EXHIBIT 1
FINDINGS RELATING TO SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED FOR THE RIVERPARK SPECIFIC PLAN PROJECT

Section I

Introduction

The following findings of fact are based in part on the information contained in the Final Environmental Impact Report (EIR) for the RiverPark Project (SCH# 2000051046) as well as additional facts found in the complete record of proceedings.

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

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

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

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

- Land Use Planning, Programs & Policies
- Aesthetics
- Earth Resources
- Biological Resources
- Water Resources
- Agricultural Resources
- Transportation & Circulation
- Air Quality
- Noise
- Public Services
- Public Utilities
- Cultural Resources
- Hazards

The Draft EIR evaluated the environmental impacts of the proposed RiverPark Project, which consists of a series of related discretionary actions proposed by the City of Oxnard including the adoption of a Specific Plan for a 701-acre area; approval of a Reclamation Plan for the existing sand and gravel mine on a portion of the project site; approval of a General Plan Amendment consisting of a change to the Land Use Map designations for the project site and changes to some of the existing land use categories defined in the Oxnard 2020 General Plan; approval of a change in the zoning designations for the project site and an amendment to the text of the zoning ordinance related to the allowable location of Multiplex theaters; approval of a Development Agreement; approval of an amendment to the existing Owner Participation Agreement between the Oxnard Community Development Commission and the project applicant; approval of a Master Tentative Tract Map for the project site; and approval to annex the portion of the site not presently within the City of Oxnard to the City.

As described in Section 3.0, Project Description, of the Draft EIR, The proposed RiverPark Specific Plan would allow the development of a new integrated mixed-use community containing open space, residential, commercial, and public facilities uses within the 701-acre Specific Plan Area, which is located immediately north of the Ventura Freeway (US 101) between Vineyard Avenue (SR 32) and the Santa Clara River. The southern 258 acres, presently located within the City of Oxnard, is referred to as RiverPark Area 'A' in the EIR. The northern 443 acres of the project site is currently located outside of the City of Oxnard in an unincorporated area and is under the jurisdiction of the County of Ventura. This portion of the site is referred to as RiverPark Area 'B' in the EIR. The RiverPark community would be made up of four basic land uses: (1) the commercial area proposed within the southern portion of RiverPark Area 'A'; (2) the residential neighborhoods proposed to the north and east of the commercial areas; (3) the open space area proposed in the northern portion of the Specific Plan Area; and (4) public facilities. The Specific Plan also identifies sites for two new elementary and one new intermediate school, new City of Oxnard and County of Ventura Fire Stations, neighborhood parks and community open space. Approximately 38 percent (266 acres) of the 701-acre Specific Plan Area would remain in open space uses, 35 percent (244 acres) would contain residential uses, 21 percent (147 acres) would contain commercial uses, and 6 percent (44 acres) would contain public facilities. The RiverPark Specific Plan would allow the construction of up to 2,805 residential units and 2.485 million square feet of commercial development. The RiverPark Specific Plan would create 13 Planning Districts to regulate the location and configuration of the planned land uses. Each Planning District would have a specific range of permitted and specially permitted land uses, densities, parking requirements, and other development controls. These land use areas would be linked and unified by a landscaped pedestrian, bicycle, and vehicular circulation system. In addition to the Specific Plan, several related actions are proposed including approval of a new Reclamation Plan for the existing sand and gravel mine; a general plan amendment; zone change and pre-zone actions; a change to the text of the City's zoning code; a tentative tract map; a development agreement; an amendment to an existing owner participation agreement; and annexation of RiverPark Area 'B' to the City of Oxnard. Table 1 provides a summary of the land use assumptions by Planning District utilized to evaluate the Specific Plan in the Draft EIR.

Table 3.0-2
RiverPark Draft Specific Plan
Land Use Summary by Planning District

Planning District	Land Use		Gross Acres (1)	Maximum Commercial (1,000 sq. ft.)	Maximum Residential Units
A — OFFICE DISTRICT (2)					
	Commercial: Office		39.8	781	
	Residential: High		5.0	10	440
	Open Space: Parks		2.1		
		Subtotals	**46.9**	**791**	**440**
B —WEST PERIPHERAL COMMERCIAL DISTRICT					
	Commercial: Regional		13.9	260	
		Subtotals	**13.9**	**260**	
C — CONVENTION/HOTEL DISTRICT					
	Commercial: Regional (Convention/Hotel)		16.1	510	
	Open Space: Parks		0.6		
		Subtotals	**16.7**	**510**	
D — TOWN SQUARE COMMERCIAL DISTRICT (2)					
	Commercial: Regional (Retail/Entertainment) (3)		69.3	935	
	Residential: High/Vertical Mixed Use Overlay		15.7	20	450
	Open Space: Parks		3.6		
	Open Space: Landscaped Buffer		1.5		
		Subtotals	**90.2**	**955**	**450**
E — EAST PERIPHERAL COMMERCIAL DISTRICT					
	Commercial: Regional		7.5	130	
		Subtotals	**7.5**	**130**	
F — VINEYARDS NEIGHBORHOOD DISTRICT					
	Residential: Medium		16.1	5	190
	Residential: High		12.4	10	260
	Open Space: Parks		11.1		
		Subtotals	**39.6**	**15**	**450**
G — VILLAGE SQUARE NEIGHBORHOOD DISTRICT (2)					
	Residential: High		37.4	20	425
	Open Space: Parks		3.0		
	Schools/Community Park (3)		10.2		
		Subtotals	**50.6**	**20**	**425**
H — RIVERPARK CRESCENT NEIGHBORHOOD DISTRICT					
	Residential: Low Medium		75.0		455
	Open Space: Parks		3.3		
		Subtotals	**78.3**		**455**
I — RIVERPARK LOOP NEIGHBORHOOD DISTRICT (2)					
	Residential: Medium		50.1	10	510
	Open Space: Parks		10.0		
		Subtotals	**60.1**	**10**	**510**
J — RIVERPARK MEWS NEIGHBORHOOD DISTRICT (2)					
	Residential: Medium		19.4	10	310
	Open Space: Parks		6.4		
	Schools/Community Park (3)		23.1		
		Subtotals	**49.0**	**10**	**310**
K — LAKESIDE NEIGHBORHOOD DISTRICT (2)					
	Residential: Medium		12.9	5	112
	Schools/Community Park (3)		7.5		
	Open Space: Miscellaneous Detention Basin/Jogging Trails		8.3		
		Subtotals	**28.7**	**5**	**112**
L — PUBLIC FACILITY DISTRICT					
	Open Space: Miscellaneous Detention Basin		9.5		
	Public Facilities		3.4		
		Subtotals	**12.8**		
M — WATER QUALITY BASINS & STORM WATER CONTROL DISTRICT					
	Open Space: Parks		43.5		
	Open Space: Miscellaneous: Water Storage/Infiltration Basin		163.7		
		Subtotals	**207.2**		
		TOTALS	**701.3**	**2.485 max.**	**2,805 max.**

NOTES:
(1) "Acres" is measured to center line of bounding streets or project boundary. (2) "Vertical Mixed" uses are permitted in portions of this District.
(3) "Specially Permitted Uses" are allowed in portions of this area.

The City of Oxnard, serving as Lead Agency, prepared this EIR to serve as the environmental review document for Responsible Agencies, as defined by the CEQA *Guidelines*, including the City of Oxnard Community Development Commission, Ventura Local Agency Formation commission, Metropolitan Water District, Calleguas Municipal Water District, United Water Conservation District and Rio Elementary School District, as described on pages 3.0-38 to 3.8-40 of the Draft EIR.

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

Following the close of the public review period, the City of Oxnard prepared written responses, consistent with the requirements of Section 15088 of the CEQA *Guidelines,* to all written comments contained in correspondence to the City on the Draft EIR and to all oral comments on the Draft EIR made at the December 20, 2001 Planning Commission Hearing on the Draft EIR.

Pursuant to Section 15132 of the State CEQA *Guidelines*, the Final EIR for the RiverPark Project consists of the following:

1) The Draft EIR, incorporated by reference, including all of its appendices;

2) Copies of all letters received by the City during the Draft EIR public review period;

3) A list of persons, organizations, and public agencies who submitted written comments concerning the Draft EIR;

4) Minutes of the December 21, 2001 public hearing held by the Oxnard Planning Commission to receive comments on the Draft EIR; and

5) Responses to significant environmental points raised in the letters concerning the Draft EIR and the comments made at the December 21, 2001 Oxnard Planning Commission public hearing.

The Final EIR is hereby incorporated by reference and is available for review at the City of Oxnard Development Services Department, Planning and Environmental Services Division, 305 West Third Street, Oxnard California.

Since the completion of the Draft EIR the proposed Draft Specific Plan has been revised to reflect review by the City of Oxnard. The current Draft Specific Plan, dated July 2002, allows the same amounts of residential units and commercial space assessed in the Draft EIR. The majority of the revisions are minor changes to land use and development standards. The size of the neighborhood parks were increased and other minor adjustments were made to the proposed land plan, including the removal of one proposed conditional use, a ballpark facility in Planning District D, the Town Square Commercial District. This facility would have been allowed in this Planning District subject to the subsequent approval of a Special Use Permit by the City of Oxnard. None of the refinements and revisions made are substantial enough to change the conclusions of the analysis of significant impacts in the Draft EIR.

The City Council of the City of Oxnard finds that these minor revisions to the proposed Specific Plan do not require the recirculation of the Draft EIR based on the standards contained in Section 15088.5 of the CEQA Guidelines as these changes do not result in any new significant impacts, any substantial increase in the severity of any of the environmental impacts identified in the EIR, or any of the other circumstances identified in this section of the CEQA Guidelines.

Section II

Findings Regarding the Potential Significant Environmental Effects of the Proposed Project

A. <u>Environmental Effects Found to be Less than Significant</u>

1. Land Use Planning, Programs & Policies

Facts in Support of Findings

The consistency of the proposed RiverPark Specific Plan project with applicable land use plans and policies and the compatibility of the proposed development with surrounding land uses was analyzed on pages 4.1-1 through 4.1-46 of the Draft EIR. This evaluation addressed the consistency of the project with the City's 2020 *General Plan*, the Historic Enhancement and Revitalization of Oxnard (HERO) Redevelopment Plan, the Southern California Association of Governments (SCAG) *Regional Comprehensive Plan & Guide,* and the Local Agency Formation Commission (LAFCO) policies.

Annexation of RiverPark Area 'B' to the City and development of the entire Specific Plan Area with the proposed uses is consistent with the City's land use plans and policies. Annexation of RiverPark Area 'B', which is located within the LAFCO Sphere of Influence line for the City, is also consistent with LAFCO policies. The RiverPark Project is consistent with the SCAG *Regional Comprehensive Plan & Guide* as the amount of growth allowed by the Specific Plan is consistent with adopted regional growth forecasts, and the characteristics of the project are consistent with relevant objectives of this regional plan. In addition, the RiverPark Specific Plan defines a pattern of land uses that is compatible with the existing and planned residential, agricultural and open space uses around the Specific Plan Area. No significant impacts related to inconsistencies with applicable land uses plans and policies have been identified.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. With the City's CURB boundary, no land is available for other major development projects north of the Ventura Freeway during the term of the 2020 *General Plan*. Each of the related projects in the vicinity of the proposed Specific Plan Area is consistent with applicable land use designations and development standards. No cumulative land use impacts will result from the development of these projects and the RiverPark Specific Plan.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that the build-out of uses allowed by the RiverPark Specific Plan as proposed for adoption is consistent with the land use and planning policies of the City and applicable regional planning policies and will not result in any land use conflicts. The City Council further finds that this project will not disrupt any established community, as the project is planned to be compatible with the adjacent El Rio West residential neighborhood and the El Rio residential community, located to the east of Vineyard Avenue. Finally, the City Council finds that no significant, cumulative land use impacts will occur as a result of build-out of the proposed project, other specific development projects identified in the immediate area and the other land uses allowed by the City's *2020 General Plan*. These conclusions are based on the consistency of the RiverPark Project with the *2020 General Plan,* SCAG RCPG, Ventura County Guidelines for Orderly Development, relevant LAFCO policies, and the Specific Plan as proposed for adoption, and the facts set forth above and fully incorporated herein.

2. Aesthetics

Facts in Support of Findings

The Draft EIR evaluated potential impacts to the visual character of the Specific Plan Area and surrounding areas on pages 4.2-1 through 4.2-33. Analysis is provided on the significance of changes to scenic vistas as defined in the Community Design Element of the *Oxnard 2020 General Plan*, the visual character of the site, consistency with applicable plans and policies, and light and glare that would result from implementation of the RiverPark Project.

The Community Design Element of the City of Oxnard *2020 General Plan* identifies scenic resources within the City. Roadways that provide views of the scenic resources and agricultural lands within and around the City are designated as image corridors. The Ventura Freeway is designated as Regional Image Corridor, and Vineyard Avenue is a City Image Corridor. In addition, the intersection of the Ventura Freeway and Vineyard Avenue is designated as a Regional Gateway. Although Oxnard Boulevard, which is proposed to be extended into the Specific Plan Area, is also identified as a City Image Corridor, views of the project site from the existing portions of Oxnard Boulevard are currently obstructed by the Ventura Freeway. As viewed from surrounding roadways and uses, the Specific Plan Area currently has an open space visual character due to the small number of existing structures.

While the visual character of the Specific Plan Area will change as a result of the development allowed by the proposed RiverPark Specific Plan, this change will not result in a significant impact on the visual character of the area. The allowed development will not obstruct long range views of the mountains and hills in the Los Padres National Forest to the north from the Ventura Freeway or Vineyard Avenue. The height and character of the residential and commercial development proposed will be consistent with existing development in the area. RiverPark Area 'B' will continue to have an open space character as viewed from Vineyard Avenue as the existing mine pits will be preserved, a native woodland habitat area will be established along the western edge of the Specific Plan Area in RiverPark Area 'B', and no buildings will be located near Vineyard Avenue.

As originally proposed and evaluated in the Draft EIR, the Specific Plan would have allowed the development of a ballpark facility in RiverPark Area 'A', subject to the issuance of a Special Use Permit by the City. This facility was to be lighted and a significant impact to proposed residential uses around the ballpark site allowed by the Specific Plan was identified. Specific lighting design standards were recommended for the future design of the ballpark facility to mitigate this impact with verification to occur through the review of lighting plans to be submitted with an application for a Special Use Permit for this facility. Since the completion of the Draft EIR, the proposed Specific Plan has been revised in response to review by the City of Oxnard. The revised Specific Plan, as currently proposed for adoption, no longer allows the development of a ballpark facility. This change to the project avoids the significant lighting impact identified in the Draft EIR, and for this reason, the mitigation measure contained in the Draft EIR is no longer required.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Related projects located in the immediate vicinity of the proposed RiverPark Specific Plan are either consistent with the 2020 General Plan commercial designations for these areas and uses around these sites or consistent visually with the scale of existing residential and industrial uses surrounding the Specific Plan. No significant visual impacts will result from the development of these related projects and the RiverPark Project.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, would not result in significant visual impacts. The City Council further finds that the RiverPark Project as proposed is consistent with the objectives and policies of the *2020 General Plan Community Design Element* with regard to the design of the project in relation to views from the Ventura Freeway and Vineyard Avenue. The City Council also finds that the height and location of buildings allowed by the Specific Plan along with the landscaping planned will result in a pattern of new development that will be visually compatible with existing and planned surrounding land uses. Finally, the City Council finds that no significant, cumulative land use impacts will occur as a result of build-out of the proposed project, other specific development projects identified in the immediate area and the other land uses allowed by the City's *2020 General Plan*. These conclusions are based on the consistency of the RiverPark Project with the *2020 General Plan* and the facts set forth above and fully incorporated herein.

3. Public Services – Fire Protection

Facts in Support of Findings

An evaluation of the impact of the RiverPark Project on fire protection services is found on pages 4.10.2-1 through 4.10.2-9 of the Draft EIR.

The City of Oxnard Fire Department will be responsible for fire protection and emergency medical service to the project area. The City maintains a total of six fire stations. Each is staffed by three fire fighters at all times. Several fire stations will respond to a call for service at the Specific Plan location dependent upon the type and severity of the call, and the availability of individual fire fighting units. Adherence to City codes and requirements during construction will reduce the potential for fire hazards at the Specific Plan site during construction to below the threshold of significance. The potential for interference with emergency vehicles traveling through the area is considered small given the periodic and short-term nature of any construction related traffic resulting from the development of individual projects. No significant impacts are expected with the use of flagmen and other standard construction traffic control measures already required by existing City regulations.

The proposed RiverPark Specific Plan would allow development of up to 2,805 dwelling units, along with commercial buildings and new school facilities.

The City has adopted strict fire prevention regulations on new buildings to decrease the damage and danger incurred by a fire before the emergency crews can respond. The following standard fire prevention planning measures contained in the *City of Oxnard Fire Protection Planning Guide* must be met by all new development projects in the City and will be applied to individual development projects within the RiverPark Specific Plan Area:

1. Implement the City of Oxnard Fire Department fire prevention recommendations through project design. Include the Oxnard Fire Department in the plan check process for new tenant improvements so the department can recommend and inspect specific tenant improvements prior to the opening of business. This increases the level of fire prevention and allows for the fire department to better plan for calls that may be generated.

2. All roof materials provided on the project site shall be of non-combustible material.

3. All new structures are required to contain automatic fire sprinkler systems. The fire safety devices provided within the project buildings shall be designed by a California Life Safety Specialist who is approved by the City of Oxnard.

4. All fire protection and alarm systems shall be maintained in accordance with Fire Department guidelines by licensed, certified, or otherwise qualified personnel. Maintenance records shall be kept on site.

5. Exterior building glass shall be protected by using the newly available coatings designed to eliminate glass shards in the event of seismic activity, heat, or Fire Department operations.

6. The project shall comply with all State of California fire requirements.

7. Addresses for each tenant shall be clearly identified on the front and rear of all buildings.

This development requires emergency fire protection and medical services. As proposed, the RiverPark Specific Plan includes a site for a new joint City/County fire station on Vineyard Avenue at Simon Way. This station would replace the existing County Fire station located in the County El Rio Maintenance Yard on El Rio Drive in the RiverPark Specific Plan Area and provide an additional City fire station to serve this area. The Fire Department has determined that a new station at this location needs to be manned by three firefighters for each of three planned shifts. Specifically, a captain, engineer and firefighter are required. An additional fire engine also needs to be purchased for this station. An additional fire inspector and a vehicle for this position also is needed to provide for review of development plans, construction and buildings. RiverPark will provide this new fire station and no significant impact to fire services will result from the project. The RiverPark Project will not result in any impacts to emergency plans and evacuation routes as the project will add roadways to the local street network and will not result in traffic congestion as

measures have been identified to mitigate the traffic impacts of the project. The commercial, residential and institutional uses allowed by the Specific Plan will not result in unusual numbers or types of calls for fire protection services.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Build-out of the land uses allowed by the 2020 General Plan, including the related projects known at this time, will increase demands on fire protection services. Continued implementation of the City's pro active fire fighting plans and policies will ensure the continued ability of the Department to meet the cumulative demand for fire and emergency services and meet recommended national fire protection service standards. No significant cumulative impacts will result.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to fire protection services. This is based on the fact that the RiverPark Specific Plan will provide an on-site fire station to serve the new development, the uses allowed by the Specific Plan will not result in unusual numbers or types of calls for fire protection services and the project will not affect evacuation routes. Also, the Specific Plan will comply with The City's *Fire Protection Planning Guide,* which provides a compilation of general development requirements involving fire prevention and protection measures for construction activities and fire protection measures for new development.

4. Public Services – Parks and Recreation

Facts in Support of Findings

An evaluation of the impact of the RiverPark Project on parks and recreation facilities is found on pages 4.10.4-1 through 4.10.4-10 of the Draft EIR.

The proposed RiverPark Specific Plan will allow development of a maximum of 2,805 dwelling units, with an estimated residential population of approximately 7,220 persons. Based on the City's park planning standards, which call for the provision of 1.5 acres of neighborhood parkland and 1.5 acres of community parkland for every 1,000 residents, approximately 11 acres of neighborhood parkland and 11 acres of community parkland are required to adequately serve a population of 7,220. The Specific Plan includes a variety of parks and open space areas, including approximately 20 acres of neighborhood park land in three neighborhood parks and approximately 12 to 18 acres of community park land, in the form of playfields, provided on the elementary/intermediate school site along Vineyard Avenue. In addition to this formal neighborhood and community park space, the Specific Plan includes other less formal park spaces distributed throughout the Specific Plan, such as bike and pedestrian paths and hiking trails, many of which will connect to larger regional systems.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Only one other residential project is located in the vicinity of the RiverPark Specific Plan Area. The RiverPark Project provides sufficient neighborhood and community park land to meet the needs of the population of the project and the development of the residential uses allowed by the proposed Specific Plan. No cumulative impacts to parks and recreation services, therefore, will result.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to parks and recreation facilities within the City. This is based on the fact that the RiverPark Specific Plan provides community and neighborhood park space in excess of the amounts called for by the City's Park Planning Standards. Compliance with these requirements adequately mitigates project specific and cumulative impacts upon parks and recreation facilities within the City of Oxnard.

5. Public Services – Solid Waste Management

Facts in Support of Findings

An evaluation of the impact of the project on solid waste collection and disposal services is found on pages 4.10.5-1 through 4.10.5-8 of the Draft EIR.

Site preparation and construction activities will generate an estimated total of approximately 52,066 cubic yards over the build-out period for the Specific Plan assuming no diversion of construction wastes. Waste generated during construction of the project will be processed at the City's Del Norte Materials Recovery Facility (MRF). This facility will separate recyclables, thereby reducing the waste stream entering local landfills. Given the present and expected future availability of landfill space at the Simi Valley and Toland Road Landfill, the incremental nature of solid waste generated during construction, and the recycling of waste at the newly opened Regional Materials Recovery and Waste Transfer Facility (MRF), no significant impacts to solid waste disposal facilities are expected during construction of the Specific Plan.

Approximately 15,132 tons per year of waste will be generated annually at build-out of the Specific Plan with the permitted uses. This amounts to an average of 41.5 tons per day for build-out with permitted uses and 55.6 tons per day of solid waste for build-out with conditional uses. When these numbers are added to the 1,200 tons of waste presently sorted on a daily basis by the Del Norte MRF, a total of 1,241.5 tons of waste per day will be sorted with the build-out of the permitted uses and 1,255.6 tons of waste per day for the build-out with permitted uses. This is substantially below the permitted 2,780 tons per day capacity of this facility, and no significant impacts to the facility are expected. After diversion, the amount of solid waste generated by the project for disposal in landfills will be 5,145 tons per year.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Construction of all the related projects on the City's current project list and build-out of the uses allowed by the City's 2020 General Plan will generate additional solid waste. The City's Source Reduction and Recycling Element (SRRE) programs have thus far been successful in reducing the City's total volume of solid wastes requiring landfill disposal. With the success of the MRF, the city-wide solid waste 66 percent diversion rate is above the required 50 percent diversion rate. Further, any related or future projects in the City, including individual development projects within the RiverPark Specific Plan Area, will be required to comply with the City's SRRE programs. This will ensure the continued effort toward source reduction and recycling. Continued implementation of the SRRE programs, operation of the MRF and cooperation by new development projects in implementing site-specific solid waste management programs are expected to achieve the mandates of AB 939 on a citywide basis. As such, no significant cumulative impacts will result.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to solid waste management services. This is based on the fact that the diversion rate of the City of Oxnard (66 percent) is above the required by AB 939 (50 percent), the City's MRF

has the capacity to serve the RiverPark Project and the available capacity of the existing landfills within the County to handle waste generated by the Specific Plan project.

6. Public Services – Library Services

Facts in Support of Findings

An evaluation of the impact of the RiverPark Project on library services is found on pages 4.10.6-1 through 4.10.6-4 of the Draft EIR.

Development of the proposed project will result in a total of 2,805 dwelling units on the project site. According to the fiscal impact study conducted for the proposed Specific Plan, approximately 7,220 new residents will be generated by build-out of the RiverPark Specific Plan. This increase in residents will result in an increase in the demand for library materials and space. The City's Public Library system currently contains adequate capacity to serve the City. District D of the proposed Specific Plan permits the development of a storefront library facility to serve the local library service needs of the Specific Plan Area and the surrounding El Rio West neighborhood. As such, no impact related to library facilities would be expected.

Funding for the operation of library facilities is provided by allocations from the City's General Fund. At the current service level, the cost of providing library services to the City is $18.53 per resident. Based on the fiscal impact study prepared by the City, revenues accrued to the City's General will exceed the capital outlay for library and other required City services. As such, no significant impacts are expected as the cost to operate and maintain library services to the site would be covered by established funding sources.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Development of the projects on the related project list and all other land uses allowed by the 2020 General Plan will result in an increase in residents and an associated increase in demand for library services. The population increase associated with this growth wil increase the demand for library services throughout the City. The General Plan indicates that the City plans to meet this increased demand by establishing additional mini-branch libraries in other areas of the City. No significant cumulative impacts on library services are anticipated given the current level of planning for the expansion of the City's library services.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to library services. This is based on the fact that the City's Public Library system currently contains adequate capacity to serve the City. Also, the proposed Specific Plan permits the development of a storefront library facility to serve the local library service needs of the Specific Plan Area and the surrounding El Rio West neighborhood, and funding is available for this new library.

7. Public Utilities – Storm Water Drainage

Facts in Support of Findings

An evaluation of the impact of the project on storm water drainage is found on page 4.11.1-1 through 4.11.1-16 of the Draft EIR. The Specific Plan includes master plans for drainage and treatment of stormwater quality. The City also recently completed an update of the city-wide *Master Plan of Drainage*, which addresses the RiverPark Project. The City's *Master Plan of Drainage* is fully incorporated by reference herein.

The proposed RiverPark Specific Plan *Master Plan of Drainage* maintains the general drainage patterns established in the City's *Master Plan of Drainage* and is designed to meet and exceed the Ventura County and City of Oxnard drainage criteria. In addition, the proposed drainage system is designed to provide water quality treatment of all storm flows from on- and off-site tributary areas. As the proposed drainage system has adequate capacity for on- and off-site runoff, no significant impacts to drainage conditions in the area will result from the RiverPark Project.

As proposed, the RiverPark project routes storm water flows from storms in excess of a 10-year event into the Large Woolsey and Brigham-Vickers Water Storage and Recharge Basins. Assuming a worst case scenario of ground water at historic high levels (Elevation 75), the increment of storage between elevation 75 and 80 is available for storm water storage. There is adequate storage capacity and freeboard for both the Brigham/Vickers Water Storage Basin and the Large Woolsey Water Storage Basin. Based on this analysis, no significant flooding impact from the use of the water storage basins as drainage facilities will result.

The RiverPark Specific Plan also allows the Water Storage/Recharge Basins to be used by the United Water Conservation District (UWCD) for the storage of water diverted from the Santa Clara River at the UWCD Freeman Diversion Dam in order to recharge groundwater in the Oxnard Plain Aquifer System. In addition, UWCD indicates that water stored in these pits may be pumped to other existing groundwater spreading facilities or supply pipelines in the area. UWCD will have the ability to manage the level of water in the Water Storage/Recharge Basins to ensure that adequate capacity for stormflows and adequate freeboard are maintained. No significant flooding impacts, therefore, will result from the proposed use of the Water Storage/Recharge Basins by UWCD for storage of water.

A review of the flood protection provided by the Santa Clara River levee indicates the site is adequately protected. The project site is not located within a designated 100-year flood zone. The RiverPark Specific Plan Project will not result in any structures being placed in any 100-year flood hazard area. No significant flooding impacts will be created by the proposed RiverPark Specific Plan Project.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Two other projects proposed in the immediate vicinity of the RiverPark Project are located in the same drainage area. The Ventura County Juvenile Justice Center (JJC) is located on a site that historically has drained to the Large Woolsey Mine Pit. In addition, the drain from the Beedy Street Industrial Area crosses the JJC site. The drainage system designed for the JJC will collect storm flows into a large basin designed to overflow into the Large Woolsey basin only if the inflow exceeds the capacity of the basin. The design will accommodate drainage well in excess of a 100-year storm. For this reason, overflow into the Large Woolsey Basin will not occur on a regular basis. The Large Woolsey Basin will have capacity to accept this occasional overflow. A residential project is also proposed in the El Rio West Neighborhood immediately east of the RiverPark Specific Plan Area between Stroube and Sycamore Streets. This project is proposed in an area that will be served by the proposed storm drain in Myrtle Street, which is designed to accommodate runoff from the portion of the El Rio West Neighborhood located south of Stroube Street. Based on the drainage characteristics of these related projects and planned drainage improvements, no significant cumulative drainage impacts will result from the RiverPark Project and these related projects.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to storm water drainage facilities. This is based on the fact that the Project's creation of and contribution to runoff water will be accommodated by the existing and planned improvements to the City's storm water systems and no structure will be places within a 100-year flood hazard area.

8. Public Utilities – Water Supply and Distribution

Facts in Support of Findings

An evaluation of the impact of the RiverPark Project on water supply and distribution systems issues is found on page 4.11.2-1 through 4.11.2-15 of the Draft EIR. The City recently completed and an update of the City's *Urban Water Management Plan* (UWMP). The *UWMP* and the City's *Water System Master Plan* both address the RiverPark Project. Both of these plans are fully incorporated by reference herein. In addition, the City prepared a Water Supply Assessment for the RiverPark Project, which is contained in an Appendix A to the Final EIR. This Water Supply Assessment is also fully incorporated by reference herein.

Based on the water demand factors used in the UWMP, if all uses permitted by the proposed RiverPark Specific Plan are built at the maximum allowed intensity, approximately 1,835 acre-feet per year of water is required. This demand would build over time as individual building projects within the Specific Plan Area are developed. The Specific Plan Area contains existing wells with agricultural and industrial groundwater extraction allocations from the Fox Canyon Groundwater Management Agency (FCGMA). The FCGMA regulates withdrawals from the Oxnard Aquifer System to ensure a safe sustainable water yield is provided. These allocations, totaling 1,580 acre-feet annually, will be transferred to the City, allowing the City to pump this amount of groundwater from City wells to serve the project. This groundwater will provide approximately 86 percent of the water required for the project. The Water Supply Assessment contained in Appendix A to the Final EIR contains information from the past 5 years on the Oxnard Aquifer System that will provide this groundwater.

The UWMP identifies additional water sources to meet projected citywide demands through the year 2020. The Water Supply Assessment further demonstrates that the City has adequate water supplies available to serve the RiverPark Specific Plan in addition to existing and planned future uses, including agricultural and industrial uses over the next 20 years. The City plans to meet the majority of this new demand with additional local water resources facilitated by conservation and new water supply programs, including but not limited to, the GREAT Program. These new supplies are adequate to provide the amount of water needed for the RiverPark Project that will not be provided by the groundwater allocations associated with the Specific Plan Area and other projected growth throughout the City over the next 20 years. In the short term, the City will continue to rely on unused groundwater allocations from the Ocean View Municipal Water District, Calleguas Municipal Water District, FCGMA, and City and United Water Conservation District wells to meet its water demand needs while providing the City the time to design and build the GREAT Program facilities. In the long term, the City will implement the GREAT Program as a new water supply to meet its water demand needs, inclusive to the RiverPark Specific Plan, and will also utilize unused groundwater allocations and other existing and planned water sources as necessary. Existing and planned future water sources currently under development will be sufficient to meet projected demands, including the RiverPark Specific Plan. No significant impacts to the City's water supply or distribution network will result from the project.

UWCD is planning to use the reclaimed mine pits within the Specific Plan Area for the storage of water diverted from the Santa Clara River at the UWCD Freeman Diversion structure. Water stored in the pits would be allowed to infiltrate or be transferred to other UWCD facilities for recharge. This use of the reclaimed mine pits allowed by the RiverPark Specific Plan will increase the reliability of local groundwater resources by allowing an additional 7,000 acre-feet of water per year to be stored in the mine pits for recharge or use. This 7,000 acre-feet per year of water will be provided directly to users of groundwater or recharged to the Oxnard Aquifer System to offset groundwater withdrawals.

In addition, individual building projects within the Specific Plan Area are required to meet standard requirements of the City, State and the Uniform Building Code. These requirements act to conserve potable water, ensure adequate water

flow, and pay for the construction of improvements to the water distribution system as outlined in the City's Water System Master Plan. Requirements to which all future developments must conform include the following:

- All subdivisions must comply with Section 17921.3 of the *Health and Safety Code* which requires low-flush toilets and urinals.

- All subdivisions must comply with Title 20 of the *California Administrative Code* [Section 1604 (f)] which establishes efficiency standards for maximum flow rates for shower heads, lavatory faucets, and sink faucets.

- All subdivisions must comply with Title 24 of the *California Administrative Code* [Section 2-5307(b)] which establishes efficiency standards for maximum flow rates for shower heads, lavatory faucets, and sink faucets.

- All subdivisions must comply with Title 24 of the *California Administrative Code* [Section 2-5352(I) and (j)] which addresses pipe insulation requirements, which can reduce water used before hot water reaches equipment or fixtures, including the insulation of water-heating systems.

- All subdivisions must comply with Section 4047 of the *Health and Safety Code* which prohibits the installation of residential water softening or conditioning appliances unless they are accompanied by water conservation devices.

- All subdivisions must comply with Section 7800 of the *California Government Code* which requires that lavatories in all public facilities be equipped with self-closing faucets that limit flow of hot water.

- All subdivisions must pay all water connection fees in effect at the time of tract map or site plan approval.

- All subdivisions must comply with all City of Oxnard water conservation requirements in effect at the time of tract or site plan approval.

- All water supply lines must comply with City of Oxnard Water Division and Fire Department flow rate criteria.

Compliance with these standards will ensure that water is not used in a wasteful manner. No significant impact to the City's water supply will result, therefore, from the uses permitted by the proposed RiverPark Specific Plan.

The RiverPark Specific Plan includes a master plan for water service. The proposed water transmission system is designed to conform to all City of Oxnard standards. The pipe sizing and water demand analysis shows that the proposed water distribution system supports the maximum day demand of all uses permitted by the proposed Specific Plan at the City's flow and pressure requirements. Commercial land uses are required to have a fire flow of 4,500 gallons per minute at 20 pounds per square inch (psi), and residential land uses are required to have a fire flow of 2,500 gallons per minute at 20 psi. During the maximum-day demand and peak-hour demand, the pressure ranged from 53 psi to 59psi and 52 psi to 59 psi, respectively. During the maximum-day demand fire flow run, the lowest available flow was 4,537 gpm in the planned commercial areas and 2,513 gpm at 52 psi residual pressure in the planned residential areas. Based on this analysis, no significant impacts to the City's water distribution system will result as adequate water pressure will be maintained at all times.

Finally, the Draft EIR evaluates cumulative impacts based on the projections contained in the City's recently completed Urban Water Master Plan and updated in the Water Supply Assessment completed for the RiverPark Project. The City is projected to use a total of 44,565 acre-feet in 2020 if all land uses allowed by the City's 2020 General Plan are developed at maximum allowed intensities. This represents an increase of 18,077 acre-feet per year from the 26,488 acre-feet used by the City in 2000. The UWMP identifies sufficient water sources to meet projected demand, and the City will meet the majority of this new demand with additional local water resources. Based on the projections and other information in the Urban Water Master Plan and Water Supply Assessment, no significant cumulative impacts will occur from build out of the RiverPark Specific Plan and all other land uses allowed by the City's 2020 General Plan.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to water supply and distribution. This finding is based on the following facts: the City will have sufficient water supply during normal, single-dry and multiple –dry water years to accommodate the project from existing entitlements and future increases in groundwater extraction allocations that will result from implementation of the planned GREAT Program the project conserves water to the greatest extent feasible, and the City's water distribution system will be able to serve the Specific Plan Area with adequate flow and pressure per applicable City Standards. The City's Urban Water Management Plan and the Water Supply Assessment in Appendix A also demonstrate that the City's water supplies will be sufficient to serve the RiverPark Specific Plan in addition to existing and planned future uses, including agricultural and industrial uses over the next 20 years. The Water Supply Assessment in Appendix A complies with the requirements of both SB 610 and SB 221.

9. Public Utilities – Wastewater Service

Facts in Support of Findings

An evaluation of the impact of the RiverPark Project on wastewater collection and treatment systems is found on page 4.11.3-1 through 4.11.3-9 of the Draft EIR. This section describes the existing and planned wastewater collection, conveyance, and treatment system in the City of Oxnard, and evaluates the operation of this system with development of the proposed RiverPark Project. The City also recently completed updates of the citywide wastewater collection and treatment master plans which includes plans for serving the RiverPark Project.

The RiverPark Specific Plan includes a master plan for sewer service. Sewage flows from the RiverPark Specific Plan will be conveyed through the Central Trunk Sewer of the City's sewer system to the Oxnard Waste Water Treatment Plant (OWWTP). The proposed RiverPark Specific Plan Sewer Master Plan on-site collection and conveyance system and sewage lift station are designed in compliance with City of Oxnard flow standards to handle the expected sewage generation of the project. Wastewater from the RiverPark Specific Plan Area will build in volume over time as the RiverPark Specific Plan Area is built-out, and would generate approximately 780,000 gallons per day of wastewater when fully built out in approximately 2020. Master Plan modeling shows that the projected 2020 flows will significantly impact the capacity the Central Trunk Sewer as shown in Table 4.11.3-2 in the Draft EIR. The Master Plan identifies the improvements to the Central Trunk Sewer needed to accommodate projected flows. The existing sewage collection and conveyance system will be upgraded as necessary to accommodate sewage created by development of the land uses allowed by the RiverPark Specific Plan. The City ensures this by requiring individual building projects to pay the City's sewer connection fees, which provides funds to the City to make the improvements identified in the Wastewater Collection System Master Plan. Construction of these improvements will provide adequate capacity to serve the RiverPark Project. No significant impacts to wastewater collection and conveyance, therefore, will result from the RiverPark Specific Plan project.

An expansion of the OWWTP will coincide with the growth in the demand for treatment. With this expansion, adequate future capacity in the treatment plant is provided for all projected growth in the City's Oxnard Planning Area. The OWWTP has the existing and planned capacity to treat the 0.78 mgd of additional wastewater that would be generated by the RiverPark Specific Plan. No significant impact on wastewater treatment capacity will result from the RiverPark Specific Plan project.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. The City's Wastewater Collection System Master Plan includes projections for the full build-out of the land uses allowed by the City's 2020 *General Plan*, including the RiverPark Specific Plan Project. Facilities have been master planned to serve all of these uses. The existing sewage collection and conveyance system will be upgraded by the City as required to accommodate sewage created by development of the land uses allowed by the RiverPark Specific Plan. The City ensures this by requiring individual building projects to pay the City's sewer connection fees, which provides funds to the City to make the improvements identified in the Wastewater Collection System Master Plan and requiring individual building projects to provide adequate capacity to collect and convey sewage to a safe point of discharge. No significant cumulative impacts to wastewater collection and conveyance will result from the RiverPark Specific Plan project.

An expansion of the OWWTP will coincide with the growth in the demand for treatment to ensure that adequate future capacity in the treatment plant will be provided for the Oxnard Planning Area at build-out of the Oxnard 2020 General Plan. With the construction of the planned improvements to the OWWTP, all wastewater generated by cumulative development will be accommodated by the plant. No cumulative significant impact on wastewater treatment capacity will result from the RiverPark Specific Plan project

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to the City's wastewater collection, conveyance or treatment systems. This is based on the fact that existing and proposed wastewater collection and conveyance lines have sufficient capacity to accommodate wastewater from the project and projected wastewater flows will not exceed the present capacity of the OWWTP. The City's Wastewater Collection System Master Plan provides for serving RiverPark and all other development allowed by the City's 2020 General Plan. The City's Sewer Impact Fee program will provide the funds necessary to build the wastewater collection, conveyance and treatment system in a timely manner to provide adequate capacity.

10. Public Utilities - Energy

Facts in Support of Findings

An evaluation of the impact of the RiverPark Project on energy distribution facilities and supplies is found on page 4.11.4-1 through 4.11.4-10 of the Draft EIR. This section evaluates the availability of electricity and natural gas supplies and distribution facilities to serve RiverPark Specific Plan Area.

At present, Southern California Edison (SCE) and The Gas Company (TGC) are the respective suppliers of these energy resources to the City of Oxnard and the RiverPark Specific Plan Area.

Electrical energy would be consumed on a temporary basis during construction activities. The energy would serve construction trailers, power tools, tool sheds, work and storage areas, and other facilities associated with construction activity. Construction activity is not expected to consume significant amounts of SCE energy, because the construction of residential subdivisions and other allowed uses would occur in phases over a 15 to 17 year period. Development of the uses allowed by the project will place new demands on electrical service provided by SCE, and will require new or upgraded delivery infrastructure to transmit the energy to uses on the site. The total amount of electricity consumed at build-out of the project is estimated at approximately 60 million kilowatt-hours (kWh) per year. The additional electrical demand of the project will be accommodated within the long-term source and distribution planning. The development of new energy power resources throughout the state is steadily developing. In addition, individual building projects within the Specific Plan Area are required to comply with the Energy Building Regulations adopted by the California Energy Commission (Title 24 of the *California Administrative Code*) as mitigation against the wasteful use of energy. For these reasons, no significant impacts on electrical supply or service will result from the project. Due to the nature of construction activities, natural gas will not be consumed during site construction. Some natural gas, however, may be consumed during the installation and upgrade of natural gas distribution lines through the Specific Plan Area and during their testing; however, the amount consumed would be negligible and this is not considered a significant impact. As residential subdivisions and commercial uses are constructed within the project, new demands would be placed on TGC natural gas service for heating and cooling. Branching natural gas mains from existing primary transmission lines would also need to be constructed. Total natural gas consumption by the project at build-out would be approximately 285,491,000 cubic feet per year. According to the 1999 Fuels Report, natural gas supplies to California will remain plentiful for the next several decades. Because the RiverPark project will be accommodated within the long-term source and distribution planning of TGC, and because future uses on the project site will be required to comply with Title 24 of the *California Administrative Code* as mitigation against the wasteful use of energy, it is concluded that the project will not result in significant impacts to natural gas service provided by TGC. The mandatory requirements established by AB970 are listed below.

- Certified space conditioning equipment sizing regulated by the Uniform Building Code (UBC)
- Intermittent Ignition device on Gas Cooking Appliances, Clothes Dryers, Central Furnaces, and Pool Heaters
- Tighter Air Ducts Installed and Insulated
- Kitchen and Bathroom Lighting: 40 Lumens/Watt Efficiency

- IC (Insulation Cover) Approved Recessed Lighting Fixture
- Insulation Certificate for Heater
- Certificate for All Manufactured Devices
- Appliances Certified and Labeled
- Certified Wall Insulation
- Insulation on First 5 Feet of Inlet and Outlet Pipes for Storage Tank Water Heaters
- Fireplace Measures: Closeable Doors, Outside Air Intake for Combustion with Damper & Control, Flue Damper & Control
- Raised Floor Insulation
- Joints and Penetrations Caulked & Sealed
- Manufactured Doors & Windows Certified as Meeting Air Leakage Standards and Certified as to U-factor and SHGC; Field-Fabricated Doors & Windows Weather-stripped
- Roof/Ceiling Insulation

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Build-out of the City's *2020 General Plan* along with development of other uses in the service areas of SCE and TGC will result in the development of a variety of projects which will require natural gas and electricity service. Such projects would contribute to a cumulative increase in energy demand within the City and region. As discussed above, energy supply projections prepared by the California Energy Commission indicate supplies will be sufficient to meet anticipated demands for the foreseeable future. Based on these projections, no significant cumulative impact on energy supplies is anticipated. Both SCE and TGC have ongoing facilities planning to ensure that distribution networks with sufficient capacity are built to serve new development. For this reason, no significant cumulative impacts to energy distribution networks are anticipated.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to energy resources. This is because the electricity and natural gas utilized by the proposed RiverPark project will be accommodated within the long-term source and distribution planning of SCE and TGC, and because future uses on the project site will be required to comply with Title 24 of the *California Administrative Code.*

B. Significant <u>Environmental Effects Discussed in the EIR Which Can Be Avoided or Substantially Lessened to Less Than Significant Levels Through Mitigation</u>

11. Earth Resources – Geologic and Geotechnical Resources

Facts in Support of Findings

The Draft EIR evaluated potential impacts related geology and soils on pages 4.3-1 through 4.3-51. This section of the DEIR addresses potential impacts related to the soils conditions on the site and the geology of the area in relation to potential seismic events.

The Specific Plan Area contains a variety of topographic and soils conditions as a result of the historic mining operation in RiverPark Area 'B' and agricultural activities throughout Specific Plan Area contains substantial areas of uncompacted artificial fill which are potentially unstable. No known earthquake faults traverse the site and, for this reason, there is no potential for ground rupture impacts. There is an identified potential for strong groundshaking to occur within the Specific Plan Area from earthquakes based on the maximum magnitude earthquakes identified for all faults known in the area.

Due to the existing characteristics and depth of the unconsolidated soils in the mine and stockpile portions of the Hanson Aggregates mine site in RiverPark Area 'B', temporary dewatering of these areas will be required during construction.

Significant impacts related to the potential instability of the slopes of the existing mine pits have also been identified by the geotechnical analysis contained in the Draft EIR. Areas adjacent to the existing and proposed pit slopes may be impacted by: (1) gross instability of the pit slopes under static or seismic conditions, and/or (2) seismically induced lateral movements. Approximately 10 million cubic yards of earth materials will be graded over the entire 701-acre site. A balanced grading program involving excavation and replacement of the 10 million cubic yards of material is planned. The majority of this grading would consist of the excavation and/or replacement of earth materials in RiverPark Area 'B' to improve the structural characteristics of the soils in the mine site stockpile and plant areas and to stabilize the slopes of the existing mining pits pursuant to the proposed Mine Reclamation Program which is part of the project. A comprehensive program of 44 specific measures is proposed to mitigate all identified geologic and geotechnical impacts related to construction and operation of the project to a level that is less than significant.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Because the development of each site in the project area within the City is required to be consistent with City of Oxnard requirements and the adopted Uniform Building Code as it pertains to protection against known geologic hazards, impacts of cumulative development will be less than significant given known geologic considerations.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

Pursuant to CEQA *Guidelines* Section 15091 (a) 1, the City Council finds that the project's adherence to the following mitigation measures, which are incorporated into the project, will avoid or reduce impacts related to geologic, geotechnical, and mineral resource conditions to a less than significant level.

General Site Preparation Measures

4.3-1 During the initial stage of the mitigation of unstable soil units during site preparation, organic material and vegetation, hazardous materials, old foundations from demolished structures, underground utilities, debris, unsuitable fill materials, and/or deleterious materials shall be stripped, removed, and wasted from construction areas by the contractor. Abandoned below-grade or underground structures, such as wells, cesspools, pipelines, mining equipment, old foundations, etc., that are not relocated prior to grading shall be removed or treated in a manner prescribed by the controlling governmental agencies.

4.3-2 Grading shall be performed by the contractor in accordance with the City of Oxnard grading ordinance and Chapter 33 of the Uniform Building Code (1997).

4.3-3 Artificial fill materials shall be removed down to competent native earth materials. The excavation bottom shall be observed by the Geotechnical Engineer or Geologist prior to processing the excavation bottom and

placing backfill. Once the bottom has been accepted by the Geotechnical Engineer, the exposed surface shall be scarified by the contractor to a depth of 8 inches, aerated or moistened as required to bring the soil to within 2 percent of optimum moisture content, and compacted to a minimum of 93 percent relative compaction, according to ASTM D1557. If the excavation bottom requires stabilization or if scarification is likely to induce pumping conditions, scarification of the excavation bottoms near the groundwater level may be waived by the Geotechnical Engineer.

4.3-4 To reduce the potential for unstable subgrade conditions in excavations near the groundwater level during grading, the contractor shall use equipment that imparts light loads to the subgrade in order to help avert "pumping" subgrade conditions if feasible. Should groundwater be encountered during excavation, the dewatering contractor shall be responsible for the design of the dewatering system. The design shall prevent piping and soil migration, or erosion, and shall draw down the water level a minimum of 5 feet below any point along the excavation bottom. The Geotechnical Engineer shall provide on-site inspection to ensure that this measure is implemented.

4.3-5 To mitigate unstable subgrade which may develop during grading, special stabilization measures shall be implemented by the contractor and as specified by the Geotechnical Engineer. If soft or pumping subgrade is encountered during grading (e.g., excavation bottom near groundwater level), one of the following measures shall be employed to provide a firm and unyielding subgrade surface:

- use of a geosynthetic fabric, such as Mirafi 600X, or equivalent, placed beneath a minimum one foot lift of gravel or rock fill,
- working of rock fill into clayey subgrade soils, or
- working cement into sandy subgrade or lime into clayey subgrade.

Any special subgrade stabilization measures shall be approved and observed by the Geotechnical Engineer.

4.3-6 During the mitigation of unstable soil units during site preparation at the Specific Plan Area on-site materials used as backfill shall be free of organic material, hazardous material, debris, or any other deleterious materials. Backfill in deep removal areas (i.e., exceeding 25 feet in depth) shall consist of granular materials in the lower 50 feet. Clay (i.e., potentially expansive materials) shall not be placed by the contractor in the upper 5 feet (with respect to proposed grade) of backfill.

4.3-7 During the backfilling of excavations resulting from artificial fill removal or placement of fill in slope areas, rock or gravel less than 4 inches in maximum dimension can be utilized by the contractor in the fill, provided those materials are not placed in concentrated pockets and provided they have sufficient sand-sized material surrounding the individual rock fragments. Fill material shall not contain more than 20 percent by weight of particle sizes larger than 2 inches.

4.3-8 During the backfilling of excavations resulting from artificial fill removal or placement of fill in slope areas, any imported fill used on the site by the contractor shall be equal to or better than on-site materials in gradation, strength, and expansive characteristics. Imported fill material shall be evaluated by the Geotechnical Engineer to verify suitability for its intended use.

4.3-9 During the backfilling of excavations resulting from artificial fill removal or placement of fill in slope areas, fill materials shall be placed by the contractor in layers that do not exceed 8 inches in loose thickness. Each layer shall be spread evenly, moisture-conditioned to within 2 percent above or below optimum moisture content, and processed and compacted to obtain a uniformly dense layer. The fill shall be placed and compacted on near-horizontal planes to a minimum of 93 percent (relative compaction) of the maximum dry density as determined from ASTM D1557.

Mitigation for Construction Impacts

4.3-10 To mitigate potential unstable slope conditions during grading, temporary excavation slopes shall be continuously monitored by the contractor and loose or unstable soil masses shall be removed immediately. The contractor shall ensure that temporary slopes and excavations shall conform to federal Occupational Safety and Health (OSHA) regulations and California Division of Occupational Safety and Health (DOSH) regulations, and other applicable local ordinances and building codes, as required. The contractor is responsible for the design and construction of shoring systems such that the construction will not result in settlement or instability of nearby structures. Stockpiled materials or equipment shall not be placed within a distance from the slope crest on RiverPark Area 'B' equal to the height of the slope.

4.3-11 To mitigate potential unstable slope conditions during grading, the contractor shall ensure that runoff is directed away from temporary slopes and shall not be allowed to flow across slope faces and excavations. Provisions shall be made by the contractor for collecting and pumping seepage or water out of excavations.

4.3-12 To mitigate potential unstable slope conditions during grading, impacts from rapid recharge during dewatering operations shall be reduced by the contractor by discharging pumped water to more distant basins, such as the Large Woolsey pit, or the United Water Conservation District (UCWD) El Rio Spreading Grounds.

4.3-13 To mitigate the potential for surface erosion during grading, sandbags, desilting basins, and other temporary surface drainage devices shall be used by the contractor to control water runoff. Wind erosion shall be controlled with the use of water trucks and silt fences, as necessary.

Mitigation for Impacts Associated with Seismic Hazards

4.3-14 Prior to final design, a site-specific study for the different development types (i.e., residential, commercial, and educational) and with a specificity commensurate with individual structure use, size, and footprint, shall be completed to estimate the potential for liquefaction-induced differential settlement in submerged native earth materials. Although a significant impact from liquefaction is not anticipated in native materials on the RiverPark Specific Plan Area, site-specific evaluations of that potential shall be performed within footprint areas of future commercial and educational facilities to verify that there is no significant impact within specific building areas. Measures to reduce the liquefaction hazard, if any, to less than significant, shall be included in the study. These studies shall require review and approval by the City of Oxnard.

4.3-15 To mitigate the potential for liquefaction–induced settlement in existing artificial fills those materials shall be removed and replaced by the contractor as compacted fill placed in accordance with the "General Site Preparation Measures," presented previously.

4.3-16 To mitigate the potential for lateral spreading in existing artificial fill materials, one of the following two methods shall be implemented: (1) removal and compaction of the fill materials in accordance with the "General Site Preparation Measures," presented previously, or (2) ground-improvement (such as deep dynamic compaction or vibroflotation) in granular fill materials. Site-specific studies shall be conducted by the Geotechnical Engineer to further evaluate the potential for lateral movements in native alluvial materials at the site and to select the appropriate treatment (i.e., ground improvement) method and develop specifications for that treatment, where necessary.

4.3-17 To mitigate the potential for seismically induced settlement in the loose artificial fill materials on the site, the contractor shall remove existing artificial fill materials down to competent native materials and replace those materials as a controlled, compacted fill, in accordance with the "General Site Preparation Measures," presented previously. The slight potential for seismically induced settlement in the native sand and sandy silt materials either shall be mitigated through foundation design of the proposed structures or shall be (at least) partially mitigated with the overexcavation and recompaction of surficial soils in building areas, so that the resulting potential can be tolerated in the structure design.

Mitigation for Impacts Associated with Soil Instability

Most of the following potential significant impacts associated with soil instability (with the exception of expansive soils) result from the presence of loose, uncontrolled artificial fills on the RiverPark Specific Plan Area. Those significant impacts shall be mitigated by the removal and replacement of those materials as a controlled, compacted fill.

Hydroconsolidation

4.3-18 To mitigate potentially significant impacts associated with hydroconsolidation, artificial fill materials shall be removed and replaced by the contractor as a controlled, compacted fill in accordance with the "General Site Preparation Measures," presented previously, or as specified by the Geotechnical Engineer.

Consolidation

4.3-19 To mitigate potentially significant impacts associated with consolidation and compressibility, existing artificial fill materials shall be removed and replaced by the contractor as a controlled, compacted fill in accordance with the "General Site Preparation Measures," presented previously.

Artificial Fill

4.3-20 To mitigate potentially significant impacts associated with the variability of existing artificial fill materials, artificial fill materials on the Specific Plan Area shall be removed and replaced as controlled, compacted fill in accordance with the "General Site Preparation Measures," presented previously.

4.3-21 During the mitigation of existing artificial fill in the stockpile area, removals are anticipated to extend below the current groundwater level and may require dewatering by the contractor. Removal bottoms shall be observed by the Geotechnical Engineer or Geologist. If fill remains in the excavation bottom, the excavation shall be deepened by the contractor until the fill is completely removed. The bottom shall be firm or dense and unyielding. If unstable conditions are encountered, the excavation bottom shall be stabilized. Fills in these areas shall be placed by the contractor in accordance with the "General Site Preparation Measures," presented previously.

4.3-22 To mitigate potentially significant impacts associated with artificial fill in the plant area on RiverPark Area 'B', the entire plant area shall be overexcavated by the contractor to a minimum depth of 20 feet below existing grade, or 5 feet below proposed grade, whichever is deeper. The bottom of excavation shall be observed by the Geotechnical Engineer or Geologist prior to processing. Areas where artificial fill is exposed in the bottom will require deeper removals, so that the existing artificial fill is completely removed. The depth of removal and fills in those areas shall be determined by the Geotechnical Engineer or Geologist.

4.3-23 To mitigate potentially significant impacts associated with artificial fill and to reduce differential settlements in the fill, areas adjacent to deepened removals shall be excavated by the contractor to a depth such that the variation in fill thickness does not exceed 20 percent. Alternatively, areas where the fill thickness variation exceeds 20 percent shall be designated by the Geotechnical Engineer for nonstructural uses. Additionally, deep removals (e.g., in stockpile area) shall overlap a sufficient distance into the adjacent constructed fill to ensure that existing artificial fill is removed and the compactness of the fill being placed is consistent throughout.

Expansive Soils

4.3-24 To mitigate potentially significant impacts associated with expansive soils, foundations bearing on soils with a low to moderate shall be designed with deeper perimeter footing embedment to act as a barrier for moisture migration under interior floor slabs; low to moderately expansive foundation subgrade shall be pre-moistened to reduce the potential and the effects of shrink/swell cycles beneath the slabs; and slabs shall be thickened and contain additional reinforcement, as specified by the Geotechnical Engineer.

Mitigation for Impacts Associated with Slope Instability

General Background Discussion

The existing pit slopes will be mitigated to effect the minimum factor of safety requirements being used by the City of Oxnard for gross stability (these measures are described below). Additionally, reducing lateral movements of occupied structures near pit slope crests is feasible by establishing structure setback criteria and, where setbacks currently are not sufficient, reducing lateral movements by providing lateral reinforcement to the upper portion of the pit slopes.

Laying back existing slopes to 2- to 2-1/2h:1v increases the factor of safety under static and pseudostatic conditions to exceed 1.5 and 1.1, respectively, and reduces the potential for relict unstable fills in the slopes. However, there are some areas where laying back the entire slope to effect a more stable configuration is not viable because of the proximity of the slope crest to either the proposed development or adjacent private or public properties. For those areas, reinforcing the upper half of the slope by providing additional lateral resistance from, for example, drilled piers, tiebacks, or minipiles would decrease the lateral movements behind the slope crest.

Additionally, artificial fills should be removed and replaced with compacted fills that are keyed and benched into native, undisturbed slope materials. On the basis of the slope evaluations and the objectives of the Slope Reclamation Plan, potential slope envelopes have been developed for the pit slope areas to improve slope stability and to reduce lateral movements to suggested tolerable values in accordance with the City of Oxnard and the SCEC (2000).

The following recommended mitigation measures for stabilizing the existing pit slopes as shown on the proposed Slope Reclamation Plan are based on the following assumptions:

- The water level in the pits will recede to below 45 feet above msl to allow conventional (dry) grading methods.
- The exposed benches at about that elevation (i.e., 45 feet above msl) comprise native, undisturbed materials.
- Native materials adjacent to all slope areas consist of granular soil.
- Artificial fills will be removed in the course of implementing the Slope Reclamation Plan.

4.3-25 Prior to grading on RiverPark Area 'B', Mitigation Measures 26 through 38 shall include a performance standard specified by the Geotechnical Engineer, as well as an alternative measure in the event unanticipated slope conditions prevail (see Table 1 in the July 2001 Fugro West, Inc. report in Appendix 4.3 of this EIR).

4.3-26 To mitigate potentially significant impacts associated with instability of the Brigham Pit - Southwestern Slope: The extensive artificial fills along the northwestern two-thirds of the southwestern slope of the Brigham pit shall be removed by the contractor down to a native bench that appears between elevations of about 40 and 50 feet above msl on the 1977, 1988, 1989, and 1992 topographic maps. Placement of fill above the exposed native bench shall be in accordance with conventional grading methods, including the keying and benching of fill materials into dense, undisturbed native materials. Undisturbed native slopes below that bench that are found to be steeper than a 2- to 2-1/2h:1v gradient shall be laid back to inclinations of 2- to 2-1/2h:1v. (The top of the reconstructed fill slope is approximately shown as the brown envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.)

4.3-27 To mitigate potentially significant impacts associated with instability of the Brigham Pit - Western Corner: The deep fill at the southeastern quarter of the stockpile area will require removals by the contractor to below El. 10 feet, thereby necessitating local dewatering. The fill removal on the Brigham pit side of that deep removal shall extend down to native materials, which, according to the 1977, 1988, 1989, and 1992 topographic maps, are likely between elevations of about 40 and 50 feet above msl. The fill on the native bench shall be placed according to conventional grading methods, including keying and benching of the fill into dense undisturbed native materials. (The toe of the pitward fill slope is approximately shown as the green envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.)

4.3-28 To mitigate potentially significant impacts associated with instability of the Brigham Pit - Southeastern Slope and Southern Corner: The southeastern slope of the Brigham pit should be laid back by the contractor at about 2- to 2-1/2h:1v, as shown by the blue envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR. The proposed East Detention Basin will be set back a horizontal distance of about 40 feet from the top of the southeastern slope of the Brigham pit. To accommodate that setback, the existing basin (i.e., El Rio Drainage Basin No. 1) slope shall be shifted to the southeast by constructing a fill over the existing basin slope face.

The southern corner (i.e., the southeastern end of the southwestern slope) also shall be laid back to inclinations of 2- to 2-1/2h:1v and existing artificial fill in the upper portion of the slope shall be removed and replaced with compacted fill. (The top of the combination slope is shown as the brown/blue envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.)

4.3-29 To mitigate potentially significant impacts associated with instability of the Brigham Pit - Northwestern End: The slope along the northwestern end of the Brigham pit shall be reconstructed pitward by the contractor by placing fill over a native bench suggested in the 1977, 1988, 1989, and 1992 topographic maps, at an elevation of about 40 to 50 feet above msl. Placement of fill above the native bench shall be in accordance with conventional grading methods, including the keying and benching of fill materials into dense, undisturbed native materials. Undisturbed native slopes below the conventionally-constructed fill slope that are found to be steeper than a 2- to 2-1/2h:1v gradient shall be laid back to inclinations of 2- to 2-1/2h:1v. (The toe of the pitward fill is approximately shown as the green envelope on Figure 4.3-2, Slope Reclamation Plan in the Draft EIR.)

4.3-30 To mitigate potentially significant impacts associated with instability of the Vickers Pit - Northwestern End: The existing fill peninsula in the Vickers pit will be largely removed to generate fill materials for the overall project. For pitward slope construction, existing fill materials at the northwestern end of the Vickers pit shall be removed by the contractor down to a native bench suggested by the 1977, 1988, 1989, and 1992 topographic maps at about El. 45 to 50 feet within a distance of roughly 100 feet from the current slope crest in the plant area. The steep slope below the native bench shall be laid back to about 2-1/2h:1v.

To extend the development area further pitward (i.e., greater than about 100 feet beyond the current slope crest), the removals shall extend down to about El. 40 to 50 feet, and 10 feet above the groundwater level. That area shall be densified by the contractor using DDC to a horizontal distance pitward of about 2 to 3 times the thickness of the fill being densified, followed by laying back the pitward edge of the improved zone at about 2- to 2-1/2h:1v. The fill placed above the densified layer shall be constructed at 2- to 2-1/2h:1v with conventional grading methods. (The toe of the pitward fill slope is approximately shown as the magenta envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.)

The fill placed above the densified layer of hydraulically placed fill along the northern third of the existing fill peninsula (i.e., the north end of northwestern slope of the Vickers pit) shall be mechanically reinforced with geogrid, metal strips, or cement to limit the pitward extension of the overall slope toe (comprising DDC-densified materials), because beyond the slope envelope shown on the Slope Reclamation Plan, the submerged fill thickness likely exceeds the “reach” of the DDC treatment. (This slope area is approximated by the lavender envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.)

4.3-31 To mitigate potentially significant impacts associated with instability of the Vickers Pit - Southeastern Slope: The southeastern slope of the Vickers pit shall be laid back to 2- to 2-1/2h:1v. (The resulting slope crest area is approximated by the blue envelope on the Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.) The proposed East Detention Basin will be set back a horizontal distance of about 40 feet from the top of the southeastern slope of the Vickers pit. To accommodate that setback, the existing basin (i.e., El Rio Drainage Basin No. 1) slope shall be shifted to the southeast by constructing a fill over the existing basin slope face.

4.3-32 To mitigate potentially significant impacts associated with instability of the Small Woolsey Pit - Northern End: The northern end of the Small Woolsey pit shall be laid back at about 2- to 2-1/2h:1v by the contractor. Artificial fill materials above an elevation of about 50 feet above msl, where according to the 1977, 1988, 1989, and 1992 topographic maps, native materials are likely to be encountered, shall be removed and

replaced as a compacted fill. This removal shall continue northwestward and northward so that existing artificial fill is removed in the proposed detention basin area and along the northern end of the RiverPark development. (The slope crest area is approximated by the blue/brown envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.)

4.3-33 To mitigate potentially significant impacts associated with instability of the Small Woolsey Pit - Northwestern Corner: The pitward extension of the development at the northwestern corner of the Small Woolsey pit consists of the underwater construction of a rock dike up to an elevation of a few feet above the groundwater level (El. 45 feet), followed by the placement of hydraulic (granular) fill against the rock dike. The submerged hydraulically placed fill shall then be densified by the contractor using vibrofloatation, followed by the construction of a mechanically reinforced fill (e.g., with geogrid, metal strips, or cement) above the densified surface, using conventional grading methods. If the groundwater recedes below an elevation of about 45 feet, DDC shall be used as an alternative method to densify the hydraulically placed fill. (This slope area is the dark blue envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.)

4.3-34 To mitigate potentially significant impacts associated with instability of the Small Woolsey Pit - Southeastern Slope: Portions of the southeastern slope of the Small Woolsey pit are steeper than 2h:1v. For example, the lower 30 feet of the slope below the currently exposed bench at about El. 45 feet at the northwestern end of the pit (formerly an access road to the pit bottom), appears to be about 1/2h:1v according to the 1992 topographic map. Alternatives for increasing the stability and increasing the distance between the slope crest and the property line (and to reduce lateral movements at the property line) along the southeastern slope of the Small Woolsey Pit shall consist of the following:

- Laying the steep slope areas back to 2- to 2-1/2h:1v, and/or

- Reinforcing the upper portion of the slope with drilled piers to reduce lateral movements at the property line or adjacent occupied structures to less than 2 inches.

The artificial fills placed during the slope repair at the eastern corner (i.e., the southern end of the southeastern slope) of the Small Woolsey pit shall be removed down to native materials. That slope area shall be reconstructed at a gradient of 2- to 2-1/2h:1v using conventional grading methods. Reinforcing the upper portion of the reconstructed slope using, for example, drilled piers may be necessary to reduce lateral movements at the property line or adjacent occupied structures to less than 2 inches.

4.3-35 To mitigate potentially significant impacts associated with instability of the Large Woolsey Pit - Northern Detention Basin Over Southwestern End: Artificial fill at the southwestern end of the Large Woolsey pit shall be removed down to about El. 40 by the contractor, where according to the 1977, 1988, 1989, and 1992 topographic maps, native materials are likely to be exposed. The pit fill slope shall be constructed at about 2-1/2h:1v. For granular soil conditions, the proposed detention basin shall be set back at least 20 feet from the top of the northwestern slope of the Small Woolsey pit and the top of the proposed southwestern fill slope of the Large Woolsey pit. Fill materials shall comprise on-site sand and gravelly sand so that seepage forces are not introduced near the pit slopes in the event of a leak in the basin liner. (The slope crest area is approximated by the brown envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.)

4.3-36 To mitigate potentially significant impacts associated with instability of the Large Woolsey Pit - Southeastern Slope: The northeastern half of the southeastern slope of the Large Woolsey pit (i.e., where the toe extends to about El. 10 feet) shall be laid back by the contractor at about 2- to 2-1/2h:1v to expose undisturbed native materials. Additionally, the artificial fill placed during the slope repair at the northeastern end of the southeastern slope shall be removed down to native, undisturbed slope materials. Some areas shall require lateral reinforcement of the upper portion of the slope to keep lateral movements below significant threshold levels for adjacent occupied structures.

To increase the setback behind the slope crest to the property line (thereby decreasing lateral movements at the property line), the southwestern half of the southeastern slope (i.e., where the pit bottom is between about El. 35 and 40 feet), shall be reconstructed about 20 to 30 feet pitward on the broad native bench exposed at about El. 45 feet. The slope shall be constructed using conventional grading methods at a

gradient of about 2- to 2-1/2h:1v. (The approximate slope crest envelope to effect the increased setback along the southwestern portion of the southeastern slope is shown in brown on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.)

4.3-37 To mitigate potentially significant impacts associated with instability of the Large Woolsey Pit - Northeastern Slope: The northeastern slope shall be laid back by the contractor at 2- to 2-1/2h:1v. (The slope crest area for the 2- to 2-1/2h:1v configuration is approximated by the blue envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.) In some areas of the northeastern slope, the 2- to 2-1/2h:1v inclination may encroach the County of Ventura drainage easement. If that encroachment is not acceptable, the upper portion of the slope shall be reinforced with drilled piers to increase the factor of safety of a 2h:1v gradient to an acceptable level.

4.3-38 To mitigate potentially significant impacts associated with instability of the Large Woolsey Pit - Northwestern Slope: The northwestern pit slope that parallels the Santa Clara River levee shall be laid back at 2- to 2-1/2h:1v by the contractor. The southwestern third of thee slope shall be trimmed back by lowering the existing gradient so that native materials are exposed and the resulting gradient is 2- 2-1/2h:1v or flatter. (The slope crest area is approximated by the blue envelope on Figure 4.3-2, Slope Reclamation Plan of the Draft EIR.)

4.3-39 To mitigate potentially significant impacts associated with unstable slopes, prior to preparation of site grading plans for the slope areas, site-specific geotechnical studies shall be performed by the Geotechnical Engineer. Those studies shall evaluate the uniformity of slope materials and verify that benches (where keyways are planned for reconstructed slopes) consist of native, undisturbed materials. Areas between proposed dry swales and the slope faces shall be explored to verify the absence of continuous clay layers. These studies shall require review and approval by the City of Oxnard.

4.3-40 To mitigate potentially significant impacts associated with unstable slopes, the following elements shall be included in the design-level study of the pit slopes by the Geotechnical Engineer:

- An evaluation of the composition and strength of slope materials, consisting of incremental penetration resistance tests, the continuous characterization of overall slope materials, and laboratory tests appropriate for the material composition, grain-size, and sample quality. Continuous characterization of slope materials shall be achieved by excavating a trench above the full, unsubmerged upper portion of the pit slope face.

- The extent of artificial fills shall be explored further by reconnaissance mapping and trenching.

These studies shall require review and approval by the City of Oxnard.

Once additional field data and material samples are collected and evaluated, higher strengths for slope materials may be determined to be appropriate. If higher strength values result, reevaluation of slope stability and lateral movements should reduce the lateral movements estimated herein and increase the factors of safety for gross stability under static and pseudostatic conditions.

Mitigation For Lateral Movement

4.3-41 Seismically induced lateral movements will decrease with increasing distance from the top of the slope. Occupied structures shall be located on the final site map at least 80 feet beyond the top of unreinforced slopes to limit seismically induced lateral movements to less than 2 inches (as recommended by the SCEC [2000]). Setback distances from slope crests to occupied structures (or property lines, where applicable) shall be reduced to about 30 feet in areas where the upper slope is laterally reinforced with drilled piers or other means such as tiebacks or minipiles. The Geotechnical Engineer shall confirm setback distances prior to final map approval.

4.3-42 Dry swales, detention basins, greenbelt areas, and streets may be located on the final site map within 80 feet of the slope crest provided those improvements can potentially accommodate several inches of seismically

induced lateral movement. Alternatively, damage to dry swales and streets from seismically induced lateral movements can be subsequently repaired. The Geotechnical Engineer shall confirm final locations of these facilities prior to final map approval.

4.3-43 To mitigate potentially significant impacts associated with lateral movement, utility lines shall be placed by the contractor on opposite side (from slope crest) of streets planned within 50 to 100 feet of the pit slope crests to maximize the setback and shall have flexible connections able to withstand movements of at least 2 inches.

4.3-44 To mitigate potentially significant impacts associated with lateral movement, private properties located adjacent to slope crests shall be inventoried by the Geotechnical Engineer for occupied structures, so that setback criteria can be satisfied and/or owners apprised of the risk of earthquake-induced lateral movements to their structures and improvements (whether occupied or not). The Geotechnical Engineer shall provide documentation of this inventory to the City of Oxnard. Any notifications to adjacent owners of the risk of earthquake-induced lateral movements shall be as specified by the City Attorney.

12. Biological Resources

Facts in Support of Findings

An evaluation of biological resources on and in the vicnity of the Specific Plan Area and the potential for the RiverPark Project to impact these resources is found on pages 4.4-1 through 4.4-31 of the Draft EIR.

The Specific Plan Area contains limited natural habitat as a result of the long-term disturbance of the entire site for agricultural and mining activities. RiverPark Area 'A' consists of active agricultural land and developed areas and supports no native plant communities. Vegetation within this area is limited to agricultural crops, landscaping associated with existing development, and non-native weedy species in disturbed areas. RiverPark Area 'B' includes scattered patches of disturbed open space on the existing sand and gravel mine site, two rows of trees, a small amount of active agricultural land and the El Rio Retention Basins No. 1 and 2. The mine site includes mine pits containing exposed groundwater, which currently provides resting and limited foraging area for a number of waterfowl and other water-associated bird species. No special status plant or wildlife species were identified within the Specific Plan Area during biological surveys. Though not included within the Specific Plan Area, the major biological resource in the vicinity is the Santa Clara River, located immediately west of the Specific Plan Area. An existing levee separates the Specific Plan Area from the river. Several fish and wildlife species associated with the river are considered to be of special status, including southern steelhead, arroyo chub, and tidewater gobi, which have adapted to the seasonal and daily changing conditions of the river.

The proposed Mine Reclamation Plan and Specific Plan include plans to plant native vegetation on the reconstructed slopes of the mine pits and on the western edge of RiverPark Area 'B' along the Santa Clara River levee. No significant impacts to native plant communities present on the project site will result. Native habitat values on the site will be enhanced as a result of the project.

The combination of fences, distance, existing and planned landscaping and vertical grade changes will combine to form an effective barrier to the movement of domestic animals and residents from the proposed residential areas in RiverPark Area 'B' to the Santa Clara River.

Construction activities could result in significant impacts to native bird species nesting on the site. There are also significant indirect impacts to the natural habitat in the Santa Clara River from new lighting sources within the Specific Plan Area and the use of invasive non-native plant species in landscaping. Measures are identified to mitigate these impacts to a level that is less than significant.

The proposed RiverPark Specific Plan includes a water quality treatment system designed to treat runoff from the new land uses proposed within the Specific Plan Area and from off-site areas that presently drain to the Specific Plan Area. The water quality treatment system proposed is sufficient to trap and remove pollutants and urban sediments to the degree necessary to ensure high water quality levels. Specific analysis of the potential for impacts to aquatic species

in the river found that the concentrations of metals and other pollutant constituents in storm runoff from the Specific Plan Area to be discharged to the Santa Clara River will be below levels known to be toxic for aquatic species. The analysis of changes in the quantity of runoff to the river from the Specific Plan Area determined that a very small increase in the volume of runoff will result from the project. Therefore, impacts to biological resources in the Santa Clara River as a result of storm water runoff into the River are not significant. No unavoidable significant impacts to biological resources will result from the RiverPark Project.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. As none of the sites for known related projects in the vicinity of the Specific Plan Area contain native habitat, no cumulative impacts to biological resources in the area will result from the development of these projects and the RiverPark Specific Plan.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of the uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to biological resources.

Pursuant to CEQA *Guidelines* Section 15091 (a) (1), the City Council finds that the project's adherence to the following mitigation measures, which are intended to address state and federal laws and regulations protecting certain plant and animal species and are incorporated into the project, will avoid or reduce impacts to aesthetics to a less than significant level.

Direct Impacts.

Common and Special-Status Bird Nests

4.4-1 Prior to issuance of a grading permit for the project site, and within 15 days prior to construction or site preparation activities that would occur during the nesting/breeding season of native bird species potentially nesting on the site (February through July), the applicant shall retain the services of a qualified biologist. The biologist must, at a minimum, have a degree in biology or related field, and five years field experience in identification of flora and fauna in the southern California region, and be recognized as qualified by appropriate regulatory agencies. The biologist shall conduct on-site surveys to determine if active nests of special-status and common bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code, are present within 100 feet of the construction zone. If active nests are found on or immediately adjacent to the site, a minimum 100-foot buffer area (300 feet for raptors) shall be temporarily fenced around the nest site. No construction activities shall be permitted within this nest zone until the young birds have fledged, as determined by the biologist.

Indirect Impacts.

Light and Glare

4.4-2 All lighting adjacent to the Santa Clara River levee, particularly street lamps, shall be downcast luminaries and shall be shielded and oriented in a manner that will prevent spillage or glare (greater than one-half foot candle illumination at ground level) into the remaining natural and open space areas. Final lighting orientation and design shall be approved by the City of Oxnard Development Services Department.

Non-Native Plant Species

4.4-3 Certain ornamental plants are known to escape from planted areas and invade into native plant communities. In order to protect native plant communities established within the Specific Plan Area and located in the adjacent Santa Clara River Corridor, the plants listed below shall not be planted within the common landscaped areas of the Specific Plan Area. This list shall also be distributed to new homeowners and

included within the CC&Rs. The landscaping plans within common areas of the project shall be reviewed by a qualified botanist who shall recommend appropriate provisions to prevent other invasive plant species from colonizing remaining natural areas. These provisions may include the following: (a) review and screening of proposed plant palette and planting plans to identify and avoid the use of invasive species; (b) weed removal during the initial planting of landscaped areas; and (c) the monitoring for and removal of weeds and other invasive plant species as part of ongoing landscape maintenance activities. The frequency and method of monitoring for invasive species shall be determined by a qualified botanist.

Table 4.4-4
Ornamentals to be Prohibited from the Project Site

Scientific Name	Common Name
Acacia spp.	Acacia
Ailanthus altissima	Tree of Heaven
Arundo donax	Giant cane, giant reeds
Bromus tectorum	Cheat grass
Carpobrotus sp.	Ice plant
Chrysanthemum coronarium	Annual chrysanthemum
Cortaderia sp.	Pampas grass
Cytisus sp.	Scotch, Spanish, and Portuguese Broom
Eucalyptus sp.	Eucalyptus, Gum trees
Foeniculum vulgare	Fennel
Genista monspessulana	French broom
Hedera helix	English ivy
Lepidium latifolium	Perennial pepperweed
Lobularia maritima	Sweet alyssum
Myoporum laetum	Myoporum
Tropaeolum majus	Nasturtium
Pennisetum clandestinum	Kikuyu grass
Pennisetum setaceum	Fountain grass
Phalaris aquatica	Harding grass
Rhus lancea	African sumac
Ricinus communis	Castor bean
Rubus discolor	Himalayan blackberry
Schinus sp.	Pepper tree
Senecio mikanioides	German-ivy
Taeniatherum caput-medusae	Medusa-head
Tamarix sp.	Tamarisk
Vinca minor	Periwinkle

13. Water Resources – Groundwater Quantity

Facts in Support of Findings

An evaluation of the potential impact of the project on Water Resources is found on pages 4.5-1 through 4.5-104 of the Draft EIR. An extensive analysis was conducted on the potential impacts of the project on groundwater quantity. Over the 20-year period analyzed, the existing conditions on the site resulted in a net loss of 573 acre feet of groundwater per year because of evaporation from the existing mine pits and the consumption of groundwater pumped from on-site wells.

Analysis of potential impacts from construction activities was also included in the Draft EIR. As proposed, the RiverPark Project would include temporary dewatering of portions of the existing mine site in RiverPark Area 'B' to allow the proposed remedial grading activities to be completed. If the groundwater pumped from temporary dewatering wells is not returned to the forebay, a significant impact on the quantity of groundwater in the Oxnard Aquifer System will result.

The analysis determined that after construction the operation of the RiverPark Project would result in an increase in the quantity of groundwater in the Montalvo forebay of the Oxnard Aquifer System. The RiverPark Specific Plan Area is located within the forebay, or recharge area, of this aquifer system. This increase will partially result from the elimination of pumping of groundwater from the existing water wells within the Specific Plan Area for agricultural and industrial use. In addition, the proposed Specific Plan facilitates the use of the reclaimed mine pits by the United Water Conservation District (UWCD) for the storage of water UWCD is permitted to divert from the Santa Clara River at the Freeman Diversion Structure. Based on historic diversion and streamflow records, UWCD estimates that approximately 7,000 acre-feet of water per year will be diverted to the mine pits and stored for recharge to the aquifer system. The RiverPark Project will result in a total net gain to the groundwater system of approximately 8,000 acre-feet per year as a result of the surface water diversions proposed by the UWCD and the elimination of groundwater pumping for agricultural and industrial supply.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Of the related projects considered in the cumulative impact analysis, two are located north of the Ventura Freeway in the vicinity of the project. One is residential project proposed on a 4-acre site located immediately east of the Specific Plan Area between Stroube Street and Sycamore Street in the El Rio West Neighborhood. This site will drain to the south Sycamore Street and then south and east to Vineyard Avenue. Development of this small (4 acre) site will reduce groundwater recharge from infiltration to a small degree.

The second related project is the County of Ventura Juvenile Justice Complex (JJC). This project is under construction on a 29.5 acre agricultural site located east of the Large Woolsey Mine Pit and west of Vineyard Avenue. The County has chosen to site the new JJC on agricultural fields located to the southeast of the Large Woolsey Pits. As designed, the JJC will retain and percolate all stormwater runoff in a detention basin on the project site. This is considered a mitigation measure for replacing pervious agricultural lands with impervious paved areas that will reduce groundwater recharge. Approximately 19 acres of the JJC site will be developed, 9.5 acres will remain undeveloped and 1 acre will contain the detention basin. Overall, the JJC project will result in a net increase in groundwater recharge averaging 39 AFY.
Given the characteristics of these two related projects, no cumulative impacts groundwater quantity will result from the development of these projects and the RiverPark Specific Plan.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, would not result in significant impacts to groundwater quantity.

Pursuant to CEQA *Guidelines* Section 15091 (a) (1), the City Council finds that the project's adherence to the following mitigation measure, which is incorporated into the project, will avoid or reduce impacts to groundwater quantity to a less than significant level.

4.5-1 Groundwater extracted as a result of dewatering during construction shall be discharged to the UWCD El Rio Spreading Ground recharge basins, if feasible, to mitigate potential impacts on groundwater quantity and quality.

14. Transportation & Circulation

Facts in Support of Findings

An evaluation of the traffic impacts of the proposed RiverPark is found on pages 4.7-1 through 4.7-38 of the Draft EIR. The comprehensive traffic impact analysis completed for the project is found in the Appendix 4.7 of the Draft EIR. Analysis of the traffic impacts of the project was conducted according to the guidelines set forth in the City of Oxnard's Traffic Impact Study Standards. Under the City's technical direction, traffic impacts on the study area transportation system were assessed for the proposed RiverPark Project using the City's Oxnard Transportation Model (OTM), a computerized traffic model developed and maintained by the City of Oxnard. The OTM is a land used based traffic model that includes Traffic Analysis Zones (TAZs) throughout the Oxnard Planning Area and almost all of the City of Ventura. Planned land uses in each TAZ are included in this model, which is also coordinated with the regional traffic model maintained by the Ventura County Transportation Commission (VCTC). The first step in this process consisted of preparing a traffic model run for purposes of identifying intersections that could be significantly impacted by traffic from the RiverPark Project. The traffic study analyzed all intersections identified in this initial "select link" traffic model run as having 50 or more hourly trips from the RiverPark Project. Based on this process, the analysis incorporated a detailed evaluation of traffic conditions at 33 intersections, consisting of 25 intersections in Oxnard and immediately surrounding areas and 8 intersections in the City of Ventura. Five segments of the state highway network were also evaluated. These study locations include those roadway facilities most likely to be directly impacted by the traffic generated by the RiverPark Project. Existing and future traffic conditions were assessed in accordance with procedures specified by the VCTC and SCAG in the Ventura County *Congestion Management Plan* (CMP).

The uses allowed by the proposed RiverPark Specific Plan will generate approximately 94,500 daily trips, of which 9,860 would occur in the evening peak traffic period. Of the total daily trips, 78,840 would leave the Specific Plan Area. The remainder of the daily trips would be trips between the allowed residential, commercial and school uses contained within the Specific Plan Area. As discussed in Section 4.7, Transportation and Circulation, these additional trips will significantly impact 8 of the 33 intersections studied. These 8 intersections are Los Angeles Avenue and Vineyard Avenue; Oxnard Boulevard and Esplanade Drive; Vineyard Avenue and Esplanade Drive; Vineyard Avenue and Ventura Road; Vineyard Avenue and Oxnard Boulevard; Gonzales Road and Ventura Road; Gonzales Road and Oxnard Boulevard and Johnson Drive and Norhtbank Drive. All of these impacts can be mitigated with roadway improvements identified as mitigation measures below.

In addition to addressing the impact of the project on the level of service of intersections in the area, the traffic analysis addresses traffic impacts on existing residential streets and neighborhoods in the immediate vicinity of the project and planned roadway facilities in the area. This analysis determined that there will be no significant impacts on streets in the adjacent El Rio West neighborhood because the project includes no direct connections to streets in this neighborhood. In addition, no significant impacts will occur on streets in the El Rio residential community to the east of Vineyard Avenue. The Oxnard Traffic Model shows that all intersections on Vineyard Avenue from the Ventura Freeway to Central Avenue will operate at a good level of service (A to C) and that less than four percent of the vehicle trips from the project will travel east of Vineyard on surface streets and that the majority of these trips will be on Ventura Boulevard, a frontage road located immediately north of the Ventura Freeway.

The analysis of the planned roadway facilities in the area in the Draft and Final EIRs considers a potential extension of Kimball Road in the City of Ventura from Telephone Road east across the Santa Clara River into Oxnard. This extension is identified as a "Future Extension" on the Ventura Comprehensive Plan Circulation Plan Map and is not included in the *Oxnard 2020 General Plan Circulation Element Map*. The traffic analysis uses the OTM to analyze two potential alignments for extension of this road. One is the alignment currently shown in the Ventura Comprehensive Plan, which would extend this road across the river, the existing open mine pits on the site and east through agricultural land north of the existing residential communities of El Rio and Nyeland Acres to the Ventura Freeway and the second is an alignment that would connect Kimball Road to Santa Clara River Boulevard within the proposed Specific Plan Area. This traffic analysis shows that the extension of Kimball Road will not improve traffic conditions in the area at any of the intersections studied and, for this reason, the adoption of a Specific Plan that does not allow the extension of Kimball Road will not result in any significant traffic impacts.

The Final EIR also examines extending Oxnard Boulevard from the northern edge of the Specific Plan Area to Central Avenue to determine if provision of another north/south arterial roadway parallel to Vineyard Avenue would avoid or lessen the impacts of the project. The analysis shows that this potential road extension is not needed as all eight intersections on Vineyard Avenue will operate at good levels of service (A-C) and extending Oxnard Boulevard north through the existing Large Woolsey Mine Pit would not be feasible.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Traffic conditions on the Ventura Freeway were forecast for future year 2020 with the City's OTM, which includes all land uses allowed by the City's *2020 General Plan*. All freeway segments analyzed are projected to operate at level of service (LOS) D and better with the exception of the Ventura Freeway south of Central Avenue, where traffic conditions are projected at LOS F in the northbound direction during the morning peak hour and in the southbound during the evening peak hour with all projected cumulative growth. Traffic from the proposed project will contribute to this cumulative impact. As this level of service exceeds the minimum acceptable Level of Service E standard set by the Ventura County CMP, this cumulative impact is identified as significant. Improvements necessary to achieve an acceptable level of service on the Ventura Freeway will be identified and addressed through the Ventura County CMP program and ongoing planning for improvements to this section of the 101 Freeway by VCTC. The 1991 Route Concept Report for the US 101 shows that this freeway needs to be widened to four lanes in each direction in Ventura County. VCTC selected a transportation consultant in May 2002 to conduct a prioritized phasing study of improvements to the freeway needed to reduce peak hour delays. No unavoidable significant project or cumulative traffic impacts will result from the RiverPark Project.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to any studied intersection or freeway segment.

Pursuant to CEQA *Guidelines* Section 15091 (a) (1), the City Council finds that the project's adherence to the following mitigation measures from the EIR, which are incorporated into the project, will avoid or reduce the transportation and circulation impacts to a less than significant level.

Applicants for individual projects within the Specific Plan shall participate on a fair share basis towards the following improvement:

City of Oxnard and County of Ventura Facilities.

4.7-1 City/County Transportation Fees -- All applicable City of Oxnard and County of Ventura traffic impacts fees shall be paid prior to the issuance of building permits for individual building projects within the Specific Plan Area. These fees will be used, in part, to fund the construction of the specific improvements identified in measures 4.7-2 to 4.7-12 by the City of Oxnard and County of Ventura when warranted by traffic conditions. Any of the improvements in measures 4.7-2 to 4.7-12 implemented by the project will be subject to reimbursement/credit as applicable. Based on the estimate of the number of trips that will be generated by the project the estimated total amount of fees to be paid is:

	City of Oxnard	County of Ventura
Daily Trip Ends	94,174	94,174
Percent Using Jurisdiction Roads	100%	10%
Fee/Trip	$173.90	$139.00
Total Fee	$16,376,858	$1,309,019

The following roadway improvements shall be constructed by the City of Oxnard or the County of Ventura when warranted by traffic conditions:

City of Oxnard Improvements

4.7-2 Oxnard Boulevard and Town Center Drive – Construct this intersection to provide the following: dual left-turn lanes and one through/right shared lane in the westbound direction; dual left-turn lanes, one through lane, and two right-turn lanes in the eastbound direction; dual left-turn lanes, two through lanes, and one right-turn lane in the northbound direction; and one left-turn lane, one through lane, and one through/right shared lane in the southbound direction. In addition, provide a green phase for the eastbound right-turn movement concurrent with the northbound left-turn phase.

4.7-3 Oxnard Boulevard and US 101 Northbound Ramps – Improve this intersection to provide the following: one left-turn lane and one 'free' right-turn lane in the westbound direction, dual left-turn lanes and two through lanes in the northbound direction, and four through lanes and one right-turn lane in the eastbound direction.

4.7-4 Ventura Freeway SB On/Off-ramps and Oxnard Boulevard – When sufficient redevelopment occurs to the Wagon Wheel Road area, a "hook" ramp along Wagon Wheel Road will be constructed. This ramp will provide direct access from Wagon Wheel Road to the southbound Ventura Freeway. The construction of this ramp will alleviate traffic that crosses to the east of the Ventura Freeway to access the southbound on-ramp from Oxnard Boulevard. In addition, a connection between southbound Oxnard Boulevard and this hook-ramp will be provided. Upon completion of the hook-ramp and connector, left-turns from southbound Oxnard Boulevard to the southbound Ventura Freeway diamond on-ramp will be prohibited. This connector will also allow access from Wagon Wheel Road to northbound Oxnard Boulevard. As part of the immediate roadway improvement project, the Oxnard Boulevard overcrossing will be constructed with sufficient length to accommodate the later installation of the hook ramp.

4.7-5 Wagon Wheel Road and US 101 Southbound On-Ramp – Restripe Wagon Wheel Road to provide one through/right shared lane and one right-turn lane in the northbound direction.

4.7-6 Oxnard Boulevard and Esplanade Drive – Improve this intersection to provide dual left-turn lanes in the westbound and eastbound directions, and one left-turn lane, two through lanes, one through/right lane, and one right-turn lane in the southbound direction.

4.7-7 Vineyard Avenue and Esplanade Drive – Reconstruct the west and east legs of the Vineyard Avenue and Esplanade Drive intersection to provide two left-turn lanes, one left-through shared lane, and one right-turn only lane in the eastbound direction and one left-turn lane, one left-through shared lane, one right-though shared lane, and one right-turn only lane in the westbound direction. Widen Vineyard Avenue along the west and east curb and relocate the median island to provide dual left-turn lanes four through lanes and one right-turn-only in the southbound direction and duel left-turn lanes, three through lanes, and one right-through shared lane in the northbound direction. This will require additional right-of-way to be obtained from the Esplanade Plaza.

4.7-8 Vineyard Avenue and Ventura Road – Restripe Ventura Road to provide one left-turn lane, three through lanes, and one right-turn lane in the northbound direction and one left-turn lane, two through lanes, and one through/right turn lane in the southbound direction. In addition, modify signal phasing to provide a green phase for the northbound right-turn movement during the westbound left-turn phase.

4.7-9 Vineyard Avenue and Oxnard Boulevard – Modify the median islands and restripe Oxnard Boulevard to provide dual left-turn lanes, three through lanes, and two right-turn lanes in the northbound direction and two left-turn lanes, four through lanes, and one right-turn lane in the southbound direction. In addition, flare and modify the median islands and restripe Vineyard Avenue to provide three left-turn lanes, three through lanes, and one right-turn lane in the westbound direction and restripe the eastbound approach to provide one left-turn lane, three through lanes, and one right-turn lane.

4.7-10 Gonzales Road and Ventura Road – Restripe and widen this intersection to provide the following: dual left turn lanes, three through lanes, and one right-turn-only lane in the eastbound direction; dual left-turn lanes, three through lanes, one through/right shared lane, and one right-turn-only lane in the northbound direction; and dual left-turn lanes, four through lanes and one right-turn-only lane in the westbound and southbound directions.

4.7-11 Gonzales Road and Oxnard Boulevard – The City of Oxnard General Plan calls for this intersection to either be grade separated with an urban interchange or be improved with other specialized treatments to accommodate left-turn movements as U-turns beyond the intersection and "free right-turns" upon returning to the intersection. Other methods of removing left-turns from the critical movements at the intersection are also being considered. With this project, this intersection will continue to need one of those options to be implemented. For analysis purposes, it has been assumed that an urban interchange, including a grade separated crossing of Gonzales Road and the railroad tracks paralleling Oxnard Boulevard, will be constructed. However, other alternative improvements may be constructed if the General Plan performance standards can be met.

County of Ventura Improvements

4.7-12 Los Angeles Avenue and Vineyard Avenue – Widen and restripe Los Angeles Avenue to provide one left-turn lane, two through lanes, and one through/right shared lane in the westbound direction and one left-turn lane, two through lanes, one through/right shared lane and one right-turn lane in the eastbound direction.

City of Ventura Facilities

The project applicant shall implement the following measure to mitigate traffic impacts in the City of Ventura:

4.7-13 Johnson Drive and North Bank Drive – Flare and restripe Johnson Drive to provide one left-turn lane, two through lanes and one through/right shared lane in the southbound direction.

Transit Improvements

The closest existing transit service to the Specific Plan Area is on Vineyard Avenue north of the Ventura Freeway to Simon Way. This route and the route serving the Esplanade area south of the freeway provide service to the Cities of Oxnard and Ventura as well as the County of Ventura, making the entire region accessible by transit.

Future transit routes are not yet planned for the project area. While the shifting of a route appears to provide the most immediate option, over time more than one route will be shifted and several new routes may be formed. It is not appropriate to speculate on which areas may have direct transit service by the time that the project is completed. However, the design of the roadways throughout the Specific Plan Area accommodates transit vehicles. In addition, sufficient room shall be provided to make the commercial center a transit hub.

The RiverPark Specific Plan will provide sufficient density to make transit a workable and necessary travel alternative. To facilitate transit service in the Specific Plan Area, development of a transit hub is recommended in the center of the commercial planning districts.

The following additional mitigation measures are proposed to develop this transit hub:

4.7-14 Oxnard Boulevard shall have concrete bus pads and sheltered stops along the curbs, immediately beyond (north of) the Town Center Drive intersection.

4.7-15 Additional transit stops shall be provided along Oxnard Boulevard between Ventura Road and the Ventura Freeway and along Santa Clara River Boulevard between Oxnard Boulevard and Vineyard Avenue in locations South Coast Area Transit (SCAT) is willing to commit to providing transit service and the City of Oxnard deems feasible.

4.7-16 Up to 5 bays in each direction shall be provided to the southeast of the intersection of Oxnard Boulevard and Santa Clara River Boulevard. This hub may be on parking or other roadways, but should provide layover and turnout space for full size (40 foot length) buses.

15. Air Quality

Facts in Support of Findings

An evaluation of the air quality impacts of the proposed RiverPark Project is found on pages 4.8-1 through 4.8-24 of the Draft EIR.

The analysis was completed in accordance with the Ventura County Air Pollution Control District (APCD) *Guidelines for the Preparation of Air Quality Analyses.* The APCD has established criteria for determining significant air quality impacts from a project. The APCD does not consider normal construction-related impacts to be significant. All feasible mitigation measures will be applied to the project during construction to minimize construction emissions to the maximum extent possible in accordance with APCD requirements.

The project will generate emissions from both stationary and mobile sources on a regular, day-to-day basis as the allowed residential, commercial and institutional uses are built-out and occupied. The City of Oxnard uses the thresholds of significance recommended by the APCD in its air quality analyses. Based on these thresholds, a project is considered to have a significant impact on air quality if it would generate over 25 pounds per day of either Reactive Organic Compounds (ROC) or Oxides of Nitrogen (NO_x). Emission modeling completed for the proposed project,

assuming full build-out by the year 2020, shows that emissions of NO_X and ROC will exceed this threshold by approximately 173 and 64 pounds per day, respectively. This impact is considered significant. Certain design features, consistent with the *APCD Guidelines*, have been incorporated into the RiverPark Specific Plan. The *APCD Guidelines* state that addressing site design and land use issues at the conceptual stage of development maximizes opportunities to incorporate measures to reduce potential air quality impacts. Land use design features suggested in the *APCD Guidelines* which have been incorporated into the RiverPark Project include:

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

The incorporation of a number of other standard mitigation measures recommended by the APCD and identified below will reduce daily emissions of these pollutants to the maximum extent feasible, but not to the 25 pounds per day significance threshold. The remaining impacts can be mitigated by the contribution of funds to an off-site Transportation Demand Management fund administered by the City of Oxnard. Contribution of funds shall be required for each individual building project within the Specific Plan Area and will be used by the City to fund trip reduction measures to mitigate these impacts to a level considered less than significant.

Modeling was also completed to determine if traffic generated by the project would result in significant increases in carbon monoxide levels at any intersections that will be impacted by the project. No significant carbon monoxide impacts will occur. Finally, there is neither significant risk to the health of residents of the homes proposed for this site from air emissions generated by facilities in the immediate vicinity, nor to objectionable odors generated from or experienced on the Specific Plan Area. No unavoidable significant air quality impacts will result from the RiverPark Project.

Finally, the Draft EIR evaluated the cumulative impact of the project based on the methodology outlined on pages 4.8-17 through 4.8-19 of the Draft EIR recommended by the APCD. Based on thresholds contained in the November 2000 *Ventura County Air Quality Assessment Guidelines* published by the APCD, a project would result in a significant impact if it results in a net increase in ROC and NOX emissions above 25 pounds per day. Based on the air quality analysis prepared according to APCD standards, total operational emissions were calculated for the proposed project. The project exceeds the 25 pounds per day threshold for ROC and NOX by 89.26 and 198.35 pounds, respectively. Consequently, the proposed project is considered to have cumulatively significant impacts with respect to ROC and NOX emissions. However, the proposed measures below will mitigate these impacts to a level considered less than significant.

Build-out of the uses allowed by the Specific Plan is anticipated by 2020. The analysis of 2020 CO concentrations at the studied intersections accounts for traffic volumes generated by the proposed project, build-out of the *City of Oxnard 2020 General Plan*, and regional growth, as discussed in the traffic study prepared for the project. Accordingly, the CO concentrations are also representative of cumulative CO concentrations. Predicted 2020 CO concentrations at the study intersections with the project and cumulative growth will not exceed the State 1-hour or 8-hour CO standards. Cumulative impacts with regards to CO concentrations will be less than significant.

The RiverPark Project will not result in growth exceeding adopted population projections and is considered consistent with the AQMP for this reason. Transportation and energy conservation control measures incorporated into the proposed RiverPark Specific Plan will reduce air quality impacts. Such measures include, but are not limited to, extensive pedestrian paths and walkways, a complete bicycle circulation system, shade trees along pedestrian and

bicycle paths and visually interesting pedestrian and bicycle paths. The mixed-use nature of the project and the planned land use layout emphasizes alternative modes of transportation and energy conservation. Through the integrated pedestrian and bicycle paths, residents will be able to access common destinations without leaving the Specific Plan Area and without using a motor vehicle. These measures have all been included within the proposed Specific Plan and have been accounted for in the air quality modeling through the adopted URBEMIS7G model approved for use by the VCAPCD. Based on Section 4.2 and 4.2.2 of the *Guidelines*, the proposed project does not exceed the VCOG forecasts as described above. Because the project is consistent with the AQMP and implements many of the adopted transportation and energy control measures, the project will not result in significant cumulative impacts because of inconsistency with the AQMP.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council further finds that operation of the uses allowed within the Specific Plan will generate a volume of air emissions which exceed applicable regulatory thresholds. This is considered to be a significant impact prior to mitigation.

The City Council finds that operation of the Specific Plan will not significantly impact local CO levels, based on computer modeling at all studied roadway intersections. Moreover, as buildout of the General Plan along with all known amendments will not result in a population level above that identified in the AQMP, no significant cumulative impacts will occur with build-out of the Specific Plan.

Pursuant to CEQA *Guidelines* Section 15091 (a) (1), the City Council finds that the project's adherence to the following mitigation measures from the EIR, which are incorporated into the project, will avoid or reduce the air quality impacts to a less than significant level.

Construction

Fugitive Dust Mitigation Measures

4.8-1 The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.

4.8-2 Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (preferably reclaimed, if available) shall penetrate sufficiently to minimize fugitive dust during grading activities.

4.8-3 Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:

- All trucks shall be required to cover their loads as required by California Vehicle Code § 23114

- All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.

4.8-4 Inactive graded and/or excavated areas shall be monitored at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.

4.8-5 Signs shall be posted on site limiting traffic to 15 miles per hour or less.

4.8-6 During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off site or on site. The site superintendent/supervisor shall use his/her discretion in conjunction with the APCD in determining when winds are excessive.

4.8-7 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.

4.8-8 Personnel involved in grading operations, including contractors and subcontractors, shall be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.

Valley Fever Mitigation Measures

4.8-9 Hire crews from local populations where possible, since it is more likely that they have been previously exposed to the fungus and are therefore immune.

4.8-10 Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.

4.8-11 Require that the cabs of grading and construction equipment be air-conditioned.

4.8-12 Require work crews to work upwind from excavation sites.

4.8-13 Pave construction roads.

4.8-14 Where acceptable to the fire department, control weed growth by mowing instead of disking, thereby leaving the ground undisturbed and with a mulch covering.

4.8-15 During rough grading and site development, the primary access roads into the Specific Plan Area from adjoining paved roadways shall be treated with environmentally-safe dust control agents.

ROC and NOx Mitigation Measures

4.8-16 Minimize equipment idling time.

4.8-17 Maintain equipment engines in good condition and in proper tune as per manufactures' specifications.

4.8-18 Lengthen the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time.

4.8-19 Use alternatively fueled construction equipment, such as compressed natural gas (CNG), Liquefied natural gas (LNG), or electric, if feasible.

Operations

As discussed earlier in this section, the proposed project will generate total emissions that will exceed APCD recommended significance thresholds for ROC and NOX emissions. Consistent with the ACPD Guidelines, site design and land use features have been incorporated into the RiverPark project to reduce potential air quality impacts. Land use design features suggested by the APCD Guidelines which have been incorporated into the RiverPark project include:

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

Additional mitigation measures that shall be implemented to further reduce air quality impacts include:

4.8-20 Ensure that there will be adequate child-care facilities and services to serve the Specific Plan area.

4.8-21 Incorporate employee locker/shower/changing facilities into all non-residential buildings in the commercial portions of the Specific Plan area.

4.8-22 Plant and maintain shade trees and shrubs to reduce heat build-up on structures.

4.8-23 The master developer shall work with Caltrans to establish a park-and-ride lot in or near the Specific Plan area.

Contribution to an off-site Transportation Demand Management (TDM) Fund is recommended by the APCD only after all feasible recommended measures have been applied to a project and significant emissions remain.

As shown below, significant emissions will remain even after all feasible mitigation measures are applied to the project.

Table 4.8-5
Estimated Operational Emission Reductions - Proposed RiverPark Project, Year 2020

	Emissions in Pounds per Day, Year 2020	
Emissions Source	**ROC**	**NOX**
Project Emission Totals:	89.26	198.35
Emissions after Reduction	77.98	157.99
Threshold:	25	25
Exceeds Threshold?	YES	YES
Exceeds Threshold by	52.98	132.99

Source: Impact Sciences, Inc. Emissions calculations are provided in ***Appendix 4.8.***

Accordingly, the following mitigation measure is required:

4.8-24 A TDM Fee Program shall be developed for the project and approved by the City of Oxnard prior to the issuance of the first building permit for any individual development project within the Specific Plan Area. This program shall define a methodology for determining the pro-rata share of the total TDM fee to be paid by each individual building project. The total amount of the TDM fee to be paid shall be based on project emissions calculated prior to approval of the first development project under the Specific Plan.

The TDM fees would be paid to the City of Oxnard for spending on emission reducing technologies and programs. The City has previously expended TDM funds to purchase clean fuel vehicles to replace older vehicles in the city's vehicle fleet and to use as matching grant funds to develop and expand bicycle paths. The City of Oxnard spends TDM Funds in a manner consistent with the most recent APCD Guidelines. The current guidelines address appropriate TDM fund expenditures on Page 7-19 of the 2000 APCD Guidelines and include funding mitigation projects or programs in areas directly or indirectly impacted by the development as well as establishing timelines for the funds to be spent.

16. Noise

Facts in Support of Findings

An evaluation of the potential noise issues associated with this project is found on pages 4.9-1 through 4.9-23 of the Draft EIR. The analysis addressed noise impacts resulting from construction activities, roadway noise and stationary sources to both on- and off-site land uses.

Temporary noise impacts from equipment used during site development and individual building projects will result in impacts that are significant to both on- and off-site residential uses.

Future roadway noise levels were modeled based on the projected traffic volumes in the project traffic study. The increase in roadway noise along roadways generated by project traffic, both on and off site, will not be significant.

As originally proposed, the Specific Plan would allow the development of a ballpark facility in RiverPark Area 'A' subject to the issuance of a Special Use Permit by the City. Activities at this facility, such as concerts, could generate levels of noise that would impact residential uses allowed by the Specific Plan. This facility was removed from the Draft Specific Plan subsequent to the completion of the Draft EIR.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. Future roadway noise levels were calculated based on projected traffic volumes from the Oxnard Traffic Model for the year 2020, which reflects the build-out of all land uses allowed by the City's 2020 *General Plan*. Cumulative noise impacts will primarily occur as a result of increased traffic on local streets attributable to the build-out of the Specific Plan Area and the other land uses allowed by the *General Plan*. The proposed project in conjunction with build-out of the uses allowed by the *2020 General Plan*, will result in noise level increases between 0.4 dB(A) CNEL along four separate roadway segments to maximum noise level increases of 3.6 dB(A) CNEL along Wagon Wheel Road. An increase of 5 dB(A) or greater in noise level that occurs from project-related activities is considered noticeable, but not significant, if the resulting noise level would be within the acceptable range as identified in the *General Plan*. Therefore, although the noise increase of 3.6 dB(A) along Wagon Wheel Road is above the 3 dB(A) increase threshold, the resulting noise level is still below the acceptable outside residential noise standard of 60dB(A) CNEL. As such, the noise level increase along this roadway segment will not generate a significant cumulative impact, as any increase less than 5.0dB(A) is acceptable if the resulting ambient noise level is below acceptable land use compatibility guidelines noise levels. No significant cumulative noise impacts will result from the development of these projects and the RiverPark Specific Plan.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not significantly impact any off-site or on-site land uses on a project specific basis during either construction or operation.

Pursuant to Section 15091 (a) (1) of the CEQA *Guidelines*, the City Council finds that the project's adherence to the following mitigation measure, which is incorporated into the project, will avoid or reduce impacts to noise to a less than significant level.

Construction

The following measures are required to minimize noise impacts associated with remediation, grading and construction activities:

4.9-1 On-site construction activities shall be limited to between the hours of 7:00 AM and 6:00 PM, and exclude Sundays.

4.9-2 Staging areas shall be provided on site to minimize off-site transportation of heavy construction equipment. These staging areas shall be located to maximize the distance to residential areas.

4.9-3 Construction equipment is fitted with modern sound-reduction equipment.

4.9-4 When construction operations occur adjacent to occupied residential areas, additional noise reduction measures shall be implemented, including, but are not limited to, changing the location of stationary construction equipment, shutting off idling equipment and notifying adjacent residences in advance of construction work.

4.9-5 During rough grading construction activities adjacent to the El Rio West Neighborhood, the temporary acoustical barriers shall be provided along the property boundary separating the construction site from the residences. These barriers shall be at height equal to that of the tallest mobile equipment being used.

Operational

4.9-6 Where practical, locate loading zones and trash receptacles in commercial, office, and restaurant areas away from adjacent residential areas.

17. Public Services – Public Schools

Facts in Support of Findings

An evaluation of the impact of the RiverPark project on public schools operated by the Rio Elementary School District and Oxnard Union High School District is found on pages 4.10.1-1 through 4.10.1-12 of the Draft EIR.

The residential uses proposed would generate approximately 1,654 K-8 students and 337 high school students based on the student generation factors used by these school districts for facilities planning purposes. As schools in both the Rio Elementary and Oxnard Union High School District (OUHSD) are operating at capacity, the impact of these new students is significant. The proposed Specific Plan provides two school sites for the Rio Elementary School District to develop two elementary and one intermediate school to ensure adequate facilities are provided.

The Rio School District and the developer of the RiverPark Project intend to provide two elementary schools and one junior high school within the RiverPark Specific Plan Area with capacity to serve 100% of students generated from RiverPark. Furthermore, current plans are to provide school capacity before occupancy of residential units, to avoid the need to house RiverPark students at existing district schools or temporary portable schools. These new schools will be provided based on the following schedule:

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

Residential development in RiverPark is located within the existing attendance boundaries of Rio Mesa High School. OUHSD recently opened a new high school in the City of Oxnard (Pacifica High School) and is considering the potential need to open additional new high schools if student enrollment grows significantly throughout the District. Specifically, the District is considering opening new schools in Camarillo and south Oxnard. The new high school in Camarillo would serve approximately 700 students currently attending Rio Mesa, which would free up capacity at Rio Mesa for additional students. The Rio Mesa High School Campus is also large enough to allow the construction of new portable or permanent classroom space as necessary.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. OUHSD has projected enrollment growth over the next five years based on known and anticipated residential development throughout the District. This growth will result in cumulative impact on OUHSD's facilities. Based on these projections, OUHSD is proposing to construct a new high school in Camarillo to accommodate the projected growth in students. Additional residential development within the Rio School District will also result in a cumulative impact on facilities in this district.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

Pursuant to Section 15091 (a) (1) of the CEQA *Guidelines*, the City Council finds that the project's adherence to the following mitigation measures, which are incorporated into the project, will avoid or reduce impacts to public schools to a less than significant level.

4.10.1-1 Prior to the issuance of building permits for individual residential development projects in the Specific Plan Area all legally allowable developer impact fees shall be paid to the Rio School District and the Oxnard Union High School District.

4.10.1-2 School facilities may be constructed and dedicated to the Rio School District or Oxnard Union High School District in-lieu of cash fee payments, so long as all State requirements are satisfied and the facilities are approved by the applicable District. The District receiving facilities shall give credit in the form of waiving or reducing developer fees based on the amount of facilities dedicated to the Districts. For example, if forty percent of the required capacity is provided, the first forty percent of fees shall be waived.

18. Public Services – Police Protection

Facts in Support of Findings

An evaluation of the impact of the project on police services is found on pages 4.10.3-1 through 4.10.3-8 of the Draft EIR.

Site development and construction would not normally require services from the Police Department, except in the cases of trespassing, theft, and vandalism. Such activities at a construction site are not unusual, but are only occasional and do not typically place undue demands on police protection services. Construction of the project would occur periodically as tract maps are approved and subdivisions are built. Construction activity will increase traffic both on and adjacent to the Specific Plan site during working hours. Slow moving construction-related traffic along local roadways may reduce optimal traffic flows on these roadways and could conceivably delay police and emergency vehicles or contribute to a vehicle accident. This potential is considered small given the periodic and short term nature of any construction related traffic and no significant impacts are expected with implementation of flagmen and other standard construction practices.

The uses allowed by the RiverPark Specific Plan include typical residential and commercial uses that will not generate an unusual number of service calls for service. In general, the types and number of calls for service is consistent with those presently occurring in the area, including residential burglary, auto theft and auto burglary. If all 2,805 units allowed by the Specific Plan are built, the projected increase in population is approximately 7,220. This population will generate approximately 2,900 calls for service annually. The annexation of RiverPark Area 'B' to the City will have a significant impact on police services due to the amount of the area being added to the existing patrol beat in this part of the City. Establishment of a storefront police station in the commercial portion of the project is proposed by the Oxnard Police Department to mitigate this impact. Based on the number of calls for service estimated to be generated by the RiverPark Project, the Oxnard Police Department has determined that 17 additional police personnel are required to provide police services to the project.

All proposed development in the City is subject to a detailed review by the Police Department staff for conformance with the Police Department's design standards to reduce demands for police protection services to the site.

With regard to emergency plans and evacuation routes, all individual development projects occurring within the Specific Plan Area are required to comply with the existing policies related to public safety in the Safety Element of the 2020 General Plan and related standards in the City's Zoning Code. Development of the RiverPark Project will not adversely hinder the performance of evacuation routes in the area because all significant traffic impacts to the local

circulation network will be mitigated to maintain an acceptable level of service. Thus, no significant impacts to emergency plans or evacuation routes will result.

It is the policy of the City of Oxnard to monitor the need for additional police officers as part of the City's annual budget process. Through this action, the City ensures that police services are available to serve planned and proposed projects. Based upon the fiscal impact study prepared for the Specific Plan, revenues accrued to the City's General Fund from sales taxes, property taxes and other revenue sources will be sufficient to pay for necessary police services as well as fully funding all other necessary urban services required by the Specific Plan. The demand for additional police services would grow as the Specific Plan Area develops over time.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. The population increase associated with development of the uses allowed by the Oxnard 2020 *General Plan* will increase the demand for law enforcement services throughout the City. As police officers are deployed in specific beat areas throughout the City, response times for calls will remain adequate as long as additional officers are provided proportionate with population increases to accommodate the corresponding increase in service calls. Funding for Police Department staffing comes from the City's General Fund, and funding is allocated to the Department through the City's budget process. Maintenance of adequate funding to the Department to meet its service obligations will result in this impact not being significant.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant impacts to police services.

Pursuant to CEQA *Guidelines* Section 15091 (a) (1), the City Council finds that the project's adherence to the following mitigation measure, which is incorporated into the project, will avoid or reduce impacts to public services to a less than significant level.

4.10.3-1 A storefront police station shall be established by the City within the project area when warranted by the increase in the number of calls for service to mitigate the impact of the additional service area to the existing response beat serving the Specific Plan Area.

19. Cultural Resources - Archaeological Resources

Facts in Support of Findings

An evaluation of the impact of the project on archaeological resources is found on pages 4.12-1 through 4.12-16 of the Draft EIR. A Phase I archeological resource survey of the Specific Plan Area was completed. Impacts to archaeological resources are discussed immediately below.

The archeological survey included a records search and a field survey. RiverPark Area 'A' was previously surveyed in 1985 as part of the environmental review of the Oxnard Town Center Specific Plan project and resurveyed during the preparation of the RiverPark EIR. No sites of any kind had been previously recorded within the study area or adjacent properties, and no new sites were discovered during the Phase I survey. A low density, mixed scatter of historical debris, possibly dating between 1879 and 1884, was found southeast of Myrtle Street and El Rio Drive. This is currently an open lot which is in a disturbed state as a result of the fairly recent demolition of structures that were present on this parcel. These surface materials may be an indication of a buried historical deposit at this location. Development of the proposed project will result in grading and earthwork at this location that may impact a potential historical deposit. This is considered a potential significant impact on archaeological resources.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. No cumulative impacts to archaeological resources will result from the development of these projects and the RiverPark Specific Plan.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will result in significant impacts to archaeological resources.

Pursuant to CEQA *Guidelines* Section 15091 (a) (1), the City Council finds that the project's adherence to the following mitigation measure, which is incorporated into the project, will avoid or reduce impacts to archaeological resources to a less than significant level.

To ensure that any unpredicted cultural resources, including Chumash artifacts, which are uncovered during earthwork, are properly handled, the following mitigation measure is required:

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

20. Hazards

Facts in Support of Findings

An evaluation of the potential for impacts associated with hazardous materials or contamination within the Specific Plan Area is found on pages 4.13-1 through 4.13-19 of the Draft EIR.

A series of Phase I and Phase II Environmental Site Assessment (ESA) reports have been prepared for the properties included in the proposed Specific Plan Area to determine the potential for impacts related to the presence and use of hazardous materials by existing and historical uses within and around the Specific Plan Area. These risks are primarily associated with the potential for on-site hazards from abandoned oil wells, storage of materials categorized as hazardous under existing regulations, underground and above-ground storage tanks, and the operations of facilities historically located within the boundaries of the proposed Specific Plan Area.

The project will not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. The proposed project does not include construction of industrial uses that would use large amounts of hazardous materials or generate hazardous wastes. However, small quantities of hazardous wastes will be generated by residences, businesses, and park facilities. These materials will be required to be handled, stored, transported, and disposed in accordance with state and federal hazardous materials and hazardous waste regulations. Therefore, the impact from the use of these materials by the proposed project is considered less than significant.

Development of the project area could potentially expose construction workers and future residents to potentially hazardous concentrations of environmentally persistent pesticides. The surface and shallow surface soils at the RiverPark Project area that historically been utilized for intensive agricultural production may contain residual concentrations of environmentally-persistent pesticides or heavy metals above adopted human health thresholds. Analysis of soils in the agricultural portions of the Specific Plan Area determined that no significant concentrations of herbicides or pesticides are present in the soils, with one exception. One sample taken from a 14 acre area located in the northwestern portion of Area A had a concentration of dieldrin at 0.051 mg/kg that exceeded the residential PRG value of 0.03, however it did not exceed the Industrial/Commercial PRG value of 0.15 mg/kg. The removal, mixing and

relocation of this soil through the planned grading operation will effectively mitigate the potential impact associated with the concentration of dieldrin detected in this one portion of the site.

The Rio School District (RSD) proposes to construct new elementary and middle schools on the portion of RiverPark Area 'B' now occupied by the El Rio Detention Basin No. 2 and the buffer strip of land located between the basin and Vineyard Avenue, currently in agricultural use. Assembly Bill 387 and Senate Bill 162 require that all new school sites be assessed for potential contamination through the Phase I Environmental Site Assessment process with oversight by the State of California Department of Toxic Substances Control (DTSC.) Due to the established procedures for assessment and the results of the limited soil sampling and laboratory analysis, this impact is considered less than significant.

Sites within the project site have the potential to contain hazardous waste containers, site contamination, and underground storage tanks which may pose an environmental concern during redevelopment activities. These sites are in various stages of assessment of potential contamination, and remediation of known contaminated sites. Other known leaking underground storage tank sites are present in areas adjacent to the project area and may pose environmental concern to the project site from migration of subsurface contamination. Established cleanup goals will be applied to contaminated sites and the sites remediated before development is allowed to occur. Therefore, the existence of contamination at these sites is considered a less than significant impact.

Abandoned oil wells are located within the project area which were not abandoned to current Division of Oil, Gas and Geothermal Resources (DOGGR) well abandonment standards and may need to be reabandoned. This impact is considered significant but can be mitigated to a level that is less than significant through conformance with current regulatory requirements.

In addition, the existing buildings on the site that will be demolished are of sufficient age to contain asbestos building materials and lead paint. Demolition of these structures in conformance with existing regulations will mitigate any potential impacts.

No impacts from aircraft or wildfire hazards are anticipated. The project will not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project site will provide adequate emergency access and evacuation of residents in the events of emergencies.

In summary, no unavoidable significant impacts related to hazardous conditions within the Specific Plan Area will result from the RiverPark Project.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. As discussed above, the site assessments prepared for the various portions of the Specific Plan Area included consideration of surrounding properties to determine the potential for cumulative impacts. No conditions on surrounding properties were identified that will result in significant cumulative impacts.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will not result in significant hazards impacts.

Pursuant to CEQA *Guidelines* Section 15091 (a) (1), the City Council finds that the project's adherence to the following mitigation measure, which is incorporated into the project, will avoid or reduce hazards impacts to a less than significant level.

4.13-1 Buildings or enclosed spaces shall not be constructed over abandoned oil wells, where feasible. If no feasible alternative is available, the responsible party shall locate the abandoned oil well casing and inspect

the well casing for leaking oil or gasses in the presence of a DOGGR inspector. If the well is found to be leaking, the responsible party shall conduct all appropriate plugging and reabandonment of the well casing to DOGGR specifications.

4.13-2 In the event that an abandoned oil well is encountered during construction activities, the regional DOGGR office in Ventura shall be notified immediately of the discovery. The oil well casing shall be checked for leaking oil or gasses. The DOGGR representative shall determine appropriate actions, up to and including re-abandonment of the oil well casing.

4.13-3 If abandoned oil sumps or associated oilfield site contamination are located within the project site during grading or other construction activities, remediation shall be completed in accordance with existing regulations and subject to the oversight of VCEHD prior to development of the individual properties.

4.13-4 Asbestos and lead-based paint that could potentially result in surface contamination of the project site shall be properly abated from project site buildings prior to demolition activities, with oversight by the APCD and VCEHD.

C. Environmental Effects of the Project Which are Considered Unavoidable Significant Impacts

1. Earth Resources – Mineral Resources

Facts in Support of Findings

The Draft EIR evaluated impacts to mineral resources on pages 4.3-1 through 4.3-51 of the Draft EIR. The Specific Plan Area is located in the Western Ventura County Production Consumption Region (PCR) in an area designated by the State Mining and Geology Board as containing sand and gravel resources of regional significance. While the available resources in the RiverPark Area 'B' have been mined, aggregate resources remain in RiverPark Area 'A'. Specifically, sand and aggregate resources remain under the approximately 155 acres if agricultural land in RiverPark Area 'A'. Mining of these resources is not considered economically feasible as a relatively small amount of low quality aggregate is available under the existing agricultural land and due to the size and configuration of this area. This portion of the Specific Plan Area has also been designated for urban development since 1986. Development of the area is consistent with the mineral resource policies of the City's 2020 *General Plan*. Nonetheless, the loss of access to the approximate 2.2 million tons of mineral resources underlying the agricultural soils in RiverPark Area 'A' is considered an unavoidable significant impact of the RiverPark Project.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. The adjacent Simi PCR has surplus resources beyond the projected demand within its own region. Given its proximity to the Western Ventura County PCR, it is a likely alternative source of aggregates. Additional sources of supply may also include surplus aggregates in the Saugus Newhall PCR and Kern County. Given those potential sources of supply, the cumulative impact of population growth in the Western Ventura County PCR on aggregate resources is less than significant.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will result in significant, unavoidable impacts to on-site mineral resources. The City Council finds pursuant to CEQA *Guidelines* Section 15091 (a) (3), that specific economic, legal, social technological considerations make the only available mitigation measure, preservation of the land containing these mineral resources, infeasible as none of the basic project objectives would be met.

2. Water Quality

Facts in Support of Findings

An evaluation of the impact of the RiverPark Project on water quality is found on pages 4.5-1 through 4.5-104 of the Draft EIR. An extensive analysis was conducted on the potential impacts to groundwater and surface water quality.

The RiverPark Project will change the quality of stormwater drainage flows in the Specific Plan Area. Stormwater flows generated within the RiverPark Specific Plan Area and those generated from off-site areas that drain onto the Specific Plan Area will be conveyed and treated by a system of water quality treatment basins and/or dry grass swales or other Best Management Practice devices (such as centrifugal separators). These flows are then discharged to the Santa Clara River through existing drain outlets, or to the mine pits, depending upon the magnitude of the rainfall event and location of the individual drainage area. Runoff from off-site industrial areas (that is presently untreated and discharges directly into the mine pits) and agricultural areas (that is also presently untreated and drains to a County detention basin) will drain to three water quality treatment basins. These water quality detention basins have the capacity to hold, treat and convey runoff from a 10-year storm event prior to discharging these flows through the drainage system to the Santa Clara River. The excess runoff generated from storms larger than a 10-year event will overflow via engineered spillways into the reclaimed mine pits.

Changes in the concentrations of minerals, nutrients, metals, pesticides, hydrocarbon and microbial contaminants in runoff discharged to the Santa Clara River and the mine pits were analyzed. Conservative thresholds of significance were selected for determining the significance of impacts. For each of the 30 individual pollutant constituents analyzed, the most environmentally conservative water planning standard was selected as the threshold for determining the significance of impacts. This analysis determined that the potential use of the pits by UWCD for diverted surface water flows from the Santa Clara River will not have a significant impact on groundwater quality.

The proposed stormwater treatment system will reduce the concentration of all of the pollutant constituents studied. However, the concentrations of fecal coliform, iron, manganese, and nickel in runoff will be higher than the environmentally conservative thresholds of significance used in this analysis. Fecal coliform concentrations discharged to the Santa Clara River will exceed the threshold selected for this numerical constituent, but would be less than the concentration in existing runoff. The estimated concentration also falls within the observed maximum ambient concentration in the river. Concentrations of iron, manganese and nickel in runoff discharged to the Water Storage/Recharge Basins from storms larger than a 10-year event are calculated to remain above the thresholds of significance being used for these constituents in the water quality analysis, which is the ambient levels in local groundwater. The runoff that would be discharged to the pits meets or exceeds drinking water standards. Given the low frequency of large storm events, the discharge of runoff to the pits will not occur often. Because runoff from storms with a frequency less than a 10-year event will not enter the pits, overall mass loading of these and other pollutant constituents will be reduced. Iron concentration in discharges to the Water Storage/Recharge Basins will be greater than ambient groundwater concentrations, but will be lower than the Secondary Maximum Contaminant Levels (SMCL) set by the State Department of Health Services for drinking water and the existing discharge concentration. Manganese concentration in discharges to the Water Storage/Recharge Basins will be greater than ambient groundwater concentrations, but will be less than the existing discharge concentration and matches the SMCL. Nickel concentration in discharges to the Water Storage/Recharge Basins will be greater than ambient groundwater concentrations, but will be lower than the Primary Maximum Contaminant Levels set by the State Department of Health Services for drinking water.

Reduction of the concentrations of these constituents to a level that is lower than the numeric thresholds of significance used in the water quality analysis is not feasible because of the significant capital, operational and stand-by costs associated with the treatment systems examined as potential mitigation measures and because of the potential low reliability of treatment systems that will operate infrequently. The impacts identified above to surface and groundwater quality are an unavoidable significant impact of the RiverPark Project.

There is existing MTBE contamination in soil and groundwater on a site located adjacent to the Specific Plan Area, known as the Poole Oil property. This site is located between Vineyard Avenue, Carnegie Street and the existing Small Woolsey and Vickers Mine Pits. Analysis of the potential for the proposed temporary dewatering of localized areas during grading and the future use of the mine pits for the storage of diverted surface waters by the United Water

Conservation District was completed with a groundwater model. This analysis shows that the project will not worsen this existing contamination. No significant impact on this existing off-site MTBE contamination will result from the RiverPark Project.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of the RiverPark Project will result in significant, unavoidable impacts to water quality based on the environmentally conservative thresholds selected for the analysis. The City Council finds that the project will improve the quality of stormwater runoff from existing conditions and reduces the concentration and loading of pollutant constituents to the maximum extent feasible. The City Council finds pursuant to CEQA *Guidelines* Section 15091 (a) (3), that specific economic, legal, social technological considerations identified on pages 4.5-99 through 4.5-104 of the Draft EIR make the mitigation measures evaluated on these pages for the water quality impacts identified above infeasible because of the significant capital, operational and stand-by costs associated with the treatment systems and because of the potential low reliability of treatment systems that will operate infrequently.

3. Agricultural Resources

Facts in Support of Findings

An evaluation of the impact of the RiverPark Project on agricultural resources associated with this project is found on pages 4.6-1 through 4.6-16 of the Draft EIR.

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

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present, and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. The Oxnard *2020 General Plan* contains a projection of the amount of agricultural land that will be converted to urban uses if all existing agricultural land designated for urban uses in the *General Plan* is developed. This projection includes the agricultural land in RiverPark Area 'A', which is designated for Regional Commercial use on the *2020 General Plan* Land Use Map. This projection reflects the CURB approved by the voters in 1998, which preserves over 19,449 acres of the 22,800 acres of agricultural land within the City's Planning Area. A total of 3,351 acres of agricultural land, including the prime agricultural land within the RiverPark Specific Plan Area, will be impacted if all land designated for urban uses in the *2020 General Plan* are developed. The proposed project will contribute to this significant cumulative loss of agricultural land.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that the Specific Plan, as currently proposed, will result in a project specific and cumulatively significant impact to agricultural resources. The City Council further finds that the City of Oxnard has consistently administered policies and programs designed to preserve the majority of the agricultural land in the City's Planning Area while accommodating anticipated growth. The *2020 General Plan* contains numerous policies in support of the preservation of agricultural land, including the recently adopted CURB ordinance. The primary method included agreements in the *2020 General Plan* for preserving agricultural land is the City's participation in greenbelts. It is noted that the Specific Plan area is not in a greenbelt.

The loss of agricultural land within the RiverPark Specific Plan Area is an unavoidable significant impact resulting from the Project. The portion of the Specific Plan Area containing the 155 acres of prime farmland has been designated for urban uses since 1986 and the RiverPark Project is consistent with the policies of the Oxnard *2020 General Plan* addressing the preservation of agricultural land.

Furthermore, the City Council finds that of the 22,800 acres of agricultural land located in the City's Planning Area, the build-out of the *2020 General Plan* will result in the conversion of approximately 3,500 acres of this land, leaving 19,300 acres of agricultural land in the City's Planning Area. Development of the proposed Specific Plan will result in the development of an additional 209 acres of farmland, leaving a total of 19,191 acres of agricultural land preserved in the City's Planning Area. Development of the Specific Plan is, therefore, considered consistent with the Oxnard *2020 General Plan* policies on agricultural land in the City's Planning Area. The City Council finds pursuant to CEQA *Guidelines* Section 15091 (a) (3), that specific economic, legal, social technological considerations make the only available mitigation measure, preservation of this agricultural land, infeasible as none of the basic project objectives would be met.

4. Cultural Resources – Historical Resources

Facts in Support of Findings

An evaluation of the impact of the project on historical resources is found on pages 4.12-1 through 4.12-16 of the Draft EIR. A historic resource survey of the Specific Plan Area were completed.

All existing structures within the Specific Plan Area were reviewed for possible historical significance. The historic resource study identified 33 existing buildings and structures on the project site that will be demolished. Eighteen of these buildings, including sixteen buildings in the Ventura County El Rio Maintenance Yard, and an existing home and a commercial showroom building on El Rio Drive, are not eligible as historic resources under CEQA because they are not 50 or more years of age. Three other residential structures and the buildings on the mine site were surveyed and researched to determine whether any of these structures are historically significant. This research found that five of the existing buildings on the mine site, including an office building, garage, and three metal storage buildings are of sufficient age to be potential historic resources. In this case, these five buildings and structures are associated with an industry that has made a significant contribution to the physical development of Ventura County through the construction of roads, bases, airfields and buildings. While these existing structures are not eligible for listing on the national or state registers of historical resources, they may be eligible for listing as Ventura County Landmarks, a designation that has no integrity criteria. For this reason, these five structures are considered to be of local historical significance and demolition is considered to be a significant impact.

Documentation and interpretation mitigation measures for these structures and their associated history are proposed. Documentation (recordation) is appropriate, as the existing mine property derives some of its significance from the historic industrial style it represents. Interpretation is also warranted, as the property derives its significance partially from its associations with historic themes. Even with these mitigation measures, demolition of these five structures is considered an unavoidable significant impact of the project.

Finally, the Draft EIR evaluated the cumulative impact of the project based on methodology outlined on pages 4.0-1 through 4.0-2 of the Draft EIR. As stated therein, the cumulative analysis is based upon either a list of past, present,

and probable future projects or a summary of projections contained in the City's 2020 *General Plan*. There are several related projects in the area at this time. These projects include commercial projects south of the Ventura Freeway in established regional commercial areas, a small residential project proposed in the El Rio West Neighborhood adjacent to the Specific Plan Area and, to the east of the Large Woolsey Mine Pit, the Ventura County Juvenile Justice Center. These projects would involve the redevelopment of existing commercial sites or the development of vacant and agricultural land. No historic resources exist on these sites and for this reason, no cumulative impacts to historic resources will result from the development of these projects and the RiverPark Project.

Additional facts to support the findings below are found in the record of proceedings for the project, which is fully incorporated by reference.

Findings

The City Council of the City of Oxnard finds that development of uses allowed by the RiverPark Specific Plan, as currently proposed, will result in significant, unavoidable impacts to historical resources.
Pursuant to CEQA *Guidelines* Section 15091 (a) (1), the City Council finds that the project should adhere to the following mitigation measures, which are incorporated into the project, to reduce impacts to historical resources to the fullest extent feasible.

To ensure that any unpredicted cultural resources which are uncovered during earthwork, are properly handled, the following mitigation measures are required where feasible:

4.12-2 Documentation. Prior to the issuance of a demolition permit, the applicant shall produce a documentation survey of the property in accordance with the Historic American Building Survey (HABS) standards. This documentation shall include archival quality photographs of exterior features, elevations of the seven historic buildings. The 1960 Inspection Report Map prepared by Marsh & McLennan-Gosgrove & Company shall be included as the site plan. The documentation package will be archived at an appropriate location determined by the City of Oxnard.

4.12-3 Interpretation. In consultation with a qualified historian, the applicant shall produce an oral history with the former president of SP Milling Company, Bill Hamilton, and any other employees with knowledge of the company history. The taped history, done according to professional oral history standards, shall be indexed and copies made available to the Ventura County Museum of History and Art Oral History Archive and the Oxnard Historical Society and any other appropriate repository.

The City Council finds pursuant to CEQA *Guidelines* Section 15091 (a) (3), that specific economic, legal, social technological considerations make the only available mitigation measure, preservation of structures, infeasible as the existing mine site cannot be reclaimed with these structures in place.

Section III Findings Regarding Considerations Which Make Certain Alternatives Analyzed in the EIR Infeasible

The following findings and statements of fact regarding project alternatives identified in the EIR are set forth to comply with the requirements of Section 15091 (a) (3) of the CEQA *Guidelines*.

The consideration of alternatives is an integral component of the CEQA process. The selection and evaluation of a reasonable range of alternatives provides the public and decision-makers with information on ways to avoid or lesson environmental impacts created by a proposed project. When selecting alternatives for evaluation, CEQA requires alternatives that meet most of the basic objectives of the project while avoiding or substantially lessening the significant effects.

The following basic project objectives have been identified by the City of Oxnard and the project applicant, RiverPark Development, LLC, for the RiverPark Project in response to existing physical, environmental, demographic and market conditions:

- Create a distinctive community with a strong and inherent "sense of place";
- Provide for development of a balanced community with a diverse mix of land uses within the City's City Urban Restriction Boundary (CURB);
- Provide a character and quality of housing consistent with the existing character of the area and complementary with the overall range of housing opportunities provided by the City's 2020 General Plan;
- Promote the redevelopment of the RiverPark Area 'A' consistent with the goals of the Oxnard Community Development Commission's (CDC) Historic Enhancement and Revitalization of Oxnard (HERO) Redevelopment Project;
- Reclaim the existing sand and gravel mine site in RiverPark Area 'B' to provide additional housing opportunities in the City;
- Reclaim the existing mine pits in RiverPark Area 'B' in a manner that protects surface and groundwater quality and creates compatibility with existing and planned surrounding land uses;
- Enhance groundwater quantity and quality in the Oxnard Aquifer System by making the reclaimed mine pits available for incorporation into United Water Conservation District's groundwater recharge system.
- Provide a planning vision and guidelines for development of the RiverPark community;
- Encourage the development of a compact, cohesive community consisting of residential, commercial, open space, and public facilities connected by a coherent network of interconnected streets;
- Create a community that is compatible with the Santa Clara River by providing additional native vegetation within the Specific Plan Area to complement the natural habitat in the river and providing for connections to the regional trail planned along the river;
- Integrate public transit into neighborhoods and surrounding community;
- Provide strong pedestrian connections between land uses and provide a harmonious variety of housing choices and institutional activities.

Analysis of a reasonable range of alternatives has been completed to provide information on ways to lessen or avoid the significant impacts of the proposed RiverPark Project. Eight alternatives were analyzed, including: (1) the No Project/Existing Conditions Alternative; (2) the No Project/Existing Approvals Alternative; (3) a RiverPark 'A' Only Alternative; (4) a Reduced Density Alternative; (5) & (6) two alternative water quality treatment systems; (7) an alternative that preserves the structures with local historic significance on the site; and (8) Alternative Locations.

Of these alternatives, Alternative 4 - the Reduced Density Alternative, which considers development of 75 percent of the proposed uses within the Specific Plan Area, is identified as the environmentally superior alternative. Pursuant to Section 15091 (a) (3), the City Council finds that specific economic, legal, social and technological reasons make this alternative infeasible. Specifically, financial analysis of this alternative, as contained in Appendix 5.0 of the Draft EIR, indicates that the reduction in allowed development results in insufficient revenues to pay for the costs of the project, rendering this alternative financially infeasible.

The City Council further finds that Pursuant to Section 15091 (a) (3), the City Council finds that specific economic, legal, social and technological reasons make the other alternatives identified infeasible as discussed below.

Alternative 1 - No Project/Existing Conditions Alternative

This alternative would avoid the significant impacts identified for the RiverPark Project, including the unavoidable significant impacts of the project related to the loss of agricultural and mineral resources and the loss of the 5 buildings located on the existing mine site that have local historical significance. The City Council finds that this alternative is infeasible for the following reasons. Several of the beneficial impacts of the RiverPark Project would not be realized, including increases in the quantity and quality of natural habitat on the site and a net increase in groundwater recharge quantities. In addition, the RiverPark Project would reduce water quality impacts to the existing mine pits by preventing runoff from storms smaller than a 10-year event from entering the pits. Currently, runoff from the adjacent industrial areas discharges into these pits. Many of the basic project objectives would also not be met, including meeting the goals of the City's HERO Redevelopment Plan.

Alternative 2 - No Project/Existing Approvals Alternative

With the existing approved plans for RiverPark Areas 'A' and 'B', the Oxnard Town Center Specific Plan would be built out and the mine site would be reclaimed in conformance with the existing reclamation plan. The City Council finds that this alternative is infeasible for the following reasons. As RiverPark Area 'A' would still be developed, the unavoidable impact of the project on agricultural land and the underlying mineral resources located in this portion of the site would not be avoided. As no residential uses would be built with the existing approvals, impacts on school and park facilities would be lessened as would water demand and wastewater generation. Traffic and aesthetic impacts would be greater due to the intensity of commercial development allowed by the Oxnard Town Center Specific Plan. As with the No Project/Existing Conditions Alternative, several of the beneficial impacts of the RiverPark Project associated with reclamation of the mine site under the proposed reclamation plan and specific plan would not be realized, including increases in groundwater quantity, improvement in groundwater quality and increases in natural habitat. In addition, sites would not be provided for public facilities including schools, parks and sites for new City and County fire stations.

Alternative 3 - RiverPark 'A' Only Alternative

The reduction in residential development would reduce traffic and air quality impacts as well as impacts on public services. However, the City Council finds that this alternative is infeasible for the following reasons. This alternative would not avoid the impact of the project on the agricultural land and the underlying mineral resources located in RiverPark Area 'A'. As with the No Project Alternative, certain benefits of the RiverPark Project associated with the proposed reclamation and development plans for RiverPark Area 'B' would not result. Further, water quality impacts would not be substantially lessened due to the similarities in runoff characteristics.

Alternative 5 - Water Quality Treatment Alternative No. 1

This alternative would lessen water quality impacts to groundwater by reducing the frequency of storm discharges to the pits. No difference in the quality of runoff from larger storm events has been documented, however. The City Council finds that this alternative is infeasible for the following reasons. This alternative would be significantly more expensive than the RiverPark Project plan because of the substantial additional excavation, construction and maintenance costs of the larger treatment basins. The extra costs associated with this alternative plan would provide only limited benefit to the groundwater quality impacts since only stormflows less frequent than the 10-year event would be affected.

Alternative 6 - Water Quality Treatment Alternative No. 2

This treatment alternative would utilize infiltration basins in –lieu of lined detention basins. This alternative would prove beneficial to the area water balance by recharging runoff up to the 10-year volume. It would also mitigate the fecal coliform impact to surface water for storm events more frequent than the 10-year event. However, it would not mitigate fecal coliform impacts to surface water for storm events more frequent than the 10-year event, nor would it mitigate any impacts to groundwater. The City Council finds that this alternative is infeasible, because this alternative would be significantly more expensive than the project plan. This alternative results in substantial additional excavation, construction, and maintenance costs associated with the larger infiltration basins. The extra costs associated with this alternative would provide only limited benefit to surface water quality and would not mitigate any of the identified groundwater quality impacts.

Alternative 7 - Historic Preservation Alternative

This alternative would avoid impacts to the 5 existing buildings identified as local historic resources. However, the City Council finds that this alternative is infeasible because the grading required to implement both the existing reclamation plan and the RiverPark Project cannot be accomplished with these structures in place and the basic project objectives would not be met with preservation of these buildings.

Alternative 8 - Alternative Locations

This alternative looks at the availability and suitability of other sites for the proposed project within the City's Planning Area. The City Council finds that this alternative is infeasible for the following reasons. No site of a sufficient size to support development of a balanced community of this size or smaller is available within the City's City Urban Restriction Boundary (CURB). Only land located within the CURB is eligible to receive urban services and allowed to develop through the 2020 horizon year of the Oxnard 2020 General Plan. In addition, no other location would meet many of these basic objectives of the project, which are site-specific in nature. Only this project site includes the Hanson Aggregates Mine Site and the existing partially developed Oxnard Town Center Specific Plan Area, which is located in the HERO Redevelopment Area. Basic objectives of the RiverPark Project, as stated above, include the reclamation of this existing mine site and the development of the portion of the site within the HERO Redevelopment Area consistent with this Redevelopment Plan.

Section IV Findings Regarding Growth Inducing Impacts

In general terms, a project may foster spatial, economic or population growth in a geographic area if it meets any one of the criteria that are identified below.

- The project removes an impediment to growth (e.g., the establishment of an essential public service, or the provision of new access to an area);

- The project results in the urbanization of land in a remote location (Leap-Frog Development);

- Economic expansion or growth occurs in an area in response to the project (e.g., changes in revenue base, employment expansion, etc.);

- The project establishes a precedent setting action (e.g., a change in zoning or general plan amendment approval).

Removal of an Impediment to Growth

Growth in an area may result from the removal of physical impediments or restrictions to growth. The RiverPark Specific Plan Area is located adjacent to the Ventura Freeway and developed portions of the City of Oxnard. The majority of RiverPark Area 'A' is located with a redevelopment project area and an existing specific plan area. The existing Oxnard Town Center Specific Plan allows development of up to 4.4 million square feet of commercial space on this portion of the project site and includes infrastructure master plans to support this intensity of development. The City of Oxnard water, sewer, and storm drain master plans include planned improvements to support development in this portion of the City. Major improvements to the adjacent segment of the Ventura Freeway are scheduled for construction by the California Department of Transportation and the City of Oxnard. In addition to widening of the freeway and construction of a new bridge across the Santa Clara River, a new interchange between Oxnard Boulevard and the freeway will be built.

The proposed RiverPark Specific Plan is consistent with utility and service master plans for the area and will not extend services to areas that are not currently planned for service.

Development can be considered growth-inducing when it is not contiguous to existing urban development and "leaps" over open space areas. The proposed project site is located in an existing urbanized area. The site is partially developed and located within the City Urban Restriction Boundary (CURB) established by the Oxnard *2020 General Plan*. The CURB protects agricultural and open space land within the City's Planning Area by limiting the provision of urban services and urbanized land uses to areas located within the CURB until 2020. The CURB promotes a more compact development pattern for the City and preserves agricultural land. While the RiverPark Project would extend the existing pattern of development north, it will not "leap-frog" over any undeveloped areas or introduce development into an area which has not been developed.

Development of the proposed project site will increase the population of the area over the present conditions. As a result, the proposed project is expected to generate increased demand for goods and services. The RiverPark Project includes a mix of residential, neighborhood and regional commercial uses. The Specific Plan Area is also within close proximity to existing developed commercial areas in the northern portion of the City that provide a wide range of good and services. Therefore, it is not anticipated that the proposed project will induce growth in commercial, industrial, and office development on presently undeveloped property in the City.

Approval of the RiverPark Project would be consistent with local land use plans and policies. The site is partially developed and located within an existing redevelopment project area. Approval of the project would not set a precedent for approval of urban uses on any other land in the area.

It is not anticipated that the proposed RiverPark Project will induce additional growth in the area.

Section V Findings Regarding Significant Irreversible Environmental Changes

Uses of nonrenewable resources during the initial and continued phases of a proposed project may be irreversible if a large commitment of these resources makes their removal or non-use thereafter unlikely. According to Section 15126(f) of the CEQA *Guidelines*, the irretrievable commitment of such resources are to be evaluated to assure that their current consumption by a proposed project is justified. Approval of the proposed RiverPark Specific Plan Project will commit some presently undeveloped lands, to urban uses. The substantial investment required to reclaim the mine site represents a long-term commitment of the site to a planned, residential community. The commitment of undeveloped land to urbanized uses is, essentially, an irreversible environmental change.

In addition, construction of the proposed land uses contributes to the incremental depletion of resources, including renewable as well as slowly- or non-renewable resources. Resources, such as lumber and other forest products, as well as water, are generally considered renewable resources. Such resources will be replenished over the anticipated 12 to 15 years it is anticipated to build-out the uses allowed by the proposed Specific Plan. For example, lumber supplies are increased as seedlings mature into trees, while water supplies are replenished as water is redistributed through the action of the hydrologic cycle. Given this, the development of the project will not result in the irreversible commitment of renewable resources, although there will be an incremental increase in the demand for them over its lifetime.

The demand for all such resources is expected to increase whether or not the proposed project is developed. The Department of Finance indicates that the population of Southern California will increase 62 percent over the thirty year period between 1990 and the year 2020. The resources consumed by the proposed project will be used to provide housing, recreation, jobs, services, and utilities to meet anticipated demand created by the projected demographic growth. These resources will be committed to other projects in the region intended to meet this demand if the proposed project is not developed. Further, the investment of resources in the proposed project will be typical of the level of investment normally required for a community of this scale. Provided that all standard building codes, including energy conservation standards, are followed, no wasteful use of energy or construction resources is anticipated.

The CEQA *Guidelines* also require a discussion of the potential for environmental damage caused by an accident associated with the project. The site is located within a seismically active region and will be exposed to ground shaking in the event of a seismic event. Conformance with the regulatory provisions of the City of Oxnard and the *Uniform Building Code* pertaining to construction standards will minimize, to the extent feasible, damage and injuries in the event of such an occurrence.

Section VI Miscellaneous Findings

Facts in Support of Finding

Revisions to the Draft EIR have been made as a result of the comments submitted on the Draft EIR. These revisions only clarify, amplify, or make insignificant modifications to the Draft EIR. None of these revisions represent significant new information that will result in the identification of a new significant impact or an increase in severity of such an impact, from either the projects or from a new mitigation measure proposed for implementation as part of the projects. Nor do these revisions include a new mitigation measure to reduce a significant impact that has been declined by the project applicant.

Findings

The City Council of the City of Oxnard finds that Section 15088.5 of the State CEQA *Guidelines* did not require recirculation of the Draft EIR, as the revisions made to the Draft EIR merely clarified or amplified information found in that document.

Findings

The documents and other materials that constitute the record of proceedings on which these Findings of Fact are based are located at City of Oxnard Planning & Environmental Services Division, 305 West Third Street, Oxnard Ca, 93030. The custodian of these documents is Gary Sugano, Principal Planner. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and 14 Cal. Code Regs. § 15091(e).