

## STATEMENT OF OVERRIDING CONSIDERATIONS

The City Council hereby declares that, pursuant to State CEQA Guidelines Section 15093, the City Council has balanced the benefits of the RiverPark Project against any unavoidable environmental impacts in determining whether to approve the Project. If the benefits of the Project outweigh the unavoidable adverse environmental impacts, those impacts may be considered “acceptable”.

The City Council hereby declares that the EIR has identified and discussed significant effects that will occur as a result of the Project. With the implementation of the mitigation measures identified in the EIR, certain effects will be mitigated to a level of less than significant. However, other certain effects will cause unavoidable significant impacts as discussed in the Findings of Fact adopted by the City Council.

These unavoidable adverse impacts of the RiverPark Project include: (1) the loss of approximately 155 acres of agricultural land currently located within the City of Oxnard and an existing Specific Plan Area; (2) loss of access to the sand and aggregate mineral resources located under this agricultural land; (3) loss of some existing industrial buildings located on the sand and gravel mine site with local historical significance; and (4) inability to reduce the concentrations of one pollutant constituent in storm runoff to the Santa Clara River and three pollutant constituents in storm runoff discharged to the existing mine pits from storms greater than a 10-year frequency storm below the environmentally conservative thresholds of significance used in the water quality analysis.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or mitigate the potential impacts resulting from the Project to the fullest extent feasible.

The City Council hereby declares that to the extent any mitigation measures recommended in the EIR could not be incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts. The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of Project objectives and/or specific economic, social and other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project, and having weighed the benefits of the Project against its unavoidable adverse impacts after mitigation, the City Council has determined that the following social,

economic, and environmental benefits of the Project outweigh the unavoidable adverse impacts and render those adverse environmental impacts acceptable based upon the following overriding considerations.

- The RiverPark Project will enhance the quantity and quality of water in the Oxnard Aquifer System by reclaiming the existing open mine pits on the site in a manner that facilitates the use of these pits by the United Water Conservation District for the storage and recharge of approximately 7,000 acre-feet per year of surface water diverted from the Santa Clara River, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.
- The RiverPark Project will improve the quality of storm runoff from off and on-site areas that is discharged to the Santa Clara River and the existing mine pits, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.
- The RiverPark Project will result in the creation of additional native habitat, in the form of a cottonwood-riparian forest, along the Santa Clara River, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.
- The RiverPark Project will provide sites and construct two new elementary schools and one new middle school for the Rio Elementary School District, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.
- The RiverPark Project will provide new City of Oxnard and County of Ventura Fire Stations, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.
- The RiverPark Project will remediate existing soils and geotechnical conditions and reclaim the existing Hanson Aggregates mine site for new housing and public facilities, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.
- The RiverPark Specific Plan will replace the existing Oxnard Town Center Specific Plan, thereby improving the balance of jobs and housing in Oxnard and the surrounding area by increasing housing and reducing commercial uses, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.
- The RiverPark Project will construct sewer, water and storm drain facilities consistent with the City of Oxnard's Infrastructure Master Plans that will benefit surrounding areas, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.
- The RiverPark Project will create new neighborhood and community parks, as well as other types of public open space that will benefit surrounding neighborhoods and the community as a whole, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.
- The RiverPark Specific Plan will result in the construction of a substantial amount of affordable housing, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.

- The RiverPark Project meets the goals of the Oxnard Community Development Commission's Historic Enhancement and Revitalization of Oxnard Redevelopment Project, as more fully described in the record of proceedings for the project, which is fully incorporated by reference.

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the RiverPark Specific Plan outweigh the identified significant adverse environmental impacts of the Project, which cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.