinance</u>

AA

The starting point for the Commission's education with respect to the task that will ultimately be before it is Article II, Section 24-30 of Oxnard's Municipal Code. The Code specifically requires the applicant to produce a report

> "*on the impact of the proposed conversion, closure, or cessation of use upon the residents of the mobile home park who would be displaced and a proposed relocation assistance plan.*"

The impact report is supposed to report on the "*housing and financial impacts of the removal of the mobile homes upon all displaced residents.*"

The applicant is then supposed to prepare a proposed relocation assistance plan "*to mitigate any identifiable adverse impacts of the proposed closure conversion of use on the residents of the mobile home park who would be displaced thereby.*"

The task before the Planning Commission as set forth in Section 24-34 of the Ordinance is to review and consider the applicant's Impact Report and Relocation Assistance Plan. Under the Ordinance **the Planning Commission cannot approve the mobile home park closure permit unless if finds that:**

1) *The conversion, closure or cessation of use of the land as a mobile home park will not be materially detrimental to the housing needs and public interest of the affected neighborhood and of the city as a whole; and*

2) *The measures to reasonably and adequately mitigate any adverse impact of the proposed conversion, closure or cessation of use on the mobile home park residents who will be displaced will be incorporated as conditions of permit approval.*

AA cont'd

If the Planning Commission finds that either the impact report or the relocation assistance plan are inadequate, insufficient, or incomplete, it must deny the mobile home park closure permit. The Commission may deny the permit without prejudice, in which case the applicant is free to attempt to cure the deficiencies and then reapply.

It should be noted that the Oxnard Village, LLC Impact Report does not even attempt to comply with the underlying intent or prerequisites of Oxnard's Ordinance. On page 4 the Report states:

> *"This Closure Impact Report is required pursuant to the Government Code § 65863.7 et. seq. and §66427.4 and the California Civil Code § 798.56(h). It has been prepared to satisfy the requirements of the aforementioned Code sections."*

However, § 66427.4(d) clearly states that the state law "***establishes a minimum standard*** *for local regulation of conversions of Mobilehome parks into other uses and* ***shall not prevent a local agency from enacting more stringent measures.***"

At page 8, the Impact Report dismisses Oxnard's Ordinance as nothing more than a call for "*specific demographic information on the affected Residents, including family size,*

length of residence, ages, estimated household income and whether or not the residents receive any housing subsidies." However, the Report lacks such detail. Instead the Executive Summary merely states that:

> "*The residents of Wagon Wheel vary widely in age, income, and racial composition. A survey of residents was prepared and sent, with a follow up sent to those who did not respond to the first survey. There has been a considerable level of response to these surveys. Followup phone calls were made to Residents that omitted information in their surveys.*"

The Impact Report contains little or no information concerning family size, ages, estimated household income and whether the residents receive any housing subsidies. **The Planning Commission should reject the Impact Report based on this deficit alone.**

<u>The Impact Report is Fatally Deficient</u>

The Impact Report mischaracterizes the Wagon Wheel Mobilehome Park as having "*reached the end of its useful life as a mobilehome and recreational vehicle park.*" That is not the way the residents view their homes and their community. In fact, Wagon Wheel is a very tight-knit, vibrant community that has a stable population. As reported in the Impact Report, the average tenancy is eleven years, 41% of the residents have lived at the park over ten years, and the longest tenancy is 46 years [See Page 9; however, please note that the back up information contained in Exhibit 6 was omitted from the Impact Report that was distributed to the public and the report distributed to the park residents with a copy of the Public Hearing Notice dated August 30, 2007].

One of the initial demands of the residents was to be relocated together as a community. The Wagon Wheel residents ask the Planning Commission to protect their community. We should not allow any developer to destroy a community without providing a viable alternative that preserves the community and replaces the affordable housing stock.

The deficiencies of the Impact Report are numerous, but the most glaring deficiency is its total and complete failure to address, much less adequately mitigate the adverse impacts that the loss of 172 units of housing will have on the residents of the mobile home park and on the City's supply of affordable housing. Attached for your information and review is a copy of my letter dated November 16, 2006, addressed to Ms. Kathleen Mallory, that was submitted to the City in connection with the preparation of the draft

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cont'd

environmental impact report for the Wagon Wheel Specific Plan Project. The facts and discussion presented in that letter are incorporated herein by reference, and the issues and concerns raised, and in particular those related to overcrowding and the lack of an adequate supply of decent, safe and sanitary housing that our residents can afford is relevant to the Commission's evaluation of the applicant's Impact Report and Relocation Plan.

If anything, the Impact Report confirms the desperate need for us to preserve the City's source of affordable housing, including the 172 units that are at risk at Wagon Wheel Mobile Home Park. Section 7 of the report at page 11 (Availability of Other Housing) states:

> *"Due to the severe lack of vacant spaces in the four county area consisting of Ventura, Los Angeles, Orange and San Diego Counties,* ***relocation of the existing mobilehomes to another vacant mobilehome space within these four counties, is for all intents and purposes, impossible.***

↑ AA CONT'D ↓

The report acknowledges that replacement housing for displaced Wagon Wheel residents will have to be located in *rental apartments and condominiums, real estate for sale, senior housing or possibly HUD-assisted housing.* The report goes on to say that the Area Housing Authority and Many Mansions have substantial waiting lists. The report does not even mention the assisted housing stock in Oxnard, but we all know that it is even more impacted, with residents waiting more than five years for an opportunity for a Section 8 voucher or public housing. Long waiting lists are a fact of life at all affordable housing properties in the City, and newly constructed properties, such as Villa Victoria, Meta Street Apartments, and Villa Cesar Chavez were completely leased up within a matter of days after certificates of occupancy were issued by the City.

I have worked diligently with Mr. Vince Daly for the last year attempting to relocate qualified low income Wagon Wheel residents into low income ownership housing opportunities at RiverPark and Hacienda Guadalupe but very few of the residents were able to qualify for such housing, and the number of low income units available in RiverPark as reported in the Impact Report (at page 11), has not materialized. The homes that Shea Homes originally offered for sale were overpriced, and now that the City has corrected that problem, we have learned that Shea Homes does not intend to offer any additional low-income restricted homes in the foreseeable future. All told, only five Wagon Wheel families were able to purchase homes in RiverPark, and one other family found a home in Ventura.

Housing in the private rental marketplace is scarce and expensive. More and more of Oxnard's families are paying over 50% of their incomes for rent, living in garages or renting rooms in single family residences. We are seeing a disturbing increase in the number of homes that are being lost to foreclosure, and at least 30% of the recent sales of single family homes are actually foreclosure sales. A byproduct of the depressed housing market is more overcrowding as families forced out of their homes scramble for shelter with relatives and friends.

The Relocation Assistance Plan is Fatally Defective

Section 24-34(B)(5)(a) - Relocation assistance plan - of Oxnard's Ordinance states:

> *"A proposed relocation assistance plan shall be prepared by or on behalf of the applicant which states all measures proposed by the applicant to mitigate any identifiable adverse impacts of the proposed closure or conversion of use on the residents of the mobile home park who would be displaced thereby. Every proposed relocation assistance plan shall provide that displaced residents will be provided relocation benefits that relate to the identified impacts. Relocation benefits must bear a relationship to the cost of displaced residents' finding alternative housing and will be determined on a case-by-case basis. With regard to mobile homes which cannot be moved to another mobile home park, consideration shall be given to the purchase of such mobile homes by the applicant at their appraised fair market value as determined by a qualified independent appraiser, as approved by the City, utilizing principles applicable in relocation matters. The foregoing applies whether or not the mobile home owner resides in the unit."*

AA cont'd

Initially, the Relocation Plan fails scrutiny because it does not encompass all those who would be eligible for relocation benefits under Oxnard's ordinance. The Ordinance protects "*persons who own mobile homes or who are tenants in the mobile home park.*" [Sec. 24-32 (B)(5)(b)]. The report states that "*[p]ersons who do not occupy the home as their full-time residence pursuant to an MRL tenancy* ***are excluded*** *from this report.*" (See Page 8)

Additionally, the Relocation Plan defies logic because although the Impact Report makes it clear that it is virtually impossible for these mobile homes to be relocated to another mobile home park within a four county area due to the severe lack of vacant spaces, the relocation cost analysis in the report is based on the cost to relocate typical mobilehomes

to a replacement site. (Page 12) The applicant's nonsensical conclusion is based on a misreading of Government Code §65863.7(e), which states:

> *"The legislative body, or its delegated advisory agency, shall review the report, prior to any change of use, and may require, as a condition of the change, the person or entity to take steps to mitigate any adverse impact of the conversion, closure, or cessation of use on the ability of displaced mobilehome park residents to find adequate housing in a mobilehome park. The steps required to be taken to mitigate shall not exceed the reasonable costs of relocation."*

The statute allows the Planning commission to require the applicant to mitigate any adverse impact on the ability of the displaced mobilehome park resident to find adequate housing in a mobile home park, and the applicant's mitigation cannot exceed the *reasonable* costs of relocation. Here, the adverse impact is that there is ***no*** housing available in ***any*** mobile home park, so the ***reasonable costs of relocation*** in this situation are those costs that are required to ***relocate the resident into housing that he or she can afford***. In this case, where the applicant is planning to redevelop a 65 acre site and build some 1,500 housing units, it is reasonable to require that housing opportunities within the new community be provided for all the mobile home park residents at affordable housing costs, whether that be ownership or rental housing.

↑ AA cont ↓

The financial impacts of the removal of 172 housing units upon all displaced residents and the City go far beyond the stark calculations contained in the report. Whether the resident receives the proposed $1,000 as Recreational Vehicle mitigation or between $14,983 to $19,331.33 as a mobile home owner, the fact remains that these residents have no place to go, and will likely end up homeless or in overcrowded or substandard living conditions, if not on the date they move out, then as soon as they exhaust their relocation assistance on the exorbitant rents demanded for apartments in the area.

Contrary to the implication in the report, the purchase of another mobilehome in a land lease park or resident owned park will not be a viable option for most Wagon Wheel residents because the going rate for such mobilehomes is anywhere from $65,000 to $100,000, and the applicant does not propose to provide that amount of relocation assistance. However, under the City's Ordinance, in situations where the mobilehomes cannot be moved to another mobile home park for whatever reason, "*consideration shall be given to the purchase of such mobile homes by the applicant at their appraised fair market value as determined by a qualified independent appraiser, as approved by the City, utilizing principles applicable in relocation matters.*" It would seem reasonable that

the appropriate relocation benefit to be required would be that amount of money that it would cost the resident to actually purchase another comparable mobilehome in another mobilehome park.

Unfortunately, in this case the applicant does not even propose to cover the amounts that the residents may owe to lenders for their existing mobile homes. Instead, the report states on page 9, "*for those residents who presently have loans against their mobile homes, they should contact their lender to discuss their options.*" Such an approach is contrary to the statute and the ordinance. Instead of assisting the displaced mobilehome park residents to find adequate housing, the applicant will likely enable the destruction of the resident's credit worthiness because after the resident is forced to move from the Park, the loan for the mobilehome will likely end up in default.

<u>The July 24, 2007, Supplemental Proposal for Tenant Relocation Benefits</u>

The Wagon Wheel Committee has been meeting with Mr. Vince Daly, the representative of Oxnard Village LLC, on a regular basis to try to come up with an acceptable solution to resolve the residents' predicament. The July 24th proposal is Oxnard Village's latest proposal. There are two issues that must be resolved: 1) on site affordable housing for all the residents who need housing; and 2) fair and reasonable compensation for their mobile homes based on their fair market value in today's housing market. These are two separate, but equally important issues.

Unfortunately, the supplemental proposal does not adequately address either issue. The main problem with the on site housing proposal is that Oxnard Village, LLC is still refusing to commit to actually build housing for all the mobilehome park residents. Instead, it merely is offering to build that amount of affordable housing that it would be obligated to build under redevelopment law anyway, even if the parcel was vacant [1]. Nor is the type of housing proposed suitable and adequate for the Wagon Wheel residents,

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[1] It should be noted that according to the Final Regional Housing Need Allocation Plan adopted by the Southern California Association of Governments on June 26, 2007, Oxnard's RHNA requirements for the 2006 - 20014 period include 1,491 very low income units (½ of which must be for extremely low income, i.e. < 30% of county median family income), 1,221 low income units, and 1,445 moderate income units. These units are ***in addition to*** the units that are at risk at the Wagon Wheel Mobile Home Park.

and the proposal does not even commit to provide housing opportunities for all of the residents.

In October 2005, the Resident Committee, under my supervision conducted a survey of the incomes and family sizes of the residents of the park in order to ascertain the type of housing that would be needed. The results of this survey were provided to Mr. Daly and also shared with various City officials. The survey was completed by 99 of the 144 active households. The income levels of the families included 41 extremely low income, 20 very low income, 29 low income, 3 moderate income, and 6 households who declined to state their income. Of these households, 25 households required one bedroom apartments, 30 households required two bedroom apartments, 34 required three bedroom apartments, and 10 required four bedroom apartments. No surveys were completed for 15 of the occupied mobile homes and 30 of the RVs. Additionally, at that time two mobile homes and 22 RV spaces were vacant. Thirty-two of the households contained at least one member who was employed in the agricultural industry (primarily farm workers).

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About a year later, Mr. Daly hired CEDC to work with the families who were trying to buy homes at RiverPark. CEDC screened about 60 families for income eligibility and conducted credit counseling. About one month ago, at the request of Mr. Daly, CEDC went door to door with members of the Committee to survey additional families for income eligibility and family size. All together CEDC compiled information for 87 households. Of these households, 20 were considered extremely low income, 38 were very low income, 22 households were low income and 7 were moderate income. Of those surveyed, 28 families are in need of one bedroom units, 17 households need two bedroom units, 17 need three bedroom units and 10 families need four bedroom units. CEDC's survey results are very similar to the results that were obtained by the Wagon Wheel Committee two years ago.

In contrast to the demonstrated need, Oxnard Village's proposal contains too many one bedroom units, (48 compared to 25-28 needed), no four bedroom units (10 needed), and most important, there is no commitment to build housing for extremely low income families. This deficit is critical in that there are between 20 and 41 families that need such housing, and most of these families have children. Additionally, Oxnard Village has not demonstrated that it has the ability to actually produce the needed housing at the affordability levels required. Most important, the **proposal makes no commitment to actually house the residents**. Instead, the proposal simply states:

> *"Oxnard Village Investments, LLC is willing to give residents of the Wagon Wheel Mobile Home Park **first priority** in these residential dwellings **provided they are qualified pursuant** to the applicable State and City income criteria and priority is approved by the Oxnard City Council."*

According to the proposal, if the residents are not income eligible for the units that are actually constructed, they will be out of luck. Based on the foregoing deficits, this proposal is simply too tentative to be considered a bonafide Relocation Assistance Plan that meets the demonstrated needs of the residents in accordance with Oxnard's Ordinance.

Also, while it may work to build one bedroom apartments upstairs from the commercial development, such an arrangement is not suitable for families with children. In any event the residents do not want to destroy the community that they have built up over the years and thus, they would like a complex built on the site that would allow for them to all be housed in the same community.

AA cont'd

Second, with respect to the dollar amounts being offered by Oxnard Village, LLC, these amounts are simply not in keeping with Oxnard's Ordinance or state law. The developer must be made to understand that just compensation is one essential component to adequately mitigate the adverse impact to a resident who is losing his or her home. The developer needs to comprehend that such a loss is a body blow to a family's safety and security, i.e. decent, safe and sanitary housing that is affordable and secure. Furthermore, I am concerned that the forgiven rent provisions as structured by the developer are not in keeping with the spirit or the letter of the Ordinance, and whether intended or not, these provisions tend to apply undue pressure on the residents. In addition, I question whether in the absence of safeguards, such provisions run counter to the residents' first amendment protections sought to be enhanced under Section 24-36 of the Ordinance.

In conclusion, although the Wagon Wheel Committee is committed to working together with the developer to resolve this matter, we have a long way to go and a lot more work has to be done by the developer. It is important that the developer understand that it must prepare a relocation assistance plan that mitigates all identifiable adverse impacts of the proposed closure on the mobile home park residents. It is of the utmost importance that the Planning Commission decide this matter based on the requirements of Oxnard's Ordinance, and that your decisions are made in the best interest of the affected neighborhood and the City as a whole.

Thank you for your consideration of the points raised herein.

Sincerely,

Barbara Macri-Ortiz

xc: Wagon Wheel Committee
Vince Daly, for Oxnard Village LLC
Gary Gillig, Oxnard City Attorney
Kathleen Mallory, AICP, Project Planner

Enclosure

Letter 20

COMMENTER: Barbara Macri-Ortiz

DATE: July 17, 2008

Response 20A

The commenter states that she submitted a letter to the City in response to the Notice of Preparation for the EIR during the EIR scoping period, and that the letter was not reproduced in the Draft EIR's Appendix A, which included the Notice of Preparation response letters. The City acknowledges that a printing error resulted in several of the Notice of Preparation response letters being inadvertently omitted in the printed Draft EIR, and that the commenter's letter was one of those omitted. The Final EIR will correct the printing error and include all of the Notice of Preparation response letters (see Section 9.0, *Correction Pages)*.

The commenter further states an opinion that the comments in her Notice of Preparation response letter were not addressed in the Draft EIR. This is incorrect. All of the Notice of Preparation responses were considered in the preparation of the Draft EIR, as demonstrated in the responses to specific points below in responses 20B through 20AA. This is further indicated by the fact that although a printing error resulted in the omission of several letters, Section 1.0, *Introduction,* of the EIR states that 13 letters were received, which is the total number of letters received including those that were not printed. It should also be noted that CEQA does not require that scoping letters be reproduced in EIRs (*CEQA Guidelines* Article 9). Such letters are often included as additional information to share the extent of public input on the scoping process with the public and decision makers.

Finally, the commenter refers to a letter regarding the Mobile Home Park Closure Impact Report, which is attached to her Draft EIR comment letter. This letter is discussed in Response 20AA.

Response 20B

The commenter states an opinion that the City may not certify the EIR or act on the project because as of June 30, 2008, the City does not have an adopted updated Housing Element for 2006 – 2014. This opinion is noted; however, it relates to procedural issues affecting continued processing of the proposed project and does not pertain to the analysis, conclusions or adequacy of the EIR. In addition, the five-year time period for updates to Housing Elements is not a mandatory time period, and thus does not support the commenter's assertion that the City may not approve the project. (See San Mateo County Coastal Landowners' Assn. v. County of San Mateo (1995) 38 Cal. App. 4th 523, 544 and 545, and Miller & Starr, California Real Estate 3d Section 25.6 (2007)). Finally, the proposed project is consistent with the City's current General Plan Housing Element and the July, 2007 Regional Housing Needs Assessment (RHNA) housing numbers which the updated Housing Element will take into account. Therefore the City anticipates that it will be consistent with the City's updated Housing Element when it is complete.

Response 20C

The commenter states an opinion that the Draft EIR is in error in stating that "…no housing units in the mobile home park are designated as affordable units…" Although the MHP units are affordable to low-income families, and are subject to rent control per City Code, they are not designated affordable housing units under the City's affordable housing production program. The commenter further notes that the City's Mobile Home Rent Review Board monitors the rents charged at the mobile home park (MHP); that the General Plan refers to MHPs as a source of "affordable housing;" and that rents at the park range from approximately $294 to $425 per month, which falls within the rent category of "extremely low income" per the City's housing affordability matrix. While it is true that the MHP units are subject to rent control, the purpose of the EIR discussion referenced by the commenter is to distinguish between the MHP units, which are rent controlled, and the project units proposed to be designated as affordable pursuant to the City's Affordable Housing Ordinance inclusionary housing program. The latter would be essentially "rent controlled" as well, but would also be income-restricted for a set period of time, meaning that they are intended for low-income families only. This additional layer of affordability is important to note.

Response 20D

The commenter refers to two statements in the City's Housing Element, one calling for relocation of the Wagon Wheel MHP and one calling for keeping the City's mobile home housing stock at 6% of the housing mix. The commenter refers to these statements to support a contention that unless the project permanently houses the existing MHP residents in long-term affordable housing at comparable rents, the project cannot be called consistent with the General Plan. (Project consistency with current adopted City policies, including Housing Element policies, is discussed in Section 4.8, *Land Use and Planning*.) The statements referred to appear in the previous Housing Element, which has since been superseded by the current (2000) Housing Element, which does not contain these statements. The 2020 General Plan, including the most recent Housing Element, does not contain policy language that requires replacement of mobile home park units by the same or higher number of affordable units at the same rent levels. The 2000 Housing Element does contain Policy 3.6, which states the following in relation to mobile home parks: "Support the conservation of mobile home parks, historic neighborhoods, publicly-subsidized housing, and other sources of housing that is affordable to lower-income households." A discussion of potential consistency with this policy can be found in Section 4.8, *Land Use and Planning*, of the Draft EIR. The ultimate determination of whether the proposed project is consistent with the General Plan and Zoning Ordinance lies with the decision-making bodies (Planning Commission and City Council).

More importantly, the number of long-term designated affordable housing units that would be provided by the proposed project exceeds the number of existing on-site units that are currently affordable to low-income households by approximately 30%, although the affordability levels would not match precisely with those being removed. It is important to note that although the MHP units are rent controlled, the proposed affordable units would be income restricted in addition to price/rent restricted, meaning that they are intended for low-income families only. In addition, as reflected in the proposed Owner Participation Agreement, 119 of the project's proposed affordable housing units would be designated for very low, lower, low and moderate income households. These units were intended to roughly reflect the affordability levels

matching those mobile home park residents who have expressed interest in relocating to the proposed on-site affordable housing.

Finally, the project must comply with the provisions and requirements of Chapter 24 of the Oxnard City Code, Mobile Home Parks, which is intended in part to address "a shortage of mobile home spaces and the high cost of relocating a mobile home," and to reduce impacts of mobile home closures.

Response 20E

The commenter notes that the 2020 General Plan projected an increase in MHP units by 2020, and that the project's proposed removal of the MHP would contribute to what appears to be a decrease in overall citywide MHP units since adoption of the General Plan. The commenter states an opinion that this contribution is a significant impact of the project. The project does not conflict with any General Plan policy in this regard, as a fluctuation from the 30-year projected housing unit mix does not constitute a policy conflict. In addition, the project alone is not responsible for the overall downward citywide trend in MHP units. Finally, the commenter does not provide any information or evidence supporting the contention that the project's contribution to this citywide trend would lead to a significant impact on the environment. As noted above, the proposed project would more than replace the residential units that would be displaced by project implementation, and would provide active and passive community recreational amenities that do not exist at the current MHP.

Response 20F

The commenter states an opinion that the 225 affordable units proposed as part of the project would not mitigate the loss of the existing 171-space MHP. The replacement of rent-controlled units with designated affordable housing units at higher income-restricted levels may be considered a socio-economic impact of the project, but is not necessarily a physical impact on the environment. Pursuant to CEQA Guidelines Section 15137(a):

> *"Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes."*

It is anticipated that some of the households currently living in the MHP's approximately 141 occupied units (the number of occupied units has declined to 120 as of August 2008, according to the applicant) would take advantage of the developer's offer of first priority to occupy the affordable units that would be provided in the proposed development. Others may move to different cities or regions or elsewhere within Oxnard with the assistance of the relocation assistance options offered by the developer. A physical impact may result if this change in distribution of existing households would cause a significant environmental impact. This could happen if, for example, new housing units would have to be constructed to accommodate these households in such a way or location that significant environmental impacts would result. However, as discussed above, adequate housing would be available to accommodate displaced

residents; therefore, it would be speculative to conclude that displaced residents would require the construction of new housing. Moreover, in the event that new housing is built to accommodate latent housing demand, any such development would be subject to separate environmental review under CEQA.

Response 20G

The commenter states an opinion that the mitigation proposed for displacement of the MHP residents is not sufficient to mitigate the impact of their displacement. Please see responses 20C, 20D and 20F. It should also be noted that the proposed relocation package must meet the requirements of local and State housing laws and regulations and, as explained above, the project would provide 225 affordable units, which is at least 84 more affordable units than the number of existing occupied MHP units (105 more, if based on the August 2008 occupancy numbers provided by the applicant of 120).

Response 20H

The commenter states an opinion that the proposed project cannot be found consistent with General Plan policies calling for relocation of the MHP, or other HERO, Housing Element and Land Use Element policies regarding affordable housing and support for conservation of MHPs, if the Wagon Wheel MHP is not satisfactorily relocated or permanent comparable affordable housing at their existing rent level are not provided as part of the Village project. For reference, the policies cited by the commenter are the following:

> ***Housing Element Policy 3.6.*** *Support the conservation of mobile home parks, historic neighborhoods, publicly-subsidized housing, and other sources of housing that is affordable to lower-income households.*
>
> ***Land Use Element, Wagon Wheel Infill/Modification Area.*** *Establish policies for the relocation of the Wagon Wheel mobile home park.*
>
> ***HERO Objective 4.*** *Preserve and rehabilitate existing low-and moderate-income housing.*

As discussed in responses 20C, 20D and 20F, the number of long-term designated affordable housing units that would be provided by the proposed project exceeds the number of existing on-site units that are currently affordable to low-income households by approximately 30%, although the affordability levels would not match precisely with those being removed. In addition, affected mobile home park residents would be provided relocation assistance pursuant to California State Law, and would be given the first option to occupy the proposed affordable units on the project site. The policies cited do not explicitly require that new units with identical rents be provided for each unit removed. Providing a greater number of affordable units than those to be removed, and designating them as affordable units consistent with the City's adopted affordability requirements, is considered adequate to fulfill the intent of these policies. It is important to note that although the MHP units are rent controlled, the proposed affordable units would be income restricted in addition to price/rent restricted, meaning that they are intended for low-income families only.

Response 20I

The commenter provides information and statistics regarding housing challenges currently faced by the City of Oxnard. The commenter cites statistics from the 2000 Housing Element regarding overcrowding in existing housing units. The commenter goes on to state an opinion that because up to 85% of the housing units in the proposed project would be market-rate housing, the project combined with other planned, pending and approved market-rate housing would exacerbate the existing overcrowding, and that this overcrowding would result in cumulatively significant physical environmental impacts to existing housing stock and infrastructure. The commenter does not provide any evidence that this impact would occur or that it would be significant. The project would not exacerbate overcrowding as its implementation would result in a greater number of affordable housing units on the site and a greater number of market rate housing units on the site, for a total net gain of 1,359 new multi-family housing units in the City (1,500 units proposed minus 141 existing occupied dwelling units to be demolished). This increase in both the affordable and market rate housing in Oxnard would alleviate, rather than exacerbate, overcrowding. The market-rate multi-family dwellings and array of transportation services the project proposes would possibly be more affordable overall than a traditional single-family tract development as attached units are often priced lower than detached units, and the accessibility of public transportation could reduce transportation costs for residents. Furthermore, North Oxnard has recently experienced substantial improvements in infrastructure and the City's ongoing capital improvement and infrastructure maintenance programs are intended to address deterioration of infrastructure citywide. As discussed in Response 20F, the displacement of the site's existing mobile home units is not likely to lead to significant physical impacts on the environment and any new housing development in the City would be subject to separate environmental review under CEQA. Finally, it should be noted that the proposed project would include recreational amenities, neighborhood-serving commercial uses and improved and upgraded infrastructure for the project site.

Response 20J

The commenter states an opinion that the project should replace the 141 existing occupied MHP units with on site units at comparable affordability levels. The comment is addressed under responses 20C, 20D, 20F and 20H. The commenter goes on to opine that to address the impact of overcrowding and ensure consistency with cited SCAG and City policies, the City should require every proposed residential project to restrict the housing units to correspond to the community's affordability needs as outlined in the current Regional Housing Needs Assessment goals for Oxnard. This comment is noted. However, this comment pertains to City affordable housing policy affecting all of Oxnard rather than the adequacy of the EIR. As discussed in responses 20C through 20I and in Section 4.10, *Population and Housing* of the Draft EIR, the project's impacts on population and housing would be less than significant under CEQA.

Response 20K

The commenter states an opinion that the EIR should disclose the impact on overcrowding that could result from the number of bedrooms per proposed unit, implying that a high proportion of smaller units would exacerbate this impact. Please see responses 20I and 20J above. In addition, the applicant's proposed affordable housing program takes into account the existing bedroom counts in the MHP, and provides a higher overall bedroom count compared to the existing units to be replaced. According to the site owner, of the 171 total spaces within the Wagon Wheel Trailer

Lodge 51 of the spaces have been vacated, resulting in a total of 120 occupied spaces as of August 2008. The 120 spaces are occupied by mobile homes and recreational vehicles and would be relocated as part of The Village Specific Plan. The Owner Participation Agreement between the City of Oxnard Redevelopment Commission and the project developer requires the construction of on-site replacement housing consisting of 246 bedrooms per such relocation. Assuming the remaining 120 mobile homes/recreational vehicles being relocated average two bedrooms per unit (a total of 240 bedrooms), construction of the on-site relocation housing would result in the construction of several more bedrooms than those to be removed.

Response 20L

The commenter discusses the jobs/housing balance in Oxnard, discusses the relationship between this balance or lack of it and overcrowded housing, and cites statements from the General Plan that relate to the jobs/housing balance. The commenter also states opinion regarding the wage levels of existing jobs on the site and wage levels that may be associated with proposed commercial development on the site and discusses the relationship between these wage levels and affordable housing or lack of it. These comments are noted. The City acknowledges that affordable housing policy and jobs/housing balance are important matters that affect the entire City and deserve careful policy consideration. However, as discussed in Section 4.10, *Population and Housing,* and Section 4.8, *Land Use and Planning,* project impacts related to the jobs/housing balance would be less than significant. Development of the proposed specific plan would potentially decrease the jobs to housing ratio to 1.16:1; however, this ratio is within the Ventura Council of Governments' recommended range of 1.1 to 1.34 jobs per household. This change would not result in a significant physical effect on the environment. It should also be noted that a comparison between the existing wages and potential future wages is not possible at this time as the wages that would be offered by the as-yet unspecified commercial and live-work opportunities on the site are unknown and to guess them would be speculative.

The commenter goes on to state an opinion that the reduction in jobs/housing balance that would result from project implementation should be studied in the EIR and that impacts would be significant. The project's impact on the jobs/housing balance is discussed in Section 4.10, *Population and Housing,* and Section 4.8, *Land Use and Planning.* The commenter does not provide any evidence that the project's influence on the jobs/housing balance would lead to a significant environmental effect. Although the project would incrementally contribute to a projected increase in housing relative to jobs in Oxnard, it would not conflict with any adopted City policy relating to jobs/housing balance.

Response 20M

The commenter states an opinion that high-density development alone does not reduce vehicle miles traveled, contrary to a statement to that effect in Section 5.0, *Growth Effects,* and that a more comprehensive and proportional mix of uses would enhance that benefit. This comment is noted, but does not conflict with the information in Section 5.0 or otherwise challenge the adequacy or conclusions of the EIR.

Response 20N

The commenter raises concerns regarding the status of the City's existing levees. Please see Response 19E.

The commenter also states an opinion that questions regarding the adequacy of the City's levees could lead to higher insurance rates for future homeowners at the project site. This comment is noted. Insurance costs for future homeowners are outside of the scope of the CEQA analysis.

Response 20O

The commenter raises concerns related to flooding of Ventura Road and also notes that the El Rio Drain is currently operating over capacity. Regarding the El Rio Drain, the project would help alleviate the current condition by directing flow directly to the Santa Clara River after appropriate pollutant treatment, rather than the current condition in which some flows go to the drain. (In either case, all flows eventually reach the river.) Regarding flooding along Ventura Road, implementation of the project would not contribute to or exacerbate this condition, and in fact may help alleviate it by decreasing impervious surfaces on the site thereby increasing infiltration and decreasing direct runoff to the river. Please see Section 4.7, *Hydrology and Water Quality,* for a complete discussion of site hydrology and drainage impacts. Impacts would be less than significant with the proposed mitigation measures. Please also see Response 19E.

Response 20P

The commenter notes that Ventura Road periodically floods, which can affect traffic circulation. This is discussed in the EIR in sections 4.7, *Hydrology and Water Quality,* and 4.13, *Transportation and Circulation*. The commenter states an opinion that the conclusion that traffic impacts related to this occasional flooding is based on drought conditions and that significant impacts could occur in a rainy year. This is incorrect. In a normal rainfall year, closures are typically temporary and periodic, usually lasting only a few hours and occurring only occasionally during the rainy season. This would remain the case even with the additional traffic that would be generated by the proposed project. It should be noted that the project would not itself cause or exacerbate the flooding in question. In addition, the applicant has agreed to fund an automatic pump to help alleviate the periodic flooding at the undercrossing.

Response 20Q

The commenter states an opinion that the proposed recreational amenities are insufficient for the project and that payment of park fees would not adequately address the project's recreational space shortfall. Park and recreation impacts are discussed in Draft EIR sections 4.12, *Recreation and Parks,* and 4.11, *Public Services*. Also, please see the response to Letter 10.

Response 20R

The commenter states that the Rio Real School was omitted from Table 4.11-1 listing schools in the Rio School District. The commenter further states an opinion that a second elementary school is planned for the Riverpark development and that this school should be included in the analysis of impacts to schools. Rio Real School has been added to Table 4.11-1 in the Final EIR (see Section 9.0,

Correction Pages). The elementary school, tentatively called RiverPark West Elementary, is not yet built; this status is referenced in the Final EIR but the school is not considered in the analysis as its enrollment and capacity are not available and it is not yet built. The addition of Rio Real to the list of schools does not affect the conclusions in the EIR. Finally, the commenter states an opinion that the priority that will be given to Riverpark students for schools within the development should be taken into account when evaluating the project's impacts to schools. Section 4.11 of the EIR states that "…it is not possible to know if there will be room at Riverpark West Elementary School as children of families within Riverpark will have fist priority to attend this school since fees paid by families within Riverpark financed this school…" It is further noted in the section that "[t]he attendance boundaries of individual schools are adjusted by the school districts periodically on an as-needed basis. For this reason, students from homes developed in the Oxnard Village Specific Plan area could potentially affect enrollment at any school within the District. As such, it is unknown which specific schools could be impacted. For this reason, the analysis focuses on overall school district capacities." Changes to the EIR are not warranted.

Response 20S

The commenter notes several discrepancies on Figure 4.11-3, which depicts the affected school district boundaries and the location of their respective schools. The commenter further states an opinion that the EIR should note that Pacifica and Oxnard high schools are close to the site and may be better situated to absorb the high school students that would be generated by the project. This comment is noted. However, this comment conflicts with information received from school district staff, who expected the potential high school students to attend Rio Mesa High School. Regardless, if other high schools absorbed a portion of the students from the site it would not change the conclusion of the EIR that payment of state-mandated school fees is deemed full and complete mitigation and that impacts would be less than significant.

Response 20T

The commenter requests that Table 4.13-11, which lists schools near the project site, be amended to better reflect the schools likely to absorb students generated by the project. The table has been augmented for the Final EIR with schools in the Riverpark development as suggested by the commenter (please see Section 9.0, *Correction Pages*).

Response 20U

The commenter asks when the referenced recycled water program is likely to be implemented and who will be responsible for implementing Mitigation Measure UTL-1(b), which requires hooking up to the system, when it becomes available. The initial phase of the GREAT Program is expected to come online in 2011. As stated in Mitigation Measure UTL-1(b), "…the developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled water system, including appropriate signage."

Response 20V

The commenter states concerns about the displacement of mobile home park residents that would occur as a result of project implementation. Please see responses 20C through 20J.

Response 20W

The commenter reiterates the concern regarding the City's levees. Please see Response 19E. The commenter reiterates a concern regarding the adequacy of project recreational space and the proposed mitigation to address the project's shortfall in this regard. Please see the response to Letter 10.

Response 20X

The commenter reiterates concerns about cumulative impacts of overcrowding. Please see responses 20C through 20J.

Response 20Y

The commenter states an opinion that the introduction of market rate housing on the site would result in overcrowding of housing units and thus overcrowding of schools. The project would not exacerbate overcrowding as its implementation would result in a greater number of affordable housing units on the site and a greater number of market rate housing units on the site. This increase in both the affordable and market rate housing in Oxnard would alleviate, rather than exacerbate, overcrowding. Impacts to schools are discussed in Section 4.11, *Public Services,* and would be less than significant.

Response 20Z

The commenter requests (in an attached letter dated October 1, 2007) that an October hearing on the project's Mobile Home Closure Impact Report be re-scheduled. This request is noted, but is not relevant to the adequacy or conclusions of the Draft or Final EIR.

Response 20AA

The commenter provides several comments on the project's compliance with the City's Mobile Home Park Ordinance and the contents of the application for the requested Mobile Home Park Closure Permit. These comments do not address the content, conclusions, or adequacy of the Draft EIR. No response is required.

21

RECEIVED
JUL 18 2008
PLANNING DIVISION
CITY OF OXNARD

July 17, 2008

Ms. Kathleen Mallory, AICP
City of Oxnard
Planning Division
214 South "C" Street
Oxnard, Ca. 93030

RE: Oxnard Village Specific Plan Project, Draft Environmental Impact Report

Dear Ms. Mallory,

Thank you for allowing us to comment on this important project.

To begin with, we have noted a number of discrepancies in the Table of Contents. Most of the sections under Environmental Impact Analysis are mis-numbered and many of the important sections such as Hydrology and Water Quality are not even included in the Table of Contents. This makes it very difficult for the reader to find the right section and leads one to the conclusion that the document may have been slapped together at the last minute, perhaps so that the project gets approved before the citizens get a chance to vote on the Traffic Initiative. A

While we think there may be a number of questionable conclusions and assertions throughout this report, we will confine our comments to water supply and Parks and Recreation.

The discussion of water supply is included in Section 4.14, Utilities and Service Systems. This section includes a great deal of information on historic and future water supply. However to cut to the chase, there are several issues which are of paramount importance. We are presently in a drought and if 2009 turns out to be another dry year, California will have less available water than that during 1976-77, the region's worst recorded drought. In addition the State's population in 1977 was 22 million, today it stands at 38 million and is growing by leaps and bounds. B

The City puts great store in the GREAT Program and M&I Supplemental program. Yet in the EIR it states that the agreements for the augmented M & I program are under negotiation and have not yet been completed. In addition, the document states that the GREAT program presents "a relatively small contingent element to the City's overall water supply reliability". It should also be noted that the GREAT Program is presently unfunded and is opposed by the U.S. Bureau of Reclamation. C

And yet, the developer proposes to mitigate water supply impacts by assuming that the GREAT program and M & I Supplemental Program will be implemented as expected. Neither of these programs is currently operational and CEQA requires that mitigation be based on feasible measures that are currently available, not future programs that may or may not be approved as expected. If these programs do not perform as expected, the citizens of Oxnard will be asked to subsidize the developer through increased water rates.

This approach to mitigating water availability impacts creates a precedent and becomes a convenient way of soft-pedaling the very real problem of water supply. We hope we will not see this type of mitigation trotted out for every project which comes before the City.

C cont'd

In short, we feel that these programs do not provide feasible mitigation and that the project specific and cumulative impact on water supply should be a Class 1 (Significant and Unavoidable) impact.

In regard to Recreation and Parks (another section left out of the Table of Contents), the project falls short of providing the City's requirements of three acres of Neighborhood and Community Parks per 1000 residents by approximately 16.5 acres. The developer is proposing to provide a 1.7 acre park with pool and community center and a 0.9 acre neighborhood park with a pool and 2.2 acres of "passive" recreation areas. Nowhere does it indicate whether the acreage is net or gross – this makes a big difference as we found with River Park. In addition, these acreages should be broken down into open space and active recreation space. Oxnard is currently very under-parked. Paying Quimby fees does not mitigate this impact, although it may help Big-league Dreams. The developer should be required to follow City Code in regard to providing its residents with the recreational facilities they need within the Specific Plan area.

D

Indeed, all city codes and regulations should be followed. In virtually every section of the EIR, the applicant has asked for relief from the minimum standards required while asking for the maximum density possible. There is no give and take in this proposal, only take.

E

We appreciate the opportunity of commenting on this important project and look forward to seeing a substantive response to our comments in the Final EIR.

Sincerely,

Patricia K. Munro
221 Juneau Place
Oxnard, Ca. 93036

Letter 21

COMMENTER: Patricia K. Munro

DATE: July 17, 2008

Response 21A

The commenter notes several errors in the Table of Contents. These errors have been corrected, as shown in Section 9.0, *Correction Pages*, and the corrected Table of Contents is reflected in the Final EIR.

Response 21B

The commenter states an opinion that current drought conditions in combination with California's growing population will lead to less available water supplies. This comment is noted. As the commenter does not provide specific information about how this opinion relates to the analysis, conclusions or adequacy of the EIR, a direct and detailed response is not possible. However, as is indicated throughout the water supply reliability analysis, the City has anticipated the potential range of hydrologic and demographic conditions relevant to the City's available water supplies and predicted demands. As a result, the City has and will continue to develop a diversified portfolio of supply options so that constraints on any particular supply will only marginally impact the City's overall water supply reliability.

Response 21C

The commenter refers to the GREAT Program and M&I Supplemental program as components of the water system. Indeed, the M&I Supplemental water program (and its anticipated expansion) and the GREAT Program are efficient water management strategies to improve the City's control over and reliability of its water supplies.

Response 21D

The commenter states an opinion that the agreements for the augmented M&I program are under negotiation and have not yet been completed. This is not correct. The City's Supplemental M&I program is currently being implemented and yields 4,000 acre feet of water per year (AFY). The agreements needed for the augmented M&I program, which would increase the yield from 4,000 AFY to 9,000 AFY, are in the final stages of completion.

Response 21E

The commenter quotes from the Draft EIR that the GREAT program presents "a relatively small contingent element to the City's overall water supply reliability." Water supplies from the Calleguas Municipal Water District and United Water Conservation District are considered firm supplies, and are considered reliable now and into the future, as described in the Water Supply Assessment completed for the proposed project. The City can expect reliability of its groundwater pumping allocation and will be able to increase that allocation by the transference

of groundwater pumping rights as development occurs within the City. The GREAT Program will further add to this groundwater pumping allocation.

Response 21F

The commenter states an opinion that the GREAT Program is presently unfunded and is opposed by the U.S. Bureau of Reclamation. This is not correct. As stated on page 4.14-26 of the Draft EIR, "some portions of the GREAT Program are fully funded and under construction (i.e., the desalter located at Blending Station #1, which is projected to be online in late 2008) and other portions of the Program are in various stages of design and implementation. GREAT Program funding will derive from a combination of customer rates and charges, bond financing, and water resource development and connection fees imposed on new development. For example, in conjunction with the approval of the GREAT Program EIR/EIS, the City raised its customer connection fees significantly, in part to raise funds to construct the GREAT Program. The remaining contingency for the construction of the GREAT Program is the approval of the funding of the final program components."

The City is in the process of developing a Water Rate and Fee Study that will be incorporated into a Comprehensive Financing Plan and master funding schedule for the completion of the GREAT Program. City staff plans to present for City Council approval in early 2009 the bond financing and rate program to cover the cost of the Backbone Recycled Water System (BRWS) that includes the first 6.25 million gallons per day phase of the Advanced Water Purification Facility (AWPF). Given the City Council's historical commitment to the GREAT Program and its regional importance, it is reasonable to expect that the Council will authorize the funding of these final components of the Phase 1 GREAT Program elements.

The U.S. Bureau of Reclamation has no responsibility for not regulatory approval over the GREAT Program. However, the City has received preliminary federal Title 16 authorization for funding of a portion of the GREAT Program. If this federal funding source is authorized, the Bureau of Reclamation would have some involvement in oversight of the use of those funds. To date, the Bureau of Reclamation has been supportive of the City's efforts to obtain Title 16 funds.

Response 21G

The commenter states an opinion that the developer proposes to mitigate water supply impacts by assuming that the GREAT program and M&I Supplemental Program will be implemented as expected, while neither of these programs is currently operational and CEQA requires that mitigation be based on feasible measures that are currently available, not future programs that may or may not be approved as expected. These points are not correct in two contexts. First, the City's Supplement M&I Water program is fully authorized and operational, yielding 4,000 AFY. Implementing the augmented Supplemental M&I Water Program simply requires updating of current agreements to accommodate the increased yield of the program. Similarly, the GREAT Program is fully authorized, some portions of its facilities are under construction and the remaining elements are anticipated to be funded in early 2009. Indeed, the construction of the first groundwater desalter element of the GREAT Program is underway and is expected to go on-line at Blending Station No. 1 in the summer of 2008. Thus these measures are currently available and are feasible. Furthermore, as discussed in detail in the CEQA analysis,

the proposed mitigation is based on a City Council approved policy and is feasible and measurable. The commenter further opines that if these programs do not perform as expected, the citizens of Oxnard will be asked to subsidize the developer through increased water rates. The commenter is correct in that the City Council has the discretion to allocate the costs of obtaining necessary water supplies for its customers, whatever the sources may be, including setting water rates for current customers and capital connection fees imposed on proposed new customers. However, those economic decisions are not environmental matters and are beyond the scope of the CEQA analysis.

Response 21H

The commenter states disagreement with the water supply mitigation measures in the draft EIR and opines that the measures are not feasible and that water supply impacts would be significant and unavoidable. However, based on the responses above, information in the Water Supply Assessment prepared for the project, and the analysis in Section 4.14 of the EIR, the City has determined that impacts would be less than significant after mitigation.

Response 21I

The commenter asks whether the proposed park acreages are gross or net. As indicated in Table 2-3, Specific Plan Buildout Summary, in Section 2.0, *Project Description*, all acreages are gross.

The commenter further states an opinion that the project should provide recreational space on site rather than be allowed to pay fees in lieu of providing such space. This comment is noted. Please see the response to Letter 10.

Response 21J

The commenter states an opinion that City Code should be followed for all project aspects and that the applicant has asked for relief from such standards while requesting a high density project. As no specific aspects of the project are discussed in the comment, a meaningful response is not possible. In addition, this comment is related to the project and not to the adequacy of the Draft EIR.

City of Oxnard
Staff Planner – URGENT – DUE BY 7/18
Planning & Environmental Service Division

July 17, 2008

22

FAX# 805-385-7417

RE: Oxnard Village Specific Plan Project/Wagon Wheel redevelopment
Permit # 06-620-03 General Plan, 06-570-05 Zone Chg, 06-670-02 Devel Agreement & Owner Participation, 06-300-08 Tentative Subdiv, 08-630-02 Specific Plan Amend, and 06-260-01 Mobile Park Closure

Dear Staff Planner,
I am very new to the process of voicing an option on anything that the City of Oxnard does. I would like to believe that the City of Oxnard would give very careful thought to what the City allows as an **improvement** to the City that I came to love over the past 14 years. I recently re-joined the Southbank Neighborhood Council to become more informed.

I read your Mission Statement which it states "To **create, preserve and enhance the quality** of the City's natural and built environments through implementation of the General Plan....."

My concern now is the overwhelming development that is happening in Oxnard. While I am all for adding more affordable housing and provide housing for the Mobile Home trailer park people who really don't have another place to live, I am against building another three (3) towers on Wagon Wheel Road. However, the meeting last week with the building advisor, or sales person, showed pictures of this project with two (2) towers in it, and indicated that there would eventually be **three** (3). It would not matter if they were approved for 25 stories each or for 7 stories each (alternate plan). Does Oxnard really need three (3) more towers? Where is all the business coming from to support this building project? The population in this area will go from a few hundred to over 3,000! A

Furthermore, has the City considered the Flood zone area that is present at Wagon Wheel and Vineyard? There is already a mixed used zone in this area of Wagon Wheel since it had restaurants, bowling alley, various stores, and residential. I agree that they are all very old, indeed, and need a beautification plan. This is residential and business use! What zone changes are you doing? B

It confounds me to read that there will be three very high rise towers on Oxnard Blvd. at the former Levits location. Why couldn't this area be used for a new Bowling Alley? It is the Wagon Wheel Bowing alley that has created a place for our young and teens to go and compete in Bowling games. Besides going to the movies with which you only sit, the Bowling Alley is the only other place for safe and sane fun for our youth! I and many, many of us are against such towers at 40 plus stories high. C

Please reconsider the plans for the THE VILLAGE and Wagon Wheel redevelopment to exclude any high rise buildings. Does this City of Oxnard want 6 additional towers? Our skyline will not be the same nor the TRAFFIC it will generate. D

Respectfully Submitted,
Sarah Wayne
2621 Upper Bay Road
Oxnard, CA 93036

Letter 22

COMMENTER: Sarah Wayne

DATE: July 17, 2008

Response 22A

The commenter notes that three high-rise towers are proposed and that the population on site would increase as a result of project implementation. The commenter asks whether Oxnard needs the project and whether the project is economically feasible. These comments do not relate to the analysis or conclusions of the EIR.

Response 22B

The project notes the occasional flooding at Wagon Wheel and Ventura Roads. Please see Response 20P. The comment expresses concern about the proposed change of land uses. These comments are noted, and will be included in the Final EIR for consideration by the City's decision makers along with all of the public comments received and the City's responses to the comments. As these comments do not conflict with, question, or challenge the analysis or conclusions of the Draft EIR, no further response is required.

Response 22C

The commenter refers to the proposed Channel Islands Center project at the former Levitz site and expresses opposition to high-rise buildings at that site, suggesting that that site be used as a new location for the Wagon Wheel bowling alley. This comment is noted. The commenter states an opinion that the bowling alley is an important recreational resource for Oxnard's youth. Please see responses 10, 13A and 13C.

Response 22C

The commenter expresses general concern over the aesthetic and traffic impacts of the proposed project. As the commenter does not cite specific concerns or information, a meaningful response is not possible. Traffic impacts are discussed in the Draft and Final EIRs in Section 4.13, *Transportation and Circulation,* and visual impacts are addressed in Section 4.1, *Aesthetics.*

23

RE: OXNARD VILLAGE SPECIFIC PLAN PROJECT
Draft EIR #2006101099

Development Services
Planning Division
City of Oxnard
305 West Third Street
Oxnard, California 93030

Dear Kathleen Mallory,

Spare the Wagon Wheel Motel, we need something to go to that isn't stupid, cheap and worthless.

Sincerely,

Christopher Mulrooney
150 N. Catalina Street
No. 2
Los Angeles, California
90004

Letter 23

COMMENTER: Christopher Mulrooney

DATE: Date Unknown, Received During Comment Period

The commenter states opposition to the proposed project. This comment is noted, but is not relevant to the adequacy of the EIR.

24

To: City of Oxnard
Development Services
Planning Division
305 West third Street
Oxnard, California
93030
Attention:
Ms. Kathleen Mallory

From: Bert Perello
2391 Redwing Lane
Oxnard, California
93036

This letter is in regard to Draft E.I.R. # 2006101099 Oxnard Village Specific Plan Project

My concerns are as follows:

1) Traffic impact as presented in this Draft does not use City of Oxnard approved and common standards | A

2) one entrance East and one West of project do not seem adaquate for the volume of traffic possibly generated by project. | B

3) No levee protection South of 101 freeway to Southern Pacific Rail Road Bridge – a gap in the flood protection in this area | C

4) what levee protection is Availble South of the S.P. Railroad Bridge does not protect Ventura Road — In High water events the road will be at risk of destruction D

5) the El Rio Drain serves areas much larger than this project and the collective amount of drainage by the El Rio Drain puts one (1) of the escape routes at risk due to Flooding on Ventura Road at the Rail Road Bridge. E

6) Health Safety & Welfare do not seem well Served by the additional Incress of one (1) Fire ladder Truck — but no staff increase or station increase yet the 3 Towers I believe exceed the limits of current Fire equipment including one (1) new ladder Truck — Who is ~~table~~ liabel if a death accures in the project and it is found less the sufficient protection was planned for or provided? F

7) park space — less the the city standard has already caused problems throughout the city — why add a substandard amount to this new proposed project? G

8) School site no on project site A) Rio Del Norte is @ Capacity B) Riverpark project agreement with Rio School District requires three (3) school at that project (Riverpark) Paid by those residents (Riverpark) to shift the burden and responsibility and cost to others for this project (wagon wheel) is wrong H

9) Santa Clara River broke the levee system on the Quard side just North of 101 Freeway in 1969 the project is very close to that site I

the sediment build up in the riverbed and islands that have developed in the river need to be addressed prior to approval of project because the choke point is the rail road bridge. and Wagon Wheel is at this site.

Thank you
Bert Powell

Letter 24

COMMENTER: Bert Perello

DATE: Date unknown; received during comment period

Response 24A

The commenter states an opinion that the traffic impact analysis as presented in the Draft EIR does not use City of Oxnard approved and common standards. The analysis contained in the traffic study was undertaken using the traffic impact standards and requirements set forth by the City of Oxnard and therefore, is correct. Please see also Response 19I.

Response 24B

The commenter states an opinion that two access points (Ventura Road and Oxnard Boulevard) do not seem adequate to serve the project. Traffic impacts are discussed in the EIR in Section 4.13, *Transportation and Circulation.* The two access points that would be provided by the project were studied in the traffic impact report and both were found to sufficiently handle the traffic generated by the project and to provide sufficient ingress and egress. It should also be noted that the existing bridge from the project site will continue to provide access in some form, whether emergency access or otherwise. In the case of the intersection of Oxnard Boulevard and Spur Drive, a significant project impact was identified and mitigation proposed to improve its operation. After implementation of the mitigation measure, the intersection would operate at LOS A in the AM peak hour and LOS B in the PM peak hour.

Response 24C

The commenter refers to the occasional flooding on Ventura Road near the existing railroad crossing. Please see response 19F, 20O, and 20P.

Response 24D

The commenter states an opinion that in high water events Ventura Road is at risk of destruction. As the commenter cites no specific concern or information, a meaningful response is not possible. Flooding and drainage impacts are discussed in the EIR in Section 4.7, *Hydrology and Water Quality.* The proposed project would not result in increased potential for flooding and impacts from potential flooding on the project would be less than significant.

Response 24E

The commenter states that the El Rio Drain causes flooding at Ventura Road. Regarding the El Rio Drain, the project would help alleviate the drain's current overcapacity condition by directing flow directly to the Santa Clara River after appropriate treatment of pollutants rather than the current condition in which some flows go to the drain. (In either case, all flows eventually reach the river.) Regarding flooding along Ventura Road, implementation of the project would not contribute to or exacerbate this condition, and in fact may help alleviate it by decreasing impervious surfaces on the site thereby increasing infiltration and decreasing direct runoff to the river. Please see Section 4.7,

Hydrology and Water Quality for a complete discussion of site hydrology and drainage impacts. Potential impacts of the current conditions on project traffic and access are discussed in Section 4.13, *Transportation and Circulation,* and would be less than significant.

Response 24F

The commenter states an opinion that the proposed mitigation for impacts related to fire protection services is not adequate, and asks a question regarding liability for deaths on the project site. Please see responses 19A and 19D.

Response 24G

The commenter expresses concern about the possibility of payment of in-lieu park fees rather than provision of recreational facilities on the site, as provided for in Mitigation Measure REC-1 in Section 4.12, *Recreation and Parks*. Please see Response 10. The commenter's concerns do not specifically challenge the information or conclusions in the Draft EIR, but will be forwarded to the City's decision makers as part of the Final EIR.

Response 24H

The commenter states an opinion that it is unfair that the Riverpark project has agreed to construct three schools, while the proposed project does not include any schools and no mitigation is included to construct schools on the site. This comment is noted. Please see Letter 9 and the responses to Letter 9. The MOU is available for public review at the Development Services Department, Planning Division, 214 South C Street in Oxnard.

Response 24I

The commenter notes that a levee along the Santa Clara River was breached in 1969 north of the project site and that this breach was near the project site. The commenter further states an opinion that sedimentation in the river bed has changed the flood potential, particularly at the Highway 101 bridge over the Santa Clara River, and asks that this be addressed in the Final EIR. The breach in 1969 occurred north of Highway 101 near the Riverpark development. This development combined with the recent Highway 101 bridge construction, which raised the U.S. 101 bridge over the Santa Clara River, included the implementation of stormwater control and conveyance infrastructure to reduce the potential for flooding impacts adjacent to the river where it occurred in 1969. Reconstruction of the U.S. 101 bridge has reduced the potential for a "choke point" to occur from the bridge. The sediment and "islands" referred to are temporary in nature and flush out during storm events. For a discussion of the potential onsite flooding related to the levee system please see Response 19E.

RECEIVED
JUL 18 2008
PLANNING DIVISION
CITY OF OXNARD

25

To: Oxnard Planning Commission

Concerns about DEIR #2006-03 for the Wagon Wheel Specific Plan Project

I live in the Southbank Neighborhood, adjacent to this project. I have numerous grave concerns about this proposed development as outlined in the DEIR. I will name a few.

RESIDENTIAL COMPONENT – As a resident and homeowner in the Southbank neighborhood, adjacent to and most impacted by this proposed project, I find the three high-rise towers totally unacceptable, as they entirely alter the looks and the character of my neighborhood, as well as all the surrounding neighborhoods where presently there are only one and two story homes. I bought a home 7 years ago in the Southbank neighborhood to escape the high-density living of West Los Angeles. If I wanted to live in Century City, I would have stayed where I was. At least the roads and the freeways, the infrastructure, the amenities, the access to LAX, the shopping, the recreation and the cultural resources that are available are far superior. The Wagon Wheel development is entirely inappropriate for this neighborhood, and for this city, and living next to it is unimaginable. It would be getting all the disadvantages of high-density living without any of the advantages. A

TRAFFIC – the traffic issues have definitely not been adequately addressed in the DEIR. To say that traffic resulting from the proposed project would be no different than if the current buildings were occupied makes no sense. Of course, traffic will be increased!!! In fact, according to an article in the Ventura County Star, traffic will triple on Ventura Road, Oxnard Blvd. and Vineyard Ave, especially if you take into account the cumulative impact of other existing and/or proposed developments in our area, e.g., RiverPark, Casden, Lewitz, just to name a few. We in the Southbank neighborhood will be surrounded by nightmare traffic. Adding a few turn lanes or even one extra lane on Oxnard Blvd. will not solve the traffic, and the noise and pollution created by all those extra cars and trucks. What will this do to our quality of life??? B

RECREATION and SCHOOLS, or the lack thereof – According to the DEIR there are NO parks planned for the proposed development, except for a small "tot lot." The project is falling 16.5 acres (!) short of City's requirements. The developers are choosing to pay the Quimby fees instead. There are no schools planned for the site, either. So where and how will the resident children play and go to school? The obvious answer is they will have to be driven to parks which are already in great shortage outside the development, and they will have to be transported to surrounding, overcrowded schools, all adding to the traffic nightmare, and certainly not contributing to either the children's or their parents' quality of life. C

SAFETY – The DEIR states more police and firefighters will be required to service the residents of this development. Will the Oxnard taxpayers have to pay for these services? Also, the applicant promises to provide a "new ladder truck" for the firefighters. Will that do any good if they need to rescue people from a high-rise building??? How about the Santa Clara levee not meeting federal standards for flood control? D E

As a resident of the Southbank neighborhood, these are just some of my concerns that have not been addressed or inadequately addressed in the DEIR for the Wagon Wheel development. I suppose if I had to summarize it, I find this project to be ill conceived and ruining the quality of the lives of the people who have to live with the consequences.

Thank you for your attention.

Marika Arthur
2501 Lobelia Drive
Oxnard CA 93036
marika.arthur@roadrunner.com

Letter 25

COMMENTER: Marika Arthur

DATE: July 18, 2008

Response 25A

The commenter expresses opposition to the project, citing visual impacts and adequacy of infrastructure. These comments are noted. Traffic impacts are discussed in Section 4.13, *Transportation and Circulation,* impacts to utilities are discussed in Section 4.14, *Utilities and Service Systems*, and visual impacts are addressed in Section 4.1, *Aesthetics* of the Draft and Final EIR.

Response 25B

The commenter states an opinion that traffic will be increased as a result of the proposed project and cumulative development and will become a "nightmare," and that the proposed mitigation measures would not be adequate. These comments are noted. The commenter does not provide specific information to challenge the traffic study or traffic analysis or conclusions. With respect to the existing developments in the study area, traffic count data was collected to establish an initial traffic LOS baseline, and included trips generated by existing uses. The proposed projects in the area were analyzed in the traffic study and in a scenario called "existing plus pending projects." The data used in this scenario included a list of proposed projects provided by the City of Oxnard. The list included all projects within an approximately four-mile radius of the site that are under construction, approved, or likely to be approved by the 2014 analysis year.

The commenter also states an opinion that the contention that project-generated traffic would be no greater than traffic generated by the current development of the site if it were fully occupied "makes no sense." The traffic analysis conducted for the project does not calculate the trip generation if all the current occupied buildings were fully occupied. The analysis conservatively, takes into account the trips generated by the occupied/active land uses on the project site and applies this as a credit against the total number of trips created by the project. The net new trips were then analyzed in the traffic study. The active land uses and corresponding trip generation calculations were then confirmed in consultation with City of Oxnard staff. Please see Section 4.13, *Transportation and Circulation* of the Draft and Final EIR as well as the traffic impact analysis in the EIR appendices for a complete discussion of transportation impacts.

Response 25C

The commenter expresses concern about the possibility of payment of in-lieu park fees rather than provision of recreational facilities on the site, as provided for in Mitigation Measure REC-1 in Section 4.12, *Recreation and Parks*. Please see the response to Letter 10.

Response 25D

The commenter states an opinion that the proposed mitigation for impacts related to fire protection would not be adequate. Please see Response 19A.

Response 25E

The commenter has concerns regarding the Santa Clara River levees not meeting FEMA standards. Please see Response 19E.

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Santa Barbara
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Watsonville

LSC

26

July 18, 2008

Ms. Kathleen Mallory
Staff Planner
Planning and Environmental Services Division
305 W. Third Street
Oxnard, California CA 93030

re: Oxnard Village Specific Plan Project
Draft Environmental Impact Report
State Clearinghouse Number 2006101099

Dear Ms. Mallory:

These comments are submitted by CRLA, Inc. on the behalf of CRLA's lower income client who is a resident of Ventura County, is in need of decent, safe, sanitary, affordable, and appropriately sized housing, and is concerned about an adequate supply of affordable housing in the City of Oxnard for lower income households, including farm workers. These comments are submitted in response to the City of Oxnard's notice for public comment with regard to item No. F2.

It is our position that the Draft Environmental Impact Report fails to comply with California Environmental Quality Act ("CEQA") guidelines in that it does not and currently cannot, adequately address whether or not the project is consistent with the General Plan. It fails to do so in the following way:

According to CEQA guidelines, "the Environmental Impact Report ("EIR") shall discuss any inconsistencies between the proposed project and applicable general and regional plans." Virtually all local decisions affect land use and development must be consistent with the General Plan. If a General Plan is inadequate because one of the elements is out of compliance with law, any land use decision, including the approval of a specific plan is per se inconsistent with the General Plan. Consequently, any planning or development decision that is inconsistent with the General Plan is not only invalid, it is void. A

The City of Oxnard was required by law to have revised its Housing Element by June 30, 2008. The City has not done so. In fact, the City has not even published a Draft Housing Element because there is no current Housing Element in effect in Oxnard. The Draft EIR for the Village Project cannot possibly show consistency with the Housing Element.

This failure is no mere technicality. If the city had produced even a Draft Housing Element it might be possible to imagine whether or not possible inconsistencies existed between the EIR and the Housing Element.

However, because there is no Draft Housing Element, it is impossible to claim this Draft EIR is even theoretically consistent with the General Plan. Until a new Housing Element is promulgated and adopted, this project will fail to comply with CEQA guidelines and would be unlawful.

While Oxnard has made progress with regard to the creation of affordable housing to lower income households, the need for affordable housing in Oxnard remains great. Recently an Oxnard City Council member was quoted in the Ventura County Star acknowledging problems of overcrowding and acknowledging that Oxnard continues to "have an affordable housing issue".

One need only make a cursory review of the local newspapers to see the ever-increasing numbers of foreclosures within the city limits. Furthermore, CRLA's office is inundated with people affected by the foreclosure crisis, both homeowners and renters living in homes that are being foreclosed upon. The foreclosure crisis has also resulted in more and more people, including farm workers, competing for less and less rental units, driving up the cost of rental units in the area.

As stated above, there is no Draft Housing Element available which addresses how Oxnard plans to meet the Regional Housing Needs Assessment numbers for the period 2006 - 2014. The juxtaposition of the current RHNA numbers for 2006-2014 with the number of residential units being contemplated by the Village project demonstrates that the 90 very low income units represents 6% of the 1491 Very Low Income RHNA need, the 135 moderate income units represents 9% of the 1445 Moderate Income RHNA need, whereas the remaining 1275 above moderate income units represents 43% of the above moderate income RHNA need. The fact that 85% of this project is for above moderate housing leads to the conclusion that this project can only compound the disparity between available affordable housing for the poor and that which exists for others in Oxnard.

B

Furthermore, the provisions of this DEIR do not appear to adequately provide for the housing needs of the residents of the Wagon Wheel Mobile Home Park. While the DEIR does give lip service to the relocation of the mobile home residents, it does not adequately address the actual affordability of the mitigation options outlined in the DEIR, which we understand to be the fact that the majority of the existing tenants are extremely low income (30% of the median income of Ventura) while one affordability level of the 90 rental units is to very low income families (50% of the median income of Ventura). A failure to either relocate the mobile home park as a unit or the residents of the mobile home park to comparable housing would be inconsistent with the General Plan and the Housing Element.

C

Two further issues that need to be addressed are redevelopment and fair housing. One, the project is located within the Historic Enhancement and Revitalization of Oxnard Redevelopment Project Area, commonly known as the "HERO" Project Area. The DEIR should contain information with regard to the numbers of new residential units which have been constructed or substantially

D

rehabilitated within the HERO Project Area since its beginning. That information should include the number of affordable units that have been counted to meet the City of Oxnard Community Development Agency or private developer obligations as defined by Health & Safety Code Section 33413 (b). Two, the City of Oxnard 2003 - 2008 Consolidated Plan on page 21 states the following in section entitled Disproportionate Need - Minority Households "[a]lthough Hispanics are technically the dominant ethnicity in Oxnard, they are still marginalized to a certain degree, typically earning less on average than other ethnic groups and living in less desirable areas" In other words, the lack of sufficient decent, safe and sanitary affordable housing in Oxnard has a disproportionate impact on the Latino (i.e. Hispanic) population of Oxnard, including farmworkers. Therefore, should the City fail to adequately plan for the relocation of existing residents in the Wagon Wheel Mobilehome Park and the creation of lower income affordable housing within the Oxnard Village Specific Plan project, a violation of state and federal fair housing laws will occur.

E

Sincerely,
CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

Jeffrey T. Poisting
Directing Attorney

Letter 26

COMMENTER: Jeffrey T. Ponting, California Rural Legal Assistance, Inc.

DATE: July 18, 2008

Response 26A

The commenter states an opinion that the DEIR cannot be considered adequate because it does not discuss consistency with an up-to-date Housing Element because, as of June 30, 2008, the City does not have an adopted updated Housing Element for 2006 – 2014. CEQA requires a discussion of consistency with policies that were adopted by the City to mitigate environmental impacts (*CEQA Guidelines* Appendix G, Item IX.b). The Housing Element is a policy document addressing socio-economic factors rather than physical environmental impacts; therefore, Housing Element policies are relevant to the DEIR only insofar as they relate to environmental concerns. A consistency discussion with the City's 2000 Housing Element, as the most recent adopted Housing Element, was included in the Draft EIR for informational purposes. In addition, the five-year time period to update the Housing Element is advisory, not mandatory, and thus does not render the City's 2000 Housing Element void or inconsistent with the General Plan (See San Mateo County Coastal Landowners' Assn. v. County of San Mateo (1995) 38 Cal. App. 4th 523, 544 and 545).

Response 26B

The commenter provides statistics and information regarding the availability of affordable housing in Oxnard in the context of the current Regional Housing Needs Assessment. This information is noted. The commenter also states an opinion that the project exacerbates the ongoing shortage of affordable housing by proposing that 85% of the housing units be market rate units. However, the project would result in an approximately 30% increase in the number of affordable housing units on the project site, thereby alleviating rather than exacerbating the affordable housing shortage. Also, please see responses 20C, 20D and 20H.

Response 26C

The commenter states an opinion that the proposed project cannot be called consistent with General Plan and Housing Element policies regarding affordable housing as the project would not provide affordable housing matching existing MHP unit numbers and rent levels. Please see Response 20H.

Response 26D

The commenter states an opinion that the EIR should include an accounting of the number of newly constructed or rehabilitated housing units in the HERO area. The commenter does not explain how this information would be necessary to disclose the environmental impacts of the proposed project. Such information is not necessary to ensure the adequacy of the Final EIR.

Response 26E

The commenter states an opinion that approval of the proposed project would be a violation of state and federal fair housing laws. This opinion is noted, but does not relate to the adequacy of the

environmental document. Furthermore, the commenter has provided no evidence of any discriminatory intent by the City with respect to its affordable housing policies and/or land use decisions. It should also be noted that the proposed project would provide 225 affordable units to replace 141 occupied mobile home units (the number of occupied units has declined to 120 as of August 2008, according to the applicant) and thus the project would more than mitigate any disparate impact on minorities as suggested by the commenter.

9.0 CORRECTION PAGES

This section shows the changes made to the EIR based on the public comments received on the Draft EIR (please see Section 8.0 *Responses to Comments*). For revised text, deletions are indicated by ~~strikethrough~~ text and insertions are indicated by <u>underlined</u> text. Revised figures are also included, as are new pages added to Appendix B showing updated air quality impact and fee calculations.

In addition to changes made based on public comments, the correction pages show minor corrections, minor technical edits and other administrative edits that were also made but do not affect the conclusions of the EIR. The Final EIR sections (through Section 8.0) reflect the final, corrected EIR text.

As discussed in Section 8.0 *Responses to Comments,* in addition to the corrected text and figures, Notice of Preparation comment letters that were not included in Appendix A of the Draft EIR due to a printing error are included on the following pages as well as in the revised Appendix A.

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Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	to the mobilehome owners. The following is a summary of the Mitigation Options set forth by the Mobilehome Park Closure Impact Report that would be available to mobilehome owners: • Option 1: State Required Mitigation to Relocate Mobilehomes. This option involves the payment of reasonable relocation costs to move the homeowner and their mobilehome to another mobilehome park within a 150 mile radius. • Option 2: Payment of reasonable costs of relocation per Option 1, and the resident sells the home to a third party who will permanently remove the home from the park. The park will make payment to the homeowner when the home is removed from the park. • Option 3: Sell the home to the park, receive free rent for six months and move out at the end of the free rent period. • Option 4: The park will purchase the home for the National Automobile Dealers Association (NADA) book value. • Option 5: Recreational vehicle owners will be entitled to three days of per diem benefits and $500 transportation fees. Residents with non-transportable storage sheds will also receive the $400 replacement shed allowance.	
PUBLIC SERVICES		
Impact PS-1 The proposed project would incrementally increase demands on the Oxnard Fire Department. This increase would affect the personnel, equipment, and the organization of the Fire Department. This would be a Class II, *significant but mitigable* impact.	**PS-1 (a) New Ladder Truck and Fire Station Upgrades.** The applicant shall provide sufficient funding for an additional ladder truck fire response vehicle, which would be housed in the nearest fire station. In addition, the applicant shall cover the costs associated with upgrades and improvements to the existing fire station to accommodate additional personnel that would be needed to adequately respond to fire emergencies at the Oxnard Village Specific Plan area. <u>The developer shall pay</u>	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	a fee agreed upon and incorporated into the Development Agreement to secure a ladder truck and station upgrades and improvements prior to 25% project occupancy, issuance of the 375th occupancy permit (commercial or residential), or whichever comes first.~~Mitigation shall be in place and operational prior to occupancy of the first high rise residential building.~~ **PS-1 (b) Elevator Shaft Smoke Detection.** As a condition of construction, means shall be provided, by the project proponent working in conjunction with the Oxnard Fire Department, to detect products of fire, smoke, and combustion in all elevator shafts and components of the elevators or as required by the California Building Code and California Fire Code. **PS-1 (c) Community Facilities District Fee or Other Funding Mechanism as Agreed Upon by the City.** The Development Agreement for the project shall include formation of a Community Facilities District or alternate method to fund long-term personnel costs required to serve the project. The CFD or alternative funding program shall be in place upon 25% of total project occupancy, issuance of the 375th occupancy permit (commercial or residential) or whichever comes first.	
Impact PS-2 The proposed project would incrementally increase demands on the Oxnard Police Department, which could adversely affect the Police Department. This would be a Class II, *significant but mitigable* impact.	**PS-2 Oxnard Police Department Consultation.** Prior to approval of individual Development Design Review permits, the applicant shall work closely with the Oxnard Police Department prior to the final design of the project to ensure the development of adequate security measures for the construction and occupancy stages of development. Such measures may include but not be limited to the following: • Compliance with Oxnard Police Department recommendations relative to building design, site design, visibility, access, graffiti control, landscaping, security lighting, doors, locks and other relevant factors in the preparation of the final plans.	Less than significant.

Table ES-1 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Class II (Significant but Mitigable) Impacts		
Impact	**Mitigation Measures**	**Residual Impact**
	• The Oxnard Police Department shall be included in the plan check process to enable the Department to recommend specific improvements that will enhance crime prevention for the project and allow for the police to better plan for calls that may be generated by the development. • Implement fencing and security measures during the construction phase. The City of Oxnard Police Department shall approve security measures.	
Impact PS-3 High-rise buildings present unique concerns regarding public safety in the event of an emergency requiring rapid evacuation. This would be a Class II, *significant but mitigable* impact.	**PS-3 Emergency Plan.** The developer of the high-rise components of the Specific Plan shall be responsible for creating, implementing, maintaining and updating an emergency plan for the building(s) <u>or as required by the California Building Code and California Fire Code</u>. The emergency plan shall be submitted to the Building and Engineering Services Department, Fire Department and Police Department for review and approval prior to issuance of building permits for the high-rise buildings. The emergency plan shall contain a description of the actions all occupants should take in an emergency evacuation. A floor plan providing emergency safety procedures and evacuation routes shall be posted at every stairway landing, at every elevator landing, stairways and immediately inside all public entrances to the building. The information shall be representative of the floor level and be posted so that the bottom edge of such information is not located more than four feet above the floor. The emergency plan shall include a regularly updated list of the names and locations of each regular occupant who has voluntarily self-identified that they need assistance in case of emergency and the type of assistance they require to swiftly exit the proposed building in the event of an emergency. The plan shall be kept on the building premises at all times and shall be available upon request to Development Services, Building and Engineering Services, the Fire Department and the Police Department. Key	Less than significant.

AQ-4(a) Alternative Fuels. During grading the applicant shall use alternative fuels and/or retro-fitted filters on construction equipment if feasible. Alternative fuels and retrofitted filters may include, but are not limited to low sulfur diesel fuel and/or catalyzed diesel particulate filters. These measures can reduce generation of PM_{10} by 63-80%. Applicant shall provide documentation to the City of Oxnard regarding the availability (or lack of same) of the alternative fuels (such as biodiesel and E-85) and the number of vehicles equipped with diesel particulate filters and or that meet Tier III and IV engine standards prior to each construction phase.

AQ-4(b) Equipment Limitations. Diesel-powered equipment under 75 hp located within 100 meters (325 feet) of the edge of the construction area shall be required to have engines that meet California Tier 4 emission standards. Diesel-powered equipment over 75 hp and operating within 100 meters (325 feet) of the edge of the construction area shall meet, at a minimum, California Tier 2 emission standards until the year 2010, at which time Tier 4 standards are applicable. The applicant shall provide to the City an inventory of the vehicles so equipped prior to each construction phase and each one shall be marked with an identification number that matches the inventory and that can easily be seen during equipment operation.

Significance After Mitigation. Implementation of mitigation measures AQ-4(a) and AQ-4(b) would reduce temporary construction emission of diesel exhaust particulate matter emissions (identified by the ARB as a toxic air contaminant [TAC]) below thresholds (see Table 4.2-9 and Appendix B for modeling results). Therefore implementation of the above mitigation measure would reduce the health risk associated with toxic diesel engine emission to a less than significant level.

Table 4.2-9 Health Risks Associated With Mass Grading Operations with Mitigation Measures

Scenario	Excess Cancer Risk	Chronic Health Risk
Grading during Phase 1 (B20 Only)		
adult	~~4.13~~ 3.85 E-06	0.11~~8~~
child	~~9.64~~ 8.98 E-06	0.27~~43~~
Grading during Phase 1 (Tier 4 Equip Only)		
adult	3.29 E-06	0.10
child	7.69 E-06	0.23
Grading during Phase 1 (Tier 4 + B20)		
adult	2.88 E-06	0.09
child	6.72 E-06	0.20
Significance Threshold	*>1.0E-05*	*≥1*
Exceeds Threshold?	*No*	*No*

Scientific notation is sometimes expressed as E (for exponent) as in 1.12E-4 (meaning 1.12 x 10 raised to the negative 4).

Impact AQ-5 The Specific Plan would locate residential neighborhoods along US Highway 101, which is a source of toxic air pollutants associated with high volumes of truck traffic, which could cause significant health risks to onsite receptors because of diesel exhaust emissions. Impacts would be Class II, *significant but mitigable*.

4.11 PUBLIC SERVICES

This section evaluates the proposed project's potential impacts to fire protection services, police protection services, hospital services, and schools.

4.11.1 Setting

a. Fire Protection. The City of Oxnard Fire Department (OFD) provides fire prevention, fire suppression, and emergency services in Oxnard and coordinates the City's disaster preparedness program. The Fire Department also responds to chemical spills, injuries, and vehicle accidents, and is responsible for managing the City's records pertaining to hazardous material Risk Management and Prevention programs. The OFD also has mutual aid agreements with Ventura County, the City of Ventura, Port Hueneme Naval Construction Battalion, and Point Mugu Naval Air Station for emergency assistance.

The OFD maintains seven fire stations and seven engine companies. Each fire station contains a fire engine and over 200 pieces of equipment including breathing apparatus, emergency medical supplies, tools, and fire-proof clothing. There are a total of 94 uniformed firefighters (Gary Sugich, Fire Marshal, pers. comm. 2006). There are currently about 0.5 firefighters for every 1,000 people in the City, which is below the State average of 1 firefighter for every 1,000 people (Gary Sugich, 2006).

The City is divided into ~~six~~ seven ~~overlapping~~ response areas (see Figure 4.11-1). Each fire station has a primary service area in which they respond to calls for service, and also has a secondary and tertiary response area to ensure adequate coverage of the City in case the primary engine is out on a call. Secondary response units are also dispatched to any structure fire along with the primary response unit. The Fire Department's goal is to respond to emergencies and have an engine unit on the scene in less than five minutes (Gary Sugich, 2006).

b. Police Protection. Police services are provided citywide by the City of Oxnard Police Department (OPD), which operates from the police station, located at 251 South C Street. The station is located approximately 3.4 miles south of the project site. The City is divided into four Police Districts, each of which is further divided into two response beats (see Figure 4.11-2). Each beat is patrolled 24 hours a day in four overlapping 10-hour shifts. The project site is located in Beat 11, which is bordered generally by Ventura Road to the north, Doris Avenue to the south, Oxnard Boulevard to the east, and Victoria Avenue and Paterson Avenue to the west. In addition to the police stations, the OPD operates three storefront police substations and five drop-in centers that are used for community-based policing.

The OPD currently comprises 237 sworn officers and 155 civil support personnel. The ratio of Police Officers for every 1,000 persons is currently at 1.23 (Mike Adair, OPD Commander, pers. comm. 2006).

Response times vary based on the type of call and the priority that each call is assigned when it is received. Response times start when a call is received in the dispatch center and entered into the Computer Aided Dispatch System. The clock continues to run until the first emergency unit arrives on scene. Calls for Police service in 2005 had the following response times:

- Priority 1^+ = 4.34 minute response time (Highest Priority);
- Priority 1 = 9.18 minute response time (Medium Priority); and
- Priority 2 = 18.11 minute response time (Lowest Priority).

c. Hospitals. Emergency Health Care is provided at St. Johns Regional Medical Center located at 1600 North Rose Avenue in Oxnard. This hospital is approximately 3.5 miles southeast from the project site. The services St. Johns provides include Level 2 Trauma Center, Surgery, Catheter Lab, Intensive Care Unit (ICU)/Critical Care Unit (CCU), and a Neonatal Intensive Care Unit (NICU). There are 265 private beds at St. Johns Hospital. Other health and social services are also available within the City of Oxnard and the surrounding region, including family planning and birth control clinics, and eating disorder treatment hospitals.

Several independent companies who are contracted by the County of Ventura provide ambulance emergency medical response. These include American Medical Response (AMR), Lifeline Medical Transport, and Gold Coast Ambulance. Goal Coast Ambulance is the emergency responder to the project area. Their closest responding location is located at 200 Bernoulli Circle, in the City of Oxnard. This facility is located approximately three miles southeast of the project site.

d. Schools. In the project area public education is provided by the Rio School District (RSD) and the Oxnard Union High School District (OUHSD) The district boundaries and school locations are shown in ~~(see~~ Figure 4.11-3~~)~~. The district plans to construct an additional school, tentatively called RiverPark West Elementary; however it is not yet built and is therefore not included in the list of schools below or in the figure. The RSD provides educational services for kindergarten through eighth grade students, while the OUHSD provides educational serves for ninth through twelfth grade students. The attendance boundaries of individual schools are adjusted by the school districts periodically on an as-needed basis. For this reason, students from homes developed in the Oxnard Village Specific Plan area could potentially affect enrollment at any school within the District. As such, it is unknown which specific schools could be impacted. For this reason, the analysis focuses on overall school district capacities. For each school the capacity and enrollment for the ~~current school year 2006~~2007/~~07~~ 08 school year can be found in Table 4.11-1. As shown, RSD is operating at ~~85~~91%[1] capacity and OUHSD is operating at 122% capacity. Neither school district is on a multi-track, year round calendar at this time. A year-round calendar can increase capacity by 25-30%.

Both the RSD and OUHSD provide bus services. The Rio School District provides bus service for students within the district who live greater than one mile from their assigned schools.

[1] Please see Note 2 to Table 4.11-1 below.

Table 4.11-1 Current Enrollments and Capacity at Local School Districts

RIO SCHOOL DISTRICT			
~~District and~~ Schools	**Enrollment ~~2006~~2007/~~07~~ 08**	**Capacity**	**Percent of Capacity**
~~RIO SCHOOL DISTRICT~~			
El Rio Elementary	~~169~~0	~~500~~0	~~34~~0%[1]
Rio Del Norte Elementary	~~809~~579	~~750~~613	~~108~~94%
Rio Lindo Elementary	~~587~~515	~~600~~515	~~98~~100%
Rio Plaza Elementary	~~479~~484	~~550~~481	~~87~~101%
Rio Rosales Elementary	~~515~~481	~~525~~564	~~98~~85%
Rio del Mar Elementary	~~193~~384	~~525~~447	~~37~~86%[2]
Rio del Valle Middle School	~~856~~629	~~810~~848	~~106~~74%
Rio Real Elementary	401	435	92%
Rio Vista Middle School	716	712	101
SUB-TOTAL	**~~3,608~~4,189**	**~~4,260~~4,615**	**~~85~~91%**[2]
OXNARD UNION HIGH SCHOOL DISTRICT [3]			
Schools	**Enrollment 2006/07**	**Capacity**	**Percent of Capacity**
Adolfo Camarillo High School	2,358	2,216	106%
Channel Islands High School	2,608	2,240	116%
Hueneme High School	2,249	1,966	114%
Oxnard High School	2,983	2,211	135%
Pacifica High School	3,287	2,200	149%
Rio Mesa High School	2,207	2,007	110%
SUB-TOTAL	**15,692**	**12,840**	**122%**

Source: Written and personal communication, Louis Cunningham, Director of Facilities, OUHSD ~~and~~; Richard Canady, RWS School Services, 2006; Rob Corley and Kevin Mitchell, Rio School District, 2008.

[1] El Rio School is temporarily closed for renovations.

[2] According to Rio School District staff, the Rio del Mar Elementary School percent capacity is actually higher, as priority capacity is reserved for students from Riverpark pursuant to an existing mitigation agreement. This would also make the overall percentage for the district slightly higher.

~~[4]~~ [3] Enrollment and capacity are not included for Frontier High, Pacific View High, and Puente High (OUHSD) as these schools provide alternative education options.

Funding for Public Education. Operating revenue provided to school districts is funded by local property tax revenue accrued at the state level and then allocated to each school district based on the average daily student attendance. Because state funding for capital improvements has lagged behind enrollment growth, physical improvements to accommodate new students come primarily from assessed fees on development projects and local facility bonds. In 1986, the State Legislature approved Assembly Bill 2926 (Chap. 887), which authorized school districts to levy school impact fees on new

development projects, and at the same time placed a cap on the total amount of fees that could be levied. California Government Code (§ 65995) School Facilities Legislation was enacted to generate revenue for school districts for capital acquisitions and improvements. This legislation allows one-time fees on new development projects. These fees are divided between the primary and secondary schools and are termed Level One fees. The most recent adjustment to Level One fees occurred in January ~~2004~~2008, which brought the rates to $~~2.24~~2.97 per square foot of residential development and $0.~~36~~ 47 per square foot of commercial/ industrial development.

In the past, statutory limitations regarding the payment of development fees to school districts were placed on projects that did not require quasi-legislative approvals, such as zoning amendments, rezoning, plan amendments, specific plans, and development agreements, as decided in the Mira, Hart, and Murietta State Supreme Court cases. In cases where projects required quasi-legislative approvals, the Courts allowed local agencies to collect additional fees as mitigation measures under CEQA. However, the November 1998 passage of Proposition 1A, and the funding made available through its passage, requires implementation of Senate Bill 50 (SB 50) and eliminates the additional funding allowed per the Mira, Hart, and Murietta cases. Instead, SB 50 provides for Level Two and Level Three fees in residential development; these fees are allowed to be in excess of the previous limitation of $2.24 per square foot. Level Two fees require the developer to provide one-half (50%) of the costs of housing students in new schools, while the state would provide the other half. Level Three fees would require the developer to pay the full cost of housing the students in new schools and would be implemented at the time the funds available from Proposition 1A are expended. School districts must demonstrate to the state their long-term facilities needs and costs based on long-term population growth in order to qualify for this source of funding. Once qualified, the districts may impose fees as calculated per SB 50. The RSD is eligible for Level One and Level Two funding under Proposition 1A funding (provisions of SB 50) (Richard Candy, RWC School Services, written communication, 2006,). The OUHSD is eligible for Level Two funding with a fee of $1.35 per square foot and Level Three funding with a fee of $2.70 per square foot under Proposition 1A (provisions of SB 50) (School Facilities Needs Analysis, Oxnard Union High School District, 2006). According to Government Code Section 65996, the development fees authorized by SB 50 are deemed to be "full and complete school facilities mitigation."

One of the project alternatives analyzed in this EIR would include a school within the Oxnard Village Specific Plan project area. See Section 6.0, *Alternatives* for this analysis.

4.11.2 Impact Analysis

a. Methodology and Significance Thresholds.

Information on current fire, police, hospital, and school facilities was collected from personal and written communication with the Oxnard Fire Marshal, Oxnard Police Commander, Hospital personnel, Ambulance Service personnel, and RSD and OUHSD personnel.

Fire Protection. The City of Oxnard considers a project to have a significant impact on fire protection services if:

- The project would exceed the standard of one firefighter per ever 1,000 persons

- The magnitude of the project and an excessive distance from existing facilities and which would require a new facility be built to accommodate the proposed project

Police Protection. The City of Oxnard considers a project to have a significant impact on police protection services if the project would:

- Result in the need for new or altered government service or interfere with emergency response plans or emergency evacuation plans.

Hospitals. The following standards of significance are based on Appendix G of the State CEQA Guidelines. The project would have a significant impact on hospital services if the project would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered facilities, need for new or physically altered facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for hospitals.

Schools. The City of Oxnard considers a project to have a significant impact on school services if the project would:

- Result in the need for new or altered government services. A project will normally have a significant impact on school facilities if it would substantially interfere with the operation of an existing school facility, or would put additional demands on a school district which is currently overcrowded for which monetary mitigation measures, as allowed by State law, would not reduce the impacts to an insignificant level.

b. Project Impacts and Mitigation Measures.

Impact PS-1 The proposed project would incrementally increase demands on the Oxnard Fire Department. This increase would affect the personnel, equipment, and the organization of the Fire Department. This would be a Class II, *significant but mitigable* impact.

Development of the project site with the proposed residential and commercial uses would incrementally increase demand for fire protection and emergency response services over the current on-site conditions. In the City of Oxnard there are currently a total of 94 uniformed firefighters and about 0.5 firefighters for every 1,000 people. This is below the City of Oxnard's standard of 1 firefighter for every 1,000 people. The proposed development would incrementally increase the population, thus, exacerbating the existing service ratio deficiency. However, funding for additional staffing is allocated to the Fire Department through the City's budget process and is not directly tied to individual development projects. The growth of the City over time will require that increased funding be allocated to the Fire Department to maintain adequate levels of service and service ratios. Provided that additional funding is made available to the Department to support new personnel as expected, the proposed project would not significantly affect fire protection service standards. The City can and has provided personnel through Community Facilities Districts, which can alleviate funding burdens caused by the service demands of new development. Provided that a Community Facilities District is

established to support new personnel as expected, the proposed project with proper mitigation would not significantly affect fire protection service standards.

Fire Station 4, located at 230 W. Vineyard Avenue would be the primary response unit for fire emergencies at the proposed project. This Fire Station is approximately 1.75 miles away from the most distant portion of the project site. Estimated total response time to the most distant portion of the project would be 5 minuets and 15 seconds[2] (Gary Sugich, Written Communication, 2006). This response time includes a one-minute reaction time. The OFD response time goal is to arrive on scene within 5 minutes approximately 90% of the time. As the proposed project is outside the OFD's preferred 5-minute responds radius from the station, impacts associated with response times would be potentially significant unless mitigation is included.

With buildout of the Specific Plan, calls for service are expected to be those typical of residential and commercial and retail space, and would include calls for structure fires, garbage bin fires, car fires, electrical fires, and emergency medical response. The proposed development would have a fire hazard rating classification of 3 (Maximum Risk) due to its mixed use design with multifamily buildings, high-rise buildings, and commercial development (Gary Sugich, 2006). Furthermore, residential high-rise fires are unique in nature and are labor intensive fire fighting operations. Fires in these types of buildings require the use of stairways to get firefighting equipment and manpower to the fire, and the use of ladder trucks to reach the upper stories of high-rises (Gary Sugich, 2006).

The City of Oxnard Fire Department has prepared a *Fire Protection Planning Guide (*2006), which is a compilation of general development requirements for fire prevention and protection measures. All new development within the City must comply with requirements in this guide, and new development is subject to a detailed review by Fire Department staff to ensure compliance with requirements within the Guide. There are specific measures in the *Fire Protection Planning Guide* that address high-rise and mid-rise development projects. For example, the Guide states that

> *…High-rise and mid-rise projects require special fire protection features which are found in Titles 19 and 24 of the California Code of Regulations….A California licensed Fire Protection Engineering firm may be required to be hired, at the applicants expense, to provide the Oxnard Fire Department written certification that all of the required fire protection systems are properly designed, provided, and installed. When the structure is complete, the Fire Protection Engineer shall demonstrate that all fire protection and life safety elements have been installed and function as required and provide written certification to the effect…*

The Fire Department can also require additional fire prevention measures during review of development plans.

Along with required implementation of measures in the *Fire Protection Planning Guide*, the Fire Department has indicated that they would need a fully equipped ladder truck and additional staff to operate this ladder truck to adequately service the proposed project (Gary Sugich, 2006). In addition, the existing Fire station would need to be physically altered to accommodate additional personnel

[2] *Response time is reported as "total time to respond," which includes "reaction time" plus the "response time".*

(Gary Sugich, 2006). These needs are due to the magnitude of the project as well as the distance from the existing closest ladder truck.

The proposed project would also be required to maintain minimum water flows through fire hydrants to provide sufficient water to firefighters during an emergency. Fire flow is defined as the amount of water required, above and beyond domestic needs, to extinguish a fire in a structure and which should be available during peak water demand periods. It is the City's policy not to permit new development unless there is adequate water supply and pressure to serve the fire flow needs of the project. The City expanded its water distribution system in 2001 to provide additional pressure separation valves to ensure that fire flow pressure and water supplies are adequate to serve additional development in the City (City of Oxnard Daily Ranch EIR, 2001). In addition to maintaining the mandatory fire flow the project would be required to install automatic fire sprinklers per OFD requirements and comply with all fire safety regulations outlined in the ~~Uniform~~ California Fire Code. Therefore, impacts relating to fire flows are not anticipated.

Mitigation Measures. The applicant would be required to incorporate measure identified in the *Fire Protection Planning Guideline* and Fire Code requirements such as automatic sprinklers, fire hydrants, and adequate water flows, as well as project-specific measure required during final Fire Department review of proposed projects built out under the Specific Plan, into final site and building plans. Building plans would be subject to review and approval by the Fire Department. In addition, the following measure is proposed to reduce impacts associated with response times, equipment, and facilities needs to a less than significant level.

PS-1 (a) **New Ladder Truck and Fire Station Upgrades.** The applicant shall provide sufficient funding for an additional ladder truck fire response vehicle, which would be housed in the nearest fire station. In addition, the applicant shall cover the costs associated with upgrades and improvements to the existing fire station to accommodate additional personnel that would be needed to adequately respond to fire emergencies at the Oxnard Village Specific Plan area. The developer shall pay a fee agreed upon and incorporated into the Development Agreement to secure a ladder truck and station upgrades and improvements prior to 25% project occupancy, issuance of the 375th occupancy permit (commercial or residential), or whichever comes first.~~Mitigation shall be in place and operational prior to occupancy of the first high rise residential building.~~

PS-1 (b) **Elevator Shaft Smoke Detection.** As a condition of construction, means shall be provided, by the project proponent working in conjunction with the Oxnard Fire Department, to detect products of fire, smoke, and combustion in all elevator shafts and components of the elevators or as required by the California Building Code and California Fire Code.

PS-1 (c) **Community Facilities District Fee or Other Funding Mechanism as Agreed Upon by the City.** The Development Agreement for the project shall include formation of a Community Facilities District or alternate method to fund long-term personnel costs required to serve the project. The CFD or alternative funding program shall be in place upon 25% of total project occupancy, issuance

of the 375th occupancy permit (commercial or residential) or whichever comes first.

Significance After Mitigation. Upgrades and improvements to the existing fire station would require modification to the existing building to accommodate a ladder truck and personnel. All modifications would be per department specification and would comply with all existing codes at the time of construction. Any modifications would be within the property lines of the existing fire station property.~~Any upgrades and improvements that may have to be made to the existing fire station would only require modifying the existing facility, and would not require expanding this facility (Gary Sugich, Personal Communication, 2006)~~. The existing fire station is in an urbanized area surrounded by commercial and residential development. Thus, these improvements would not introduce new environmental impacts to warrant further environmental review. Implementation of the mitigation measures identified above would reduce impacts associated with fire protection to a less than significant level.

Impact PS-2 The proposed project would incrementally increase demands on the Oxnard Police Department, which could adversely affect the Police Department. This would be a Class II, *significant but mitigable* impact.

Development of the site with commercial, retail and residential uses would incrementally increase the demand for police services in the area. The project site is located in a developed area that is within the service area for the OPD. The proposed project includes a residential component that would increase the onsite population and would reduce the citywide officer-to-population ratio and increase the number of service calls. However, as with firefighting personnel, funding for additional staffing is allocated to the Police Department through the City's budget process and is not directly tied to individual development projects. The growth of the City over time will require that increased funding be allocated to the Police Department to maintain adequate levels of service and service ratios. Provided that additional funding is made available to the Department to support new personnel as expected, the proposed project would not significantly affect fire protection service standards.

Based on 2005 calls for service, the proposed project's estimated population increase of 5,436 people would generate approximately 2,290 new service calls (Commander Adair, 2006).[3] Response times vary based on the type of call and the priority that each call is assigned when it is received. Response times start when a call is received in the dispatch center and entered into the Computer Aided Dispatch System. The clock continues to run until the first emergency unit arrives on scene. Priority 1+ has a response time of 4:34 minutes, Priority 1 has a response time of 9.18 minutes, and Priority 2 has a response time of 18.11 minutes.[4] The most common incidents requiring police response at developments like the proposed project include burglary, theft, vandalism, and vehicle theft. Although OPD response times in the area are currently adequate, the OPD has expressed concerns about the project's impact to police response capabilities (Commander Adair, 2006). Unless appropriate crime prevention design features are incorporated into project design, this impact would be potentially significant.

[3] 2005 call for service rate (0.4213186 callers per person) x population increase (5,436 persons) = 2,290 calls
[4] All response times are reported as "total time to respond," which includes "reaction time" plus the "response time".

Mitigation Measures. The following mitigation measures would reduce impacts to police services to a less than significant level.

PS-2 **Oxnard Police Department Consultation.** Prior to approval of individual Development Design Review permits, the applicant shall work closely with the Oxnard Police Department prior to the final design of the project to ensure the development of adequate security measures for the construction and occupancy stages of development. Such measures may include but not be limited to the following:

- Compliance with Oxnard Police Department recommendations relative to building design, site design, visibility, access, graffiti control, landscaping, security lighting, doors, locks and other relevant factors in the preparation of the final plans.

- The Oxnard Police Department shall be included in the plan check process to enable the Department to recommend specific improvements that will enhance crime prevention for the project and allow for the police to better plan for calls that may be generated by the development.

- Implement fencing and security measures during the construction phase. The City of Oxnard Police Department shall approve security measures.

Significance After Mitigation. Impacts to police protection services would be less than significant with implementation of the above mitigation measures.

Impact PS-3 High-rise buildings present unique concerns regarding public safety in the event of an emergency requiring rapid evacuation. This would be a Class II, *significant but mitigable* impact.

Ventura County has a Terrorism Response Plan (2001) and the City of Oxnard has a Multi-Hazard Functional Plan (2006) in place for large-scale management of such an emergency. However, these plans do not generally include specific implementation measures for individual construction projects. In the event of an emergency, including an act of terrorism or similar unexpected catastrophic occurrence, efficient and safe evacuation of the proposed high-rise buildings would be an important goal. This type of event is by its nature difficult or impossible to predict or avoid; therefore mitigation must focus on safely establishing and implementing emergency procedures.

Mitigation Measures. The following mitigation measure would reduce impacts related to evacuation of the high-rise buildings to a less than significant level.

PS-3 **Emergency Plan.** The developer of the high-rise components of the Specific Plan shall be responsible for creating, implementing, maintaining and updating an emergency plan for the building(s) or as required by the California Building Code

and California Fire Code. The emergency plan shall be submitted to the Building and Engineering Services Department, Fire Department and Police Department for review and approval prior to issuance of building permits for the high-rise buildings.

The emergency plan shall contain a description of the actions all occupants should take in an emergency evacuation. A floor plan providing emergency safety procedures and evacuation routes shall be posted at every stairway landing, at every elevator landing, stairways and immediately inside all public entrances to the building. The information shall be representative of the floor level and be posted so that the bottom edge of such information is not located more than four feet above the floor.

The emergency plan shall include a regularly updated list of the names and locations of each regular occupant who has voluntarily self-identified that they need assistance in case of emergency and the type of assistance they require to swiftly exit the proposed building in the event of an emergency.

The plan shall be kept on the building premises at all times and shall be available upon request to Development Services, Building and Engineering Services, the Fire Department and the Police Department. Key practical information from the plan shall be published in the form of a leaflet, brochure, or pamphlet and made available to each new resident. This information shall be available in alternative formats upon request (e.g., Braille, large print and audio).

Significance After Mitigation. Impacts related to emergency high-rise evacuation would be less than significant with implementation of the above mitigation measure, in addition to any general safety and emergency access measures required by the Fire and Police departments through their coordination and review.

Impact PS-4 The proposed project would increase the onsite population by 5,436 residents, which would incrementally increase demands on health services. However, this would not require the need for a new hospital or require physically altering the existing hospital. This represents a Class III, *less than significant* impact.

Development of the project site with residential uses would incrementally increase the demand for health services in the area. The proposed project would add up to 5,436 persons at the site. Emergency health care is provided at St. Johns Regional Medical Center, located at 1600 North Rose Avenue in Oxnard. This hospital is approximately 3.5 miles southeast from the project site. There are 265 private beds at St. Johns Hospital. However, the proposed project would not result in the need for a new hospital or require physically altering the existing hospital (Amy Carrillo, Executive Assistant, Written Communication, 2007). Therefore, impacts associated with increased demand on health services would be less than significant.

Gold Coast Ambulance is the emergency responder to the project site. Their closest responding location is located at 200 Bernoulli Circle in Oxnard. This facility is located approximately three miles southeast

of the project site. According to Mr. Brandon Ober (Human Resources) of Gold Coast Ambulance, the proposed project is not expected to affect response times from this location to the hospital. Therefore, impacts associated with response times would be less than significant.

Mitigation Measures. No mitigation measures are required.

Significance After Mitigation. Impacts to health services would be less than significant without mitigation.

Impact PS-5 The proposed project would generate an estimated 716 K-8th Grade school-age students and 73 9-12th Grade school-age students. This could adversely affect school facilities in the Rio School District and Oxnard Union High School District. However, with payment of required school impact fees, impacts would be reduced to a Class III, *less than significant*, level.

Table 4.11-2 shows the projected number of students that would be generated by the proposed project. These projections are based on a student generation factors used by the RSD and OUHSD to estimate students generated by new development. Student generation factors for RSD were derived using the guidelines for assessing Level 2 fees, as described in Government Code Section 65996.6 (Richard Canady, RWS School Services, Written Communication, 2006). Student generation factors for OUHSD were derived from the *School Facilities Needs Analysis* (April 10, 2006). As indicated in the table, the proposed project would generate an estimated 716 new elementary and middle school students at the Rio School District, and 73 high school students at the Oxnard Union High School District.

Table 4.11-2 School District Generation Factors and Student Generation

School District	Projected Units Multi Family Attached	Student Generation Factor (students per dwelling unit)	Students Generated
Rio School District	1500	0.477	716
Oxnard Union High School District	1500	0.0486	73
Total Students			**788**

Source: Written and personal communication, Louis Cunningham, Director of Facilities, OUHSD and Richard Canady, RWC School Services, 2006.

Table 4.11-3 compares projected enrollment at the schools serving the project site to the current capacity of those schools. Based on the current enrollment and projected number of students generated by the proposed project, implementation of the project would put Rio School District approximately ~~2~~6% over capacity with a total of about 4,~~324~~ 905 students. In addition, the projected number of students generated by the proposed project would add to existing overcrowded conditions at Oxnard Union High School District. The proposed project would put OUHSD 23% over capacity with a total of 15,765 students.

Table 4.11-3 Project School Enrollment and Capacities

School District	Capacity	Current Enrollment	Current % of Capacity	Students Generated by Project	Projected Enrollment with Project	Projected % of Capacity	Over Capacity?
Rio School District	4,~~260~~615	~~3,608~~4,189	~~85~~91%[1]	716	~~4,324~~4,905	~~102~~106%	Yes
Oxnard Union High School District	12,840	15,692	122%	73	15,765	123%	Yes

Source: Written and personal communication, Louis Cunningham, Director of Facilities, OUHSD and ~~Richard Canady~~Rob Corley, ~~RWC School Services~~Rio School District, ~~2006~~2008.

[1] *Please see note 2 to Table 4.11-1 above.*

Given that the project would put the RSD over capacity and OUHSD is currently operating over capacity, the increase in the student population associated with the proposed project would adversely affect school facilities at both districts if new facilities are not developed. However, as a condition of development, the developer would be required to pay the applicable required State-mandated school impact fees under the provisions of SB 50. Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Therefore, with payment of school impact fees, potential impacts to schools resulting from the proposed project would be less than significant.

Within the RSD the closest school to the Oxnard Village Specific Plan area is Rio del Norte. Rio del Norte is the most overcrowded elementary school in the district. Rio del Norte is currently operating at 108% of its capacity (see Table 4.11-1). The Riverpark West Elementary School ~~also lies~~will also lie within a one- mile radius of the proposed project site. This school is currently in the final stages of design and is tentatively scheduled to open in August of 2008. It may be possible for some students within the Oxnard Village Specific Plan area to attend this school. However it is not possible to know if there will be room at Riverpark West Elementary School as children of families within Riverpark will have fist priority to attend this school since fees paid by families within Riverpark financed this school (Richard Canady, RWC School Services, Written Communication, 2006). The RSD ~~district~~ provides home-to–school bus transportation for students who live more than one mile from their assigned school. Although the proposed project is less than one mile away from the Rio del Norte School and the future Riverpark West Elementary School, it is likely that students in the project area would need to be bused to school. In addition, Rio Del Norte School is currently over capacity, so students may need to be bused to another school greater than one mile from the project site. Therefore, the proposed project would require buses to bus students from the project site to schools within the RSD.

In addition, the OUHSD would need to bus 73 High School students from the project site to Rio Mesa High School. There are currently no buses providing service to the proposed project site, and a new school bus would need to be purchased to transport students from the project site to Rio Mesa High School (Louis Cunningham, Director of Facilities, Written Communication, 2006). The applicant would be required to pay required State-mandated school impact fees under the provisions of SB 50. Pursuant to Section 65995 (3)(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998),

payment of these fees is deemed full and complete mitigation. The school district may chose to use these fees as it sees fit for school facilities and/or buses. Therefore, although the proposed project would increase the demand for home-to-school transportation within the RSD and OUHSD, payment of school impact fees would reduce the potential impacts resulting from the proposed project to a less than significant level. Please see Section 4.13 *Transportation and Circulation* for a discussion of proposed pedestrian amenities including paths and sidewalks, and a discussion of safe routes to schools from the project site.

Mitigation Measures. No mitigation is necessary. The applicable required State-mandated school impact fees would be collected at the time of building permit issuance.

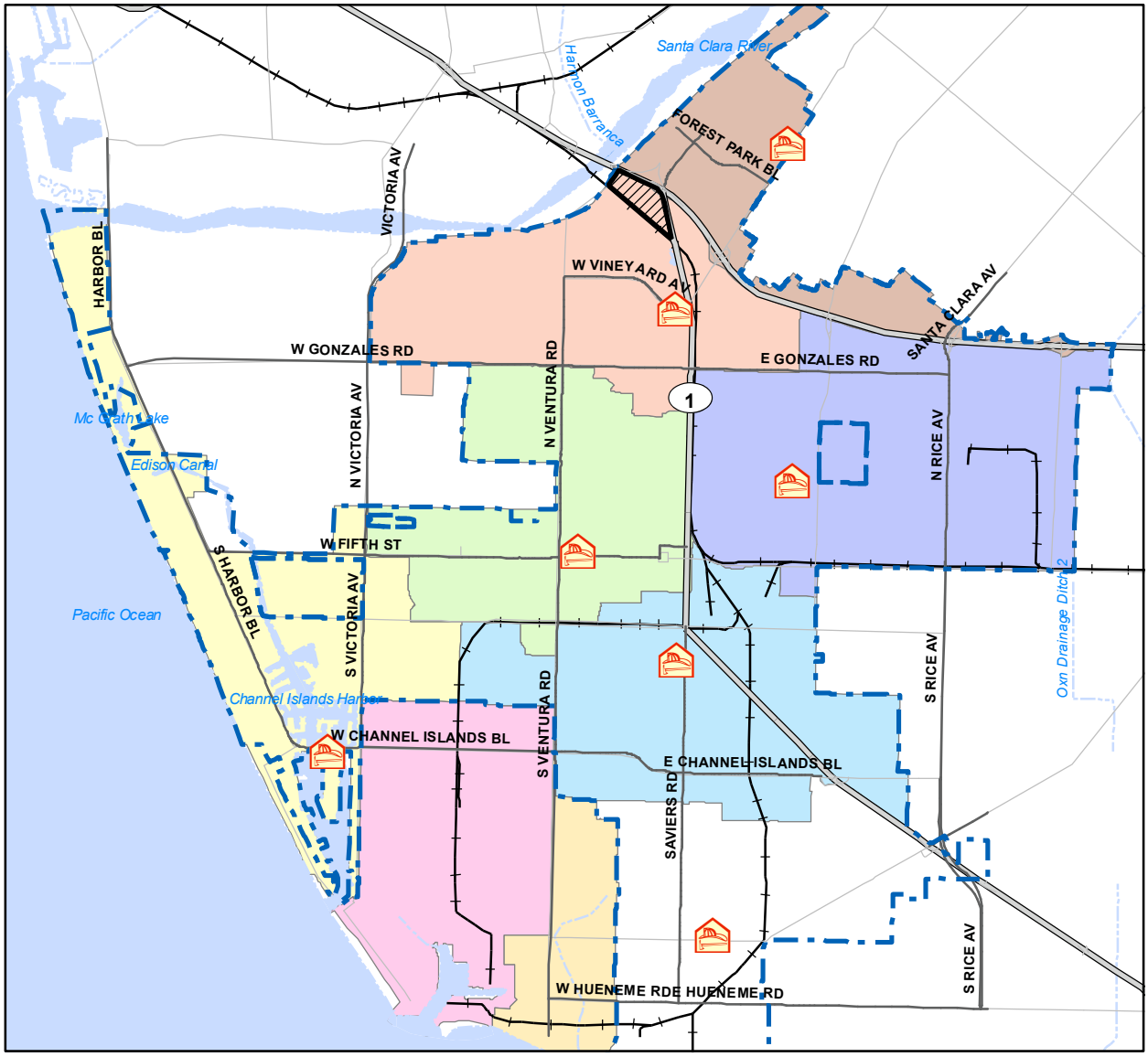
Significance after Mitigation. Payment of the applicable State-mandated school impact fees is considered full mitigation for the proposed project's impacts under CEQA, though it should be noted that new students generated by the proposed project would cause an exceedance of capacity at the Rio School District and would add to existing overcrowded conditions at the Oxnard Union High School District.

c. Cumulative Impacts.

Fire Protection. Cumulative buildout in the City of Oxnard would add about 10,468 new residential units and approximately 7.3 million square feet of non-residential development (see Table 3-2 in Section 3.0, *Environmental Setting*). Such new development would increase demands on fire protection services and generate additional traffic that could hinder emergency response. Without increases in staffing and facilities correlating to these population increases, potentially significant impacts to fire protection service could occur. Funding for the OFD comes from the City's General Fund. Provided that additional funding is made available to the Department to support new personnel as expected, the proposed project would not significantly affect fire protection service standards. The City can and has provided personnel through Community Facilities Districts, which can alleviate funding burdens caused by the service demands of new development. Provided that a Community Facilities District is established to support new personnel as expected, ~~Provided that the City allocates funds to the OFD in proportion to the population and its service obligations~~, no significant cumulative impacts would occur.

Police Protection. Cumulative buildout in the City of Oxnard would add about 10,468 new residential units and approximately 7.3 million square feet of non-residential development (see Table 3-2 in Section 3.0, *Environmental Setting*). This would increase demands on police protection services by adding both residents and employees, and by increasing traffic that could hinder emergency response. It is not anticipated that such development would require new police facilities. However, without increases in staffing and equipment correlating to these population increases, potentially significant impacts could occur. Funding for the police department comes from the City's General Fund. Provided that the City allocates funds to the police department in proportion with the population and its service obligations, no significant cumulative impacts would occur.

Hospitals. Cumulative buildout in the City of Oxnard would add about 10,468 new residential units and approximately 7.3 million square feet of non-residential development (see Table 3-2 in Section 3.0, *Environmental Setting*). The proposed project would generate approximately 5,436 new residents to the area. The proposed project in combination with other planned and pending development in the



Source: City of Oxnard, 2007, and US Bureau of the Census TIGER 2000 data.

N

0 0.5 1 2 Miles

Project Location

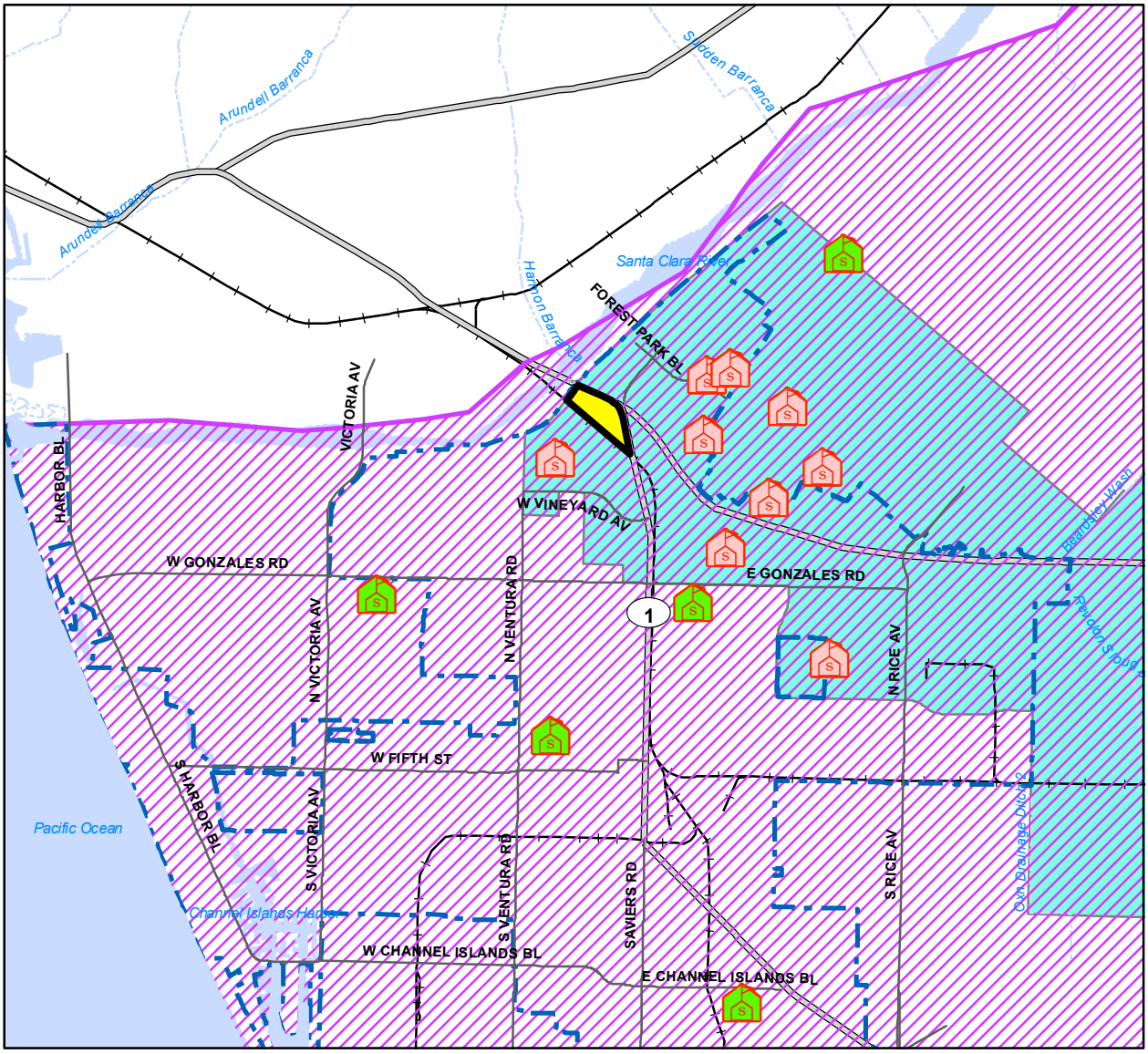
Oxnard City Limit

Fire Station Location

Response Areas for Fire Stations

Figure 4.11-1

City of Oxnard



Source: City of Oxnard, 2008, and US Bureau of the Census TIGER 2000 data.

Project Location
Oxnard City Limit
Elementary/Middle School Location
High School Location
Oxnard Union High School District
Rio School District

N
0 0.5 1 2 Miles

Rio School District and
Oxnard Union High School District
Boundaries and School Locations

Figure 4.11-3

intersections 1, 5, 6, and 14 were obtained from the City of Oxnard from counts taken on typical weekdays in September 2007. These weekday traffic volumes, which are illustrated in Figure 4.13-2, represent the existing conditions for the purposes of this analysis.

Traffic Operations Analysis Methodology. Level of service (LOS) is a qualitative measure used to describe the condition of traffic flow, ranging from excellent conditions at LOS A to overloaded conditions at LOS F. The level of service standard for the City of Oxnard is LOS C where it is "environmentally feasible." The analysis contained in the traffic study was undertaken using the traffic impact assessment requirements set forth by the City of Oxnard ~~However, all roadways and intersections identified in 2004/2005 Ventura County Congestion Management Program (CMP) (Ventura County Transportation Commission [VCTC], March 2005) are permitted to operate up to LOS E conditions, unless otherwise stated. All study intersection along Ventura Road and Oxnard Boulevard are considered CMP intersections. Even though these intersections can operate at LOS E under the CMP, they will be identified as locations that operate below the City of Oxnard standards if they are operating below LOS C.~~

Level of service ranges for signalized intersections can be found in Table 4.13-2. ~~All the existing signalized study intersections are identified in the Ventura County CMP.~~

TABLE 4.13-2: Signalized and Unsignalized LOS Criteria

Signalized Intersections	
LOS	**V/C Ratio**
A	≤ 0.60
B	> 0.60 to ≤ 0.70
C	> 0.70 to ≤ 0.80
D	> 0.80 to ≤ 0.90
E	> 0.90 to ≤ 1.00
F	> 1.00
Unsignalized Intersections	
LOS	**Delay (Seconds)**
A	≤ 10.0
B	> 10.0 to ≤ 15.0
C	> 15.0 to ≤ 25.0
D	> 25.0 to ≤ 35.0
E	> 35.0 to ≤ 50.0
F	> 50.0

Notes: V/C = vehicle-to-capacity

Levels of service for the study area intersections were calculated using the Intersection Capacity Utilization (ICU) methodology as required by the City of Oxnard and the Ventura County CMP. The following guidelines are provided for calculating ICU in the City of Oxnard and Ventura County:

- Phasing/Split Phasing. Shared left/through lanes will be treated as split phased.

- Right-Turn Overlap. The overlapping left-turn volume will be subtracted from the right-turn volume and then compared to the through volume to determine the critical move.
- LOS Threshold. LOS will be calculated to two decimal points.
- Intersection Proximity. Each intersection will be analyzed separately.
- Multiple Left-Turn Lanes. Assume uniform lane distribution.
- Saturation Flow Rate. 1,850 vehicles per lane per hour with an adjustment factor of 14%-15% (the adjustment factor represents a combination of start-up delay, unequal lane distribution, and lost time during clearance. Application of this factor effectively reduces the saturation flow rate to approximately 1,600 vehicles per lane per hour).

Existing Levels of Service. The traffic volumes presented in Figure 4.13-2 were analyzed using the ICU analysis methodology described above to determine current operating conditions at the study intersections. At signalized intersections, the calculation is expressed in a vehicle-to-capacity (V/C) ratio for critical movements where the volumes at the intersection were compared to the actual capacity of the intersection.

Table 4.13-3 summarizes the results of this analysis indicating the existing morning and evening peak hour V/C ratio and corresponding LOS at each of the analyzed intersections. Appendix C of the traffic study contains the LOS worksheets. One intersection operates at LOS D during the PM peak hour. This is ~~within the acceptable LOS criteria for the Ventura County CMP but~~ below the acceptable LOS criteria for the City of Oxnard. The remaining 17 study intersections operate at LOS C or better under existing peak hour traffic conditions.

Existing Transit Service. The hub for bus and rail transportation in Oxnard is the Oxnard Transportation Center (OTC) at 4th Street and Oxnard Boulevard, which is approximately 2.5 miles south of the project site. As shown in Figure 4.13-1, four bus routes provide service around the project site and eight bus routes provide service in the study area. In additions two regional rail routes serve Oxnard. The Oxnard transit lines are described below and consist of Gold Coast Transit (GCT) routes, a Metrolink line, and an Amtrak line:

- GCT Route 6: Oxnard-Ventura/Main Street. Route 6 provides service between the OTC and Ventura. The route uses Oxnard Boulevard and Esplanade Drive in the vicinity of the project site and would provide direct transit access to the proposed project via Spur Drive. Route 6 provides two slightly varying routes: 6A and 6B. Each route provides 40-minute headways throughout the day. More limited service is provided on Saturday and Sunday.
- GCT Route 15: El Rio/Northeast. Route 15 provides service between transfer stations at Vineyard Avenue/Esplanade Drive through El Rio to Neyland Acres in northeast Oxnard. The route uses Vineyard Avenue, Esplanade Drive and Oxnard Boulevard in the vicinity of the project site. The route operates on approximately 40-minute headways throughout the day daily.
- GCT Route 30X: OTC-VTC Express. Route 30X provides service between the Ventura Transfer Center near the Pacific View Mall and the OTC. The route uses Oxnard Blvd and US 101 with stops along Esplanade Drive, providing access near the proposed

Thurgood Marshall Elementary (2900 Thurgood Marshall Dr)	2 miles	13. Ventura Road/Vineyard Ave
Fremont Intermediate (1130 North M St)	2.5 miles	13. Ventura Road/Vineyard Ave 14. Ventura Road/Gonzales Road
Robert J Frank Intermediate (701 North Juanita Ave)	3 miles	15. Oxnard Blvd/Spur Dr 5. Vineyard Ave/Oxnard Bl 4. Oxnard Bl/Gonzales Rd
Rio Del Valle Junior High (3100 North Rose Ave)	3 miles	15. Oxnard Blvd/Spur Dr 6. Vineyard Ave/Esplanade Dr 7 & 8. Vineyard Ave/US 101 9. Vineyard Ave/Myrtle St 17. Vineyard Ave/Stroube St 16. Vineyard Ave/Walnut Dr OR 10 & 11. Oxnard Bl/US 101 OR 12. Ventura Rd/US 101
Pacifica High (600 E Gonzales Rd)	2 miles	15. Oxnard Blvd/Spur Dr 5. Vineyard Ave/Oxnard Bl 4. Oxnard Bl/Gonzales Rd
Oxnard High (3400 W Gonzales Rd)	3 miles	13. Ventura Road/Vineyard Ave 14. Ventura Road/Gonzales Road
Rio Mesa High (545 Central Avenue)	4.5 miles	15. Oxnard Blvd/Spur Dr 6. Vineyard Ave/Esplanade Dr 7 & 8. Vineyard Ave/US 101 9. Vineyard Ave/Myrtle St 17. Vineyard Ave/Stroube St 16. Vineyard Ave/Walnut Dr OR 10 & 11. Oxnard Bl/US 101 OR 12. Ventura Rd/US 101
Schools in the Riverpark Development	Within 2 miles	15. Oxnard Blvd/Spur Dr 6. Vineyard Ave/Esplanade Dr 7 & 8. Vineyard Ave/US 101 9. Vineyard Ave/Myrtle St 17. Vineyard Ave/Stroube St 16. Vineyard Ave/Walnut Dr OR 10 & 11. Oxnard Bl/US 101 OR 12. Ventura Rd/US 101
Rio Plaza (600 Simon Way)	3 miles	
Ria Real (1140 Kenney Street)	3 miles	

Impact T-5 **Ventura Road is subject to periodic localized flooding during peak storm events at the under-crossing of the Union Pacific rail road tracks adjacent to the project's proposed western entrance. During these events the low-lying portion of the roadway is subject closure as a result of the flooding. Traffic traveling to and from the site could be temporarily inconvenienced during these peak storm events. However, because the closures are infrequent and temporary, and do not result in ongoing or long term impacts to traffic circulation, impacts would be Class III,** ***less than significant.***

6.2.10 Population and Housing

Based on the City average of 4.0 persons per household, the proposed addition of 859 residential units (1,000 minus 141 existing occupied mobile home spaces to be removed) would generate a net increase of approximately 3,436 residents (~33% lower than the proposed project). Based on the estimated 2008 citywide population of 194,905 residents, the addition of 3,436 residents would increase Oxnard's population by about 1.7%. The addition of 859 housing units would also increase the current (2007) number of households in the City by about 1.6%. Fewer households and residents would be accommodated by this alternative; neither the proposed project nor the alternative would exceed SCAG's growth or population projections for the City of Oxnard.

Neither the proposed project nor the Reduced/No Towers Project with School Site Alternative would be inconsistent with City Housing Element policies regarding housing numbers, types or affordability. The City's Inclusionary requirements would apply to this alternative as well as the proposed project; however, it should be noted that this alternative would likely result in provision of fewer affordable units than the proposed project based on the required Inclusionary percentages. Impacts related to closure of the mobile home park would be similar to those for the proposed project, and would be less than significant. As commercial space would be the same as for the proposed project, employment numbers would also be reduced under this alternative, as with the proposed project, but less so as some of the jobs associated with the historic structures to remain would likely be retained. As with the proposed project, population and housing impacts would be less than significant.

6.2.11 Public Services

Impacts to public services would be reduced under the Reduced/No Towers Project with School Site Alternative in comparison with the proposed project. This would be primarily due to the fact that the onsite population would be 33% lower. In particular, school impacts would be reduced~~, particularly those to elementary schools,~~ because a school site would be provided. In addition, project specific special police and fire protection services needed to service the high rise structures may not be needed under this alternative. Specifically, mitigation measures PS-1 (b) and PS-3 would not be required under this alternative. Some impacts to public services from the proposed project would be less than significant with the incorporation of the proposed mitigation measures, which would be similar to those recommended for the proposed project~~In addition, project-specific special police and fire protection services needed to serve the high rise structures would not be needed under this alternative. All impacts to public services from the proposed project would be less than significant with incorporation of the proposed mitigation measures, which would be similar to those recommended for the proposed project.~~

6.2.12 Recreation and Parks

Demands on recreational facilities and the amount of park space required to serve the project would be reduced under the Reduced/No Towers Project with School Site Alternative because 33% fewer housing units would be constructed. Specifically, the project's deficit for park land would be 12 acres rather than 18 (three acres per 1,000 residents). In addition, school play fields would provide an additional recreational opportunity for residents during off-hours. Finally, at

evenly throughout the day. The overall traffic impacts of this alternative would be less than those associated with the proposed project. Some or all of the proposed mitigation measures would likely still apply, and in either case impacts would be less than significant with mitigation.

The potentially significant but mitigable parking impact associated with the proposed project would likely be reduced to a less than significant level under this alternative because the project could be designed and configured to accommodate the reduced demand, possibly with incorporation of a two-level parking structure to serve commercial uses if necessary. Impacts related to safety of routes to school would be similar to the proposed project and would remain less than significant. CMP impacts would be reduced in comparison to the proposed project and would remain less than significant.

6.3.14 Utilities and Service Systems

Impacts to other utilities and services, including water supply, wastewater capacity, water pressure/fire flows and solid waste generation would be less than significant after mitigation for the General Plan and Zoning Ordinance Consistent Alternative as well as the proposed project. As this alternative would have fewer units and residents, these impacts would be reduced overall in comparison and would be less than significant as well. Fire flows would be based upon the type, size and occupancy of building proposed to be built under this alternative.~~Fire flows would be less critical as no high-rise buildings would be built~~. Still, most of the mitigation measures identified for the proposed project would apply to this alternative as well, with the exception of those specifically related to the residential towers. Mitigation measures for solid waste would likely be modified to account for specific considerations related to collection and disposal of waste from the commercial and manufacturing uses.

6.4 INCREASED COMMERCIAL/DECREASED RESIDENTIAL AND RECONFIGURED SPECIFIC PLAN ALTERNATIVE

This alternative would redevelop the Wagon Wheel site with 130,000 square feet of general commercial space (one- to two-story), 1,450,000 square feet of office space (five 22-story towers), 16,000 square feet of restaurant space and 250 residential units in up to five buildings of up to eight stories each. Historic structures would be preserved, rather than demolished, to avoid the significant historic resources impacts of the proposed project. The project would also be reconfigured to provide a larger buffer between proposed new uses and the adjacent Highway 101 and railroad corridors. Approval of a Specific Plan and General Plan Amendment would be required, as for the proposed project, as the proposed intensity of use and building heights would not be consistent with the current zoning. This alternative would meet the applicant's general objectives of redeveloping the Wagon Wheel site with a mixed-use project, although at a much different ratio of residential to commercial uses than that of the proposed project. (Please see Subsection 2.5 *Project Objectives* in Section 2.0 *Project Description* for a statement of objectives.)

6.4.1 Aesthetics

The overall volume of structural development associated with the Increased Commercial/

Appendix A Pages

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Sean Walsh
Director

RECEIVED
OCT 23 2006
PLANNING DIVISION
CITY OF OXNARD

Notice of Preparation

October 16, 2006

To: Reviewing Agencies

Re: Wagon Wheel Specific Plan Project
SCH# 2006101099

Attached for your review and comment is the Notice of Preparation (NOP) for the Wagon Wheel Specific Plan Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Kathleen Mallory
City of Oxnard
305 West Third Street
Oxnard, CA 93030

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Senior Planner, State Clearinghouse

Attachments
cc: Lead Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2006101099
Project Title Wagon Wheel Specific Plan Project
Lead Agency Oxnard, City of

Type NOP Notice of Preparation

Description The residential component would include up to 1,500 multiple family residential units contained within five housing types as follows: 1) three-story townhomes; 2) three-story live work town homes; 3) four-story condominiums above two levels of subterranean parking; 4) four-story mixed use buildings with two or three stories of residential condominiums above commercial retail/office uses with subterranean parking; and 5) two 25-story residential towers. A total of 1,500 attached residential units are proposed. Building heights for the project would be up to 43 feet for the town house buildings, 40 feet for the live/work buildings, 50 feet for the four-story condominiums and mixed use buildings, and 270 feet for the residential high-rise buildings. Fifteen percent of the total units would be designated as "affordable housing" and would meet the income criteria for very low - and moderate-income families.

Lead Agency Contact

Name Kathleen Mallory
Agency City of Oxnard
Phone 805 512-9800 **Fax**
email
Address 305 West Third Street
City Oxnard **State** CA **Zip** 93030

Project Location

County Ventura
City
Region
Cross Streets Oxnard Boulevard, North Ventura Road
Parcel No. 139-0-022-01,03,04,12,15;139-0-150-13,139-0-150-11,139-0-170-01,139-0-022-06,139-0-170-02,...
Township **Range** **Section** **Base**

Proximity to:

Highways U.S. Highway 101; SR1
Airports
Railways
Waterways
Schools
Land Use Non-designated MRZ-2 in the City's General Plan and Mineral Resources Management Plan.

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Geologic/Seismic; Toxic/Hazardous; Water Quality; Landuse; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Traffic/Circulation; Other Issues

Reviewing Agencies Resources Agency; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Department of Health Services; Office of Emergency Services; Native American Heritage Commission; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 7; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 4

Date Received 10/15/2006 **Start of Review** 10/16/2006 **End of Review** 11/14/2006

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

NOP Distribution List

County: Ventura

SCH# 2006041009

Resources Agency

- [x] Resources Agency
  Nadell Gayou
- [ ] Dept. of Boating & Waterways
  David Johnson
- [ ] California Coastal Commission
  Elizabeth A. Fuchs
- [ ] Colorado River Board
  Gerald R. Zimmerman
- [ ] Dept. of Conservation
  Roseanne Taylor
- [ ] California Energy Commission
  Paul Richins
- [ ] Dept. of Forestry & Fire Protection
  Allen Robertson
- [ ] Office of Historic Preservation
  Wayne Donaldson
- [x] Dept of Parks & Recreation
  Environmental Stewardship Section
- [ ] Reclamation Board
  DeeDee Jones
- [ ] S.F. Bay Conservation & Dev't. Comm.
  Steve McAdam
- [x] Dept. of Water Resources
  Resources Agency
  Nadell Gayou
- [ ] _____
  Conservancy

Fish and Game

- [ ] Depart. of Fish & Game
  Scott Flint
  Environmental Services Division
- [ ] Fish & Game Region 1
  Donald Koch
- [ ] Fish & Game Region 2
  Banky Curtis
- [ ] Fish & Game Region 3
  Robert Floerke
- [ ] Fish & Game Region 4
  Julie Vance
- [x] Fish & Game Region 5
  Don Chadwick
  Habitat Conservation Program
- [ ] Fish & Game Region 6
  Gabrina Gatchel
  Habitat Conservation Program
- [ ] Fish & Game Region 6 IM
  Tammy Allen
  Inyo/Mono, Habitat Conservation Program
- [ ] Dept. of Fish & Game M
  George Isaac
  Marine Region

Other Departments

- [ ] Food & Agriculture
  Steve Shaffer
  Dept. of Food and Agriculture
- [ ] Depart. of General Services
  Public School Construction
- [ ] Dept. of General Services
  Robert Sleppy
  Environmental Services Section
- [x] Dept. of Health Services
  Veronica Malloy
  Dept. of Health/Drinking Water

Independent Commissions Boards

- [ ] Delta Protection Commission
  Debby Eddy
- [x] Office of Emergency Services
  Dennis Castrillo
- [ ] Governor's Office of Planning & Research
  State Clearinghouse
- [x] Native American Heritage Comm.
  Debbie Treadway
- [ ] Public Utilities Commission
  Ken Lewis
- [ ] State Lands Commission
  Jean Sarino
- [ ] Tahoe Regional Planning Agency (TRPA)
  Cherry Jacques

Business, Trans & Housing

- [ ] Caltrans - Division of Aeronautics
  Sandy Hesnard
- [ ] Caltrans - Planning
  Terri Pencovic
- [x] California Highway Patrol
  Shirley Kelly
  Office of Special Projects
- [x] Housing & Community Development
  Lisa Nichols
  Housing Policy Division

Dept. of Transportation

- [ ] Caltrans, District 1
  Rex Jackman
- [ ] Caltrans, District 2
  Marcelino Gonzalez
- [ ] Caltrans, District 3
  Jeff Pulvenman
- [ ] Caltrans, District 4
  Tim Sable
- [ ] Caltrans, District 5
  David Murray
- [ ] Caltrans, District 6
  Marc Birnbaum
- [x] Caltrans, District 7
  Cheryl J. Powell
- [ ] Caltrans, District 8
  Dan Kopulsky
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  Tom Dumas
- [ ] Caltrans, District 11
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Air Resources Board

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- [ ] State Water Resources Control Board
  Jim Hockenberry
  Division of Financial Assistance
- [ ] State Water Resources Control Board
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] State Water Resources Control Board
  Steven Herrera
  Division of Water Rights
- [x] Dept. of Toxic Substances Control
  CEQA Tracking Center
- [ ] Department of Pesticide Regulation

Regional Water Quality Control Board (RWQCB)

- [ ] RWQCB 1
  Cathleen Hudson
  North Coast Region (1)
- [ ] RWQCB 2
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] RWQCB 3
  Central Coast Region (3)
- [x] RWQCB 4
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] RWQCB 5S
  Central Valley Region (5)
  - [ ] RWQCB 5F
    Central Valley Region (5)
    Fresno Branch Office
  - [ ] RWQCB 5R
    Central Valley Region (5)
    Redding Branch Office
- [ ] RWQCB 6
  Lahontan Region (6)
  - [ ] RWQCB 6V
    Lahontan Region (6)
    Victorville Branch Office
- [ ] RWQCB 7
  Colorado River Basin Region (7)
- [ ] RWQCB 8
  Santa Ana Region (8)
- [ ] RWQCB 9
  San Diego Region (9)

- [ ] Other _____

Last Updated on 04/28/06

RESOURCE MANAGEMENT AGENCY
county of ventura

Environmental Health Division
Robert Gallagher
Director

RECEIVED
NOV 16 2006
PLANNING DIVISION
CITY OF OXNARD

November 13, 2006

Kathleen Mallory
City of Oxnard
Planning and Environmental Services Program
305 West Third Street
Oxnard, CA 93030

NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WAGON WHEEL SPECIFIC PLAN PROJECT

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

1. EHD records indicate that the project may be located on or near a closed, illegal, or abandoned (CIA) solid waste disposal site. If during construction evidence of a waste disposal site is encountered, the work shall cease and EHD as the Local Enforcement Agency (LEA) must be notified. For more information on LEA requirements please contact Darrell Siegrist at 805/648-9248.

2. For evaluation or remediation of any known or suspected hazardous substance contamination, it is strongly recommended that the responsible party for the subject site immediately contact either the Ventura County EHD Voluntary Cleanup Program or the Los Angeles Regional Water Quality Control Board (LARWQCB) to enroll the case into a cleanup program. For more information on EHD's Voluntary Cleanup Program, please contact Erin O'Connell at 805/654-6511. The contact telephone number for the LARWQCB is 213/576-6600.

800 South Victoria Avenue, Ventura, CA 93009-1730 (805) 654-2813 FAX (805) 654-2480
Internet Web Site Address: www.ventura.org/envhealth

Please contact me at 805/654-2811 if you have any questions regarding this correspondence.

Melinda Talent

MELINDA TALENT
LAND USE SECTION
ENVIRONMENTAL HEALTH DIVISION

c: Darrell Siegrist, EHD/LEA
Erin O'Connell, EHD/LUFT

Ted Grandsen
President - Division 1
William R. Seaver
Vice President - Division 5
Donald G. Hauser
Secretary - Division 3
Jeffrey A. Borenstein
Treasurer - Division 2
Gail L. Pringle
Director - Division 4
Donald R. Kendall, Ph.D., P.E.
General Manager

CALLEGUAS
MUNICIPAL WATER DISTRICT

2100 Olsen Road
Thousand Oaks
California 91360-6800
(805) 526-9323
Fax (805) 522-5730
Web site: www.calleguas.com

October 24, 2006

RECEIVED
OCT 25 2006
PLANNING DIVISION
CITY OF OXNARD

Kathleen Mallory
Planning and Engineering Services Manager
City of Oxnard
305 West Third Street
Oxnard, CA 93030

Re: Wagon Wheel Specific Plan

Dear Ms Mallory:

Thank you for sending Calleguas Municipal Water District a copy of the Notice of Preparation of a Draft Environmental Impact Report for the Wagon Wheel Specific Plan. All of the land under consideration is within the present boundaries of Calleguas. Therefore there is no concern about annexation to the District. Calleguas has no comments at this time on environmental issues.

Please advise the applicant that there are likely to be substantial Capital Construction Charges due Calleguas for the project even after considering the available credits for existing demand on the site.

Sincerely yours,

Cy Johnson
Development Programs Administrator

county of ventura
DEPARTMENT OF AIRPORTS
www.ventura.org/airports

555 Airport Way ◆ Camarillo, CA 93010 ◆ (805) 388-4274 ◆ Fax: (805) 388-4366

November 27, 2006

Ms. Kathleen Mallory
Planning and Environmental Services
City of Oxnard
305 West Third St.
Oxnard, CA 93030

Re: Notice of Preparation of a Draft Environmental Impact Report for the Wagon Wheel Specific Plan Project, Oxnard, California

Dear Ms. Mallory:

I met with Abe Leider of Rincon Consultants on November 20, 2006, and have reviewed the above referenced document. On behalf of the Department of Airports, I offer the following comments and concerns.

As you are aware, the project site is located in proximity to both the Oxnard and Camarillo airports. Therefore, the draft EIR should address all airport-related concerns as follows:

1. An analysis of risk/hazards presented by aircraft operations.

   The site lies within the airport influence area of Oxnard Airport and below areas designated as arrival and departure tracks for Camarillo Airport in the Airport Comprehensive Land Use Plan (ACLUP). Residents at the site will experience many aircraft operations at high power settings during departure. The potential exposure to risk from these operations should be identified as well as the site's proposed development in relation to any aircraft hazard/protected zones.

2. Analysis of noise exposure.

   The site is subject to aircraft noise by normal aircraft operations including over-flights, departure noise and other operations on the airports. Noise exposure should be examined, including single-event noise exposure, and there should be identification of *any* mitigation measures that might be available to lessen noise impacts.

In addition, the Draft EIR should provide mitigation measures addressing these concerns, such as full disclosure to future residents, sound attenuation features, etc. And, the Federal Aviation Administration requires the filing of Form 7460, "Notice of Proposed Construction."

Copies of the ACLUP may be obtained from the Ventura County Transportation Commission by contacting Kerry Forsythe at (805) 654-2888, or from Coffman Associates through Steve Benson at (816) 524-3500. The master plans for Oxnard and Camarillo airports are also available from Coffman Associates.

Thank you very much for the opportunity to comment. Please contact me at 388-4200 if you have any questions.

Sincerely,

TODD L. MCNAMEE, AAE
Director of Airports

c Camarillo and Oxnard Airport Authorities
Aviation Advisory Commission
Kerry Forsythe, VCTC
Abe Leider, Rincon Consultants ✓

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OCT 23 2006

PLANNING DIVISION
OXNARD

Oxnard Union High School District

100 YEARS of EXCELLENCE

Louis J. Cunningham, Director of Facilities 309 South K Street, Oxnard, Calif. 93030
805.385.2562 805.483.1619 Facsimile lou@ouhsd.k12.ca.us

October 20, 2006

Kathleen Mallory, AICP
Project Planner
City of Oxnard
305 West Third Street
Oxnard, CA 93030

Regarding: Response to Notice of Preparation of a Draft Environmental Impact Report for the Wagon Wheel Specific Plan Project, Oxnard California.

Dear Kathleen:

The Oxnard Union High School District ("District") has received and reviewed the Notice of Preparation ("NOP") of a Environmental Impact Report ("SEIR") from the City of Oxnard ("City") for the proposed " **Wagon Wheel Specific Plan Project** ". This Plan would allow for the construction of up to 1500 multiple family residential units with approximately 47,000 square feet of commercial retail and small commercial office space on 64 acres.

Unless properly addressed, the Project will have an adverse impact on the ability of the District to house students, and will produce significant negative impacts to the District and the City. By continuing to place additional students on existing campuses there would be increased noise, traffic, and pollution due to an increased number of students who are transported to school. It is, therefore, to the mutual benefit of the District and the City to work in a collaborative effort to ensure the provision of adequate school facilities necessary to meet the increases in student enrollment associated with the Plan.

The District had an enrollment of 16,138 for all schools during the school year of 2005/2006. Rio Mesa High School would serve the approximant 72.9 students generated by this Project. Rio Mesa High School presently has a capacity of 2,007 students with an enrollment of 2,207. Including relocatable classrooms installed to accommodate growth.

In April 2006, a School Facilities Needs Analysis ("SFNA") was prepared for the District. An element included in the SFNA is a calculation of district-wide student generation factors ("SGFs") for all land use types for the District. Using those SGFs, the

District estimates the Project could potentially generate a total of 72.9 high school students. Table 1 shows the calculation of the estimated number of students in grades 9 through 12.

TABLE 1
STUDENTS GENERATED BY THE PLAN

Projected Units Multi-Family Attached	Student Generation Factors	Total Students Generated
1500	0.0486	72.9

In addition to calculating SGFs, the SFNA also evaluated student enrollment and facilities capacity in the school year 2005-06. Comparing school facilities capacity to the existing student enrollment, the District currently has a shortage of 2,629 seats (excludes relocatable classroom capacity in excess of 25% of regular classrooms). Therefore, in order to house students generated from the Project, the District would be required to expand its existing school facilities or add additional school facilities to accommodate the students who will be generated.

As you know, Senate Bill ("SB") 50 reformed the way school districts collect mitigation payments from developers. Under SB 50, school districts cannot use the California Environmental Quality Act ("CEQA") process to block the approval of new development by citing an unmitigated impact on school facilities. Instead, school districts are given the ability, if they meet certain requirements, to collect alternative school fees ("Alternative Fees"). While the Alternative Fees are above what a school district can collect in statutory school fees, they are well below the actual amount needed to mitigate the impact residential development has on school facilities. The District currently levies Alternative Fees in the amount of $1.35 per square foot. However, in an analysis prepared by David Taussig & Associates, Inc. ("DTA"), the District's demographic and financial consultant, the cost impact of a single family detached unit on the District is estimated to be $5,893 and the cost impact of a multi-family attached unit on the District is estimated to be $3,545, and the cost impact of a multi-family unit on the District is estimated to be $1,791. These figures assume funding will be received from the state of California to partially offset the construction cost.

Also as the District would need to bus the 73 students from this project to Rio Mesa High School, a new school bus would need to be purchased at a cost of over $125,000.00.

The District has purchased a site for a new high school in the Camarillo area to handle local un-housed students, and those who presently attend Rio Mesa High School. Accordingly, the District is open to meeting with the developer of the Project to see if an arrangement could be reached to more fully mitigate the impacts of the Plan on the District. Such a meeting would ensure that the high quality of education provided by the

District would remain intact and that the District could continue to provide the programs that the community has come to expect.

The District appreciates the assistance of the City and the Developer with our efforts to provide adequate school facilities for all students within the area of the City served by the District. Should you have any questions regarding this process or about the findings of the District, please do not hesitate to contact me.

Sincerely,

Louis J Cunningham
Director of Facilities

C: Dr. Jody Dunlap
Randy Winton

/mme

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PLANNING DIVISION
CITY OF OXNARD

Law Office of
BARBARA MACRI-ORTIZ
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Oxnard, California 93031

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Facsimile: (805) 487-1409
E-mail: b.macriortiz@verizon.net

November 17, 2006

Ms. Kathleen Mallory, AICP
Project Planner
Planing & Environmental Services Division
City of Oxnard
305 West Third Street
Oxnard, California 93030

RE: PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT WAGON WHEEL SPECIFIC PLAN PROJECT, OXNARD, CA

Dear Ms. Mallory:

This letter is written in accordance with the request made at the Community Workshop on November 13, 2006, for input concerning the scope of the EIR for the Wagon Wheel project.

As you know, at the meeting I raised several areas of concern that should be thoroughly studied in the EIR, including the impacts of this project on the City's existing housing stock for its very low and low income community, especially in light of the proposed closure of the mobile home park.[1] If approved as proposed, the project would eliminate

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[1]. I also suggested that the consultant study the changes that are currently underway in redefining the flood plain, and I raised concerns related to the impact of this project on the City's ability to provide an adequate supply of parklands to serve the entire community. I noted the acute shortage of parks available for youth soccer and other youth sports programs. These shortages will no doubt continue to grow as the City continues to grow. The increasing demands placed upon the parks by an expanding population must be viewed as a significant impact of the Wagon Wheel and other projects being proposed in the City. I will not address these issues in this letter, but I do expect these topics will be seriously addressed, and I invite the consultant to

171 units of affordable housing at the Wagon Wheel Trailer Lodge, as well as additional residential units at the Wagon Wheel Motel.

The Wagon Wheel Trailer Lodge has been home to many very low and low income long time Oxnard residents. This mobilehome park provides decent, safe and sanitary housing to many farm workers and other low wage workers who have faithfully served this community for many years. According to the Mobilehome Park Closure Impact Report that was recently prepared for the Wagon Wheel Trailer Lodge, the average tenancy at the lodge is 11 years, and as was testified to at the community workshop, and as documented in the report, numerous citizens have resided at the park for decades.

The Closure Impact Report makes it clear that it is virtually impossible for any of these residents to relocate to other trailer parks in Oxnard, much less in Ventura County or even within a radius of 150 miles from the park. What does this mean in relation to the EIR? As I explained at the workshop, the closure of this mobile home park that has traditionally served the very low income community must be viewed as a significant impact that ***must be mitigated*** in order for the proposed project to proceed.

The EIR must also evaluate the cumulative effect that the park closure would have on the very serious overcrowding issues that we presently face in the City of Oxnard. As was recognized in the 2000 - 2005 Oxnard Housing Element,

> "Overcrowding occurs when housing costs are so high relative to income that families double-up to save income to afford necessities of life." [Oxnard Housing Element, p. II-31]

The Housing Element reported that from 1980 to 1990, overcrowding among Oxnard households increased from 16% to 25%. The number of overcrowded units rose to 30.5% according to the 2000 U.S. Census. According to the Census, 13,310 of Oxnard's 43,620 housing units were overcrowded. This overcrowding is not limited to rental housing, as some might suspect. In fact, 40.5% of the overcrowded households in 2000 resided in owner occupied housing. The picture is even bleaker now in 2006 as the monumental rise in housing costs has led to even more overcrowding. We have seen a trend of two and three families pooling resources to buy existing homes, as well as new

---

contact me directly as he gathers additional information related to the youth sports programs that utilize Oxnard park facilities.

housing stock that has been developed in the Northeast Community and other areas of the City. Many of these new home owners have lived in Oxnard for years. Some are buying bigger homes to accommodate adult children who are unable to compete for high cost rental housing, and others are opting for home ownership instead of continuing to pay ever increasing rents at poorly maintained rental units.

As was stated in the Housing Element:

> "[a]n important measure of quality of life is the extent of overcrowding in a community. Planning areas with high levels of overcrowding are often associated with a relatively higher level of noise, deterioration of homes, and a shortage of on-site parking. Therefore, maintaining a reasonable level of occupancy and alleviating overcrowded housing conditions is an important contributor to quality of life." [2000 - 2005 Housing Element, p. II-31]

These complaints continue to be raised by the public, as the City suffers the stressors of serious overcrowding. In response to some of these complaints, the City Council has begun to entertain plans to require residential parking permits as a vehicle to address the shortage of parking in some of the City's neighborhoods. However, parking permits do not address the systemic problem inherent in overcrowded neighborhoods.

The problem is simple. We are not building the type of housing stock that our community requires, and very little of the housing that is being built is affordable to those in the community who need the housing. This is a real problem that will be exacerbate if the mobile home park closes in a manner that leaves many long time citizens of Oxnard among those competing for affordable housing in this impacted community.

At the workshop many citizens questioned the impact that this development would have on our already overcrowded elementary and high school districts that would serve the Wagon Wheel community. The EIR must address the impact that this project will have if the units are priced beyond the reach of our residents because most Oxnard families simply cannot afford $500,000.00 homes, or even $350,000.00 homes. As long as we keep building housing products that our own citizens cannot afford, we will surely perpetuate the overcrowding problems in our schools. We will also make it impossible for our school administrators to be able to adequately plan for the student population that they will be responsible to serve because school projections, including mitigation fees, are based on one family per housing unit. Unfortunately, if the present trend of high housing costs continues, the notion of one family per housing unit will soon be an

endangered species, as our working families and adult children continue to adjust to a family and community unfriendly environment.

I appreciate the opportunity to participate in this process, and I look forward to an honest and realistic evaluation of the impacts that this project will have on our community.

Please feel free to contact me, if you have any questions or require additional information.

Sincerely,

Barbara Macri-Ortiz

xc: Wagon Wheel Residents' Committee

Appendix B Pages

Ventura County APCD TDM Mitigation Fund Calculation

TC = EE * UC * D * 3 years
where:

TC = Total Cost for TDM Mitigation Fund Program
EE = Excess Emissions over threshold
UC = Unit Cost per pound
$6.00 ROC in 2006$ (January CPI at 198.3)
$8.77 NOx in 2006$ (January CPI at 198.3)
D = Days Of Operation

Project:	Oxnard Village Specific Plan		
Completion Date:	2008		
Current CPI:	213.53	March	2008
Annual Inflation Rate:	3.54%		
Days of Operation:	365		
Applicable Threshold:	25	pounds per day	

Pollutant	Summer Daily Emissions	EE	Adjusted UC	Total Cost
ROC	134.5	109.5	$6.43	$771,322
NOx	54.8	29.8	$9.40	$306,822

TDM Fund: ***$771,322***

Note: Based on URBEMIS 2007 emission rates.

Construction and Grading Emissions

Project Name: Concord Village Specific Plan-Phase 1 Construction Estimated Mitigation using only BMP
Construction Year: 2015

Activity	Equipment	Number	Default Load Factor	Usage per day (in hours)	Unmitigated Emissions Factors, lbs/hr ** CO	NOx	PM10	SOx	VOC	Unmitigated Emissions, lbs/day CO	NOx	PM10	SOx	VOC	Annual Use Days **	Emissions, tons/yr CO	NOx	PM10	SOx	VOC
Grading and Site Preparation																				
	Bore/Drill Rigs		75%	8	0.487	0.806	0.038	0.329	0.05	0.00	0.00	0.00	0.00	0.00	200	0.00	0.40	0.00	0.00	0.00
	Graders Tractors		59%	8	0.391	1.473	0.094	0.232	0.145	0.00	0.00	0.00	0.00	0.00	200	0.00	0.60	0.05	0.05	0.05
	Crushing/Proc. Equipment	1	78%	8	0.758	1.944	0.119	0.898	0.833	4.86	8.89	0.76	1.67	1.27	200	0.49	0.89	0.07	0.17	0.13
	Dumpers/Tenders		62%	8	0.620	0.965	0	0	0	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Excavators	2	58%	8	0.461	0.857	0.044	0.340	0.084	8.08	7.50	0.41	2.97	0.08	200	0.83	0.75	0.04	0.30	0.08
	Forklifts		50%	8	0.085	0.262	0.002	0	0.044	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Graders		59%	8	0.522	1.121	0.083	0.276	0.092	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Off-Highway Tractors		47%	8	0.06	1.708	0.087	0.411	0.152	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Off-Highway Trucks		38%	8	0.684	2.141	0.091	0.468	0.16	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Other Construction Equipment	1	42%	8	0.473	1.039	0.058	0.439	0.108	0.00	1.00	0.07	0.28	0.10	200	0.00	0.10	0.01	0.05	0.01
	Plate Compactors		50%	8	0.017	0.025	0.002	0	0.003	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Rollers		43%	8	0.364	0.918	0.058	0.196	0.092	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Rubber Tired Dozers	1	59%	8	0.798	2.012	0.088	0.450	0.194	2.77	11.68	0.46	2.14	0.87	200	0.55	2.34	0.09	0.43	0.18
	Rubber Tired Loaders		47%	8	0.413	0.844	0.045	0.371	0.075	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Scrapers	1	58%	8	0.85	2.265	0.095	0.488	0.167	2.00	11.34	0.55	2.82	0.98	200	0.39	2.26	0.05	0.56	0.20
	Skid Steer Loaders		52%	8	0.18	0.339	0.017	0.097	0.031	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Surfacing Equipment		46%	8	0.564	1.601	0.087	0.408	0.268	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Tractors/Loaders/Backhoes	1	37%	8	0.417	0.746	0.06	0.110	0.119	1.00	2.79	0.10	0.43	0.43	200	0.10	0.56	0.01	0.09	0.09
	Trenchers		75%	8	0.338	0.465	0.035	0.107	0.047	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
	Welders		50%	8	0.045	0.045	0.002	0	0.073	0.00	0.00	0.00	0.00	0.00	200	0.00	0.00	0.00	0.00	0.00
Grading and Site Preparation								Total, Daily		13.7	40.6	2.9	9.4	4.2	Total	1.87	5.55	0.39	1.28	0.57
Building, Shell, and Utilities Installation																				
	Cement and Mortar Mixers	1	50%	8	0.031	0.045	0.002	0	0.01	0.00	0.00	0.00	0.00	0.00	60	0.00	0.00	0.00	0.00	0.00
	Concrete/Industrial Saws		73%	8	0.646	2.713	0.07	0.126	0.118	0.00	0.00	0.00	0.00	0.00	60	0.00	0.00	0.00	0.00	0.00
	Cranes		43%	8	0.366	0.765	0.043	0.198	0.068	0.00	0.00	0.00	0.00	0.00	60	0.00	0.00	0.00	0.00	0.00
	Excavators		38%	8	0.461	0.821	0.049	0.240	0.084	0.00	0.00	0.00	0.00	0.00	60	0.00	0.00	0.00	0.00	0.00
	Forklifts		50%	8	0.085	0.262	0.002	0	0.044	0.00	0.00	0.00	0.00	0.00	60	0.00	0.00	0.00	0.00	0.00
	Generator Sets	1	50%	8	0.3	0.556	0.045	0.001	0.082	1.45	2.84	0.22	0.00	0.41	60	0.04	0.08	0.01	0.00	0.01
	Other Construction Equipment		62%	8	0.471	1.034	0.058	0.223	0.108	0.00	0.00	0.05	0.00	0.00	60	0.00	0.00	0.00	0.00	0.00
	Rough Terrain Forklifts		48%	8	0.532	0.928	0.050	0.10	0.094	0.00	0.00	0.00	0.00	0.00	60	0.00	0.00	0.00	0.00	0.00
	Rubber Tired Loaders		47%	8	0.413	0.844	0.045	0.221	0.075	0.00	0.00	0.00	0.00	0.00	60	0.00	0.00	0.00	0.00	0.00
	Tractors/Loaders/Backhoes	1	37%	8	0.417	0.746	0.06	0.110	0.119	1.00	2.79	0.10	0.43	0.43	60	0.06	0.16	0.01	0.01	0.01
	Trenchers		75%	8	0.338	0.465	0.035	0.107	0.047	0.00	0.00	0.00	0.00	0.00	60	0.00	0.00	0.00	0.00	0.00
Building, Shell, and Utilities Installation								Total, Daily		3.2	8.0	0.3	0.4	0.8	Total	0.10	0.18	0.02	0.01	0.03
Asphalt Paving Operations																				
	Dozers		59%	8	0.392	1.121	0.083	0.276	0.092	0.00	0.00	0.00	0.00	0.00	30	0.00	0.00	0.00	0.00	0.00
	Other Construction Equipment		62%	8	0.471	1.034	0.058	0.223	0.108	0.00	0.00	0.05	0.00	0.00	30	0.00	0.00	0.00	0.00	0.00
	Pavers	1	59%	8	0.417	0.825	0.046	0.165	0.086	1.67	3.30	0.21	0.78	0.35	30	0.05	0.04	0.00	0.01	0.00
	Paving Equipment	1	50%	8	0.851	0.816	0.052	0.144	0.048	1.70	3.47	0.28	0.61	0.42	30	0.05	0.05	0.00	0.01	0.01
	Rollers	2	43%	8	0.364	0.918	0.058	0.196	0.092	0.91	4.59	0.29	0.98	0.46	30	0.14	0.36	0.00	0.01	0.01
	Asphalt Pavement (VOC/PM10)																			
	Cold Solvent **	1.2	gallon/day						2.52					3.14	30	0.00	0.00	0.00	0.00	0.05
Asphalt Paving Operations								Total, Daily		4.7	10.1	0.7	2.2	4.2	Total	0.14	0.30	0.01	0.04	0.06

Particulate Emission Calculations	
Emission grams/day (lbs/d)	Emissions grams/mile (lbs/d)
0	0
0	0
0	0
0	0
0	0
0	0
0	0
0	0
0	0
0	0
0	0
0	0
0	0
0	0
0	0
subtotal	0.0000

List of BMP but ***: -10%
Mitigated Emissions: 0.0000

Length of paving activity (days)	120.00	
Length of paved roadway (miles)	100.00	
Area (sq ft)		3000000
Particulate Emission grams/mile**		1.8447E-06

08/11/08
16:16:48

```
 ***  SCREEN3 MODEL RUN  ***
 *** VERSION DATED 96043 ***

Oxnard Village Phase 1 Construction B20 only

SIMPLE TERRAIN INPUTS:
   SOURCE TYPE                =        AREA
   EMISSION RATE (G/(S-M**2)) =     .154476E-05
   SOURCE HEIGHT (M)          =      3.1500
   LENGTH OF LARGER SIDE (M)  =    213.3600
   LENGTH OF SMALLER SIDE (M) =    106.6600
   RECEPTOR HEIGHT (M)        =      1.5000
   URBAN/RURAL OPTION         =       URBAN
THE REGULATORY (DEFAULT) MIXING HEIGHT OPTION WAS SELECTED.
THE REGULATORY (DEFAULT) ANEMOMETER HEIGHT OF 10.0 METERS WAS ENTERED.

   MODEL ESTIMATES DIRECTION TO MAX CONCENTRATION


BUOY. FLUX =     .000 M**4/S**3;  MOM. FLUX =     .000 M**4/S**2.

*** FULL METEOROLOGY ***

**********************************
*** SCREEN AUTOMATED DISTANCES ***
**********************************

*** TERRAIN HEIGHT OF    0. M ABOVE STACK BASE USED FOR FOLLOWING DISTANCES ***

  DIST     CONC              U10M   USTK  MIX HT   PLUME  MAX DIR
   (M)   (UG/M**3)   STAB   (M/S)  (M/S)    (M)   HT (M)   (DEG)
-------  ----------  ----  -----  -----  ------  ------  -------
     1.   20.03        5     1.0    1.0 10000.0    3.15      20.
   100.   29.92        5     1.0    1.0 10000.0    3.15       9.
   200.   19.78        5     1.0    1.0 10000.0    3.15      20.
   300.   12.33        5     1.0    1.0 10000.0    3.15       0.
   400.   8.576        5     1.0    1.0 10000.0    3.15       0.
   500.   6.290        5     1.0    1.0 10000.0    3.15       0.

MAXIMUM 1-HR CONCENTRATION AT OR BEYOND     1. M:
   125.   31.30        5     1.0    1.0 10000.0    3.15      22.

***********************************
*** SCREEN DISCRETE DISTANCES ***
***********************************

*** TERRAIN HEIGHT OF    0. M ABOVE STACK BASE USED FOR FOLLOWING DISTANCES ***

  DIST     CONC              U10M   USTK  MIX HT   PLUME  MAX DIR
   (M)   (UG/M**3)   STAB   (M/S)  (M/S)    (M)   HT (M)   (DEG)
-------  ----------  ----  -----  -----  ------  ------  -------
   106.   30.39        5     1.0    1.0 10000.0    3.15       8.

     ****************************************
     *** SUMMARY OF SCREEN MODEL RESULTS ***
     ****************************************

 CALCULATION         MAX CONC    DIST TO   TERRAIN
  PROCEDURE         (UG/M**3)    MAX (M)    HT (M)
--------------     -----------   -------   -------
SIMPLE TERRAIN       31.30         125.       0.
```

Inhalation Health Risk
Exposure to Air Contaminant
Oxnard Village Specific Plan with Mitigation Measures

Project:	Phase 1 Site Grading using B20 only
Chemical of Concern:	Diesel Particulates
Reference Dose, Inhal (RfDi):	1.43E-03
Cancer Slope Factor, Inhl (SFi):	1.10E+00
Chronic Inhalation REL	5 ug/cu m
Ambient Air Concentration:	3.13 ug/cu m

Note: Annualized concentration based on maximum one hour at worst case stability

NonCarcinogenic

Chronic Health Risk Equation: Intake/Reference Dose

$$\text{Intake} = \frac{CA * Inh * EF * ED}{BW * AT * 1000\ ug/mg}$$

Where:

Intake =	Daily Dose averaged over lifetime (LADD)
CA =	Concentration in air, ug/cu m
Inh =	Inhalation rate
EF =	Exposure frequency in days per year
ED =	Exposure duration in years
BW =	Body weight, kg
AT =	Averaging time

Note: Absorption through lungs assumed at 100%

	Residential		Occupational
	Adult	Child	Adult
Inh =	20	10	20
Operating hours/day =	8	8	8
Operating days/year =	200	200	200
EF =	66.7	66.7	66.7
ED =	1	1	1
BW =	70	15	70
AT =	365	365	365
Intake =	**1.63E-04**	**3.81E-04**	**1.63E-04**
Chronic Hazard Quotient =	**1.14E-01**	**2.67E-01**	**1.14E-01**
Exceed Criterion (>1)?	**No**	**No**	**No**

OEHHA Chronic Risk:	Annual average concentration/REL
Maximum 1-Hr all Stabilities:	31.30 ug/cu m
EPA annualization factor:	0.1
Chronic Hazard Quotient =	***0.6***

Carcinogenic

Cancer Health Risk Risk = Exposure * Slope Factor

$$\text{Exposure} = \frac{CA * Inh * EF * ED}{BW * AT * 1000\ ug/mg}\ \text{mg/kg-day}$$

Where:

Exposure =	Daily Dose averaged over lifetime (LADD)
CA =	Concentration in air, ug/cu m
Inh =	Inhalation rate, m^3/day
EF =	Exposure frequency in days per year
ED =	Exposure duration in years
AT =	Averaging time
BW =	Body Weight

Note: Fraction absorbed (ABS) assumed to be 100%

	Residential		Occupational
	Adult	Child	Adult
Inh =	20	10	20
Operating hours/day =	8	8	8
Operating days/year =	200	200	200
EF =	66.7	66.7	66.7
ED =	1.5	1.5	1.5
AT =	25550	25550	25550
BW =	70	15	70
Exposure =	**2.50E-06**	**8.17E-06**	**2.50E-06**
Excess Lifetime Cancer Risk =	**2.85E-06**	**8.98E-06**	**2.85E-06**
Criterion =	**1.0E-05**	**1.0E-05**	**1.0E-05**
Exceed Criterion	**No**	**No**	**No**

Construction and Grading Emissions

Project Name: [illegible]
Construction Year: [illegible]

Activity	Equipment	Number	Default Load factor	Usage per day in hours	Composite Emission Factors, lb/hr CO	NOx	PM10	SOx	VOC	Emissions, lb/day CO	NOx	PM10	SOx	VOC	Annual Use Days	Emissions, tons/yr CO	NOx	PM10	SOx	VOC
Grading and Site Preparation	Bore/Drill Rigs		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Crawler Tractors		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Crushing/Proc. Equipment	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Dumpers/Tenders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Excavators	2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Forklifts		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Graders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Off-Highway Tractors		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Off-Highway Trucks		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Other Construction Equipment	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Plate Compactors		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rollers		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rubber Tired Dozers	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rubber Tired Loaders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Scrapers	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Skid Steer Loaders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Surfacing Equipment		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Tractors/Loaders/Backhoes	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Trenchers		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Welders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Grading and Site Preparation									Total, lbs/day:	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	Total:	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Building, Sewer, and Utilities Installation	Cement and Mortar Mixers	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Concrete/Industrial Saws		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Cranes		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Excavators		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Forklifts		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Generator Sets	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Other Construction Equipment		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rough Terrain Forklifts		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rubber Tired Loaders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Tractors/Loaders/Backhoes	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Trenchers		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
									Total, lbs/day:	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	Total:	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Building, Sewer, and Utilities Installation																				
Asphalt Paving Operations	Graders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Other Construction Equipment		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Pavers	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Paving Equipment	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rollers	2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Asphalt Pavement (VOC/ROG)									[illegible]					[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]						Total, lbs/day:	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	Total:	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Asphalt Paving Operations																				

Particulate Emission Calculations

Emission g/day PM10	Emissions g/mi PM10
[illegible]	[illegible]

[illegible]

[illegible]	[illegible]	[illegible]

```
*** SCREEN3 MODEL RUN ***
*** VERSION DATED 96043 ***

Oxnard Village Phase 1 construction Tier 4 only

SIMPLE TERRAIN INPUTS:
   SOURCE TYPE                =        AREA
   EMISSION RATE (G/(S-M**2)) =     .132190E-05
   SOURCE HEIGHT (M)          =      3.1500
   LENGTH OF LARGER SIDE (M)  =    213.3600
   LENGTH OF SMALLER SIDE (M) =    106.6600
   RECEPTOR HEIGHT (M)        =      1.5000
   URBAN/RURAL OPTION         =       URBAN
THE REGULATORY (DEFAULT) MIXING HEIGHT OPTION WAS SELECTED.
THE REGULATORY (DEFAULT) ANEMOMETER HEIGHT OF 10.0 METERS WAS ENTERED.

   MODEL ESTIMATES DIRECTION TO MAX CONCENTRATION


BUOY. FLUX =     .000 M**4/S**3;  MOM. FLUX =     .000 M**4/S**2.

*** FULL METEOROLOGY ***

**********************************
*** SCREEN AUTOMATED DISTANCES ***
**********************************

*** TERRAIN HEIGHT OF    0. M ABOVE STACK BASE USED FOR FOLLOWING DISTANCES ***

  DIST     CONC              U10M   USTK  MIX HT   PLUME  MAX DIR
   (M)   (UG/M**3)   STAB   (M/S)  (M/S)   (M)    HT (M)   (DEG)
 -------  ----------  ----  -----  -----  ------  ------  -------
     1.    17.14       5     1.0    1.0 10000.0    3.15     20.
   100.    25.60       5     1.0    1.0 10000.0    3.15      9.
   200.    16.93       5     1.0    1.0 10000.0    3.15     20.
   300.    10.56       5     1.0    1.0 10000.0    3.15      0.
   400.    7.339       5     1.0    1.0 10000.0    3.15      0.
   500.    5.383       5     1.0    1.0 10000.0    3.15      0.

 MAXIMUM 1-HR CONCENTRATION AT OR BEYOND     1. M:
   125.    26.78       5     1.0    1.0 10000.0    3.15     22.

 **********************************
 *** SCREEN DISCRETE DISTANCES ***
 **********************************

 *** TERRAIN HEIGHT OF    0. M ABOVE STACK BASE USED FOR FOLLOWING DISTANCES ***

  DIST     CONC              U10M   USTK  MIX HT   PLUME  MAX DIR
   (M)   (UG/M**3)   STAB   (M/S)  (M/S)   (M)    HT (M)   (DEG)
 -------  ----------  ----  -----  -----  ------  ------  -------
   106.    26.01       5     1.0    1.0 10000.0    3.15      8.

      ****************************************
      *** SUMMARY OF SCREEN MODEL RESULTS ***
      ****************************************

  CALCULATION          MAX CONC    DIST TO   TERRAIN
   PROCEDURE          (UG/M**3)    MAX (M)    HT (M)
 --------------      -----------   -------   -------
 SIMPLE TERRAIN        26.78         125.       0.
```

Inhalation Health Risk
Exposure to Air Contaminant
Oxnard Village Specific Plan with Mitigation Measures

Project:	Phase 1 Site Grading using Tier 4 equipment only
Chemical of Concern:	Diesel Particulates
Reference Dose, Inhal (RfD):	1.43E-03
Cancer Slope Factor, Inhl (SF):	1.10E+00
Chronic Inhalation REL	5 ug/cu m
Ambient Air Concentration:	2.68 ug/cu m

Note: Annualized concentration based on maximum one hour at worst case stability

NonCarcinogenic

Chronic Health Risk Equation: Intake/Reference Dose

$$\text{Intake} = \frac{CA * Inh * EF * ED}{BW * AT * 1000\ ug/mg}$$

Where:

Intake =	Daily Dose averaged over lifetime (LADD)
CA =	Concentration in air, ug/cu m
Inh =	Inhalation rate
EF =	Exposure frequency in days per year
ED =	Exposure duration in years
BW =	Body weight, kg
AT =	Averaging time

Note: Absorption through lungs assumed at 100%

	Residential		Occupational
	Adult	Child	Adult
Inh =	20	10	20
Operating hours/day =	8	8	8
Operating days/year =	200	200	200
EF =	66.7	66.7	66.7
ED =	1	1	1
BW =	70	15	70
AT =	365	365	365
Intake =	**1.40E-04**	**2.26E-04**	**1.40E-04**
Chronic Hazard Quotient =	**9.79E-02**	**2.28E-01**	**9.79E-02**
Exceed Criterion (>1)?	**No**	**No**	**No**

OEHHA Chronic Risk:	Annual average concentration/REL
Maximum 1-Hr all Stabilities	26.78 ug/cu m
EPA annualization factor:	0.1
Chronic Hazard Quotient =	**0.5**

Carcinogenic

Cancer Health Risk Risk = Exposure * Slope Factor

$$\text{Exposure} = \frac{CA * Inh * EF * ED}{BW * AT * 1000\ ug/mg}\ \text{mg/kg-day}$$

Where:

Exposure =	Daily Dose averaged over lifetime (LADD)
CA =	Concentration in air, ug/cu m
Inh =	Inhalation rate, m^3/day
EF =	Exposure frequency in days per year
ED =	Exposure duration in years
AT =	Averaging time
BW =	Body Weight

Note: Fraction absorbed (ABS) assumed to be 100%

	Residential		Occupational
	Adult	Child	Adult
Inh =	20	10	20
Operating hours/day =	8	8	8
Operating days/year =	200	200	200
EF =	66.7	66.7	66.7
ED =	1.5	1.5	1.5
AT =	25550	25550	25550
BW =	70	15	70
Exposure =	**2.99E-06**	**6.99E-06**	**2.99E-06**
Excess Lifetime Cancer Risk =	**3.29E-06**	**7.69E-06**	**3.29E-06**
Criterion =	**1.0E-05**	**1.0E-05**	**1.0E-05**
Exceed Criterion	**No**	**No**	**No**

Construction and Grading Emissions

Project Name: [illegible]
Construction Year: 2019

Activity	Equipment	Number	Default Load Factor	Usage per Day (in hours)	Composite Emission Factors, lbs/hr					Emissions, lbs/day					Annual Use Days	Emissions, tons/yr				
					CO	NOx	PM10	SOx	ROG	CO	NOx	PM10	SOx	ROG		CO	NOx	PM10	SOx	ROG
Grading and Site Preparation																				
	Bore/Drill Rigs		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Crawler Tractors		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Crushing/Proc. Equipment	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Dumpers/Tenders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Excavators	2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Forklifts		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Graders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Off-Highway Tractors		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Off-Highway Trucks		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Other Construction Equipment	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Plate Compactors		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rollers		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rubber Tired Dozers	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rubber Tired Loaders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Scrapers	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Skid Steer Loaders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Surfacing Equipment		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Tractors/Loaders/Backhoes	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Trenchers		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Welders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
									Total, lbs/day	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	Total	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Grading and Site Preparation																				
Building, Sewer, and Utilities Installation																				
	Cement and Mortar Mixers	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Concrete/Industrial Saws		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Cranes		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Excavators		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Forklifts		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Generator Sets	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Other Construction Equipment		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rough Terrain Forklifts		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rubber Tired Loaders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Tractors/Loaders/Backhoes	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Trenchers		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
									Total, lbs/day	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	Total	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Building, Sewer, and Utilities Installation																				
Asphalt Paving Operation																				
	Graders		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Other Construction Equipment		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Pavers	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Paving Equipment	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Rollers	2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	Asphalt Placement (VOC/ROG)								[illegible]					[illegible]	[illegible]					[illegible]
	Onsite Workers	[illegible]	[illegible]																	
									Total, lbs/day	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	Total	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Asphalt Paving Operation																				

Particulate Emission Calculations

Emission g/day PM10	Emissions g/day PM10
[illegible]	[illegible]

Use of [illegible] Fuel: [illegible]
Mitigated Emissions: [illegible]

[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]
Particulate Emissions		[illegible]

```
 ***  SCREEN3 MODEL RUN  ***
 *** VERSION DATED 96043 ***

Oxnard Village P1 Construction Tier4 + B20

SIMPLE TERRAIN INPUTS:
   SOURCE TYPE                =        AREA
   EMISSION RATE (G/(S-M**2)) =     .118970E-05
   SOURCE HEIGHT (M)          =      3.1500
   LENGTH OF LARGER SIDE (M)  =    213.3600
   LENGTH OF SMALLER SIDE (M) =    106.6600
   RECEPTOR HEIGHT (M)        =      1.5000
   URBAN/RURAL OPTION         =       URBAN
THE REGULATORY (DEFAULT) MIXING HEIGHT OPTION WAS SELECTED.
THE REGULATORY (DEFAULT) ANEMOMETER HEIGHT OF 10.0 METERS WAS ENTERED.

   MODEL ESTIMATES DIRECTION TO MAX CONCENTRATION


BUOY. FLUX =     .000 M**4/S**3;  MOM. FLUX =     .000 M**4/S**2.

*** FULL METEOROLOGY ***

**********************************
*** SCREEN AUTOMATED DISTANCES ***
**********************************

*** TERRAIN HEIGHT OF    0. M ABOVE STACK BASE USED FOR FOLLOWING DISTANCES ***

  DIST     CONC              U10M   USTK  MIX HT   PLUME  MAX DIR
   (M)   (UG/M**3)   STAB   (M/S)  (M/S)    (M)   HT (M)   (DEG)
 -------  ----------  ----  -----  -----  ------  ------  -------
     1.   15.43        5     1.0    1.0 10000.0    3.15     20.
   100.   23.04        5     1.0    1.0 10000.0    3.15      9.
   200.   15.24        5     1.0    1.0 10000.0    3.15     20.
   300.   9.499        5     1.0    1.0 10000.0    3.15      0.
   400.   6.605        5     1.0    1.0 10000.0    3.15      0.
   500.   4.845        5     1.0    1.0 10000.0    3.15      0.

MAXIMUM 1-HR CONCENTRATION AT OR BEYOND     1. M:
   125.   24.10        5     1.0    1.0 10000.0    3.15     22.

***********************************
*** SCREEN DISCRETE DISTANCES ***
***********************************

*** TERRAIN HEIGHT OF    0. M ABOVE STACK BASE USED FOR FOLLOWING DISTANCES ***

  DIST     CONC              U10M   USTK  MIX HT   PLUME  MAX DIR
   (M)   (UG/M**3)   STAB   (M/S)  (M/S)    (M)   HT (M)   (DEG)
 -------  ----------  ----  -----  -----  ------  ------  -------
   106.   23.40        5     1.0    1.0 10000.0    3.15      8.

      ****************************************
      *** SUMMARY OF SCREEN MODEL RESULTS ***
      ****************************************

  CALCULATION          MAX CONC    DIST TO   TERRAIN
   PROCEDURE          (UG/M**3)    MAX (M)    HT (M)
 --------------      -----------   -------   -------
 SIMPLE TERRAIN        24.10         125.       0.
```

Inhalation Health Risk
Exposure to Air Contaminant
Oxnard Village Specific Plan with Mitigation Measures

Project:	Phase 1 Site Grading using B20 and Tier 4 equipment
Chemical of Concern:	Diesel Particulates
Reference Dose, Inhal (RfDi):	1.43E-03
Cancer Slope Factor, Inhl (SFi):	1.10E+00
Chronic Inhalation REL	5 ug/cu m
Ambient Air Concentration:	2.34 ug/cu m

Note: Annualized concentration based on maximum one hour at worst case stability

NonCarcinogenic

Chronic Health Risk Equation: Intake/Reference Dose

$$\text{Intake} = \frac{CA * Inh * EF * ED}{BW * AT * 1000\ ug/mg}$$

Where:

Intake =	Daily Dose averaged over lifetime (LADD)
CA =	Concentration in air, ug/cu m
Inh =	Inhalation rate
EF =	Exposure frequency in days per year
ED =	Exposure duration in years
BW =	Body weight, kg
AT =	Averaging time

Note: Absorption through lungs assumed at 100%

	Residential		Occupational
	Adult	Child	Adult
Inh =	20	10	20
Operating hours/day =	8	8	8
Operating days/year =	200	200	200
EF =	66.7	66.7	66.7
ED =	1	1	1
BW =	70	15	70
AT =	365	365	365
Intake =	***1.22E-04***	***2.85E-04***	***1.22E-04***
Chronic Hazard Quotient =	***8.55E-02***	***2.00E-01***	***8.55E-02***
Exceed Criterion (>1)?	**No**	**No**	**No**

OEHHA Chronic Risk:	Annual average concentration/REL
Maximum 1-Hr all Stabilities:	23.40 ug/cu m
EPA annualization factor:	0.1
Chronic Hazard Quotient =	***0.5***

Carcinogenic

Cancer Health Risk Risk = Exposure * Slope Factor

$$\text{Exposure} = \frac{CA * Inh * EF * ED}{BW * AT * 1000\ ug/mg}\ \text{mg/kg-day}$$

Where:

Exposure =	Daily Dose averaged over lifetime (LADD)
CA =	Concentration in air, ug/cu m
Inh =	Inhalation rate, m^3/day
EF =	Exposure frequency in days per year
ED =	Exposure duration in years
AT =	Averaging time
BW =	Body Weight

Note: Fraction absorbed (ABS) assumed to be 100%

	Residential		Occupational
	Adult	Child	Adult
Inh =	20	10	20
Operating hours/day =	8	8	8
Operating days/year =	200	200	200
EF =	66.7	66.7	66.7
ED =	1.5	1.5	1.5
AT =	25550	25550	25550
BW =	70	15	70
Exposure =	***2.62E-06***	***6.11E-06***	***2.62E-06***
Excess Lifetime Cancer Risk =	***2.88E-06***	***6.72E-06***	***2.88E-06***
Criterion =	**1.0E-05**	**1.0E-05**	**1.0E-05**
Exceed Criterion	**No**	**No**	**No**

10.0 Mitigation Monitoring and Reporting Program
Attached Separately