

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD CERTIFYING FINAL ENVIRONMENTAL IMPACT REPORT NO. 06-01 AND ADDENDUM NO. 1 (SCH NO. 2002071070) AND ADOPTING THE FINDINGS OF FACT, THE STATEMENT OF OVERRIDING CONSIDERATIONS, AND THE ADAPTIVE MANAGEMENT MITIGATION MONITORING AND REPORTING PROGRAM FOR THE SAKIOKA FARMS BUSINESS PARK SPECIFIC PLAN GENERALLY LOCATED SOUTH OF THE 101 FREEWAY EAST OF RICE AVENUE AND ALONG DEL NORTE BOULEVARD (APN 216-0-030-075; -105; -145; -155). FILED BY SAKIOKA FARMS, 3183-A AIRWAY AVENUE, #2, COSTA MESA, CALIFORNIA 92626.

WHEREAS, on October 11, 2011 the Planning Commission adopted Resolution No. 2011-36 recommending that the City Council certify the Final Environmental Impact Report 06-01 (State Clearinghouse No. 2002071070) (FEIR) for the Sakioka Farms Business Park Specific Plan which has been prepared in accordance with the California Environmental Quality Act (CEQA) and Resolution No. 10,851, as amended, of the City Council; and

WHEREAS, Addendum No. 1 to the FEIR was prepared and documents consistency of the Sakioka Farms Business Park Specific Plan with the 2030 General Plan that was adopted and effective after the Planning Commission's actions; and

WHEREAS, the Findings of Fact is prepared and attached as Exhibit A for each significant environmental impact identified in the FEIR and Addendum No. 1 that include the ultimate conclusion regarding each significant impact, substantial evidence supporting the conclusion, and an explanation of how the substantial evidence supports the conclusion in compliance with CEQA Guidelines §15091; and

WHEREAS, the Statement of Overriding Considerations is prepared and attached as Exhibit B that explains why the City of Oxnard is willing to balance the benefits of the Sakioka Farms Business Park Specific Plan against unavoidable significant impacts in compliance with CEQA Guidelines §15092 and §15093; and

WHEREAS, the Adaptive Management Mitigation Monitoring and Reporting Program is prepared and attached as Exhibit C that ensures compliance with mitigation measures during the development of the Sakioka Farms Business Park Specific Plan in compliance with CEQA Guidelines §15091(d) and §15097; and

WHEREAS, the City Council has carefully reviewed the Planning Commission recommendation decisions, staff reports, and minutes of testimony at the Planning Commission public hearing; and

WHEREAS, the City Council of the City of Oxnard has determined that the Sakioka Farms Business Park Specific Plan was deemed complete for processing prior to the Effective Date of the "New Development and Redevelopment Requirements" contained in Section E of the California Regional Water Quality Control Board – Los Angeles Region Order No. R4-2010-0108, and the City Council has also determined that the same specific plan satisfies the criteria set forth in paragraphs 2 and 3 of the Effective Date provisions of the Ventura County Watershed Protection District's 2011 Technical Guidance Manual for Storm Water Quality Control Measures, and, as a result thereof, the

Project shall continue to comply with the performance criteria set forth in the 2002 Technical Guidance Manual for Storm Water Quality Control Measures under Board Order 00-108; and

WHEREAS, the documents and other material that constitute the record of proceedings upon which the Statement of Overriding Consideration and Findings of Fact are based are located in the Planning Division, and the custodian of the record is the Planning Manager; and

WHEREAS, the Adaptive Management Mitigation Monitoring and Reporting Program is incorporated into the Sakioka Farms Business Park Specific Plan document as a separate chapter to remain within the document in perpetuity; and

WHEREAS, the City Council concurs that the final environmental impact report was completed in compliance with CEQA, reflects the independent judgment of the city, was presented to the City Council, and that the City Council reviewed and considered the information contained in the final environmental impact before approving the project.

NOW, THEREFORE, the City Council of the City of Oxnard resolves as follows:

- 1.) The Final EIR (No. 06-01) for the Sakioka Farms Business Park Specific Plan is certified.
- 2.) A Findings of Fact statement is adopted and contained herein as Exhibit A in satisfaction of CEQA Guidelines §15091.
- 3.) A Statement of Overriding Consideration is adopted and contained herein as Exhibit B in satisfaction of CEQA Guidelines §15092.
- 4.) An Adaptive Management Mitigation Monitoring and Reporting Program is adopted and contained herein as Exhibit C in satisfaction of CEQA Guidelines §15091(d).

PASSED and ADOPTED by the City Council of the City of Oxnard on this 12th day of June, 2012 by the following vote:

AYES:

NOES:

ABSENT:

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Dr. Thomas E. Holden, Mayor

ATTEST:

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Daniel Martinez, City Clerk

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APPROVED AS TO FORM:

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Alan Holmberg, City Attorney

ATTACHMENT 1 <sup>3</sup>  
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## **EXHIBIT A**

### **Statement of Findings of Fact**

#### **SECTION I: INTRODUCTION**

The following findings are based in part on the information contained in the Final Environmental Impact Report (FEIR) for the Sakioka Farms Business Park Specific Plan project (EIR 06-01) as well as additional facts found in the complete record of proceedings.

As defined by Section 15050 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines), the City of Oxnard is serving as "Lead Agency," responsible for preparing the FEIR for the proposed Sakioka Farms Business Park Specific Plan project.

In accordance with the requirements of the California Environmental Quality Act (CEQA), the City of Oxnard determined that an EIR should be prepared to analyze the potential impacts associated with the approval and implementation of the proposed project. The original NOP for the Draft EIR was circulated for a 30-day review period starting on July 12, 2002 and ending on August 11, 2002. Due to revisions to the original project description, a second NOP was circulated on January 25, 2006. (see Appendices A and B to the Draft EIR for copies of the NOPs and written comments submitted to the Oxnard Planning Department in response to the NOPs.). All NOP comments relating to the EIR were reviewed and the issues raised in those comments were addressed, to the extent feasible, in the Draft EIR. Based on public comments in response to the NOP and a review of environmental issues by the City of Oxnard Planning Division, the Draft and Final EIRs address the following topics in full detail:

- Land Use and Planning
- Agricultural Resources
- Aesthetics
- Biological Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Transportation/Traffic
- Air Quality
- Noise
- Population and Housing
- Public Services
  - Fire
  - Police
  - Schools
  - Parks
  - Libraries
- Utilities and Service Systems
  - Water Supply
  - Wastewater
  - Solid Waste
  - Energy

The issues of Cultural Resources and Mineral Resources were identified as not being significantly impacted by project-induced changes to the environment and were, therefore, discussed in less detail.

The Final EIR evaluated the environmental impacts of the proposed Sakioka Farms Business Park Specific Plan project, which consists of a series of related discretionary actions requested of the City of Oxnard including the following Planning and Zoning Permit Nos.

- Specific Plan Amendment PZ 02-640-01: Sakioka Farms Business Park Specific Plan.
- Zone Change PZ 02-570-04: Adopt the proposed zoning.

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City Council's decision on the Sakioka Farms Business Park Specific Plan project consists of the following:

- All reports, studies, maps, plans, and correspondence received from the applicant in connection with the proposed project;
- The project NOPs, dated July 12, 2002 and January 25, 2006;
- All written comments received in response to the NOPs;
- The Sakioka Farms Business Park Specific Plan Draft EIR (dated September 2010), including all of its appendices;
- Copies of all letters received by the City during the public review period for the Sakioka Farms Business Park Specific Plan Draft EIR;
- The meeting minutes from the October 7, 2010 public hearing held by the Oxnard Planning Commission to receive comments on the Draft EIR;
- Responses to significant environmental points raised in the letters concerning the Draft EIR and the comments made at the October 7, 2010 Oxnard Planning Commission public hearing;
- The Sakioka Farms Business Park Specific Plan Final EIR (dated December 2010), including all of its appendices;
- The meeting minutes from the February 3, 2011 public hearing held by the Oxnard Planning Commission to receive comments on the Final EIR and to consider the project; and
- The Adaptive Management Mitigation Monitoring and Reporting Program.

The Final EIR and all documents identified above are hereby incorporated by reference and are available for review at the City of Oxnard Community Development Department, 305 West Third Street, Oxnard, California.

## **SECTION II: FINDINGS OF FACT**

The following findings are made in order to approve and certify the Final EIR:

The FEIR contains all of the mandatory contents of Environmental Impact Reports, as contained in Sections 21000-21177 of the California Public Resources Code. In addition, all of the procedures for preparation and review of Environmental Impact Reports required by Article 7 of the CEQA Guidelines have been complied with.

### **Finding No. 1:**

**The City Council hereby finds that the FEIR for the Sakioka Farms Business Park Specific Plan project has been prepared in compliance with CEQA. City staff reviewed the document for accuracy, consistency, and completeness prior to its release for public review. Therefore, it is found that the FEIR document reflects the independent judgment of the City of Oxnard.**

2. Pursuant to Section 15091 of the CEQA Guidelines:

*"No public agency shall approve or carry out a project for which an Environmental Impact Report has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:*

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
- 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measure or project alternatives identified in the final EIR."*

The following environmental impact findings on specific environmental issues are made in order to approve the project:

## **A. Agricultural Resources**

### ***Conversion of Farmland of Statewide Importance***

The proposed conversion of the existing agricultural land at the Specific Plan site would be considered significant under the California Agricultural Land Evaluation and Site Assessment (LESA) system scoring thresholds.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measure to reduce the impact associated with the loss of the site from agricultural production:

#### **Mitigation Measure C-1:**

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

The mitigation measure would allow that no Prime Farmland agricultural soils are lost as a result of the project if a feasible offer is made and accepted to relocate the topsoil. However, the project would result in the permanent conversion of a quality agricultural site to non-agricultural uses. This would be an unavoidable significant impact even with the implementation of the mitigation measure and with recognition that the project site has been planned for conversion to urban use since 1990. Alternatives to the proposed project, were, therefore considered.

Analysis of the project alternatives included consideration of a No Project Alternative, a Housing Substitution Alternative, a Reduced Project with Housing Alternative, and a "Green" sustainable Design Alternative. The EIR identified that only the No Project Alternative would reduce the impact associated with the loss of the site from agricultural production. However, this alternative would not satisfy any of the identified project objectives. This alternative also would not implement any of the beneficial mitigation measures that would otherwise be implemented by the project. The EIR also concludes that it is unreasonable to assume that the majority of the project site would continue to be used for agricultural resources throughout the foreseeable future. The project site has been designated for urban uses since 1990. Any agricultural productivity at the project site should be considered to be a short-term condition and that other land use plans for the site would be proposed if the proposed project were to be denied by the City.

**A Statement of Overriding Considerations** has been prepared and adopted for the unavoidable and significant impact associated with the loss of the site from agricultural production.

***Other changes in the existing environment which could result in conversion of farmland to non-agricultural use.***

The proposed project would be constructed on a site within the City of Oxnard that has been planned for conversion from agriculture to urban uses. Therefore, there would be no unanticipated actions that could cause other land in the vicinity of the project site to convert from agriculture to non-agriculture uses. A potential impact could occur, however, if a substantial conflict between the new uses and the surrounding agricultural properties occurs to the point that some of the agricultural land must be permanently taken out of production. Any substantial vandalism, pilferage, or trespassing on the part of employees or visitors of the project site could constitute a significant impact to the agricultural properties. In addition, a comment letter received on the Draft EIR from the County of Ventura, Office of Agricultural Commissioner states that as of July 2010, within the County of Ventura, the environmental determination would be "potentially significant" for a new commercial and industrial project if the project is adjacent to off-site farmland and does not include an on-site buffer as mitigation.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measures to reduce the potential for employees or visitors of the project site to vandalize, pilferage, or trespass on the agricultural property to the south and to buffer off-site agricultural land uses and on-site non-agricultural uses:

**Mitigation Measure C-2:**

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

**Mitigation Measure C-3:**

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

**Finding No. 2:** Based on the above facts:

The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to agricultural resources and land use have been identified in the Final EIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The project alternative identified in the Final EIR capable of reducing the loss of the site from agricultural production to a less than significant level is infeasible for the applicant due to specific economic and legal justifications pursuant to Section 15091(a)(3) of the CEQA Guidelines.

## **B. Cultural Resources**

### ***Archeological and Paleontological Resources***

There are no known archeological or paleontological resources on the Project site. However, there is a remote possibility that archeological and/or paleontological resources still exist below the surface, and that these remains could be encountered during site preparation generally below two feet in depth.

### ***Human Remains***

There is no evidence that human remains are located on the project site. Nevertheless, there is a remote possibility that unsuspected human remains exist below the ground surface and could be encountered during construction.

1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measure to reduce the impact associated with archeological and paleontological resources and unsuspected human remains:

### **Mitigation Measure A-1:**

*This is an adaptive management mitigation measure. The Project developer and/or subsequent responsible parties shall contract with a qualified archaeologist to monitor initial grading and excavation in excess of three feet. In the event that any historic or prehistoric cultural resources are discovered, they will be evaluated in accordance with the procedures set forth in CEQA Section 15064.5. If the evaluation determines that such resources are either unique or significant archaeological, paleontological, or historic resources and that the Project would result in significant effects on those resources, then further mitigation would be required. In cases where the resources are unique, then avoidance, capping, or other measures, including data recovery,*

would be appropriate mitigation. If the resources are not unique, then recovery, without further mitigation, would be appropriate.

**Mitigation Measure A-2:**

*This is an adaptive management mitigation measure. The Project developer and/or subsequent responsible parties shall contract with a Native American monitor to be present during all subsurface grading, trenching, or construction activities in excess of three feet on the Project site.*

*The monitor shall provide a monthly report to the Planning Division summarizing the activities during the reporting period. If any qualifying cultural materials are encountered during this phase of project construction, construction activities on the project site shall be halted immediately, and the Project developer shall notify the City. If any find were determined to be significant by the Native American monitor, the City and the Native American monitor would meet to determine the appropriate course of action. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. A final monitoring report(s) shall be provided to the Planning Division prior to approval of final building certificate(s) of occupancy signature.*

**Finding No. 3:** Based on the above facts:

**The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to cultural resources have been identified in the EIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The mitigation measures will reduce impacts relating to cultural resources to a less than significant level pursuant to Section 15091(a)(1) of the CEQA Guidelines.**

## C. Land Use

***Land Use Consistency***

The potential land use impacts associated with the proposed Specific Plan are determined to be less than significant. Therefore, no mitigation measures are required or recommended. However, if the Oxnard 2030 General Plan is adopted before the Final Sakioka Farms FEIR is certified, then Mitigation Measure B-1 would apply.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measure to reduce the impact associated with land use:

**Mitigation Measure B-1:**

*If the Oxnard 2030 General Plan is adopted before the Final Sakioka Farms EIR is certified or the Development Services Director determines that the Sakioka Farms Specific Plan final adoption actions are likely to occur after adoption of the Oxnard 2030 General Plan, a 2030 General Plan consistency analysis shall be completed by the City and reimbursed by the Applicant. The 2030 General Plan consistency analysis shall, at a minimum, be prepared as an Addendum to the Draft or Final Sakioka Farms EIR, whichever is applicable. If the 2030*

*General Plan consistency analysis identifies significant impacts and/or new or modified mitigations, the appropriate CEQA required actions shall be taken, the costs of which are to be reimbursed by the Applicant consistent with the City's CEQA review policies and practices.*

**Finding No. 4:** Based on the above facts:

**The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to land use have been identified in the EIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The mitigation measure will reduce impacts relating to land use to a less than significant level pursuant to Section 15091(a)(1) of the CEQA Guidelines.**

## **D. Biological Resources**

The project site does not support suitable habitat for any sensitive or special status plant or animal species known from the region. Although a few special status bird species may occasionally forage on or adjacent to the site, the removal of such foraging habitat from project development will not result in an adverse effect to sensitive bird species. The project site does not support suitable nesting habitat for any common or sensitive bird species; however, the adjacent habitat to the east has a low to moderate potential to provide nesting habitat for such species, particularly in the few eucalyptus trees growing just east of site along Revolon Slough. Although this area would not be directly impacted by project construction, disturbance to any birds nesting in this area may result from the noise, dust and/or vibration during adjacent construction. Despite the fact that the fields on-site are tilled in June or July resulting in noise, dust and vibration, birds may nest earlier in this adjacent area prior to such activities and may not be acclimated to tilling activities; therefore, these potentially earlier-nesting birds could be impacted by noise, dust and vibration from construction activities.

The irrigation ditches present at the Project site could potentially be regulated by the Corps as waters of the U.S., waters of the State by RWQCB, and streambeds by CDFG and, if so, their infill may constitute a significant impact. At the time this EIR was prepared, formal wetland delineation had not been completed for the Project site. However, with the implementation of mitigation measure E-2 requiring a formal delineation to be conducted and verified by the Corps, there will be a clearer understanding of the extent to which the Corps will claim jurisdiction over the two irrigation ditches of the site. Similarly, due to potential water quality impacts from the placement of fill into these ditches, the applicant would need to obtain a 401 Water Quality Certification and/or Waste Discharge Requirements (WDR) from the RWQCB. The on-site irrigation ditches would be likely to be subject to the jurisdiction of the California Department of Fish and Game under Sections 1601 or 1603 of the California Fish and Game if the drainages were determined jurisdictional.

The Project site is located adjacent to the Ventura Freeway, and is surrounded by lands that have been disturbed by agricultural and/or industrial uses. The eucalyptus trees along the northern edge of the Project site have the potential to provide temporary habitat for migrating monarch butterflies. Although not listed on the federal or state level as threatened or endangered, this species is listed by the CDFG as a "special animal" and is considered a "rare" species under CEQA Guidelines Section 15380. The potential for monarch butterflies to use these trees as

overwintering habitat is considered low, since they have been planted in a row along the freeway, rather than occurring in dense, wind-protected groves, which constitute the ideal overwintering habitat. However, the trees may serve as a temporary aggregation site for the species during the fall, prior to moving to long-term winter roosting sites.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

The Final EIR includes the following mitigation measures to reduce the biological resources impacts of the project:

**Mitigation Measure E-1:**

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

**Mitigation Measure E-2:**

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

**Mitigation Measure E-3:**

*This is an adaptive management mitigation measure. In order to prevent unauthorized impacts to jurisdictional features, the following permits shall be issued and/or reports approved (or exemptions issued) by the respective resource agency, and any associated conditions of approval shall be agreed upon, prior to processing the initial tract map for a planning area that could lead*

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

to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, subsequent to adoption of the Project (i.e. Specific Plan):

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

If the irrigation ditches are determined as jurisdictional by the Corps, it will be necessary to insure adequate compensation for adverse impacts to jurisdictional features from Project development. If applicable, a Mitigation Plan shall be prepared by a qualified biologist. The Mitigation Plan shall describe and justify the (1) formal delineation; (2) proposed methods including timing, materials, and erosion control measures; (3) the proposed location for the replacement areas; and (4) habitat protection measures (including a mechanism for permanent preservation of the area supporting the replacement habitat). The Mitigation Plan shall be submitted to and approved by the County, Corps, CDFG, and RWQCB prior to initiation of construction activities.

**Mitigation Measure E-4:**

This is an adaptive management mitigation measure. If required to compensate for riparian habitat loss by the Corps, the project applicant will place under conservation easement in a manner acceptable to the Corps and the California Department of Fish and Game an area of riparian habitat that will accommodate constructed replacement at a ratio to be determined during the formulation of a Lake and Stream Alteration Agreement (i.e. a number of acres of constructed riparian habitat). This conserved riparian habitat must be of the same or higher quality as the habitat that is to be removed as a result of the Project.

-- or --

The Project applicant will purchase the requisite number of credits from a qualified conservation bank. The Project applicant can only purchase credits from those banks that sell credits covering the riparian species to be affected by the proposed Project or as approved by the Corps or agency of jurisdiction.

**Mitigation Measure E-5:**

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

**Finding No. 5:** Based on the above facts:

The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to biological resources have been identified in the FEIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The mitigation measures will reduce impacts relating to biological resources to a less than significant level pursuant to Section 15091(a)(1) of the CEQA Guidelines.

## E. Geotechnical Resources

As with all properties in the seismically active Southern California region, the project site is susceptible to ground shaking during seismic events produced by local faults. While it is likely that the project site will be shaken by future earthquakes produced in southern California, modern, well-constructed buildings are designed to resist ground shaking through the use of shear panels and reinforcement. The historical high groundwater is located approximately six (6) feet below grade. The upper 20 feet of alluvium soil is not subject to liquefaction. Below 20 feet, isolated layers of sandy silt/silty sand has been found that may be subject to potential liquefaction. The Draft EIR recommends that additional subsurface exploration be performed once detailed development plans for each building become available.

Project development also has the potential to result in minor erosion of soils during site preparation and construction activities. This potential for erosion would be reduced by implementation of stringent erosion controls imposed during grading and via building permit regulations. The potential for soil erosion during the ongoing operation of the project is relatively low due to the generally level topography of the development area and the fact that the area would be almost entirely paved over. All grading activities require grading permits from the Development Services Department, which include requirements and standards designed to limit potential impacts to acceptable levels.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measure to reduce the geotechnical resources impacts of the project:

### **Mitigation Measure F-1:**

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

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

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

**Finding No. 6:** Based on the above facts:

**The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to geotechnical resources have been identified in the EIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The mitigation measures will reduce impacts relating to geotechnical resources to a less than significant level pursuant to Section 15091(a)(1) of the CEQA Guidelines.**

## **F. Hazards and Hazardous Materials**

### *Hazardous Materials*

Several areas within the boundaries of the Project site were noted to contain various materials that have been identified as a source for creating a potential recognized environmental condition. These areas consist of existing ASTs, several 55-gallon drums, unsealed 5-gallon buckets (observed to contain waste oil), pesticide mixing areas, stained soils, and miscellaneous debris. During construction demolition activities, accidental release or upset of the contents of many of the above mentioned storage containers would cause a significant impact. In addition, visible evidence of dark surface soil staining of oil/petroleum products is located within Area 5 and due to Ventura Freeway volumes of vehicles over approximately 50 years, there is the potential that lead contamination exists within exposed soils on the northern boundary of the subject site, which could potentially be released into the air during construction activities. Further, due to the fact that the majority of the Project site has been used for agricultural purposes for several decades, a combination of several commonly used pesticides which are now banned may have been used throughout the Project site.

Six oil/gas wells are located within the boundaries of the Project site. At the time of site reconnaissance, Padre & Associates was in the process of conducting investigations with respect to the former wells, specifically regarding residual soil contamination associated with the historical operation of oil/gas extraction wells.

Based upon the year the existing structures present on the Project site were likely built, the potential for lead based paints to be found onsite are likely. Exposure of workers to lead paint during demolition or renovation of the remaining Project site structures would be a significant impact.

### *Aircraft Hazards*

The Project site is located within the planning area and protection zones for Camarillo Airport. The eastern-most area of the site is located with the Extended Traffic Pattern Zone (ETPZ) for Camarillo Airport as designated in the Airport Comprehensive Land Use Plan (ACLUP) for Ventura County.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measures to reduce the impact associated with

hazards and hazardous materials:

**Mitigation Measure G-1:**

*All miscellaneous vehicles, maintenance equipment and materials, construction/irrigation materials, miscellaneous stockpiled debris, dumpsters, pesticide application equipment, ASTs, 55-gallon drums, and 5-gallon buckets should be removed offsite consistent with the phased development described within the Specific Plan, and properly disposed of. Once removed, a visual inspection of the areas beneath the removed materials should be performed. Any stained soils observed underneath the removed materials should be sampled. Results of the sampling would indicate the level of remediation efforts that may be required.*

**Mitigation Measure G-2:**

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

**Mitigation Measure G-3:**

*Due to visible evidence of dark surface soil staining of oil/petroleum products located within Area 5, soil shall be excavated to determine the exact vertical extent of the contamination. If during soil removal, staining appears to continue below the ground surface, sampling shall be performed to identify the extent of contamination and appropriate remedial measures shall be taken.*

**Mitigation Measure G-4:**

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

**Mitigation Measure G-5:**

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

**Mitigation Measure G-6:**

*Padre & Associates findings regarding residual soil contamination associated with the historical operation of oil/gas extraction wells should be reviewed and appropriate remedial recommendations (if any) should be administered. In addition to recommendations provided by Padre & Associates, the California Department of Oil, Gas and Geothermal Resources (DOGGR) well abandonment procedures shall be followed and formal verification of closure be received by DOGGR.*

**Mitigation Measure G-7:**

*A qualified lead-paint abatement consultant shall be employed to comply with applicable state and federal rules and regulations governing lead paint abatement if any remaining structures are suspected of containing lead-based paint.*

**Mitigation Measure G-8:**

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

**Finding No. 7:** Based on the above facts:

**The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to hazards and hazardous materials have been identified in the FEIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The mitigation measure will reduce impacts relating to hazards and hazardous materials to a less than significant level pursuant to Section 15091(a)(1) of the CEQA Guidelines.**

## **G. Transportation/Traffic**

### *Intersection Capacity Impacts*

The Traffic Impact Analysis was prepared using procedures adopted by the City of Oxnard to evaluate the potential traffic impacts of new development Projects and specific plans. Existing and future traffic flows in the vicinity of the Project site have been analyzed to estimate the Project's traffic impact to the surrounding area; 37 intersections in the City and the county were identified by the City of Oxnard as potentially impacted by the proposed Project.

The future year 2030 General Plan roadway and intersection configurations are what is required to accommodate the future traffic volumes and at some intersections (shown in Figure IV.I-9 of the Draft EIR), improvements over the existing City transportation network are needed. Future improvements such as "Sakioka Street" are key access points of the proposed Sakioka Farms development, and as such, the project is fully responsible for these improvements. These improvements will need to be constructed during or prior to the phased development in each planning area. Some project area intersections will not require improvements over the existing lane configurations, but for the locations that do, an impact analysis based on the project development phasing shown in Table IV.I-9 of the Draft EIR was conducted to determine when these future City roadway improvements will be needed.

Sakioka Farms responsibility for future roadway improvements throughout the City in each phase depends on the extent of the project's traffic impact. The City of Oxnard measures an impact by the change in ICU/LOS at intersections attributed to the project. At intersections operating at LOS "C" or worse, if a change in ICU of 0.02 or greater is created by the project, the impact is considered significant and construction of the future improvement(s) needed to mitigate the impact is required. At intersections operating worse than LOS "C" and the project does not have a significant impact, the necessary future improvement(s) needed to bring the intersection back to an acceptable LOS were also identified.

Background traffic volumes at each phase year were calculated assuming straight-line growth from the existing volumes to the 2030 Oxnard Traffic Model (OTM) no project volumes. The project volume at each phase was determined from the net difference between the 2030 OTM with project and 2030 OTM no project traffic volumes, and incrementally added based on the percentage of total development complete at each phase. The following lists which future improvements or mitigation might be required (see Appendix C of the Draft EIR Traffic Study for phase year volumes and LOS calculation sheets) to maintain all study intersections to LOS C or better under the Phased 2030-plus-Project scenario, except those specifically excepted by the City Council to operate below LOS C.

### ***Freeway and Roadway Capacity***

The EIR Traffic Study also includes a capacity analysis of the Ventura Freeway (State Highway 101) because of its close proximity to the Project site and the substantial number of Project trips that would access it. The V/C analysis is shown in Table IV.I-19 of the Draft EIR and was conducted using the 2006 Caltrans Traffic Volumes and Truck Volumes.

The Ventura Freeway currently has one deficient segment in the vicinity of the Project site. This is the portion south of the Project site (Camarillo, JCT. RTE. 34, Lewis Road Interchange) in the southbound direction. The addition of the Phase 1 Project traffic would not create a significant impact. Implementation of Mitigation Measure I-34 in conjunction with Measures I-1 to I-33 is the Project's proportional contribution to the City's overall program that reduces impact to the Ventura Freeway to less than significant.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measures to reduce the transportation/traffic impacts of the project:

### ***Introduction to Mitigations I-1 to I-34***

*The following Transportation/Traffic mitigation measures are part of an adaptive management mitigation program. The traffic improvements listed below as I-1 through I-34, inclusive, are intended to maintain Level of Service C with the development of the Project unless excepted by the City Council based upon the traffic modeling completed in February 2010 for the Draft EIR. Subsequent traffic studies required by the Specific Plan may change the number and type of improvements based upon phasing of development, traffic counts and future travel behavior. Adaptive management will allow consideration of such subsequent traffic studies in the implementation of the Transportation/Traffic mitigation measures. The February 2010 traffic modeling does not take into account the City's Intelligent Transportation Systems (ITS) project under construction in 2011. Similar ITS projects have improved travel time and speed by 12%-16% and decreased delay by 32%-44% (ATSAC evaluation study, 1994). As part of the adaptive management of the Transportation/Traffic mitigation measures, the implementation of such mitigation measures shall take into account when feasible the ITS, future traffic counts and updated trip generation data which may reduce, change or make unnecessary the mitigation measures while still achieving the City's adopted Level of Service, unless modified by City*

*Council. The Developer's payment of applicable City and County traffic impact fees in the amount agreed to by the City, County and Developer or, if there is no agreement, in the amount in effect at the time of issuance of a building permit, satisfies in full the action required by Developer in connection with the implementation of the Transportation/Traffic mitigation measures. Developer may also contribute additional funds towards the traffic improvements subject to reimbursement from the City in the form of credits against future City traffic impact fees or repayment by the City.*

**Phase 1 (2012)**

**Mitigation Measure I-1:**

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

**Mitigation Measure I-2:**

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

**Mitigation Measure I-3:**

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

**Mitigation Measure I-4:**

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

**Mitigation Measure I-5:**

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

**Phase 2 (2015)**

**Mitigation Measure I-6:**

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

**Mitigation Measure I-7:**

*Oxnard Boulevard & Gonzales Road: The Project developer shall pay applicable City and County traffic impact fees toward improvements adding a third eastbound thru lane at the Oxnard Boulevard & Gonzales Road intersection.*

**Mitigation Measure I-8:**

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

**Mitigation Measure I-9:**

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

**Mitigation Measure I-10:**

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

**Mitigation Measure I-11:**

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

**Mitigation Measure I-12:**

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

**Mitigation Measure I-13:**

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

**Mitigation Measure I-14:**

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

**Phase 3 (2020)**

**Mitigation Measure I-15:**

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

**Mitigation Measure I-16:**

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

**Mitigation Measure I-17:**

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

**Mitigation Measure I-18:**

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

**Mitigation Measure I-19:**

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

**Mitigation Measure I-20:**

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

**Mitigation Measure I-21:**

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

**Mitigation Measure I-22:**

*Del Norte Blvd & Fifth Street: The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Del Norte Blvd & Fifth Street intersection that adds a second westbound thru lane.*

**Phase 4 (2025)**

**Mitigation Measure I-23:**

*Ventura Road & Gonzales Road: The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Ventura Road & Gonzales Road intersection that adds a second northbound left turn lane and a third northbound thru lane which*

*will mitigate both Project and cumulative (2025 no Project) impacts.*

**Mitigation Measure I-24:**

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

**Mitigation Measure I-25:**

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

**Mitigation Measure I-26:**

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

**Mitigation Measure I-27:**

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

**Mitigation Measure I-28:**

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

**Mitigation Measure I-29:**

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

**Mitigation Measure I-30:**

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

**Mitigation Measure I-31:**

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

**Mitigation Measure I-32:**

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

*Year 2030 (buildout)*

**Mitigation Measure I-33:**

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

*Ventura Freeway*

**Mitigation Measure I-34:**

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

**Finding No. 8:** Based on the above facts:

**The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to transportation/traffic have been identified in the FEIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program. The mitigation measures will reduce project impacts relating to transportation/traffic to a less than significant level while significant cumulative transportation/traffic impacts would occur at five intersections (below LOS C), re: Section 15091(a)(1) of CEQA Guidelines.**

## **H. Air Quality**

### ***Construction Period Emissions***

Construction-related activities are generally short-term in duration and the Ventura County Air Pollution Control District (VCAPCD) does not recommend any thresholds of significance for construction-related emissions. Instead, the VCAPCD bases the determination of significance on a consideration of the control measures to be implemented. If all appropriate emissions control measures recommended by the Ventura County Air Quality Assessment Guidelines relating to construction activities are implemented for a project, then construction emissions are not considered significant.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or

substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measures to reduce the potential emissions associated with construction activities to the maximum extent feasible:

**Mitigation Measure J-1:**

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

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

**Mitigation Measure J-2:**

*The Project developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project site throughout the Project construction phases. The Project developer shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. Examples of the types of measures currently required and recommended include the following:*

- *Maintain all construction equipment in good condition and in proper tune in accordance with manufacturer's specifications.*
- *Limit truck and equipment idling time to five minutes or less.*
- *Minimize the number of vehicles and equipment operating at the same time during the smog season (May through October).*
- *Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, to the extent feasible.*

**Operational Emissions – Greenhouse Gas Emissions**

Operational emissions generated by both stationary and mobile sources would result from normal day-to-day activities on the project site after occupation. Stationary area source emissions would be generated by the consumption of natural gas for space and water heating devices and cooking appliances, the operation of landscape maintenance equipment, and the occasional application of architectural coatings. Mobile emissions would be generated by the motor vehicles traveling to and from the project site.

The project would be consistent with all feasible and applicable strategies to reduce greenhouse gas emissions in California. Although not considered to be significant, mitigation is recommended to reduce the potential emissions associated with operational activities to the maximum extent feasible.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measure to reduce the potential emissions associated with operational activities to the maximum extent feasible:

**Mitigation Measure J-3:**

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

- *Use solar or low-emission water heaters in new buildings where feasible and as in common practice in similar new construction in the Oxnard area.*
- *Require that commercial landscapers providing services at the common areas of project site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of*

standard equipment).

- Provide bus stops pull-out areas, and/or shelters at locations along and within the Project site. The number and location of bus stops shall be determined in consultation with Gold Coast Transit and the City Traffic Engineer. Cumulative air quality impact fees (see Mitigation J-6) paid by the Project developer or subsequent interests may be used for some or all of these structures or as credits against the fee and/or to be funded from the fee fund consistent with the City's practice with other projects with similar transit-oriented mitigation requirements.

**Mitigation Measure J-4:**

*This is an adaptive management mitigation measure. A Project-wide Transportation Demand Management (TDM) program shall be prepared by a qualified consultant for review by the Development Services Director within one year of the recordation of the first Final Tract Map and implemented on a phase by phase basis thereafter. The TDM program shall incorporate best and commonly used trip-reduction incentives, programs, and practices found in TDMs of similar projects in terms of allowed uses, size, and transportation and transit service context. The TDM shall, to the maximum extent financially feasible or practical, be coordinated and consistent with Gold Coast Transit service planning, development and/or final adoption of a regional and/or Oxnard Sustainable Communities Strategy (under SB 375), and TDMs or similar efforts of surrounding businesses and organized business and commercial organizations, including but not limited to, the Camino Real Business Park; Proctor and Gamble; Riverpark (The Collections); The Esplanade; The Village; Oxnard Auto Center Dealers Associations; and the McGinnes Ranch, Northgate, and Seagate business parks. The TDM shall include an estimate of Project vehicular trips; a target reduction; a strategy and timeline to achieve the target; and one or more means of an independent sustainable funding program to administer, monitor, and routinely update the TDM program. At the discretion of the City Traffic Engineer based on applicable professional practice, documented and sustained TDM-attributable trip reductions shall be incorporated into future Project-related traffic studies and/or analyses for purposes of calculating traffic fees and/or modifying traffic-related mitigations. The TDM may be implemented on a phase-by-phase basis.*

**Mitigation Measure J-5:**

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

**Mitigation Measure J-6:**

*This is an adaptive management mitigation measure. The Project developer shall contribute to a cumulative impacts mitigation "buy-down" fund managed by the City based on the Ventura County Air Pollution Control District fee schedule effective at the time a building permit is issued. The fee contribution shall be assessed and paid incrementally as individual buildings are developed. The fee is allocated based on each development's share of average daily trips (ADT) for the Project buildout. The ADT shall be recalculated annually by the City Traffic Engineer or upon request of the Project developer with a payment of a fee determined by the City Traffic Engineer that covers actual time and material costs to the City. The City shall consider transit and traffic demand management improvements and programs suggested by the Project developer,*

*in excess of those otherwise required, as credits against the fee and/or to be funded from the fee fund.*

**Finding No. 9:** Based on the above facts:

**The City Council hereby finds that all feasible and reasonable mitigation measures for Project impacts relating to air quality have been identified in the FEIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The mitigation measures will reduce project impacts relating to air quality to a less than significant level pursuant to Section 15091(a)(1) of the CEQA Guidelines.**

### *Cumulative Air Quality Impacts*

The 2030 General Plan Program EIR considered the possible environmental impacts of buildout to 2030: adding approximately 40,000 people to the City's population, development of all remaining vacant land within the Oxnard CURB Line (including the Project area). The 2030 General Plan Final Program EIR finds that there are Class I significant and unavoidable impacts for Air Quality and Greenhouse Gases. The reasons being:

- the continued status of the South Central Coast Air Basin as non-attainment of Ozone, PM<sub>10</sub>, and PM<sub>2.5</sub> due to sources throughout the region and weather patterns; and
- the inability to significantly reduce greenhouse gas emissions from private vehicles given current technology and the high cost of replacing an estimated 90,000 vehicles (Census 2000).

Individual development projects that generate operational emissions that exceed the VCAPCD recommended daily thresholds for project-specific impacts would cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment. The operational daily emissions associated with Project development would exceed VCAPCD significance thresholds for ROC and NOx. Therefore, the emissions generated by the proposed Project would be cumulatively considerable regarding a substantial contribution to an existing or projected air quality violation and greenhouse gas emissions.

A **Statement of Overriding Considerations** has been prepared and adopted for the unavoidable and significant cumulative impact associated with greenhouse gas emissions and air quality due to Basin non-attainment.

**Finding No. 10:** Based on the above facts:

**The City Council hereby finds, per Public Resources Code section 21081(b), that that specific overriding economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects of the cumulative effects to air quality and greenhouse gas emissions of the Project.**

## **I. Noise**

### *Cumulative Noise Impacts*

The 2030 General Plan Program EIR considered the possible environmental impacts of buildout to 2030: adding approximately 40,000 people to the City's population, development of all remaining

vacant land within the Oxnard CURB Line (including the Project area). The 2030 General Plan Final Program EIR finds that there are Class I significant and unavoidable impacts for Noise. The reason being:

- the inability to significantly reduce noise impacts from private vehicles operating at peak hour levels on arterials and no having jurisdiction over the use of railroads that travel through the City creating significant peak noise events.

The Project would have a less than significant impact with respect to noise. However, cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to the Project and other projects within the study area. Therefore, cumulative traffic-generated noise impacts have been assessed based on the difference between existing roadway noise levels and future (2030) noise levels with proposed Project and cumulative development. The noise levels associated with existing traffic volumes and future traffic volumes with the Project are identified in Table IV.K-9 of the Draft EIR.

As shown in the Draft EIR, cumulative development along with the proposed project would increase local noise levels by a maximum of 3.1 dBA CNEL, which would exceed 3.0 dBA CNEL and be substantial. This would be a significant cumulative impact along Gonzales Road between Rice Avenue and Del Norte Boulevard. As shown previously in Table IV.K-8 of the Draft EIR, the proposed Project would contribute 1.7 dBA CNEL to this increase and would be primary source of the increase. Therefore, the contribution of the Project to the cumulative noise impact along this roadway segment would be considerable.

A **Statement of Overriding Considerations** has been prepared and adopted for the unavoidable and significant cumulative impact associated with roadway noise.

**Finding No. 11:** Based on the above facts:

**The City Council hereby finds, per Public Resources Code section 21081(b), that that specific overriding economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects of the cumulative effects to roadway noise of the Project.**

## **J. Population and Housing**

The proposed Project would have a less than significant impact with respect to population, jobs and housing. However, the Project, as an option, would add up to 890 housing units to the City's current inventory. The proposed Project would represent approximately 18 percent of the anticipated housing increase of 5,000 housing units between 2010 and 2015. The Project site is currently an agricultural use and no housing would be displaced. Since the growth would fit within the SCAG and adopted Ventura Council of Governments housing projections, impacts relating to housing would be less than significant.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measure to reduce any potential housing impacts of the project:

**Mitigation Measure L-1:**

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

**Finding No. 12:** Based on the above facts:

**The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to population and housing have been identified in the FEIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The mitigation measures will reduce impacts relating to population and housing to a less than significant level pursuant to Section 15091(a)(1) of the CEQA Guidelines.**

## **K. Public Services - Police and Fire**

### *Construction*

Construction sites can be sources of attractive nuisances, and inviting theft and vandalism. Developers typically take precautions to prevent trespassing through construction sites. These impacts will be mitigated by requiring that temporary fencing be installed around the construction site to keep out trespassers and discourage theft and damage.

### *Operation*

The proposed Project would introduce new employees, and possibly residents, to the Project area. Thus, an increase in the demand for police protection services is anticipated. While there is not a directly proportional relationship between increases in development and land use activity and increases in demand for police protection services, the number of request for assistance calls for police response to retail burglaries, vehicle burglaries, damage to vehicles, traffic-related incidents, and crimes against persons would be anticipated to increase with the buildout and occupancy of the Project. Based on OPD's experience with similar industrial parks and developments, anticipated problems in the Project area do not represent unusual law enforcement issues.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measure to reduce any potential impacts to police and fire services by the Project:

**Mitigation Measure M.1-1:**

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

**Mitigation Measure M.2-1:**

*During all construction activities, the Project or subsequent developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, be secured with temporary fences to prevent trespass.*

**Mitigation Measure M.2-2:**

*The building and site design of subsequent developments under the Specific Plan program shall include crime deterrence and prevention features, building security systems, architectural design modifications, surveillance systems, and secure parking facilities. In addition, industrial businesses may be required to enroll into existing Oxnard Police crime prevention programs, depending on the nature of the business.*

**Finding No. 13:** Based on the above facts:

**The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to fire and police services have been identified in the FEIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The mitigation measures will reduce impacts relating to police services to a less than significant level pursuant to Section 15091(a)(1) of the CEQA Guidelines.**

## **L. Schools**

If the Project were to include 890 housing units (an optional use), it could generate approximately 89 elementary school students, 45 middle school students, and 118 high school students for a total of 252 students.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measure to reduce any potential impacts to schools by the project:

**Mitigation Measure M.3-1:**

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

*level below the significance threshold.*

**Finding No. 14:** Based on the above facts:

**The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to schools have been identified in the FEIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The mitigation measures will reduce impacts relating to schools to a less than significant level pursuant to Section 15091(a)(1) of the CEQA Guidelines.**

## **M. Utilities and Service Systems: Water Supply**

The Project would consume approximately 330 acre feet per year (net increase above the existing site agricultural uses). The Water Supply Assessment prepared for the project concluded that the City would have adequate supplies to serve the project as well as General Plan-conforming projects with potable water provided the Project is implemented in a manner to expedite the production, use and recharge of recycled water and is thus water neutral. Therefore, mitigation measures are required to both reduce the potable water demand of the project and aid in groundwater recharge to the maximum extent feasible.

- 1) Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

The Final EIR includes the following mitigation measures to reduce the water demand of the project:

### **Mitigation Measure N-1:**

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

- *A public pipeline systems which feed into separate water meters for each ownership. In addition, there shall be separate water meters for each multi-family unit townhouses, but not apartment units. The high-rise residential towers may be master-metered.*
- *A separate water meter (1) for the common landscape areas that would be connected to the future recycled water system.*
- *All domestic water pipelines shall adhere to Division of Occupational Health and Safety (DOHS) requirements for separation between water and recycled water/wastewater pipelines.*
- *The Project developer shall be responsible for payment of capital improvement/connection fees, including all related "installation fees."*

*The Project developer shall provide the City any approvals necessary to dedicate to the City all FCGMA allocation associated with the Project site, on a phase-by-phase basis and upon the conversion of land from agricultural to urban uses.*

### **Mitigation Measure N-2:**

*This is an adaptive management mitigation measure. The Project developer shall provide a recycled water system that serves all practical irrigated areas and which is: (1) separated from the domestic water system, (2) constructed per the City's Recycled Water Construction Standards*

(being developed), (3) irrigated at night, and (4) properly signed once the system is fully operational.

- The portion of the irrigation intended for the future recycled water system shall be separately metered from that portion of the system that will not be connected to the future recycled water system, if any.
- Until the recycled water system is operational, the common area irrigation system shall be connected to the domestic system. Once recycled water is available, and connection to the recycled water system is made, the Project developer shall remove the connection to the domestic water system. No domestic water back-up is needed, since the City will provide such back-up including an appropriate air gap facility as part of the City's system.
- Prior to the availability of recycled water, the Project developer shall be responsible for payment of the Recycled Water Connection Fee or the water connection fee, whichever is greater for facilities constructed.
- At such time as recycled water is available, the Project developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled water system, including appropriate signage. Credits for connection fees shall be given by the City based on the size of the meter(s). Under no circumstance will there be a refund of water connection fees already paid.

The Project developer shall be responsible for appropriate Sakioka Farms Specific Plan Covenants, Conditions and Restrictions (CC&Rs) covering the use of recycled water and for proper disclosures.

**Mitigation Measure N-3:**

This is an adaptive management mitigation measure. The developer shall incorporate exterior water conservation features, as recommended by the State Department of Water Resources, into the Project. These shall include, but are not limited to:

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

**Mitigation Measure N-4:**

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

**Mitigation Measure N-5:**

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

**Mitigation Measure N-6:**

The future water system shall be designed in a loop configuration with connections to the existing 16-inch water line on Del Norte Boulevard.

**Mitigation Measure N-7:**

The use of a 14-inch line would be feasible and should only be connected to mainlines of 14-inches or larger.

**Mitigation Measure N-8:**

*Rice Avenue is planned to become a state highway; therefore, no new utilities shall be installed along this roadway.*

**Mitigation Measure N-9:**

*The Project developer shall ensure that the landscape irrigation system be designed, installed, and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.*

**Mitigation Measure N-10:**

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

**Mitigation Measure N-11:**

*The project developer shall install low-flush water toilets in all new construction at the project site. Low-flow faucet aerators shall be installed on all new sink faucets.*

**Mitigation Measure N-12:**

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

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

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

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

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

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

**Mitigation Measure N-13:**

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

**Finding No. 15:** Based on the above facts:

**The City Council hereby finds that all feasible and reasonable mitigation measures for impacts relating to water supply have been identified in the FEIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program and Conditions of Approval for the project. The mitigation measures will reduce impacts relating to water supply to a less than significant level pursuant to Section 15091(a)(1) of the CEQA Guidelines.**

## **N. Alternatives to the Proposed Project**

The Draft EIR considers a range of alternatives to the proposed project to provide informed decision-making in accordance with Section 151216(f) of the CEQA Guidelines. The four alternatives are described as follows.

**Alternative 1: No Project Alternative.** Under the No Project Alternative, the Specific Plan would not be approved and the site would continue to be cultivated with row crops and the existing development would continue in its current uses. The current General Plan and Zoning designations would remain, allowing the possibility of development under another proposal.

**Alternative 2: Housing Substitution.** Under the Housing Substitution Alternative (Alternative 2), the Project would substitute up to 890 housing units for light industrial and commercial uses with preference given for employees within the Project and Camino Real Business Park. Planning Area 2, approximately 35 acres, would be developed with the following:

- A mix of up to 890 multi-family for-sale and rental residential units (15% affordable) at an overall gross density of 18 units per acre;
- A 5.0-acre public park.

**Alternative 3: Reduced Project with Housing.** Under this Alternative, the general mix and pattern of land uses proposed under the Housing Substitution would be provided at the site, and the commercial and industrial density would be reduced by 20 percent resulting in a total reduction of 2.4 million square feet of commercial and industrial space compared to the Project. The same number of residential units (890) would be provided. This alternative would result in the development of the following:

- 2.0 million square feet of business/research space;
- 3.704 million square feet of light industrial space;
- 320,000 square feet of office space;
- 80,000 square feet of commercial space;
- 890 multi-family residential units;
- 5.0-acre park; and
- 1.5-acre fire station.

**Alternative 4: “Green” Sustainable Design.** This alternative is designed to explore the feasibility of alternative site and building designs generally called “sustainable” or “green” in the development industry. The assumption is that scale of the Project is large enough to reach a level of economic feasibility that is otherwise difficult to achieve on smaller projects. This alternative would be developed with the same mix and density of land uses envisioned under Alternative 2. Alternative 4 would require the incorporation of environmentally “green” features that are equivalent to certification under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. LEED emphasizes state-of-the-art strategies for sustainable site development, water savings, energy efficiency, materials selection, and indoor air quality. The loss of agricultural land would be partly mitigated through the implementation of an urban orchard throughout the landscaped areas of the site and possible use of roof areas for small-scale agriculture (i.e., “green roofs”). These areas would be cultivated with tree or row crops that would provide resources and income along with unique landscape characteristics that represent the agricultural history of the site. Solar and wind easements would be provided on the roofs of all site buildings for the possible generation of electricity to power the uses at the site and to sell into the regional grid, if feasible. A municipal renewable energy utility could be created to buy the on-site power and transmit to Project occupants. Stormwater runoff would be collected, filtered, and made available for injection into the aquifer under appropriate regulations. The entire Project area would be dual-plumbed to use recycled water for landscaping irrigation, industrial uses, and allowed interior uses. The recycled water would be provided from the City’s GREAT Program via a new pipeline connection jointly and proportionally developed by recycled water users in the Northeast Industrial Area.

The **No Project alternative** would not satisfy any of the project objectives and would not implement any of the beneficial mitigation measures that would otherwise be implemented by the project. It is also unreasonable to assume that the majority of the project site would continue to be used for agricultural resources throughout the foreseeable future. The project site has been designated for urban uses since 1990. Any agricultural productivity at the project site should be considered to be a short-term condition and that other land use plans for the site would be proposed if the proposed project were to be denied by the City.

The **Housing Substitution Alternative** is physically feasible. However, it would result in the same land use, agricultural resource, aesthetics, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, air quality, noise, population and housing, public services and water supply impacts as the proposed project, while it would also have significant and unavoidable intersection and freeway capacity traffic impacts. Therefore implementation of the Housing Substitution Alternative in lieu of the proposed Project is not considered advantageous from an environmental perspective.

Although the **Reduced Project with Housing Alternative** is physically feasible, the same unavoidable significant impacts to agricultural resources and cumulative air quality greenhouse gas emissions and noise impacts would occur. All other potential impacts would be mitigated similar to the proposed project. Therefore implementation of the Reduced Project with Housing Alternative in lieu of the proposed Project is not considered advantageous from an environmental perspective.

The **“Green” Sustainable Design Alternative** is physically feasible; although the same unavoidable significant impacts to agricultural resources and cumulative air quality greenhouse gas emissions and roadway noise would occur. All other potential impacts would be mitigated similar to the proposed project. However, because this alternative would require the inclusion of state-of-the-art strategies for

sustainable site development, water savings, energy efficiency, materials selection, and indoor air quality and would partially mitigate the loss of agricultural land through the implementation of an urban orchard throughout the landscaped areas of the site and possible use of roof areas for small-scale agriculture (i.e., "green roofs") it is considered the environmentally superior alternative.

**Finding No. 16:** Based on the above facts:

**The City Council finds that all feasible and reasonable mitigation measures for impacts associated with the Project have been identified in the Final EIR and are included in the Adaptive Management Mitigation Monitoring and Reporting Program for the project. The Project alternative identified in the Final EIR capable of reducing the unavoidable impacts associated with agricultural resources and cumulative impacts to air quality, greenhouse gas emissions and roadway noise to less than significant levels is infeasible for the applicant due to specific economic and legal justifications pursuant to Section 15091(a)(3) of the CEQA Guidelines.**

### 3. Miscellaneous Findings

Revisions to the Draft EIR were made as a result of the comments submitted on the Draft EIR as well as City staff directed changes. These revisions (incorporated into the Final EIR) only clarify, amplify, or make insignificant modifications to the Draft EIR. None of these revisions represent significant new information that would result in the identification of a new significant impact or an increase in severity of such an impact, from either the project or from a new mitigation measure proposed for implementation as part of the project. Nor do these revisions include a new mitigation measure to reduce a significant impact that has been declined by the project applicant.

**Finding No. 17:** Based on the above facts:

The City Council of the City of Oxnard finds that Section 15088.5 of the 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.

## EXHIBIT B

### **Sakioka Farms Business Park Specific Plan Final Environmental Impact Report Statement of Overriding Considerations**

The California Environmental Quality Act (CEQA) requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable (CEQA Guidelines Section 15093(a)).

In accordance with the requirements of CEQA and the state CEQA Guidelines, the City Council finds that the mitigation measures identified in the Final EIR, and the Mitigation Monitoring and Reporting Program, when implemented, avoid or substantially lessen virtually all of the significant effects identified in the Final EIR. However, the conversion of a quality agricultural site to an urban use would remain a significant and unavoidable impact despite consideration of mitigation measures. In addition, as per the 2030 General Plan Program EIR, cumulative impacts are significant for greenhouse gas emissions and the emissions generated by the proposed Project would be cumulatively considerable regarding a substantial contribution to an existing or projected air quality violation. Further, no mitigation measures are feasible to reduce the roadway noise impacts along Gonzales Road between Rice Avenue and Rose Avenue. Therefore, the contribution of the proposed Project to this cumulative impact would continue to be significant.

The City has balanced the benefits of the Sakioka Farms Business Park Specific Plan project against the unavoidable significant impact identified above in determining whether to approve the project and has determined that the benefits of the project outweigh the unavoidable agricultural resources and cumulative air quality and traffic-related noise impacts of the project. The benefits set forth below constitute overriding considerations warranting approval of the project:

- 1) The project will provide a total of up to 8,500,000 square feet (sf) of new development; 3,000,000 sf of new business and research park uses, and 5,500,000 sf of light industrial uses, generating increased business and employment opportunities the City of Oxnard. Development of the site with business and research park and light industrial uses has been envisioned since the City of Oxnard 2020 General Plan was prepared and approved.
- 2) The project represents the continuation of a logical development pattern occurring in the surrounding area.
- 3) With the implementation of the 33 recommended mitigation measures the impacts of the project on transportation and traffic would be reduced to a less than significant level. These mitigation measures provide for numerous transportation improvements to be developed in four phases in synchronization with project development. The developer would be required to either fully implement or pay a fair share contribution to the planned transportation improvements, which brings the improvements one step closer to implementation.

- 4) With the implementation of the 13 recommended mitigation measures the impacts of the project on water supply would be reduced to a less than significant level. These mitigation measures provide for numerous improvements to be developed in synchronization with project development. The developer would be required to pay a fair share contribution to the planned water supply improvements (both recycled and potable), which brings the improvements one step closer to implementation.

Based on the above facts:

**The City Council finds that the benefits of the project outweigh the significant and unavoidable impacts related to agricultural resources, air quality, greenhouse gas emissions and roadway noise, which are deemed acceptable, consistent with Section 15093 of the CEQA Guidelines.**

### **SUBSTANTIAL EVIDENCE**

The City Council finds and declares that substantial evidence for each and every finding made herein is contained in the Draft EIR, Final EIR, and other related materials, each of which is incorporated herein by this reference, and in the record of proceedings in the matter. Moreover, the City Council finds that where more than one reason exists for any finding, the City Council finds that each reason independently supports such finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that finding.

**Exhibit C**

**Adaptive Management Mitigation Monitoring and Reporting Program  
for the Sakioka Farms Business Park Specific Plan (June 2012)**

**Incorporating Mitigation Measures  
from the Sakioka Farms Business Park Specific Plan Final EIR**

Adaptive Management shall be applicable to any Mitigation Measure which states that it is an Adaptive Management Mitigation Measure. Adaptive Management allows for the continuing consideration of mitigation measures based on an evaluation of environmental conditions at the actual time of their proposed implementation, and their effectiveness in achieving the adopted objectives of the Final EIR which are an impact level of less than significant, unless otherwise stated. Adaptive management would not require exceeding the level or extent of stated mitigation measures as specified in the Final EIR unless established by subsequent CEQA review.

This Adaptive Management Mitigation Monitoring and Reporting Program shall be incorporated in the Sakioka Farms Business Park Specific Plan document as Section 7 under said title.

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>CULTURAL RESOURCES</b></p> <p><b>A-1</b> This is an adaptive management mitigation measure. The Project developer and/or subsequent responsible parties shall contract with a qualified archaeologist to monitor initial grading and excavation in excess of three feet. In the event that any historic or prehistoric cultural resources are discovered, they will be evaluated in accordance with the procedures set forth in CEQA Section 15064.5. If the evaluation determines that such resources are either unique or significant archaeological, paleontological, or historic resources and that the Project would result in significant effects on those resources, then further mitigation would be required. In cases where the resources are unique, then avoidance, capping, or other measures, including data recovery, would be appropriate mitigation. If the resources are not unique, then recovery, without further mitigation, would be appropriate.</p>	<p>Project developers shall provide a copy of a contract for services to the City for review and approval as part of each planning and/or building permit application unless an active contract is on file. Developers shall provide reports to the City for review in the event that any historic or prehistoric cultural resources are discovered during periods of actual grading and/or trenching deeper than three feet.</p>	<p>Contract provided or on file as part of the determination of a complete application. Reports provided as warranted during site grading activities and finalized prior to approval of final building certificate(s) of occupancy signature.</p>	<p>City of Oxnard Planning Division and Engineering Services Division.</p>
<p><b>A-2</b> This is an adaptive management mitigation measure. The Project developer and/or subsequent responsible parties shall contract with a Native American monitor to be present during all subsurface grading, trenching, or construction activities in excess of three feet on the Project site. The monitor shall provide a monthly report to the Planning Division summarizing the activities during the reporting period. If any qualifying cultural materials are encountered during this phase of project construction, construction activities on the</p>	<p>Project developers shall provide a copy of a contract for services to the City for review and approval as part of each planning and/or building permit application unless an active contract is on file. Developers shall provide reports to the City for review in the event that cultural materials or human remains are discovered during grading</p>	<p>Contract provided or on file as part of the determination of a complete application. Reports provided as warranted during site grading activities and finalized prior to approval of final building certificate(s)</p>	<p>City of Oxnard Planning Division and Engineering Services Division.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>project site shall be halted immediately, and the Project developer shall notify the City. If any find were determined to be significant by the Native American monitor, the City and the Native American monitor would meet to determine the appropriate course of action. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. A final monitoring report(s) shall be provided to the Planning Division prior to approval of final building certificate(s) of occupancy signature.</p>	<p>and/or trenching deeper than three feet. If materials are encountered, construction activities shall be halted immediately so as to not disturb the remains and the Developer shall notify the City for further consultation.</p>	<p>of occupancy signature.</p>	
<p><b>LAND USE AND PLANNING</b></p>			
<p><b>B-1</b> If the Oxnard 2030 General Plan is adopted before the Final Sakioka Farms EIR is certified or the Development Services Director determines that the Sakioka Farms Specific Plan final adoption actions are likely to occur after adoption of the Oxnard 2030 General Plan, a 2030 General Plan consistency analysis shall be completed by the City and reimbursed by the Applicant. The 2030 General Plan consistency analysis shall, at a minimum, be prepared as an Addendum to the Draft or Final Sakioka Farms EIR, whichever is applicable. If the 2030 General Plan consistency analysis identifies significant impacts and/or new or modified mitigations, the appropriate CEQA required actions shall be taken, the costs of which are to be reimbursed by the Applicant consistent with the City's CEQA review policies and practices.</p>	<p>If determined to be required, a 2030 General Plan consistency analysis shall be completed by the City and reimbursed by the Project applicant.</p>	<p>Prior to adoption of the Project Specific Plan and Final EIR.</p>	<p>City of Oxnard Planning Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>AGRICULTURAL RESOURCES</b></p> <p>The Project together with other pending urban development projects in the City, even after application of the following mitigation measures, will result in a cumulative effect on agricultural resources that is considered significant and unavoidable. Accordingly, a Statement of Overriding Considerations was prepared in accordance with CEQA and included within the resolution approving the Specific Plan.</p>			
<p><b>C-1</b> This is an adaptive management mitigation measure. The Project developer shall offer, at cost, the top 12 inches of the Prime Farmland soils (at 100 acres) for relocation to a farm site or farm sites that have lower quality soils. The cost will include the suitable replacement soil, if needed for site improvements. This mitigation may occur in phases as the areas with Prime Farmland are incrementally developed.</p>	<p>The Project developer shall provide a copy of the published advertisement offering, at cost, the top 12 inches of the Prime Farmland soils for relocation to a farm site or farm sites that have lower quality soils to the City.</p>	<p>At least 30 days prior to issuance of grading permits for the area subject to the mitigation.</p>	<p>City of Oxnard Planning Division</p>
<p><b>C-2</b> This is an adaptive management mitigation measure. The Project developer shall install a fence or wall with a minimum height of eight (8) feet along the eastern perimeter of the project site that abuts the unincorporated portion of Ventura County when developed is proposed east of Del Norte Boulevard. Fencing may be required between developed phases of the Project and continuing agricultural operations on the remaining Project site based on subsequent entitlement actions.</p>	<p>Project developer shall provide a copy of the building plans that show the specifications and location for the perimeter wall or other buffer fencing as needed during phased development.</p>	<p>Prior to approval of grading permits</p>	<p>City of Oxnard Planning Division, Engineering Services, or Public Works depending on the type of permit.</p>
<p><b>T-3</b> This is an adaptive management mitigation measure. In order to buffer on- or off-site agricultural land uses and on-site non-agricultural uses either of the following measures may be undertaken to allow scheduled Restricted Materials applications by an on- or off-site farmer; 1) closure of the buildings during periods when restricted materials will be</p>	<p>The Project developer shall prepare a pamphlet regarding the potential of nearby farming activities to impact Sakioka Farms development and distribute it to purchasers and/or developers of individual</p>	<p>Pamphlet prepared prior to final approval of the first subdivision tract map and available to all subsequent property</p>	<p>City of Oxnard Planning Division with the invited review by the Office of the Ventura County Agricultural Commissioner.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>used on the adjacent farmland parcels or 2) notification, consistent with common-practice in Ventura County, of building occupants and/or building managers that normal farming activities will occur nearby from time to time which can include noise, mild dust, and odors; that inert and non-toxic substances are frequently used by farmers which should be of no concern to people nearby, and that actual chemical spray drift from farms is rare and should not be misperceived.</p>	<p>building sites and to new building occupants within the proposed project area whose parcels could be impacted by this activity. The Sakioka Farms Specific Plan Covenants, Conditions and Restrictions (CC&amp;Rs) shall require the Project developer provide the pamphlet to subsequent buyers and occupants of buildings on those parcels.</p>	<p>owners, developers, and agents.</p>	
<b>BIOLOGICAL RESOURCES</b>			
<p>E-1 This is an adaptive management mitigation measure. In order to avoid adverse impacts to nesting birds, including nesting migratory birds known to exist in the trees (if any) on the Project site, during construction activities, ground vegetation removal activities must take place outside of the nesting season recognized by the California Department of Fish and Game for species in this area. If vegetation removal activities occur during the nesting season, a qualified ecologist/biologist must be present to monitor the removal activities to ensure that no active nests will be impacted. If nests are found, a 300 foot (500 feet for raptors) buffer radius shall be established until the young have fledged. If nests are observed and lesser buffer distances are desired, the biological monitor shall confer with Planning and Fish and Game staff to determine an appropriate buffer distance based on species specific requirements. This measure does not</p>	<p>The Project developer shall limit site grading activities to September 1st through February 14th or as recognized by the California Department of Fish and Game for species in this area. This mitigation measure shall be printed on project grading plans. Developer shall provide a copy of a survey report from a recognized biologist monitor if non-agricultural vegetation removal occurs during the specified period.</p>	<p>Prior to issuance of grading permits unless the entire grading area was in active agriculture production within the previous 30 days.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>apply to agricultural row crops.</p> <p><b>E-2</b> This is an adaptive management mitigation measure. Prior to processing the initial tract map for a planning area that could lead to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, prepare and submit to the Corps for verification a "Preliminary Delineation Report for Waters of the U.S." and a Streambed Alteration Notification package to CDFG for the irrigation drainage features. If these agencies determine that the feature is not regulated under their jurisdiction, then no further mitigation is necessary. However, if the Corps considers the feature to be jurisdictional through a "significant nexus" test per recent Corps and EPA guidance,<sup>2</sup> then a Clean Water Act Section 404 permit shall be obtained from the Corps, and any permit conditions shall be agreed to, prior to the start of construction activities in the affected area. If CDFG determines that the drainage is a regulated "streambed", then a Streambed Alteration Agreement shall be entered into with CDFG and any associated conditions shall be agreed to prior to the start of construction in the affected area.</p>	<p>The Project developer shall provide a copy of the Preliminary Delineation Report for Waters of the U.S. and either verification by the U.S. Army Corps of Engineers and the CDFG that the drainage feature is not regulated or a copy of the Clean Water Act Section 404 permit and the Streambed Alteration Agreement to the Planning Division to keep with the project files.</p>	<p>Prior to processing the initial tract map for a planning area containing potentially jurisdictional irrigation drainage features, or, as an alternative, a verification document for the entire Specific Plan area acceptable to the Director of Public Works.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>
<p><b>E-3</b> This is an adaptive management mitigation measure. In order to prevent unauthorized impacts to jurisdictional features, the following permits shall be issued and/or reports approved (or exemptions issued) by the respective resource</p>	<p>The Project developer shall provide a copy of the Preliminary Delineation Report for Waters of the U.S. and either verification by</p>	<p>Prior to processing the initial tract map for a planning area containing potentially</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of</p>

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

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Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>agency, and any associated conditions of approval shall be agreed upon, prior to processing the initial tract map for a planning area that could lead to construction activities that may result in the placement of fill material into the potentially jurisdictional irrigation drainage features, subsequent to adoption of the Project (i.e. Specific Plan):</p> <ul style="list-style-type: none"> <li>• Clean Water Act Section 404 Permit from the Corps,</li> <li>• Streambed Alteration Agreement under Section 1600 of the Fish and Game Code from CDFG,</li> <li>• Clean Water Act Section 401 Water Quality Certification or Waste Discharge Requirements from the RWQCB.</li> </ul> <p>If the irrigation ditches are determined as jurisdictional by the Corps, it will be necessary to insure adequate compensation for adverse impacts to jurisdictional features from Project development. If applicable, a Mitigation Plan shall be prepared by a qualified biologist. The Mitigation Plan shall describe and justify the (1) formal delineation; (2) proposed methods including timing, materials, and erosion control measures; (3) the proposed location for the replacement areas; and (4) habitat protection measures (including a mechanism for permanent preservation of the area supporting the replacement habitat). The Mitigation Plan shall be submitted to and approved by the County, Corps, CDFG, and RWQCB prior to initiation of construction activities.</p>	<p>the U.S. Army Corps of Engineers and the CDFG that the drainage feature is not regulated or provision of the approved Mitigation Plan, the Clean Water Act Section 404 permit, the Clean Water Act Section 401 permit, the Streambed Alteration Agreement and the RWQCB Waste Discharge Requirements to the Planning Division submitted to the County along with copies to keep with the project files.</p>	<p>jurisdictional irrigation drainage features, or, as an alternative, a verification document for the entire Specific Plan area acceptable to the Director of Public Works.</p>	<p>grading permit.</p>

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Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>E-4 This is an adaptive management mitigation measure. If required to compensate for riparian habitat loss by the Corps, the project applicant will place under conservation easement in a manner acceptable to the Corps and the California Department of Fish and Game an area of riparian habitat that will accommodate constructed replacement at a ratio to be determined during the formulation of a Lake and Stream Alteration Agreement (i.e. a number of acres of constructed riparian habitat). This conserved riparian habitat must be of the same or higher quality as the habitat that is to be removed as a result of the Project.</p> <p>-- or --</p> <p>The Project applicant will purchase the requisite number of credits from a qualified conservation bank. The Project applicant can only purchase credits from those banks that sell credits covering the riparian species to be affected by the proposed Project or as approved by the Corps or agency of jurisdiction.</p>	<p>If required, the Project developer shall provide a copy of the conservation easement or proof of the purchase of the requisite number of credits from a nearby qualified conservation bank to the Planning Division to keep with the project files.</p>	<p>Prior to processing the initial tract map for a planning area containing potentially jurisdictional irrigation drainage features, or, as an alternative, a verification document for the entire Specific Plan area acceptable to the Director of Public Works.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>
<p>E-5 This is an adaptive management mitigation measure. Prior to construction of the Planning Area 1, located adjacent to the Ventura Freeway, a qualified ecologist/biologist shall determine the presence and extent/absence of monarch butterfly activity surrounding the proposed construction area if any mature windrow trees are present. If temporary aggregation activity is observed within this area, construction shall be halted until after the temporary aggregation season (September - December) or until the monarchs have left the vicinity.</p>	<p>The Project developer shall limit site grading activities in Planning Area 1 to January 1st through February 14th as specified in project grading plans; or provide a copy of the survey report and the contract for biologist monitor contract to the City for review and approval.</p>	<p>Prior to issuance of grading permits and/or planning permits, whichever occur first, within each planning area in Planning Area 1.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>GEOLOGY AND SOILS</b></p> <p><b>F-1</b> This is an adaptive management mitigation measure. <i>Conduct Geotechnical Investigations and Adhere to Recommendations:</i> Detailed design level geotechnical investigations shall be performed by qualified licensed professionals for each individual proposed project/phase of the Sakioka Farms Business Park Specific Plan project. These geotechnical investigations shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• identification of unsuitable soils including expansive, corrosive, and collapsible soils,</li> <li>• identification presence and extent of liquefiable soils,</li> <li>• calculation of site-specific seismic design criteria,</li> <li>• a fault evaluation study to location confirm the presence or absence of the Springville and Camarillo segments of the Simi-Santa Rosa fault across the southern half of the Proposed Project site.</li> </ul> <p>Recommendations shall be provided in these reports for design of project structures and facilities and for mitigation of any unsuitable conditions encountered. These reports shall be provided to the City and other reviewing agencies for review. These recommendations shall be implemented, as deemed appropriate by the City and the Applicant's engineering design consultant.</p>	<p>The Project developer shall provide copies of the applicable geotechnical investigations incorporating the recommendations to the City for review and approval as part of the applicable planning, grading, and/or building permit application process.</p>	<p>Prior to issuance of grading, and/or building permits.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, or Public Works depending on type of grading permit.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
<p><b>G-1</b> All miscellaneous vehicles, maintenance equipment and materials, construction/irrigation materials, miscellaneous stockpiled debris, dumpsters, pesticide application equipment, ASTs, 55-gallon drums, and 5-gallon buckets should be removed offsite consistent with the phased development described within the Specific Plan, and properly disposed of. Once removed, a visual inspection of the areas beneath the removed materials should be performed. Any stained soils observed underneath the removed materials should be sampled. Results of the sampling would indicate the level of remediation efforts that may be required.</p>	<p>Project developer shall provide reports of site sampling following removal of debris to the City for review and any remediation efforts should they be required demonstrating that all hazardous materials have been appropriately abated.</p>	<p>Prior to issuance of grading and demolition permits and demolition</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>G-2</b> A visual inspection of all storage structures shall be performed prior to demolition activities. In the event that hazardous materials are encountered, the materials shall be tested and properly disposed of pursuant to Local, State and Federal regulations.</p>	<p>Project developer shall provide reports of site sampling to the City for review and any remediation efforts should they be required demonstrating that all hazardous materials have been appropriately abated.</p>	<p>Prior to issuance of grading and demolition permits</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>G-3</b> Due to visible evidence of dark surface soil staining of oil/petroleum products located within Area 5, soil shall be excavated to determine the exact vertical extent of the contamination. If during soil removal, staining appears to continue below the ground surface, sampling shall be performed to identify the extent of contamination and appropriate remedial measures shall be taken.</p>	<p>Project developer shall provide reports of site sampling to the City for review and any remediation efforts should they be required demonstrating that all hazardous materials have been appropriately abated.</p>	<p>Prior to issuance of grading and demolition permits</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>G-4</b> Areas of exposed soil five feet from the expanded Caltrans Right-of-Way along the Ventura Freeway after completion of the Rice Avenue/101 Freeway interchange reconstruction, which will be disturbed during any excavation/grading activities, shall be sampled and tested for lead. In the unlikely event that unacceptable levels of lead materials are encountered, the materials shall be disposed of pursuant to State and Federal regulations.</p>	<p>Project developer shall provide reports of site sampling to the City for review and any remediation efforts should they be required demonstrating that all hazardous materials have been appropriately abated.</p>	<p>Prior to issuance of grading and demolition permits</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>G-5</b> This is an adaptive management mitigation measure. Soil sampling shall occur throughout the Project site concurrent with phased development, including the pesticide mixing areas within Areas 1 and 3. The sampling will determine if pesticide concentrations exceed established regulatory requirements and will identify proper handling procedures that may be required.</p>	<p>Project developer shall provide reports of site sampling to the City for review and any remediation efforts should they be required demonstrating that all hazardous materials have been appropriately abated.</p>	<p>Prior to issuance of grading and demolition permits</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>G-6</b> Padre &amp; Associates findings regarding residual soil contamination associated with the historical operation of oil/gas extraction wells should be reviewed and appropriate remedial recommendations (if any) should be administered. In addition to recommendations provided by Padre &amp; Associates, the California Department of Oil, Gas and Geothermal Resources (DOGGR) well abandonment procedures shall be followed and formal verification of closure be received by DOGGR.</p>	<p>Project developer shall provide appropriate documentation to the City and the DOGGR demonstrating that the recommendations provided by Padre &amp; Associates have been followed.</p>	<p>Prior to issuance of grading permits and approval of final building permits</p>	<p>City of Oxnard Engineering Services Division and the DOGGR</p>

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Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>G-7</b> A qualified lead-paint abatement consultant shall be employed to comply with applicable state and federal rules and regulations governing lead paint abatement if any remaining structures are suspected of containing lead-based paint.</p>	<p>Project developer shall provide a copy of the contract for services to the City for review and approval.</p>	<p>Prior to issuance of grading and demolition permits</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>G-8</b> This is an adaptive management mitigation measure. Consistent with the Airport Comprehensive Land Use Plan for Ventura County (ACLUP) and the Sakioka Farms Specific Plan, commercial/industrial development is permitted within the Extended Traffic Pattern Zone and residential development, should it be incorporated into future plans, is permitted within the Extended Traffic Pattern Zone subject to avigation easements and appropriate recorded disclosures.</p>	<p>Project developer shall provide copies of the applicable grading and construction plans demonstrating compliance with the ACLUP and evidence of appropriate avigation easements to the City for review and approval.</p>	<p>Prior to approval of planning permits or building permits if no planning permit is required.</p>	<p>City of Oxnard Planning Division</p>
<p><b>TRANSPORTATION/TRAFFIC (next page)</b></p>			

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>The following Transportation/Traffic mitigation measures are part of an adaptive management mitigation program. The traffic improvements listed below as I-1 through I-34, inclusive, are intended to maintain Level of Service C with the development of the Project unless excepted by the City Council based upon the traffic modeling completed in February 2010 for the Draft EIR. Subsequent traffic studies required by the Specific Plan may change the number and type of improvements based upon phasing of development, traffic counts and future travel behavior. Adaptive management will allow consideration of such subsequent traffic studies in the implementation of the Transportation/Traffic mitigation measures. The February 2010 traffic modeling does not take into account the City's Intelligent Transportation Systems (ITS) project under construction in 2011. Similar ITS projects have improved travel time and speed by 12%-16% and decreased delay by 32%-44% (ATSAC evaluation study, 1994). As part of the adaptive management of the Transportation/Traffic mitigation measures, the implementation of such mitigation measures shall take into account when feasible the ITS, future traffic counts and updated trip generation data which may reduce, change or make unnecessary the mitigation measures while still achieving the City's adopted Level of Service, unless modified by City Council. The Developer's payment of applicable City and County traffic impact fees in the amount agreed to by the City, County and Developer or, if there is no agreement, in the amount in effect at the time of issuance of a building permit, satisfies in full the action required by Developer in connection with the implementation of the Transportation/Traffic mitigation measures. Developer may also contribute additional funds towards the traffic improvements subject to reimbursement from the City in the form of credits against future City traffic impact fees or repayment by the City.</p>			
<p><b>Phase I (2012)</b></p>			
<p><b>I-1 Rose Avenue &amp; Gonzales Road:</b> The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing improvements to the Rose Avenue &amp; Gonzales Road intersection that adds a fourth westbound thru lane which will mitigate both Project and cumulative (2010 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to recordation of the final map or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-2 Rose Avenue &amp; Camino Del Sol:</b> The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing improvements to the Rose Avenue &amp; Camino Del Sol intersection that adds a third northbound thru lane by</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to recordation of the final map or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
removing the existing northbound right-turn lane.			
<b>I-3 Rice Avenue &amp; Fifth Street:</b> The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards implementing improvements to the Rice Avenue & Fifth Street intersection that adds a third southbound thru lane by removing the existing southbound right turn lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to recordation of the final map or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-4 Del Norte Boulevard &amp; Ventura Freeway NB Ramps:</b> The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and developer towards providing signalization.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to recordation of the final map or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-5 Del Norte Boulevard &amp; Ventura Freeway SB Ramps:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to signalize and add a northbound right turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>Phase 2 (2015)</b>			
<b>I-6 Ventura Road &amp; Wooley Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Ventura Road & Wooley Road intersection that adds a third northbound thru lane and a third southbound thru lane which will mitigate both Project and cumulative (2010 no Project) impacts.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-7 Oxnard Boulevard &amp; Gonzales Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward improvements adding a third eastbound thru lane at	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to	Prior to issuance of building permits or as otherwise agreed	City of Oxnard Engineering Services Division

Mitigation Measure	Action Required	Timing	Enforcement Agency
the Oxnard Boulevard & Gonzales Road intersection	by the City and Developer.	upon with the City	
<b>I-8 Rose Avenue &amp; Gonzales Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Gonzales Road intersection that adds a fourth southbound thru lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer..	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-9 Rose Avenue &amp; Fifth Street:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue & Fifth Street intersection that adds a second eastbound thru lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-10 Rice Avenue &amp; Fifth Street:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Fifth Street intersection that adds a second westbound left turn lane which will mitigate both Project and cumulative (2010 no Project) impacts.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-11 Rice Avenue &amp; Channel Islands Boulevard:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue & Channel Islands Boulevard intersection that changes the southbound defacto right turn lane to a free right turn lane.	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division
<b>I-12 Del Norte Boulevard &amp; Ventura Freeway NB Ramps:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Del Norte Boulevard & Ventura Freeway NB Ramps intersection that adds a second northbound thru lane, adds a separate northbound left turn lane, adds a second southbound thru lane, adds a separate southbound right turn lane, and adds a separate	The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.	Prior to issuance of building permits or as otherwise agreed upon with the City	City of Oxnard Engineering Services Division

Mitigation Measure	Action Required	Timing	Enforcement Agency
westbound left turn lane.			
<p><b>I-13 Del Norte Boulevard &amp; Ventura Freeway SB Ramps:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Del Norte Boulevard &amp; Ventura Freeway SB Ramps intersection that adds a second northbound thru lane, adds a separate northbound free-right turn lane, adds a second southbound thru lane, adds a separate southbound left turn lane, and adds a separate eastbound left turn lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>
<p><b>I-14 Oxnard Boulevard &amp; Vineyard Avenue:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Oxnard Boulevard &amp; Vineyard Avenue intersection that adds a third northbound thru lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>
<b>Phase 3 (2020)</b>			
<p><b>I-15 Oxnard Boulevard &amp; Vineyard Avenue:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Oxnard Boulevard &amp; Vineyard Avenue intersection that adds a fourth southbound thru lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>
<p><b>I-16 Rose Avenue &amp; Gonzales Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Gonzales Road intersection that adds a second westbound left turn lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>I-17 Rose Avenue &amp; Fifth Street:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Fifth Street intersection that adds a second westbound left turn lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>
<p><b>I-18 Rice Avenue &amp; Fifth Street:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue &amp; Fifth Street intersection that completes the grade separation / bypass which will mitigate both Project and cumulative (2020 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>
<p><b>I-19 Rice Avenue &amp; Wooley Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue &amp; Wooley Road intersection that adds a third northbound thru lane and a third southbound thru lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>
<p><b>I-20 Ventura Road &amp; Wooley Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Ventura Road &amp; Wooley Road intersection that adds a second southbound left lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>
<p><b>I-21 Rose Avenue &amp; Camino Del Sol:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Camino Del Sol intersection that adds a second eastbound left lane and a second westbound left lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>I-22 Del Norte Blvd &amp; Fifth Street:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Del Norte Blvd &amp; Fifth Street intersection that adds a second westbound thru lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City.</p>	<p>City of Oxnard Services Division Engineering</p>
<p><b>Phase 4 (2025)</b></p>			
<p><b>I-23 Ventura Road &amp; Gonzales Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Ventura Road &amp; Gonzales Road intersection that adds a second northbound left turn lane and a third northbound thru lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>
<p><b>I-24 Ventura Road &amp; Wooley Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Ventura Road &amp; Wooley Road intersection that adds a third eastbound thru lane and a third westbound thru lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>
<p><b>I-25 Rose Avenue &amp; Camino Del Sol:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Camino Del Sol intersection that removes the southbound free right turn lane, adds a third southbound thru lane and adds an eastbound right turn lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Services Division Engineering</p>
<p><b>I-26 Rose Avenue &amp; Fifth Street:</b> The Project developer shall pay applicable City and County traffic impact fees toward</p>	<p>The Project developer shall pay applicable City and County traffic</p>	<p>Prior to issuance of building permits or as</p>	<p>City of Oxnard Services Division Engineering</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>implementing improvements to the Rose Avenue &amp; Fifth Street intersection that adds a southbound right turn lane or grade separation.</p>	<p>impact fees in the amount agreed to by the City and Developer.</p>	<p>otherwise agreed upon with the City</p>	
<p><b>I-27 Rose Avenue &amp; Channel Islands Boulevard:</b> The Project developer shall pay applicable City and County traffic fees toward implementing improvements to the Rose Avenue &amp; Channel Islands Boulevard intersection that adds a third northbound thru lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-28 Rose Avenue &amp; Bard Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Bard Road intersection that adds a third northbound thru lane and a third southbound thru lane by removing the existing northbound and southbound right turn lanes.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-29 Rice Avenue &amp; Camino Del Sol:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rice Avenue &amp; Camino Del Sol intersection that adds a second eastbound left turn lane which will mitigate both Project and cumulative (2025 no Project) impacts.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-30 Rose Avenue &amp; Wooley Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Wooley Road intersection that adds a third southbound thru lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>I-31 Rose Avenue &amp; Pleasant Valley Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the Rose Avenue &amp; Pleasant Valley Road intersection that adds a third northbound thru lane and a third southbound thru lane by removing existing northbound and southbound right turn lanes.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>I-32 SR-1/Rice NB &amp; Pleasant Valley Road:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements to the SR- 1/Rice NB &amp; Pleasant Valley Road intersection that adds a westbound right turn lane.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>Year 2030</b></p>			
<p><b>I-33 Rice Avenue &amp; Gonzales Road:</b> The Project developer shall pay applicable City and County traffic impact fees and dedicate additional land to accommodate improvements to the Rice Avenue &amp; Gonzales Road intersection to achieve LOS C, unless the City Council decides this mitigation is infeasible and accepts LOS D for this intersection with an accompanying Statement of Overriding Consideration.</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>Ventura Freeway</b></p>			
<p><b>I-34 101 (Ventura) Freeway:</b> The Project developer shall pay applicable City and County traffic impact fees toward implementing improvements that are, or are subsequently included, component(s) of the Oxnard Traffic Capital</p>	<p>The Project developer shall pay applicable City and County traffic impact fees in the amount agreed to by the City and Developer.</p>	<p>Prior to issuance of building permits or as otherwise agreed upon with the City</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>Improvement Program which: 1) extend and connect north- and south-bound Ventura Freeway exit and entrance ramps between Oxnard Blvd and Del Norte Blvd. and/or 2) extend Gonzales Road and/or Ventura Road to Central Avenue.</p>			
<b>AIR QUALITY</b>			
<p>The Project together with other pending urban development projects in the City which, even after application of the following mitigation measures, will result in a cumulative effect on greenhouse gas emissions and continuing Basin air quality non-attainment that is considered significant and unavoidable. Accordingly, a Statement of Overriding Considerations was prepared in accordance with CEQA and included within the resolution approving the Specific Plan.</p>			
<b>Construction</b>			
<p>J-1 This is an adaptive management mitigation measure. The Project developer shall implement fugitive dust control measures throughout all phases of construction. The Project developer shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. These measures, like all EIR mitigation measures, are binding on subsequent parties and developers. Examples of the types of measures currently required and recommended include the following:</p> <ul style="list-style-type: none"> <li>• Minimize the area disturbed on a daily basis by clearing, grading, earthmoving, and/or excavation operations.</li> <li>• Pre-grading/excavation activities shall include watering the area to be graded or excavated before the commencement of grading or excavation operations. Application of water should penetrate sufficiently to</li> </ul>	<p>Measures shall be included in construction documents and implemented during grading and construction.</p>	<p>Prior to issuance of grading permits and during grading and construction</p>	<p>City of Oxnard Planning Division and Engineering Services Division (building inspectors)</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>minimize fugitive dust during these activities.</p> <ul style="list-style-type: none"> <li>• All trucks shall be required to cover their loads as required by California Vehicle Code §23114.</li> <li>• All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary.</li> <li>• Material stockpiles shall be enclosed, covered, stabilized, or otherwise treated, to prevent blowing fugitive dust offsite.</li> <li>• Graded and/or excavated inactive areas of the construction site shall be monitored by a City-designated monitor at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the 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.</li> <li>• Signs shall be posted on-site limiting on-site traffic to</li> </ul>			

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>15 miles per hour or less.</p> <ul style="list-style-type: none"> <li>• During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by on-site activities and operations from being a nuisance or hazard, either off-site or on-site. The site superintendent/supervisor shall use his/her discretion in conjunction with the VCAPCD is determining when winds are excessive.</li> <li>• Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.</li> <li>• Personnel involved in grading operations, including contractors and subcontractors should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.</li> </ul>			
<p>1-2 The Project developer shall implement measures to reduce the emissions of pollutants generated by heavy-duty diesel-powered equipment operating at the Project site throughout the Project construction phases. The Project developer shall include in construction contracts the control measures required and recommended by the VCAPCD at the time of development. Examples of the types of measures currently</p>	<p>Measures shall be included in construction documents and implemented during grading and construction.</p>	<p>Prior to issuance of grading permits and during grading and construction</p>	<p>City of Oxnard Planning Division and Engineering Services Division (building inspectors)</p>

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Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>required and recommended include the following:</p> <ul style="list-style-type: none"> <li>• Maintain all construction equipment in good condition and in proper tune in accordance with manufacturer's specifications.</li> <li>• Limit truck and equipment idling time to five minutes or less.</li> <li>• Minimize the number of vehicles and equipment operating at the same time during the smog season (May through October).</li> <li>• Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, to the extent feasible.</li> </ul>			
<b>Operations</b>			
<p><b>J-3</b> This is an adaptive management mitigation measure. The Project developer shall include in construction and building management contracts one or more of the following requirements or other measures shown to be equally effective:</p> <ul style="list-style-type: none"> <li>• Use solar or low-emission water heaters in new buildings where feasible and as in common practice in similar new construction in the Oxnard area.</li> <li>• Require that commercial landscapers providing services at the common areas of project site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such</li> </ul>	<p>The development review process will condition planning and/or discretionary building projects with these or similar requirements.</p>	<p>Prior to recording of Final Map of first subdivision action.</p>	<p>City of Oxnard Planning Division and Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased at stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment).</p> <ul style="list-style-type: none"> <li>• Provide bus stops pull-out areas, and/or shelters at locations along and within the Project site. The number and location of bus stops shall be determined in consultation with Gold Coast Transit and the City Traffic Engineer. Cumulative air quality impact fees (see Mitigation J-6) paid by the Project developer or subsequent interests may be used for some or all of these structures or as credits against the fee and/or to be funded from the fee fund consistent with the City's practice with other projects with similar transit-oriented mitigation requirements.</li> </ul>			
<p><b>J-4</b> This is an adaptive management mitigation measure. A Project-wide Transportation Demand Management (TDM) program shall be prepared by a qualified consultant for review by the Development Services Director within one year of the recordation of the first Final Tract Map and implemented on a phase by phase basis thereafter. The TDM program shall incorporate best and commonly used trip-reduction incentives, programs, and practices found in TDMs of similar projects in terms of allowed uses, size, and transportation and transit service context. The TDM shall, to the maximum extent financially feasible or practical, be coordinated and consistent with Gold Coast Transit service</p>	<p>The Project developer will prepare a Project-wide TDM program document for City review and approval.</p>	<p>Within one year of the recordation of the first Final Tract Map and implemented on a phase by phase basis thereafter.</p>	<p>City of Oxnard Planning Division with invited cooperation by Gold Coast Transit.</p>

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Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>planning, development and/or final adoption of a regional and/or Oxnard Sustainable Communities Strategy (under SB 375), and TDMs or similar efforts of surrounding businesses and organized business and commercial organizations, including but not limited to, the Camino Real Business Park; Proctor and Gamble; Riverpark (The Collections); The Esplanade; The Village; Oxnard Auto Center Dealers Associations; and the McGinnes Ranch, Northgate, and Seagate business parks. The TDM shall include an estimate of Project vehicular trips; a target reduction; a strategy and timeline to achieve the target; and one or more means of an independent sustainable funding program to administer, monitor, and routinely update the TDM program. At the discretion of the City Traffic Engineer based on applicable professional practice, documented and sustained TDM-attributable trip reductions shall be incorporated into future Project-related traffic studies and/or analyses for purposes of calculating traffic fees and/or modifying traffic-related mitigations. The TDM may be implemented on a phase-by-phase basis.</p>			
<p><b>J-5</b> This is an adaptive management mitigation measure. The Specific Plan shall include a requirement that all structures with a flat or nearly flat roof area of over 10,000 square feet shall be designed with roof systems capable of supporting equipment that generates electricity from sunlight and/or wind if economically feasible and subject to review by the Fire Department. The roof systems may be designed to service the building and/or enter into a commercially</p>	<p>The Specific Plan will be amended with this or similar language in an appropriate section.</p>	<p>Prior to recording of Final Map of first subdivision action.</p>	<p>City of Oxnard Planning Division and Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>reasonable public or private utility agreement for purposes of generating energy or transmission.</p> <p><b>J-6</b> This is an adaptive management mitigation measure. The Project developer shall contribute to a cumulative impacts mitigation "buy-down" fund managed by the City based on the Ventura County Air Pollution Control District fee schedule effective at the time a building permit is issued. The fee contribution shall be assessed and paid incrementally as individual buildings are developed. The fee is allocated based on each development's share of average daily trips (ADT) for the Project buildout. The ADT shall be recalculated annually by the City Traffic Engineer or upon request of the Project developer with a payment of a fee determined by the City Traffic Engineer that covers actual time and material costs to the City. The City shall consider transit and traffic demand management improvements and programs suggested by the Project developer, in excess of those otherwise required, as credits against the fee and/or to be funded from the fee fund.</p>	<p>The Project developer(s) shall provide payment as agreed between the developer(s) and the City.</p>	<p>Prior to issuance of applicable building permits to which the buy down mitigation applies</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>NOISE ATTACHMENT</b></p> <p>The Project together with other pending urban development projects in the City will result in cumulative roadway noise impacts along Gonzales Road between Rice Avenue and Rose Avenue for which no mitigation measures are feasible and that are considered significant and unavoidable. Accordingly, a Statement of Overriding Considerations was prepared in accordance with CEQA and included within the resolution approving the Specific Plan.</p>			

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p><b>POPULATION AND HOUSING</b></p> <p><b>L-1</b> If there is a housing component within the Project of over 10 units, ten percent of the total units within each project or a percentage determined by an economic impact assessment that estimates the need for very low and low income housing created by actual and anticipated development with the Specific Plan, whichever percentage is higher but not to exceed 23 percent, would be developed as affordable housing in a manner consistent with the City's inclusionary housing program for qualified low and moderate income households, to be determined by an economic impact assessment that estimates the need for very low and low income housing created by the actual and anticipated development and the wages paid to their employees. This information shall also be reflected in the Specific Plan document under section 4.7, Affordable Housing.</p>	<p>The development review process for any housing will check for consistency with the Specific Plan and this mitigation.</p>	<p>Prior to approval of the applicable planning permit for housing.</p>	<p>City of Oxnard Planning Division in conjunction with the Oxnard Housing Department.</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<b>PUBLIC SERVICES</b>			
<i>Fire Station</i>			
<p><b>M.1-1</b> The Specific Plan permits the development of 1.7 million square feet of development (approximately 20 percent of allowed development by the Specific Plan) prior to the completion of a fully operational fire station. The exact location of an approximately 1.5-acre site near Rice Avenue and the easterly extension of Gonzales Road and construction of the fire station are subject to a future agreement among City, Oxnard Fire Department (OFD) and Developer.</p>	<p>The Project developer shall reserve an approximately 1.5-acre site for a new fire station within the Project site near Rice Avenue and the easterly extension of Gonzales Road and pay applicable City fees in the amount agreed to by the City, the OFD and Developer.</p>	<p>Prior to the issuance of building permits for projects that would exceed an aggregated total of 1.7 million square feet within the Specific Plan Area.</p>	<p>City of Oxnard Planning Division</p>
<i>Police – Construction</i>			
<p><b>M.2-1</b> During all construction activities, the Project or subsequent developer shall ensure that all onsite areas of active development, material and equipment storage, and vehicle staging, be secured with temporary fences to prevent trespass.</p>	<p>Project developer shall obtain a temporary use permit and/or fence permit.</p>	<p>Prior to issuance of building permit</p>	<p>City of Oxnard Engineering Services Division or Public Works Department, depending on type of permit.</p>
<i>Police – Operation</i>			
<p><b>M.2-2</b> The building and site design of subsequent developments under the Specific Plan program shall include crime deterrence and prevention features, building security systems, architectural design modifications, surveillance systems, and secure parking facilities. In addition, industrial businesses may be required to enroll into existing Oxnard Police crime prevention programs, depending on the nature of the business.</p>	<p>The development review process incorporates these topics.</p>	<p>Prior to approval of building permits</p>	<p>City of Oxnard Planning Division and/or Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<i>Schools</i>			
<p><b>M.3-1</b> This is an adaptive management mitigation measure. The subsequent developer(s) under the specific plan would be required to pay all applicable school fees to offset the impact of additional student enrollment at schools. No other mitigation measures are required as part of the environmental review process unless State Law changes so as to allow subsequent environmental reviews to identify appropriate feasible mitigations to reduce a significant impact on schools to a level below the significance threshold.</p>	<p>Project developer to provide CC&amp;Rs and other necessary legal language that binds future developers to this mitigation – to be reviewed by the City Attorney – prior to recording of first Final Map.</p>	<p>Prior to recording of first Final Map</p>	<p>City of Oxnard Planning Division</p>
<b>UTILITIES</b>			
<i>Water</i>			
<p><b>N-1</b> The on-site domestic water system shall include the following:</p> <ul style="list-style-type: none"> <li>• A public pipeline systems which feed into separate water meters for each ownership. In addition, there shall be separate water meters for each multi-family unit townhouses, but not apartment units. The high-rise residential towers may be master-metered.</li> <li>• A separate water meter (1) for the common landscape areas that would be connected to the future recycled water system.</li> <li>• All domestic water pipelines shall adhere to Division of Occupational Health and Safety (DOHS) requirements for separation between water and recycled water/wastewater pipelines.</li> </ul>	<p>Project developer to incorporate the required water features in the application and provide dedications, connection fees, and related documents and studies as required and requested.</p>	<p>Prior to issuance of building permits.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, and the Public Works Department</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<ul style="list-style-type: none"> <li>The Project developer shall be responsible for payment of capital improvement/connection fees, including all related "installation fees."</li> <li>The Project developer shall provide the City any approvals necessary to dedicate to the City all FCGMA allocation associated with the Project site, on a phase-by-phase basis and upon the conversion of land from agricultural to urban uses.</li> </ul>			
<p><b>N-2</b> This is an adaptive management mitigation measure. The Project developer shall provide a recycled water system that serves all practical irrigated areas and which is: (1) separated from the domestic water system, (2) constructed per the City's Recycled Water Construction Standards (being developed), (3) irrigated at night, and (4) properly signed once the system is fully operational.</p> <ul style="list-style-type: none"> <li>The portion of the irrigation intended for the future recycled water system shall be separately metered from that portion of the system that will not be connected to the future recycled water system, if any.</li> <li>Until the recycled water system is operational, the common area irrigation system shall be connected to the domestic system. Once recycled water is available, and connection to the recycled water system is made, the Project developer shall remove the connection to the domestic water system. No domestic water back-up is needed, since the City will provide such back-up including an appropriate air gap facility as part of the</li> </ul>	<p>Project developer to incorporate the required water features in the application and provide dedications, connection fees, and related documents and studies as required and requested.</p> <p>Project developer to provide CC&amp;Rs and other necessary legal language that binds future developers to this mitigation – to be reviewed by the City Attorney – prior to recording of first Final Map.</p>	<p>Prior to issuance of building permits.</p>	<p>City of Oxnard Planning Division, Engineering Services Division, and the Public Works Department</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>City's system.</p> <ul style="list-style-type: none"> <li>• Prior to the availability of recycled water, the Project developer shall be responsible for payment of the Recycled Water Connection Fee or the water connection fee, whichever is greater for facilities constructed.</li> <li>• At such time as recycled water is available, the Project developer shall be responsible for all costs involved with the re-connection of the applicable portions of the irrigation system to the public recycled water system, including appropriate signage. Credits for connection fees shall be given by the City based on the size of the meter(s). Under no circumstance will there be a refund of water connection fees already paid.</li> <li>• The Project developer shall be responsible for appropriate Saktioka Farms Specific Plan Covenants, Conditions and Restrictions (CC&amp;Rs) covering the use of recycled water and for proper disclosures.</li> </ul>			
<p><b>N-3</b> This is an adaptive management mitigation measure. The Project developer shall, to the extent feasible, incorporate exterior water conservation features, as recommended by the State Department of Water Resources at the time of adoption or in common practice in the future, into the Project. These shall include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Landscaping of common areas with low water-using plants,</li> <li>• Minimizing the use of turf by limiting it to lawn</li> </ul>	<p>Project developer(s) shall provide landscape plans showing low-water-consuming plant varieties, minimization of turf areas and the appropriate selection of warm season grasses.</p>	<p>Prior to issuance of final building permits and prior to certificates of occupancy</p>	<p>City of Oxnard Planning Division and Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>dependent uses, and</p> <ul style="list-style-type: none"> <li>Wherever turf is used, installing warm season grasses.</li> </ul>			
<p>N-4 This is an adaptive management mitigation measure. The Project developer shall, to the extent feasible, use reclaimed water for irrigation of landscaping and other uses if or when such water is available at the project site.</p>	<p>Project developer(s) shall provide construction plans showing recycled water landscape irrigation design, if and when applicable.</p>	<p>Prior to approval of final building permits.</p>	<p>City of Oxnard Planning Division and Engineering Services Division</p>
<p>N-5 The Project developer shall predominantly use vegetation that requires minimal irrigation (i.e., drought tolerant plant species) in all site landscaping where feasible for new plantings.</p>	<p>Project developer(s) shall provide landscape plans showing low-water-consuming plant varieties.</p>	<p>Prior to approval of final building permits and prior to certificates of occupancy</p>	<p>City of Oxnard Planning Division and Engineering Services Division</p>
<p>N-6 The future water system shall be designed in a loop configuration with connections to the existing 16-inch water line on Del Norte Boulevard.</p>	<p>Project developer(s) shall provide construction plans showing a loop-configuration water system.</p>	<p>Prior to issuance of building permits</p>	<p>City of Engineering Services Division</p>
<p>N-7 The use of a 14-inch line would be feasible and should only be connected to mainlines of 14- inches or larger.</p>	<p>Project developer(s) shall provide construction plans showing appropriate water system connections.</p>	<p>Prior to approval of final building permits</p>	<p>City of Oxnard Engineering Services Division</p>
<p>N-8 Rice Avenue is planned to become a state highway; therefore, no new utilities shall be installed along this roadway.</p>	<p>Project developer(s) construction plans will not show utilities installed in Rice Avenue.</p>	<p>Prior to approval of final building permits that involve frontage along Rice Avenue</p>	<p>City of Oxnard Engineering Services Division</p>
<p>N-9 The Project developer shall ensure that the landscape irrigation system be designed, installed, and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.</p>	<p>The Project developer to provide CC&amp;Rs and other necessary legal language that binds future developers to this mitigation – to be</p>	<p>Prior to recording of first Final Map</p>	<p>City of Oxnard Planning Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
	<p>reviewed by the City Attorney – prior to recording of first Final Map.</p> <p>The Project developer(s) shall provide construction plans showing the landscape irrigation design.</p>	<p>Prior to approval of final building permits and prior to certificates of occupancy</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>N-10</b> The Project developer shall, to the extent feasible, install a “smart sprinkler” system to provide irrigation for the landscaped areas. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be automatically adjusted by a state-of-the-art system that relies on local weather forecasts.</p>	<p>Project developer(s) shall provide construction plans showing the landscape irrigation design.</p>	<p>Prior to approval of building permits</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>N-11</b> The Project developer shall install low-flush water toilets in all new construction at the project site. Low-flow faucet aerators shall be installed on all new sink faucets.</p>	<p>Project developer(s) shall provide construction plans meeting the requirements for low-flush toilets and low-flow faucets.</p>	<p>Prior to approval of final building permits</p>	<p>City of Oxnard Engineering Services Division</p>

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>N-12 This is an adaptive management mitigation measure. The Project's annual water supply deficit of 330 acre feet was estimated using 2010 water use estimates for the theoretical buildout of the entire project. Actual water demand over the buildout of the Project is likely to change as actual development and uses occur and changing water consumption. Subsequent water demand/supply analyses required by subsequent CEQA review may change water supply needs relative to the City's future water supply. The Draft 2010 Urban Water Management Plan (UWMP) incorporates the Project's water demand as proposed. Should subsequent project development incur water demand in excess of that anticipated by the adopted 2010 UWMP and/or the City's water supplies are reduced below those anticipated by the adopted 2010 UWMP, the Project shall, to the extent feasible, implement one or more, but not limited to, the following adaptive measures to remain water neutral to the City's available and projected supply at the time of subsequent project approvals that involve a Negative Declaration, Mitigated Negative Declaration, or Subsequent</p>	<p>Project developer shall work with the Public Works Department, Water Section, to review existing and anticipated water demand relative to the City's existing and anticipated supply and choose, if necessary, one or more of the listed mitigations to eliminate a water supply shortage, if identified. This analysis and selection of mitigations, if needed, shall occur during reviews of the master subdivision maps of each Planning Area unless an alternative approach is agreed to in a Development Agreement.</p>	<p>Prior to recordation of the final map for each Planning Area or as otherwise agreed upon with the City</p>	<p>City of Oxnard Planning Division and Engineering Services Division with input from the Public Works Department, Water Section</p>
<p>EIR:            N-12.1 The Project developer shall provide to the City additional water rights of at least the shortage amount.            N-12.2 The Project developer shall provide to the City water supplies equal to the shortage amount until City supply is adequate.            N-12.3 The Project developer shall provide to the City</p>			

Mitigation Measure	Action Required	Timing	Enforcement Agency
<p>permanent quantified water offsets in the form of recycled water facilities or conservation retrofits.</p> <p><b>N-12.4</b> The Project developer shall provide to the City financial contributions towards City programs which generate in-City water conservation or recycled water capacity or conveyance.</p> <p><b>N-12.5</b> The Project developer shall participation in other similar programs with cumulatively result in an adequate water supply contribution.</p>			
<p><b>N-13</b> The Project developer shall, in a manner as agreed to in the development agreement, participate in an assessment of district or similar financing instrument for the construction of a recycled water supply pipeline that will connect into the Project's recycled internal pipelines required by mitigation, or pay applicable connection fees to connect to the City's recycled water line when requested.</p>	<p>Project developer shall in a manner as agreed to in the development agreement provide applicable payment and/or participate in an assessment district.</p>	<p>Prior to recordation of the final tract map or as otherwise required if an assessment district is formed.</p>	<p>City of Oxnard Engineering Services Division</p>
<p><b>Note:</b> The "Project developer" is defined in this Mitigation Monitoring and Reporting Program as Sakioka Farms, the Project applicant, as well as the eventual individual developers of each parcel within the project site.</p>			

