City of Ojai

2006-2014 Housing Element Update EIR

Final

Environmental Impact Report

SCH# 2009051106

September 2012

rincon

Environmental Scientists Planners Engineers

2006-2014 Housing Element Update EIR

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2006-2014 Housing Element Update EIR

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EXECUTIVE SUMMARY

This section summarizes the characteristics of the proposed project, alternatives, environmental impacts, mitigation measures, and residual impacts associated with the proposed project.

PROJECT SYNOPSIS

Project Applicant

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Project Description

The proposed project involves an update to Housing Element of the City of Ojai's General Plan. The proposed Housing Element establishes programs, policies and actions to generally further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014.

ALTERNATIVES

Four alternatives to the proposed project were selected for consideration as follows:

- **Alternative 1: No Project – No Housing Element.** Under this alternative, the City would not adopt a new Housing Element and the 2000-2005 Housing Element would expire. Under this alternative, housing towards the RHNA goals may be constructed in the normal course of business and growth, but none would be expressly facilitated by adoption of new policies or programs. Over the eight-year planning period, 32 new units[1] would be expected to be built under normal operation of the City's Growth Management Ordinance.
- **Alternative 2: No Project – Existing Housing Element.** Under this alternative the City would continue to operate under the goals, policies and programs in the 2000-2005 Housing Element for the 2006-2014 planning period. The 2000-2005 Housing Element would remain in effect.
- **Alternative 3: Existing Units Only Alternative.** Under this alternative the City would meet its RHNA goals through the use of existing housing units by

[1] The Growth Management Ordinance (OMC Section 10-6.601) currently allows growth of up to 16 units per year, however, based on recent trends and the number of allocations requested and issued in recent years, a more reasonable number of four units per year was used in this analysis (4 units/year x 8-year Housing Element time frame = 32 units).

relying on an amnesty program, affordable housing covenants and mortgage assistance. No new housing units would be facilitated by this alternative.

- **Alternative 4: More Reliance on New Construction Alternative.** This alternative would involve meeting the RHNA goals with a higher proportion of units from new construction than the proposed 2006-2014 Housing Element. Under this alternative, 15 existing units and 412 new units would comprise the 427 units needed to meet the housing goal. Of these, 194 new units would be facilitated within an expanded "special housing overlay," which allows a variety of housing types including affordable housing, senior housing, transitional housing and shelters. Demonstration and senior housing projects would provide 71 units. The 15 existing units would be facilitated through affordable housing covenants. There would be no amnesty program.

CEQA requires the identification of the environmentally superior alternative among the options studied. However, a lead agency is not required to adopt the environmentally superior alternative if it identifies economic, legal, social, technological, or other considerations that render it or other project alternatives identified in the Final EIR infeasible. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, and jurisdictional boundaries, among others.

When environmental factors are given weighted consideration, the Existing Units Only Alternative (Alternative 3) is deemed superior overall, since no new development would be facilitated and the significant impacts associated with the proposed project would not occur. However, depending on the risk tolerance of decision makers and which project objectives they place priority on, the preferred alternative may not be same as the one that is environmentally superior. This is illustrated in Table 6-1 in Section 6.0, *Alternatives*.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table ES-1, beginning on the following page, summarizes the identified Class I (significant and unavoidable) impacts and Class II impacts (those that can be feasibly mitigated to less than significant levels). These two types of impacts require findings to be made under Section 15091 of the *State CEQA Guidelines*. Class III impacts (those that may be adverse, but do not exceed threshold levels and do not require mitigation) are listed below in summary form.

Class III – Less Than Significant Impacts

Aesthetics – Visual character
Aesthetics – Scenic views
Aesthetics – Scenic resources
Aesthetics – Light and glare
Agriculture – Farmland conversion, agricultural zoning, Williamson Act contract
Air Quality – Consistency with AQMP
Air Quality – Air quality standards
Air Quality – Long term emissions
Air Quality – Temporary emissions
Air Quality – "CO hotspots"

Biological Resources– Conflict with local ordinances or policies, including tree protection
Biological Resources – Conflict with approved local, regional, or state habitat conservation plan
Cultural Resources – Undetected archaeological resources
Cultural Resources – Removal or alteration of historic resources
Geology – Liquefaction
Geology – Landslides
Geology – Erosion hazards
Geology – Expansive soil
Hazards & Hazardous Materials – Transportation of hazardous materials
Hydrology and Water Quality – Increased surface runoff
Hydrology and Water Quality – Flood zones
Hydrology and Water Quality – Point and non-point sources of contamination
Land Use and Planning – Divide an established community
Land Use and Planning – Conflict with local plans, policies and ordinances
Land Use and Planning – Conflict with SCAG policies
Mineral Resources – Access to mineral resources
Noise – Exposure of sensitive land uses to unacceptable levels of noise
Noise – Expose existing land uses to increased noise
Noise – Airport or airstrip noise
Population and Housing – Population or housing displacement
Population and Housing – Substantial population growth
Public Services – Increase demand on fire services
Public Services – Increase demand on police services
Public Services – Increase demand on schools
Recreation – Substantial physical deterioration of parks/recreation facilities
Recreation – Impacts from new parks/recreation facilities
Traffic and Circulation – Impacts to roadways within Ojai
Traffic and Circulation – Traffic hazards
Traffic and Circulation - Parking
Traffic and Circulation – Air traffic
Traffic and Circulation – Emergency access
Traffic and Circulation – Alternative transportation
Utilities – Increased water demand. Mitigation is not required as significant impacts have not been identified. Nevertheless, the following measure is recommended to minimize water demand and associated impacts to the local groundwater basin:

U-1 Water Conservation Plan. *The City shall develop a water conservation plan that outlines approaches to minimize water demand for new housing in Ojai. The water conservation plan shall describe specific methods to reduce water use, including but not limited to:*

- *Use of water conserving water fixtures*
- *Investigate opportunities to improve the efficiency of the existing water delivery system, including minimizing water loss from leaking infrastructure*
- *Incorporation of drought tolerant landscaping*
- *Use of grey water and/or rain water for irrigation*

Utilities – Increased wastewater generation
Utilities – Increased solid waste generation

Growth Effects and Other CEQA Considerations

Table ES-1
Summary of Significant and Significant but Mitigable Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impacts	Mitigation Measures	Significance after Mitigation
BIOLOGICAL RESOURCES		
Impact BIO-1 Special Status Species		
The Housing Element could facilitate the development of up to 201 new dwelling units within the City. Development in or adjacent to riparian areas or that involves removal of native trees has the potential to affect special status species occurring within the project area. Impacts would be Class II, significant but mitigable.	**BIO-1 New Conservation Element Tree and Riparian Habitat Programs.** The following programs shall be adopted and added to the City's Conservation Element, under the policy that states "*It shall be the policy of the City of Ojai to allow no net loss of existing resource value for rare, endangered and unique species habitat, except to provide for the maintenance of flood control facilities:"* 1) Tree removal, pruning, or similar actions that may result in the loss of active bird nests shall occur outside of the breeding/nesting bird season (February 1 – August 31) to avoid accidental take. If such removal or pruning must occur during the breeding/nesting season, a qualified, City-approved biologist shall survey all breeding/nesting habitat within the project site and adjacent to the project site for breeding/nesting non-game native birds. If an active bird and/or raptor nest is located, the nest site shall be fenced at a distance commensurate with the particular species (and in consultation with CDFG, if necessary) until juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the sensitivity of the area. 2) No new grading or development shall be allowed within 25 feet of the edge of riparian vegetation or top of bank, whichever is further, as delineated by a qualified, City-approved biologist, of a watercourse shown on Master Environmental Assessment Map CONS-1. Additional site-specific setbacks up to 100 feet may be recommended depending on the value of the habitat and the nature and type of riparian-related biological resources present, with higher value habitat receiving a greater setback than lower value habitat. Where existing buildings and improvements, conforming as to use but nonconforming as to the minimum creek setback established herein, are damaged or destroyed by fire, earthquake or other natural disaster, such buildings and improvements may be reconstructed to the same or lesser size and in the same general footprint location, provided that reconstruction	Less than significant

Table ES-1
Summary of Significant and Significant but Mitigable Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impacts	Mitigation Measures	Significance after Mitigation
	shall be inaugurated by the submittal of a complete construction application within 24 months of the time of damage and be diligently carried to completion.	
GEOLOGY		
Impact GEO-1 Seismic Shaking		
Future seismic events could produce ground accelerations throughout Ojai, and could affect new construction facilitated by adoption of the proposed 2006-2014 Housing Element. Potential impacts relating to seismic groundshaking are considered Class II, significant but mitigable.	**GEO-1 Design Level Foundation Study.** Prior to issuance of grading permits for individual projects within Ojai, the developer shall submit to the City a design-level foundation study conducted by a qualified geotechnical engineer. All structures shall be designed to limit earthquake-related damage and safeguard against major structural failures and loss of life. Any recommendations contained in the design-level study and beyond UBC and CBC requirements shall be fully implemented subject to the review and approval of the Public Works Department. Site-specific foundation stabilization techniques that may be recommended following the design-level study may include the following: • Removal and recompaction of soil and bedrock underlying the buildings • Use of geotextile reinforcement in subgrade soils underlying the buildings • Design foundations with higher tolerable limits for movement by stiffening of the foundation elements.	Less than significant
Impact GEO-2 Exposure to Potentially Active Faults		
No known active faults traverse the City of Ojai; however, one potentially active fault traverses the City and one of the identified potential housing locations in the proposed 2006-2014 Housing Element. Impacts relating to fault surface rupture would be Class II, significant but mitigable.	**GEO-2 Fault Study.** Prior to issuance of grading permits for individual projects within 500 feet of the Santa Ana Fault, the developer shall submit a fault study conducted by a qualified geotechnical engineer to the City for review. All structures shall be designed to limit structural damage and safeguard against major structural failures and loss of life. Any recommendations contained in the design-level study shall be fully implemented subject to the review and approval of the Building Official.	Less than significant
HAZARDS AND HAZARDOUS MATERIALS		
Impact HAZ-1 Exposure to Hazardous Materials		
Uses within the City historically or presently handle hazardous materials to which current and future residents could be exposed. Potential development near hazardous material users, including	**HAZ-1(a) Phase I Environmental Site Assessment for commercial and industrial zoned parcels.** Prior to approval of a land use permit for grading and/or site preparation on a site that was previously zoned for commercial or industrial use and would accommodate residences under the proposed Housing Element, a Phase I Environmental Site Assessment shall be conducted to assess potential soil and/or groundwater contamination. If indications of potential or recognized environmental conditions are discovered, a site assessment work plan shall	Less than significant

Table ES-1
Summary of Significant and Significant but Mitigable Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impacts	Mitigation Measures	Significance after Mitigation
agricultural and manufacturing sources, could expose individuals to health risks due to soil/groundwater contamination or emission of hazardous materials into the air. However, compliance with existing regulations and Mitigation Measure HAZ-1 would reduce potential impacts associated with hazardous material use to a Class II, significant but mitigable, level.	be prepared and submitted to the appropriate regulatory agency, which may be the County of Ventura Environmental Health Division (VCEHD), Ventura County Fire Department (VCFD), Los Angeles Regional Water Quality Control Board (RWQCB), or the State of California Environmental Protection Agency Department of Toxic Substances Control (DTSC) for approval. The agency should review the work plan and either sign off on the plan or determine if any additional investigation activities are deemed necessary. Prior to approval of building permits, the applicant shall submit the site assessment or, if necessary, remediation results to the appropriate regulatory agency for approval. The appropriate regulatory agency shall verify that appropriate sampling and if required, remediation, has been completed. Following verification of regulatory compliance, the appropriate regulatory agency shall complete a permit compliance inspection of the site. **HAZ-1(b) Soil Sampling.** If environmental conditions are identified by the Phase I Environmental Site Assessment that would be completed on sites that were previously zoned for commercial or industrial use and would accommodate housing under the Housing Element, soil sampling for contaminants shall be conducted by a qualified professional. The results of the soil sampling shall be forwarded to the appropriate regulatory agency (VCEHD, VCFD, RWQCB, or DTSC). The agency should review the data and either sign off on the property or determine if any additional investigation or remedial activities are deemed necessary. If concentrations of contaminants warrant site remediation, contaminated materials shall be remediated either prior to construction of structures or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory agency. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests. Prior to approval of building permits, the applicant shall submit the site assessment or, if necessary, remediation results to the appropriate regulatory agency for approval. The appropriate regulatory agency shall verify that appropriate sampling and, if required, remediation has been completed. Following verification of regulatory compliance, the regulatory agency shall complete a permit compliance inspection of the site. **HAZ-1(c) Groundwater Sampling and Remediation.** If, during the soil sampling, groundwater contamination is suspected, or if soil contamination is detected at depths at or greater than 30 feet below grade, then the applicant shall	

Table ES-1
Summary of Significant and Significant but Mitigable Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impacts	Mitigation Measures	Significance after Mitigation
	perform a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (the VCEHD, VCFD, RWQCB, or DTSC). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary. Prior to approval of building permits, the applicant shall submit the site assessment or, if necessary, remediation results to the appropriate regulatory agency for approval. The agency shall verify with that appropriate sampling and, if required, remediation has been completed. Following verification of regulatory compliance, the agency shall complete a permit compliance inspection of the site.	
TRAFFIC AND CIRCULATION		
Impact TC-2 Additional Trips on SR 33		
Development facilitated by the proposed Housing Element would add trips to the Ventura County regional roadway network. The additional trips would result in a significant traffic impact on State Route 33 through the Casitas Springs area. As no feasible mitigation is available to reduce this impact below thresholds of significance, it would be Class I, significant and unavoidable.	**TC-2 Transportation Demand Management.** The following shall be included as conditions of approval for all multi-unit demonstration and senior housing projects developed pursuant to the Housing Plan: a. In addition to criteria related to income requirements and other essential factors, priority for acceptance of an application for a residential unit shall be given to those applicants whose workplace is closest in proximity to the development. b. Install way-finding signs within and from the project site directing tenants and visitors to locations of transit (buses, shuttles etc.) and of bicycle/pedestrian trails. Signage may include public information kiosks to post other pamphlets to assist pedestrians find transit access points. c. Provide one or more transportation information kiosks or bulletin board areas onsite such that residents have convenient, conspicuous access to such a feature. The transportation information shall include, but is not limited to, the following: • Current routes, maps, and schedules for public transit serving the area • Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency, dial-a-ride and similar service providers, and local transit operators • Locations where daily tickets and monthly passes may be purchased for local transit providers • Ridesharing promotion material supplied by commuter-oriented organizations • Regional/local bicycle and pedestrian trail/path	*Significant*

Table ES-1
Summary of Significant and Significant but Mitigable Environmental Impacts, Mitigation Measures and Significance after Mitigation

Impacts	Mitigation Measures	Significance after Mitigation
	routes and facility maps/information • A listing of onsite services or facilities which are available for carpoolers, vanpoolers, bicyclists, and transit riders. d. Provide bicycle racks on site at the minimum rate of 10% of the number of the total automobile parking spaces required, rounded up to the next whole number. Bicycle racks shall be secure, easily accessible to residents. Simple arched tubular bike racks are recommended as a minimum standard. Fanciful but practical racks are encouraged.	

1.0 INTRODUCTION

This document is an Environmental Impact Report (EIR) that evaluates the proposed 2006-2014 Housing Element, located in the City of Ojai, County of Ventura, California. This section describes: (1) the purpose and legal authority of the EIR; (2) the scope and content of the EIR; (3) lead, responsible, and trustee agencies; and (4) the environmental review process required under the California Environmental Quality Act (CEQA).

1.1 PURPOSE AND LEGAL AUTHORITY

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

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

Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. As provided in Section 15168 of the *CEQA Guidelines*, a Program EIR may be prepared on a series of actions that may be characterized as one large project. Use of a Program EIR provides the City (as Lead Agency) with the opportunity to consider broad policy alternatives and program-wide mitigation measures and provides the City with greater flexibility to address environmental issues and/or cumulative impacts on a comprehensive basis. Agencies generally prepare Program EIRs for programs or a series of related actions that are linked geographically, are logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program, or are individual activities carried out under the same authority and having generally similar environmental effects that can be mitigated in similar ways. By its nature, a Program EIR considers the "macro" effects associated with implementing a program (such as the Housing Element) and does not, and is not intended to, examine the specific environmental effects associated with specific projects that may be implemented.

Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine what, if any, additional CEQA documentation needs to be prepared. If the Program EIR addresses the program's effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (*CEQA Guidelines* Section 15168(c)). When a Program EIR is relied on for a subsequent activity, the Lead Agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (*CEQA Guidelines* Section 15168(c)(3)). If a subsequent activity would have effects not within the scope of the Program EIR, the Lead Agency must prepare a new Initial Study leading to either a Negative Declaration, Mitigated Negative Declaration, or a project level EIR. In this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis. The *CEQA Guidelines* (Section 15168(h)) encourage the use of Program EIRs, citing five advantages:

1. *Provision of a more exhaustive consideration of impacts and alternatives than would be practical in an individual EIR*
2. *Focus on cumulative impacts that might be slighted in a case-by-case analysis*
3. *Avoidance of continual reconsideration of recurring policy issues*
4. *Consideration of broad policy alternatives and programmatic mitigation measures at an early stage when the agency has greater flexibility to deal with them*
5. *Reduction of paperwork by encouraging the reuse of data (through tiering)*

It should be noted that as a "macro" level environmental document, the Housing Element EIR uses macro level thresholds as compared to the project-level thresholds that might be used for an EIR on a specific development project. It should not be assumed that impacts determined not to be significant at a macro level would not be significant at a project level. In other words, determination that implementation of the 2006-2014 Housing Element as a "program" would not have a significant environmental effect does not necessarily mean that an individual project would not have significant effects based on project-level CEQA thresholds, even if the project is consistent with the General Plan and Housing Element.

The process will culminate with Planning Commission and City Council hearings to consider certification of a Final EIR and approval of the Housing Element update.

1.2 EIR BACKGROUND

In accordance with the *CEQA Guidelines*, the City distributed a Notice of Preparation of an EIR (NOP) to affected agencies and the public for the required 30-day period on May 27, 2009. The NOP indicated that all issues on the CEQA environmental checklist would be studied in the EIR. The City received seven response letters. Table 1-1 summarizes the environmental issues that were identified in the responses to the NOP. The NOP and responses to the NOP are included in the EIR in Appendix A.

A Draft EIR was circulated for a 45-day public review period that began on November 18, 2009 and concluded on January 20, 2010. The City of Ojai received 16 comment letters on the Draft EIR. Subsequent to the Draft EIR circulation, the project was largely inactive for approximately two years due to concerns about a variety of issues, including those raised in the comment letters that the City received.

Because of the delay that occurred between the Draft EIR circulation and consideration of adoption of the Housing Element and because minor changes to the Housing Element occurred during this period, the EIR was updated to reflect the revised Housing Element and changed conditions. However, because none of the changes to the Housing Element or local environmental conditions would create any new significant environmental impacts beyond those identified in the Draft EIR, it was determined that recirculation of the Draft EIR was not warranted.

Table 1-1
Scoping Comments Received

Responder	Subject and Where Comments Addressed
1. Native American Heritage Commission	Commenter states the appropriate regional archaeological information center should be contacted for a records search. Commenter states the preparation of an archaeological findings report based should be completed depending on the results of the records search and field survey. States that the NAHC should be contacted for a Sacred Lands File check and for a list of appropriate Native American contacts. States that a lack of surface evidence of archaeological resources does not preclude their subsurface existence. Impacts to cultural resources are discussed in Section 4.5, *Cultural Resources*.
2. Southern California Association of Governments	States that the proposed project is regionally significant per the CEQA Guidelines, Sections 15125 and/or 15206. States that the EIR should reflect the most current SCAG forecasts for population, employment, and housing. Impacts to population, employment, and housing are addressed in Section 4.12, *Population and Housing*.
3. Ventura County, Public Works Agency, Transportation Department	States that the Transportation Department generally concurs with the NOP and decision to prepare an EIR for those areas under the purview of the Transportation Department. States that if the project adds one or more AM southbound or PM northbound trips to SR 33 the project would contribute to a significant cumulative impact. This comment is addressed in Section 4.15, *Traffic and Circulation*.
4. Ventura County Watershed Protection District, Advanced Planning Section: Floodplain Management	States that possible areas of growth should be identified to show proximity to the District's redline channels. States that the EIR should describe existing infrastructure and whether the system can handle new users. States that the age and condition of existing facilities should be described and whether facilities need to be repaired or replaced. States that the locations of facilities and pipelines should be shown in the EIR. Impacts to wastewater conveyance and treatment facilities are discussed in Section 4.16, *Utilities and Service Systems*.
5. Ventura County Air Pollution Control District	States that air quality impacts should be addressed in accordance with the 2003 Ventura County Air Quality Assessment Guidelines and the Ventura County Air Quality Management Plan. Air Quality impacts are addressed in Section 4.3, *Air Quality*.
6. John Broesamle	States that implementation of the Housing Plan could cause impacts to hydrology and water quality, traffic, job availability, air quality, and Ojai's small town character. Potential impacts to hydrology and water quality are addressed in Section 4.8, *Hydrology and Water Quality*, of the EIR. Traffic impacts are discussed in Section 4.15, *Traffic and Circulation*. Air quality impacts are discussed in Section 4.3, *Air Quality*. Employment projections are addressed in Section 4.12, *Population and Housing*.
7. James Ruch	Commenter is concerned with the validity of the Golden State Water Company water supply assessment. Commenter also states the EIR should reflect the current planning progress made for the Ventura River Watershed. Impacts to water supply are discussed in Section 4.16, *Utilities and Service Systems*, of the EIR.

1.3 AREAS OF KNOWN CONTROVERSY

The primary area of controversy with respect to the proposed 2006-2014 Housing Element surrounds the issue of long-term water supply available to the City and its adequacy to serve the growth in residential development that could be facilitated by adoption of the updated Element. This issue is discussed in Section 4.16, *Utilities and Service Systems.*

1.4 EIR SCOPE AND CONTENT

The EIR identifies potentially significant environmental impacts of the proposed project. In addition, the EIR recommends feasible mitigation measures that would reduce impacts to a less than significant level or eliminate adverse environmental effects. As noted above, this EIR analyzes every issue in the CEQA checklist.

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

The *Alternatives* section of the EIR (Section 6.0) was prepared in accordance with Section 15126.6 of the *CEQA Guidelines* and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the project's basic objectives. Alternatives evaluated include the CEQA-required "No Project" scenario, continuation under the current Housing Element, and two alternative strategies to meet the City's Regional Housing Needs Assessment goals. The EIR also identifies the "environmentally superior" alternative among the options studied.

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

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

1.5 LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

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

A "responsible agency" is a public agency other than the "lead agency" that has discretionary approval authority over the project (the *CEQA Guidelines* define a public agency as a state or local agency, but specifically exclude federal agencies from the definition). The California Department of Housing and Community Development (HCD) is the only responsible agency for the 2006-2014 Housing Element.
A "trustee agency" refers to a state agency having jurisdiction by law over natural resources affected by a project. California Department of Fish and Game could be a trustee agency for development facilitated by the proposed project.

1.6 ENVIRONMENTAL REVIEW PROCESS

The environmental review process, as required under CEQA, is presented below.

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

review, the public review period must be 45 days unless a shorter period is approved by the Clearinghouse (Public Resources Code Section 21091).

4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) a list of persons and entities commenting; and d) responses to comments.
5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project (*CEQA Guidelines* Section 15090).
6. **Lead Agency Project Decision.** A lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (*CEQA Guidelines* Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead or responsible agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible *(CEQA Guidelines* Section 15091). If an agency approves a project with unavoidable significant adverse environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring/Reporting Program.** When an agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination.** An agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (*CEQA Guidelines* Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA legal challenges [Public Resources Code Section 21167(c)].

2.0 PROJECT DESCRIPTION

The proposed project involves an update to Housing Element of the City of Ojai's General Plan. The proposed Housing Element establishes programs, policies and actions to generally further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014. This section of the EIR describes the key characteristics of the Housing Element, including the project applicant, the geographic extent of the plan, project objectives, and required approvals. This section also summarizes the key policy statements and programs from the Housing Element that have the potential to result in physical environmental effects.

2.1 PROJECT PROPONENT

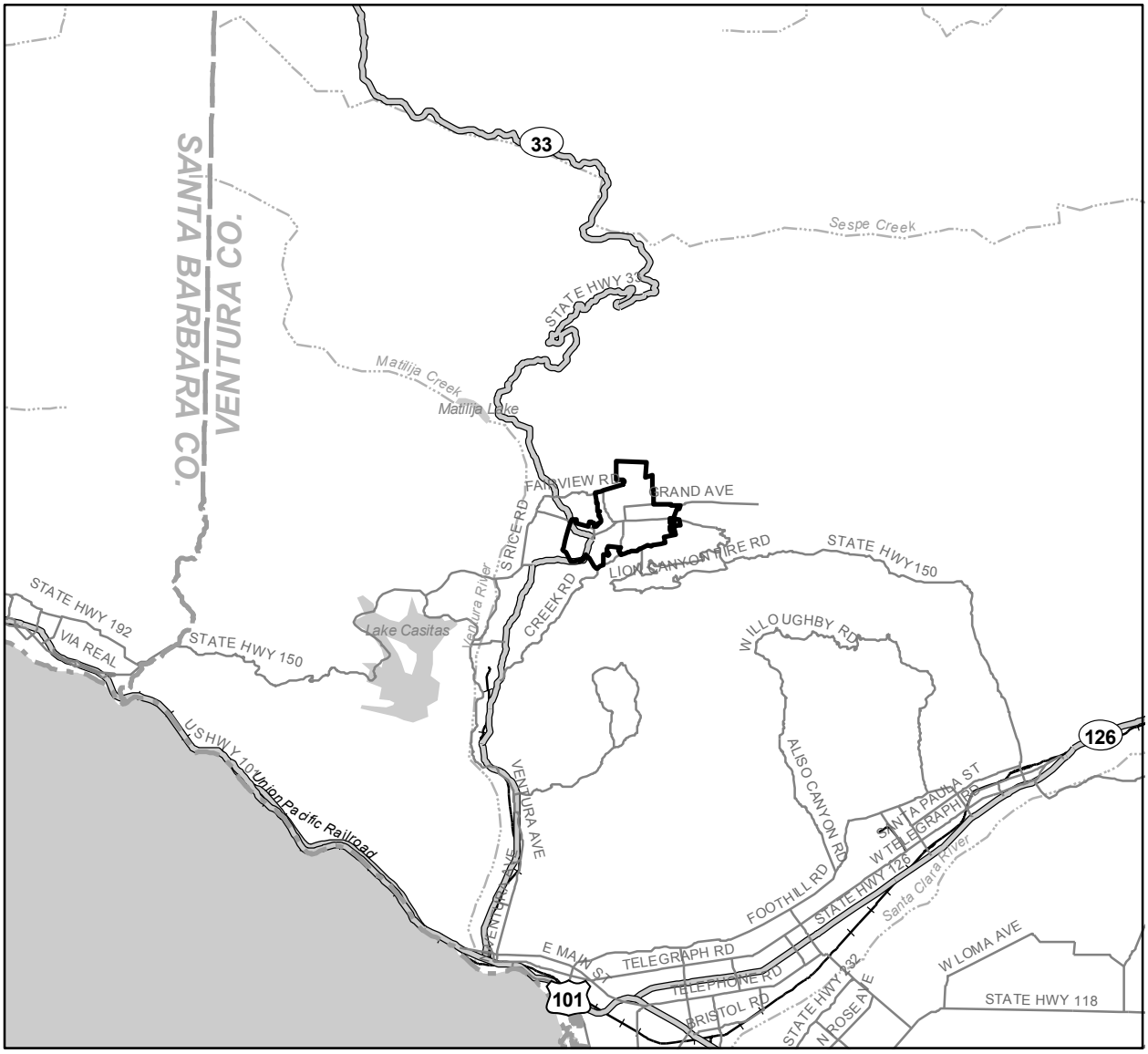
City of Ojai
401 South Ventura Street
P.O. Box 1570
Ojai, California 93024
Contact: Rob Mullane, AICP, Community Development Director, (805) 640-2555

2.2 LOCATION AND EXTENT OF THE PLANNING AREA

Ojai is located in the Ojai Valley in northwest Ventura County, approximately 12 miles north of the City of San Buenaventura. Ojai is accessible from Highway 33, which extends north from Highway 101 in Ventura, and Highway 150, which connects to the west with Highway 101 in Carpinteria and to the east with Highway 126 in Santa Paula. Figure 2-1 shows the City's location within southern California. The City is generally bounded by the Los Padres National Forest to the north and by unincorporated Ventura County to the south, east and west. An aerial photograph of the planning area is presented on Figure 2-2.

2.3 STATUTORY OVERVIEW

All cities and counties in California are required to affirmatively further affordable housing opportunities within their jurisdictions. These obligations are embodied in two broad areas of law: the California Land Use Law applicable to all local governments and the Community Redevelopment Act applicable to all redevelopment agencies. Principal requirements of the California Land Use Law include the adoption of Housing Elements as part of each community's General Plan, production and replacement of affordable housing within the California Coastal Zone, inducements to provide affordable housing through density bonuses and secondary dwellings, limitations on local land use authority to deny affordable projects or impose constitutional use requirements on multi-family housing, and prohibitions on "down zoning" or imposition of development standards that prevent attainment of Housing Element goals. Key requirements of the Community Redevelopment Act include the production and replacement of affordable housing within redevelopment project areas, dedication of tax increment revenue to finance affordable housing, and adoption of Implementation Plans to demonstrate housing compliance.



0 1.25 2.5 3.75 5 Miles

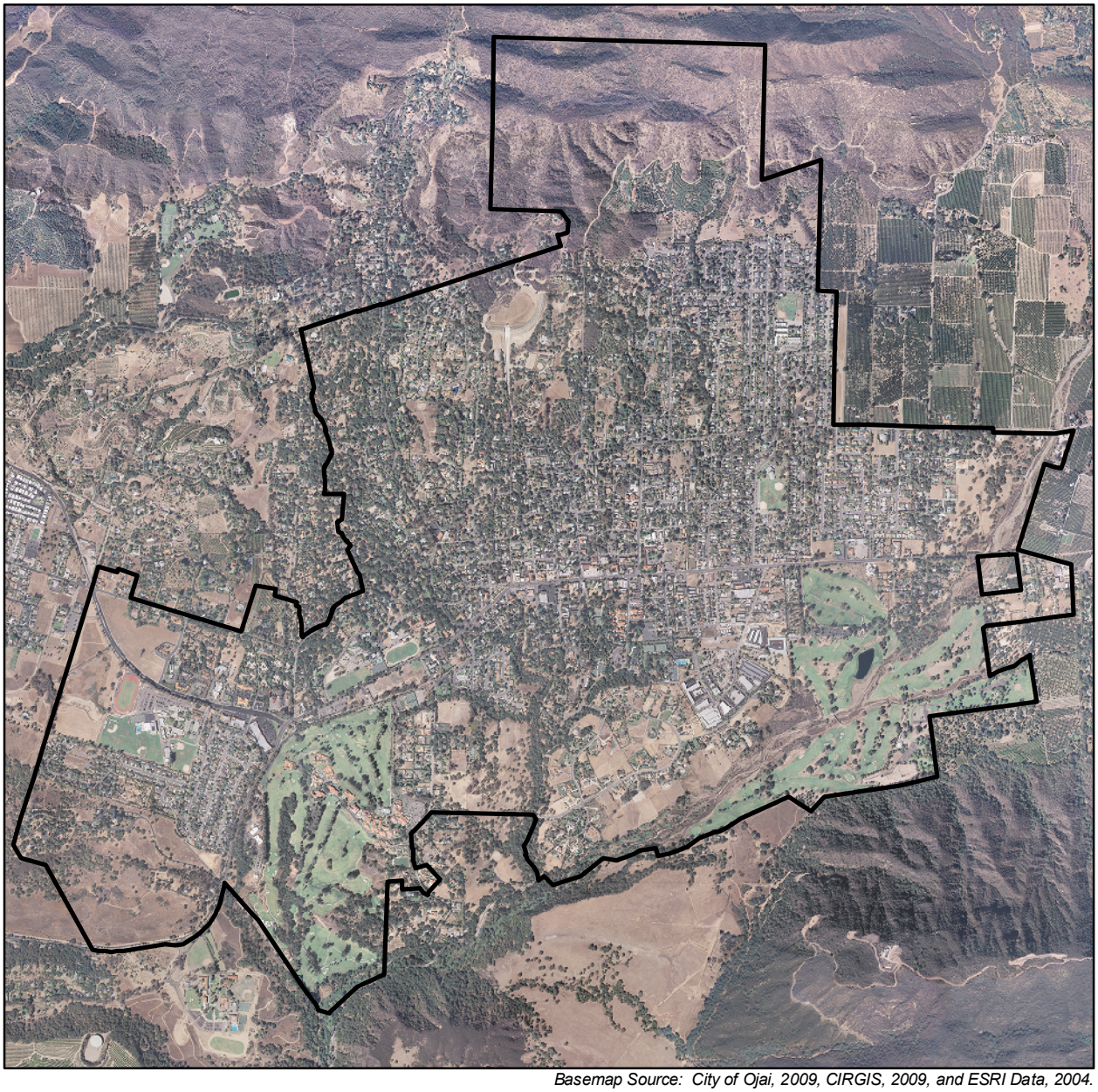
N

Ojai City Boundary

Source: US Bureau of the Census TIGER 2000 data.

Regional Location of Planning Area

Figure 2-1



Basemap Source: City of Ojai, 2009, CIRGIS, 2009, and ESRI Data, 2004.

Ojai City Boundary

N

0 2,000 4,000 Feet

Proposed 2006-2014 Planning Area
(Ojai City Boundary)

Figure 2-2

Housing Element law is codified in Article 10.6 of the California Government Code commencing with Section 65580. Under these statutes, all communities in California are required to have a Housing Element as part of their adopted General Plan. The law stipulates that a Housing Element must consist of an identification and analysis of the existing and projected housing needs along with a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing, and a program that sets forth a five-year schedule of actions to implement relevant Housing Element policies and achieve stated goals.

2.4 ADOPTED 2000–2005 HOUSING ELEMENT

The City of Ojai's current Housing Element was adopted on January 22, 2002. The element set forth an action plan covering a five year planning period from 2000 to 2005. The 2000-2005 Housing Element identifies strategies and programs that focus on conserving and improving existing affordable housing, providing adequate housing sites, assisting in the development of affordable housing, removing governmental and other constraints to housing development, and promoting equal housing opportunities.

The focus of the 2000-2005 Ojai Housing Element is to ensure that a balance of housing types is available to accommodate all family income levels of the community. Approximately 80% of the stated objectives within the 2000–2005 Housing Element have been achieved. A total of 104 dwellings were added to the City's inventory of housing between 1998 and 2005. An additional 15 units were purchased by the Area Housing Authority and made affordable through the use of Section 8 property-based assistance. In sum total, 119 units were applied against the City's Regional Housing Needs Assessment (RHNA) goals from the previous Housing Element cycle.

2.5 PROPOSED 2006-2014 HOUSING ELEMENT

The proposed 2006-2014 Housing Element is organized into two parts. Part One includes the Introduction, Policy Context, and Housing Plan. Part Two discusses Housing and Demographic Characteristics, Housing Affordability, Needs Assessment, Opportunities and Constraints, Development Potential, Performance Assessment, and Resource Constraints. These sections, including the topics covered in each section, are listed in Table 2-1.

This EIR analysis focuses on the proposed Housing Plan of the 2006-2014 Housing Element, and in particular two primary components of the Housing Plan: 1) addressing housing needs through the existing housing stock; and 2) identification of sites sufficient to accommodate housing needs for the balance of goals not achieved through existing housing. These programs are the focus of the EIR analysis because they have the potential to result in physical impacts to the environment.

The summary below reflects the August 2012 draft 2006-2014 Housing Element and incorporates proposed revisions resulting from review by the Department of Housing and Community Development. These proposed revisions have not yet been formally accepted by the City Council; rather, they will be presented to the Council for consideration at a public hearing on the 2006-2014 Housing Element along with the associated proposed Final EIR. Whether the revisions are ultimately accepted by the Council would not affect the analysis or conclusions of the EIR,

primarily because they would not change the type or amount of development that would be facilitated by adoption of the Housing Element.

Table 2-1 2006-2014 Housing Sections

2006-2014 Housing Element Section	Topics Covered
Part One	
Introduction	Community context, statutory overview, housing element law, HCD compliance, public participation, and relationship to other General Plan elements
Policy Context	Income profile, housing profile, existing housing needs, future needs, opportunities and constraints, development potential, past performance, and plan foundation
Housing Plan	Goals, objectives, policies, quantitative goals, and schedule of actions
Part Two	
Housing and Demographic Characteristics	Growth profile, population profile, household profile, housing profile, and economic profile
Housing Affordability	Housing cost profile, operative terms, affordability gap, and trend analysis
Needs Assessment	Needs summary, housing conditions, lead based paint, jobs-housing balance, housing inventory match, at risk units, special needs population, and mortgage foreclosure
Opportunities and Constraints	Market constraints, government constraints, energy conservation, persons with disabilities, and homeless accommodation
Development Potential	RHNA allocation, development capacity, secondary dwellings, site inventory
Performance Assessment	Past performance, goals attainment, and resource inventory
Resource Constraints	Introduction, water, wastewater, solid waste, air quality, transportation, financial, and land

2.5.1 Introduction and Policy Context

The Introduction explains the regulatory context for the Housing Element and describes the process for its development and adoption. This section also provides a summary of the City's housing conditions, needs, opportunities and constraints, and other foundations for the document's proposed goals, policies and actions.

The Policy Context discussion also introduces the City's strategies for addressing resources constraints in the context of the Housing Element. The City is considering the following actions in response to potential impacts:

- *Facilitate RHNA through new construction projects in which the City retains direct involvement to best control design, development, and occupancy; gear housing production toward small unit sizes and transit oriented occupants; institute job based occupancy preferences to minimize commute traffic; promote programs that achieve affordability through existing housing.*

- *Work in partnership with water stakeholders on the following initiatives: (i) develop a detailed hydrologic model to more accurately predict the effects of drought increased pumping, and new wells in the Ojai Basin; (ii) implement the San Antonio groundwater recharge project to increase basin capacity; and (iii) participate in an interagency watershed management plan for the Ventura River Watershed to achieve an accurate accounting of supply and demand.*

- *Work in partnership with Caltrans and the County of Ventura on the following initiatives: (i) conduct updated traffic counts and create a new model for evaluating future growth impacts and mitigation measures that includes the entirety of State Route 33 within the Ojai Valley; (ii) develop a fully integrated traffic management program with consistent policy application; and (iii) implement roadway improvements to improve traffic flow on State Route 33 throughout the Ojai Valley.*

Because several of the goals, policies, and actions that are part of these strategies are specifically intended to mitigate the environmental effects associated with future housing needs in the City, they are discussed in the EIR as part of an overall mitigation strategy, where applicable, for a given issue.

2.5.2 Housing Plan

The Housing Plan of the Draft 2006-2014 Housing Element was developed consistent with the provisions of Government Code Section 65583.1, which states, in part, that: "*(a) The Department of Housing and Community Development, in evaluating a proposed or adopted housing element for substantial compliance with this article, may allow a city or county to identify adequate sites, as required pursuant to Section 65583, by a variety of methods, including, but not limited to, redesignation of property to a more intense land use category and increasing the density allowed within one or more categories*." In consideration of resource constraints, community context and overarching principles of low-impact development, the Housing Plan relies partially on the inventory of existing housing units to meet RHNA goals. Principal features of the City's approach to meeting housing goals include: 1) limiting programs for new affordable housing construction to Senior Housing and Demonstration projects sponsored by the City; and 2) implementing mortgage assistance, amnesty and affordable covenant programs targeted to units already within the inventory of existing housing. Through the programs proposed in the Housing Plan, implementation of the proposed 2006-2014 Housing Element would potentially facilitate the construction of 201 new housing units.

The Housing Plan's components are discussed below in subsections a through e. Subsection f summarizes the potential development that would be facilitated by the Housing Element Update, and identifies the physical changes that could result in environmental impacts and that thus are the focus of this EIR.

a. Adequate Housing Sites. The Housing Element "Adequate Housing Sites" Goal and policies H-1 through H-3 provide policy guidance for this component of the Housing Plan and are listed below.

- ***Goal:*** *Dovetail the provision of affordable housing with overarching community objectives: low impact development, integration with community context, and linking jobs with housing.*

- ***Policy H-1:*** *The City shall facilitate production of new affordable housing through direct involvement in the design-development process to best accomplish low-impact development principles.*

- ***Policy H-2:*** *The City shall promote the preservation, conservation, and conversion of existing housing as a means to satisfy existing and future housing needs through the inventory of housing that currently exists.*

- ***Policy H-3:*** *The City shall work in partnership with water and transportation stakeholders to develop reliable data baselines, modeling methodologies, mitigation measures, and policy parameters to maximum resource capacities.*

Programs 1 through 8 of the proposed 2006-2014 Housing Element demonstrate the City's programmatic plan for implementing these goals and policies. Language containing specific actions to implement the goals and policies is highlighted in italics.

1. General Plan Update. General Plan law requires that all component elements, whether mandatory or optional, must be consistent with one another. *A comprehensive review of the Air Quality and Circulation Elements is recommended to update baseline data, traffic impact methodology and identification of mitigation measures necessary to allow for managed growth.*

2. Affordable Housing Covenants. The conversion of market rate units into affordable housing through a combination of acquisition, Section 8 property-based assistance and purchase of affordability covenants is expressly allowed by State Housing Element law for rental properties containing four or more units. In the previous Housing Element cycle, the City helped finance the purchase of 15 units at a cost of $300,000. According to preliminary analysis, there are 37 candidate properties totaling 279 multiple family units for which the purchase of affordable covenants and provision of project-based Section 8 rental assistance (in partnership with the Areawide Housing Authority) may be possible. Of this total, eight properties (50 total dwellings) consist of apartments with between four and nine dwellings; 11 properties (157 total dwellings) consist of apartments with 10 or more dwellings; and 18 properties (72 total dwellings) consist of mixed-use projects. Housing Element law requires that the purchase of affordability covenants must be accomplished within the first two years of the Housing Element planning period. Insofar as this deadline has already passed for the current cycle, no production goals are shown in Quantitative Goals for this particular Housing Element. Instead, it is anticipated that the purchase of affordability covenants will be used in the fifth cycle commencing in October 2013. In the intervening time, the City shall explore funding sources during the balance of a current Housing Element cycle to supplant the loss of tax increment funds by operation of AB 1x26.

3. Second Unit Program. The City has the land base to accommodate approximately 759 second dwellings under existing zoning and development standards. The existing baseline of second dwellings is unknown, but the untapped potential appears significant. Second units are deemed affordable to moderate income households by design; as such, affordability covenants would not be required. Furthermore, second units would continue to be exempt from Growth Management and Traffic Impact policies. The number of units assigned to this program corresponds roughly to the number of second dwellings that were constructed during the previous Housing Element cycle plus actual construction that has occurred through 2011. To facilitate goal attainment, *the following actions shall be implemented: (i) exempt second units from design review; (ii) discount development impact fees; and (iii) devise preapproved design prototypes.*

4. Home Split Program. According to preliminary analysis, there are 264 candidate properties which may be suited for an internal division of space where the resulting configuration yields two dwelling units, each exceeding 640 square feet (which is the existing limit for conventional second units). These candidates consist of properties containing at least 1/2 acre, with an existing building footprint of at least 2,000 square feet and an underlying zone designation of R-0-1/2, R-0-1, R-0-2, and R-0-4. Home split units, like second units, are deemed affordable to moderate income households by design. To facilitate goal attainment of an otherwise untested program, *the following actions shall be implemented: (i) exempt home splits from discretionary design review; (ii) allow physical expansion to accommodate kitchen and bathroom facilities; (iii) discount development impact fees; and (iv) define home splits as constituting second dwellings, thereby exempting them from the City's Growth Management Ordinance.*

5. VMU Mixed Use Zoning. Within the Village Mixed Use zone district ("VMU"), the City has the land base to accommodate between 91 and 345 additional residential dwellings. The low end of this range represents what can be accomplished under current zoning (taking into account a communitywide development intensity of 63%), while the higher number reflects density at 100% of the current permitted amount (taking into account proposed adjustments in development standards that would maximize development potential). VMU dwellings are deemed affordable to moderate income households by design; as such, affordability covenants are not deemed necessary. To facilitate goal attainment, *the following actions shall be implemented: (i) adjust lot coverage, FAR and off-street parking requirements; and (ii) institute flexible development standards under a Planned Development process. If production lags behind target goals, the following additional measures shall be considered: (i) a variable density formula that adjusts for unit sizes; and (ii) tax increment rebates to incentivize VMU affordable housing production commensurate with occupancy preferences described for Program 6.*

6. Demonstration Projects. The City has the ability to proactively demonstrate the principles of limited impact development ("LID"): (i) linking new construction with non-resident employees; (ii) achieving affordability by design; and (iii) promoting sustainable construction. This particular program entails the greatest level of City involvement and active participation to facilitate goal attainment. The number of dwellings assigned to this program falls well within the estimated development capacity of specific sites identified in the draft Housing Element. Under this program, the City would proactively facilitate development of those sites for which a Special Housing Overlay (SPL) is applied ("Designated Sites"), either directly or in partnership with other housing sponsors. The program would be implemented as follows:

a. *Engage the owners of the Priority Sites in a collaborative design-development process to accommodate and expedite new construction goals consistent with LID principles and program objectives.*
b. *Prepare and adopt an SPL Ordinance allowing development of lower-income affordable housing "by right" within the confines of environmental, development and design review standards and consistent with the requirements of California Government Code Section 65583.2(h).*

c. *Select the Designated Sites, amend the City's Zoning Map and apply the SPL with a minimum density of 20 units/acre (regardless of the underlying zone designation).*

   i. *The SPL may be applied, in whole or in part, to the Designated Sites, provide that the total net acreage of land receiving an SPL designation is sufficient to meet the Quantifiable Goals assigned to Programs 6 and 7 (i.e., 113 lower-income units and 64 dwellings for persons of moderate and higher income) based on the realistic development potential appearing in the Housing Element.*
   ii. *Occupancy preferences shall be given to: (1) persons who have full time gainful employment in the City but reside elsewhere; and (2) target income households who currently reside in the City but whose housing costs exceed those deemed affordable.*
   iii. *Development standards embodied within the SLP shall permit: (1) the construction of buildings up to a maximum of three stories; (2) a reduction in underlying parking requirements commensurate with projects than include off-setting considerations such as restrictions on the number of vehicles that occupants may own, senior projects with alternative transportation options, etc.; and (3) imposition of discretionary permit requirements for projects in excess of 20 units/acre.*

7. Senior Housing. In the previous Housing Element cycle, the City successfully obtained Article 34 Referendum authority to develop 50 units of low income senior rental housing. To facilitate this production goal, $500,000 in tax increment housing set aside has been expressly earmarked for this purpose as part of the RDA's Implementation Plan. This allocation notwithstanding, recent legislation that terminates redevelopment in California (AB 1x26) may nullify the RDA's funding commitments. As a consequence, the City may be required to take a non-ownership/financial role in facilitating new construction objectives under this program. Recent legislation in the form of AB 1484 may restore all or a portion of funds that were previously lost with the passage of AB 1x26. With or without financial assistance, the actions necessary to implement this program parallel the steps listed for Program 6.

8. Mortgage Assistance. At present, 16 residential properties in Ojai are in financial duress (i.e., bank owned, under foreclosure and mortgage delinquent). Recent activity at the State and Federal levels address residential foreclosures stemming from the implosion of subprime mortgages. Most notably, the Housing and Economic Recovery Act of 2008, passed by Congress in July, to assist local governments in purchasing abandoned and foreclosed homes and residential property and SB 1065 that was signed into law by the Governor on September 25, 2008, that allows local government to refinance mortgages on owner-occupied homes utilizing tax-exempt bond funds. *Utilizing these and other available resources, financial assistance would be used to restructure existing indebtedness as necessary to achieve affordability by target income homeowners. The depth and duration of assistance would be linked to length of continued occupancy, thereby enabling the City to recapture subsidies while allowing sellers to release a reasonable*

return on their personal investment. The capacity to fulfill these goals will depend on the availability and restrictions on funds that flow from State and Federal programs.

b. Affordable Housing Supply. The Housing Element "Affordable Housing Supply" Goal and policies H-4 through H-6 provide policy guidance for this component of the Housing Plan and are listed below.

- ***Goal:*** *To provide a continuing supply of affordable housing to meet the needs of existing and future Ojai residents in all income categories.*

- ***Policy H-4:*** *The City shall adopt policies, programs, and procedures to facilitate attainment of RHNA goals, with particular emphasis placed on the needs possessed by persons and families of low and very low incomes.*

- ***Policy H-5:*** *The City shall actively seek and formulate partnerships with for-profit and non-profit developers to produce affordable housing, provide reasonable assistance to support and process project applications and utilize authorities of the Redevelopment Agency to achieve development objectives.*

- ***Policy H-6:*** *The City shall continue to support the Area Housing Authority of Ventura County in the provision of Section 8 rental assistance and shall seek to broaden the program to compliment other affordable housing initiatives (e.g., secondary dwelling production, project-based tenant assistance, etc.*

Programs 9 through 13 of the proposed 2006-2014 Housing Element demonstrate the City's programmatic plan for implementing these goals and policies. Language containing specific actions to implement the goals and policies is highlighted in italics.

9. Amnesty Program. A numeric disparity in statistics between the Ventura County Assessor and State Department of Finance suggests and undercounting of un-permitting dwellings in the City, totaling more than 300 units. This anomaly was affirmed by members of the Housing Element Task Force and Ojai Board of Realtors, and subsequently corroborated by the Ojai Valley Sanitary District (OVSD). In a one-year period ending June 30, 2011, OVSD identified 70 candidate properties within the City having second units connected to the sewer system without benefit of permits. Through an amnesty program implemented wholly independent of the City, OVSD legalized sewer connections for 52 residential dwellings. Drawing upon the experience of OVSD, Program 9 would legalize unpermitted second dwellings and guest houses, making such properties more marketable, in exchange for counting the units against the City's RHNA goals. To facilitate goal attainment of an otherwise untested program, the following actions (as embodied in the draft Program Guidelines in Appendix E) shall be implemented:

a. Incentivize participation by imposing fees that were applicable at the time of initial construction, seek fee concession from other "Stakeholder Agencies" and apply penalties at the end of the amnesty period.
b. Institute a Report of Building Records Program at the conclusion of the amnesty period in coordination with other "Stakeholder Agencies," requiring disclosure of permitted construction.

c. *Establish a one-year period of participation ending December 13, 2013, coincident with the beginning of the next RHNA project period, thereby allowing amnesty units to be counted toward the current Housing Element cycle.*

10. Inclusionary Housing. Inclusionary housing involves the reservation of a prescribed percentage of market rate dwelling units for target income households at affordable cost (or payment of affordable housing fees in lieu of on-site construction). As of March 2006, one-third of all localities in the State employ local inclusionary policies. Through amendment of the City's Zoning Ordinance, a 15% inclusionary requirement shall be made applicable to all new residential construction. This percentage: (i) reflects the mid-range figure typically employed in jurisdictions that employ inclusionary policies; (ii) corresponds to the percentage of affordable housing that is required by the State within the City's redevelopment project area; (iii) equalizes market constraints within and outside the RDA project area so as not to undermine downtown revitalization; and (iv) assures the production of affordable housing regardless of density. In addition, all inclusionary units would be subject to the occupancy preference requirements described for Program 6. To moderate the effect inclusionary requirements might have on overall housing production, *the following actions shall be implemented: (i) exempt second units, split home units, small VMU mixed use units (with a maximum of 640 square feet), amnesty units and single family homes developed on a single parcel of record; (ii) provide a 1:1 density bonus for each moderate rate unit, 3:1 density bonus for each low income unit and 5:1 density bonus for each very low income unit, up to a combined maximum of 50% above the base residential density; and (iii) exempt all inclusionary affordable housing units from growth and traffic management requirements which are constructed on-site.*

11. Capacity Preservation. Under existing zoning, a total of between 222 and 531 additional dwellings are possible. This range could be higher if second dwellings were added to the total. *Through amendment of the City's Zoning Ordinance, existing residential development potential shall be preserved by prohibiting downzoning or requiring the payment of in-lieu fees based on an inclusionary housing factor of 15%. As complimentary measures, the following actions shall also be implemented: (i) evaluate the economic impact and suitability of residential reuse prior to disposition of any excess land owned by the City or Redevelopment Agency; and (ii) offer excess land deemed suitable for residential reuse to for-profit and non-profit sponsors for the development of affordable and special needs housing.*

12. Density Bonus. As an inducement to produce housing that is affordable to target income groups, State law requires cities and counties to provide density bonuses to housing developments that propose qualifying percentages of affordable units. During the past Housing Element cycle, Senate Bill 1818 was passed and became effective on January 1, 2005, that significantly broadens and strengthens density bonus requirements: (i) condominiums for moderate income persons are now entitled to receive a density bonus; (ii) the percentage of density bonus has been increased to a maximum of thirty-five percent (35%); and (iii) local government must provide a broader array of incentives to facilitate affordable housing production. *Through amendment of the City's Zoning Ordinance, the City's current density bonus provisions will be made consistent with recent changes in State law.*

13. Public-Private Partnerships. The development of affordable housing, particularly for extremely low and very low income households as well as populations with special needs, generally requires collaboration among multiple parties (e.g., developers, non-profit housing sponsors, local government, etc.). In this regard, the City's contribution can take one of a

number of forms: (i) assisting in the review and preparation of concept drawings; (ii) analyzing development *pro forma* and identifying gap financing; (iii) fast tracking the environmental review and entitlement permit process; (iv) utilizing the City's police powers to provide necessary land use and zoning; (v) supporting applications submitted to funding agencies; (vi) providing direct financial or development assistance; and (vii) employing the Redevelopment Agency to assemble land for development. Recognizing the collaborative nature of affordable housing development, the *City shall undertake the following:*

a. *Proactive Participation. The City shall continue its participation in the County CDBG Program and similar collaborative efforts to affirmatively further emergency shelter, transitional housing, single room occupancy units, shared living arrangements, supportive services, and congregate housing needs outlined in the Consolidated Plan; actively engage non-profit housing sponsors and private property owners in implementing affordable housing strategies outlined under "Adequate Housing Sites;" notify and offer all reasonable assistance to facilitate the development of affordable housing consistent with the General Plan and Housing Element, with particular emphasis on the needs of extremely low and very low income households and associated special needs population segments (e.g. farmworkers, disabled, etc.)*

b. *Resource Development. To augment local funding sources, the City shall: (i) actively pursue grant and loan funding to finance the various housing initiatives listed in the Housing Element; (ii) work cooperatively with for-profit and non-profit housing sponsors to leverage resources (e.g. State and Federal tax credits); (iii) continue participation in the HOME Consortium and CDBG Urban County and actively pursue CDBG funding for projects; (iv) assist with site identification and support applications for funding for farmwoker housing such as the Joe Serna Jr. Farmworker Housing Grant Program; and (v) evaluate other local funding options and implement if deemed feasible.*

c. *Program Targeting. To affirmatively further the needs of extremely low income households, the City (acting by and through its Redevelopment Agency) shall amend its current Implementation Plan and component Housing Compliance Plan to: (i) acknowledge this particular population segment among the target income households for whom resources are targeted (as a subset of very low income in accordance with the provisions of AB 2634; and (ii) grant priority occupancy preference to extremely low income households and special needs population segments (e.g. farmworkers, disabled, etc.) in regard to placement in affordable housing developed under the Plan (including inclusionary units).*

d. *Public Outreach. No less often than once a year, the City shall conduct a noticed meeting to assess housing performance in connection with the planning report required by California Government Code Section 65400. As part of the annual review process, the City shall promote the availability of housing assistance programs and notify non-profit housing sponsors and private developers of opportunities in implementing affordable housing strategies outlined under "Adequate Housing Sites." Notice, at a minimum, shall be furnished to the Peoples' Self Help Housing Program, Cabrillo Economic Development Corporation (CEDC), Area Housing Authority of Ventura County, and the Ventura County Tri-Counties Regional Center. No less than once a year, the meeting and relevant programs will be advertised in a newspaper of general circulation and posted on the City's official website.*

c. Housing Impediments. The Housing Element "Housing Impediments" Goal and policies H-7 through H-9 provide policy guidance for this component of the Housing Plan and are listed below.

- ***Goal:*** *To remove impediments to the provision of affordable housing and provide accommodations for persons with disabilities.*

- ***Policy H-7:*** *The City shall accommodate the full spectrum of housing types in its land use regulations including, but not limited to, mixed-use developments, rental and co-op housing, secondary dwellings, in-fill development, and special needs housing (i.e. SROs, group homes, and congregate living).*

- ***Policy H-8:*** *The City shall periodically evaluate and adjust its regulations, ordinances, and new development fees to ensure that they do not unduly constrain housing production; new regulatory proposals shall be evaluated for compliance with this policy in advance of adoption.*

- ***Policy H-9:*** *The City shall encourage the construction or conversion of emergency shelters, transitional housing, and single room occupancy units to meet the needs of the homeless population and shall likewise facilitate development of group homes, congregate care, and independent living units for persons with disabilities.*

Programs 14 through 19 of the proposed 2006-2014 Housing Element demonstrate the City's programmatic plan for implementing these goals and policies. Language containing specific actions to implement the goals and policies is highlighted in italics.

14. Housing Accommodations. Certain segments of the population have traditionally experienced a more difficult time finding decent, affordable housing due to special circumstances particular to these groups. Those segments possessing special needs, as defined in California Government Code Section 65583(a)(6), consist of "…the elderly, persons with disabilities, including a development disability, as defined in Section 4512 of the Welfare and Institutions Code; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter." A comprehensive review of the City's land use regulations indicates that impediments may exist that hinder the ability of special population groups to find decent, safe and affordable housing. To remedy these potential constraints, *the City's Zoning Ordinance shall be amended to:* (i) clarify that shared living arrangements are allowed residential uses, with specific references to supported living (including In-Home Supportive Services) and licensed community care facilities; (ii) reiterate State and Federal law that occupancy is permitted without regard to familial status, disability or other population segment stipulated in Fair Housing statutes; and (iii) allow emergency shelters, transitional housing, single room occupancy units, and congregate care facilities as allowed uses in all zone districts subject to Conditional Use Permit (with the exception noted in Program 16 for the ESOZ); (iv) allow farmworker housing as an allowed use with up to 36 beds in a group quarters or 12 units or spaces in the OS zone and a conditional use in all other zones; and (v) allow residential care homes serving six or fewer persons as a permitted use in all residential zone districts, and residential care homes serving seven or more persons by Conditional Use Permit.

15. Persons with Disabilities. At the request of a person with a disability, a housing provider must make reasonable accommodations in rules, policies, practices or services when these accommodations may be necessary to afford a disabled person equal opportunity to use and enjoy a dwelling. A housing provider must allow a person with a disability (at the tenant's expense) to reasonably modify existing premises if the modifications are necessary to afford the disabled person full enjoyment of the premises. At present, the City's Zoning Ordinance does not distinguish between variances required by virtue of occupant disabilities and those justified by physical circumstances particular to the property. The Zoning Ordinance, as presently written, limits variances to the narrow application of criteria set forth in Section 65906 of the California Government Code. In furtherance of SB 520 adopted in 2001, the following actions shall be implemented: (i) the City's Zoning Ordinance shall be amended to institute an abbreviated ministerial procedure (in place of a variance requirement) with minimal or no processing fee, expressly designed to accommodate reasonable exceptions in zoning and land-use for housing for persons with disabilities; (ii) information on the rights of the disabled shall be disseminated in conjunction with Program 21; and (iii) the City shall continue its existing adaptive retrofit program to underwrite the expense of modifying dwellings to accommodate the needs of persons with disabilities. As part of the Zoning Ordinance Amendment, the Planning Director shall have the administrative authority to approve reasonable accommodation requests, provided such requests comply as follows:

a. *The request for reasonable accommodation will be used by an individual with a disability protected under fair housing laws.*
b. *The requested accommodation is necessary to make housing available to an individual with a disability protected under fair housing laws.*
c. *The requested accommodation would not impose an undue financial or administrative burden on the City.*
d. *The requested accommodation would not require a fundamental alteration in the nature of the Citys' land-use and zoning program.*

16. Homeless Population. Senate Bill 2, passed during the 2007-08 California Legislative Session and effective January 1, 2008, clarifies and strengthens housing element law regarding the accommodation of emergency shelters and transitional housing. *In compliance with this statute, the City's Zoning Ordinance shall be amended to: (i) incorporate definitions of emergency shelters, transitional housing and supportive housing consistent with the California Health and Safety Code; (ii) acknowledge that transitional and supportive housing are considered a residential use of property subject only to those restrictions that apply to other residential dwellings of the same type in the same zone; (iii) allow residential care homes (inclusive of emergency and transitional shelters) serving six or fewer clients as a permitted use in all residential zone districts; (iv) allow residential care homes (inclusive of emergency and transitional shelters) serving more than seven clients within medium and high density residential zones (R-2 and R-3) by Conditional Use Permit; (v) codify objective management and development standards consistent with the provisions of Government Code Section 65583(a)(4), and in so doing, limit the regulation of shelters to the same requirements that apply to other allowed uses in the zone district; and (vi) establish an Emergency Shelter Overlay Zone ("ESOZ") that would apply to all commercially zoned land with a BP (Business Professional Commercial) designation, allowing emergency shelters as a permitted use (without requirement for discretionary approval) with a cap of 27 emergency shelter beds as a cap at which time the ESOZ would sunset.*

17. Growth Management Ordinance. The City's current Growth Management Ordinance addresses air quality as a resource constraint and regulates residential construction

through an annual permit allocation process. Companion traffic management policies are embodied in the Circulation Element of the City's General Plan and limit the amount and intensity of future development through the establishment of minimum acceptable traffic volumes. As noted in Program 1, source data on resource constraints is dated and becoming less reliable. In conjunction with updating the General Plan, a comprehensive review shall be made of the City's Growth Management Ordinance ("GMO," due to expire December 31, 2013) to integrate new baseline data and achieve internal policy consistency. As complimentary actions, the City shall evaluate the following: (i) broaden the list of exemptions to include split homes and small VMU units; (ii) remove the differentiation between single family and multifamily permit allocation categories and consolidate these into a single permit allocation pool; and (iii) create a Special Project Pool into which unallocated annual permits are allowed to accumulate and be applied toward projects designated by the City Council. In addition, the GMO will be modified to accomplish the following: (i) make explicit that project exemptions include housing for persons and families of moderate income; (ii) remove ambiguity (insofar as possible) in the criteria used in the award of allocations for multiple family housing; and (iii) clarify that preferences will only be used to rank order competing applications for multiple family allotments and not as a basis for project denial.

18. Resource Constraints. Water availability and roadway capacity pose as potential impediments to housing production. In conjunction with updating the General Plan, the City's Environmental (CEQA) Guidelines shall be revised to impose a significance threshold that is linked to the Growth Management Ordinance. The environmental threshold shall apply to all non-exempt discretionary projects which entail the construction of new residential units in excess of the cumulative unused allocation of permits under the Growth Management Ordinance during the planning horizon of the Housing Element commencing in 2006 and ending in 2014. Exempt projects are expressly limited to dwellings for which permits and approvals are lawfully obtained under Programs 3, 4 and 9. All other non-exempt discretionary projects shall be subject to the following provisions:

a. *An initial study and requisite environmental documentation shall be prepared to determine the availability of sufficient water resources and roadway capacity to accommodate the project within safe yields and acceptable levels of service.*

b. *In the absence of conclusive evidence that adequate water resources and road capacity are available to accommodate the project, a Water and Traffic Management Plan shall be required for each such project that fully mitigates the impacts upon water and roadway capacity.*

c. *Where resource impacts cannot be mitigated through reasonable and feasible measures, the resulting impact shall be deemed to be significant and unavoidable. In such cases, the project shall either be denied or the City* may override the impact, at its discretion, with overriding considerations.

19. Design Review. Design guidelines are codified in Article 20 of the City's Zoning Ordinance and provide objective and measurable criteria by which to evaluate projects. A copy of these standards appears in Appendix C. The Planning Commission is charged with the responsibility for administering the Design Guidelines and issuing relevant permits for all but the following types of development: (1) single family dwellings limited to one-story (including

second units); and (ii) routine maintenance to all structures. The Design Review process entails discretion in the application of prescribed standards; however, decision making authority is expressly limited to physical attributes of design as opposed to use or occupancy considerations. To further differentiate these Guidelines from discretionary matters, the City shall amend the Municipal Code to provide more definitive criteria by which to objectively evaluate and render decisions.

d. Conservation and Rehabilitation. The Housing Element "Conservation and Rehabilitation" Goal and policies H-10 through H-12 provide policy guidance for this component of the Housing Plan and are listed below.

- ***Goal:*** *To maintain and enhance the quality of existing housing and residential neighborhoods in Ojai.*
- ***Policy H-10:*** *The City shall promote the cooperative repair, rehabilitation, and improvement of residential structures that are substandard or in disrepair; resources shall be targeted to facilitate attainment of Housing Element goals (e.g., second unit amnesty) and address properties and occupants of greatest need.*
- ***Policy H-11:*** *The City shall require replacement of dwellings that are occupied by, and affordable to, target income groups and removed from the housing inventory due to demolition or conversion; exceptions shall be granted for owner-occupied dwellings and non-conforming uses.*
- ***Policy H-12:*** *The City shall encourage energy efficient construction in all new and rehabilitated dwelling units and actively promote sustainable construction.*

Programs 20 through 22 of the proposed 2006-2014 Housing Element demonstrate the City's programmatic plan for implementing these goals and policies. Language containing specific actions to implement the goals and policies is highlighted in italics.

20. Retention. Target groups comprise approximately 69% of all households in Ojai. Of these households, approximately 43% pay in excess of 30% of their income toward housing. An additional 39% of all households reside in substandard housing. This disparity underscores the need to preserve existing affordable housing; in particular, rental units that encompass the majority of substandard housing. In furtherance of these objectives, *the following actions shall be implemented: (1) continue the City's housing rehabilitation loan program but selectively target assistance to dovetail with code enforcement and amnesty efforts; (ii) continue participation and support of the Section 8 Rental Assistance (Voucher) Program administered through the Area Housing Authority of Ventura County; and (iii) continue financial support of the Community Assistance Program-Rental Subsidy Lease Assistance Loan and Grant Program administered by Help of Ojai.*

21. Anti-Displacement. During the previous Housing Element cycle, a comprehensive study was made of development trends within the City's Village Mixed Use district. Among other findings, the study noted that nearly 75% of new projects entailed the reuse, recycling or expansion of existing developed properties, resulting in the loss of 28 dwellings. Based on criteria related to building age, valuation and physical attributes, 125 additional properties were identified as candidates for future development as land becomes more expensive and scarce over time. To moderate these trends and the consequence of displacement, *the City's Zoning Ordinance shall be amended to institute a replacement housing requirement for the demolition,*

removal or conversion of housing that is occupied by and affordable to target income households with the following exceptions: (i) exempt the removal/demolition of single family homes on a single parcel of record; and (ii) exempt the removal/demolition of nonconforming uses.

22. Sustainability. Energy efficiency is important not only for conserving natural resources, it has the added benefit of keeping incidental housing costs in check. It also has public policy ramifications relative to underwriting the cost of providing affordable housing. High utility costs translate to lower the rent and price thresholds, which in turn result in larger financial gaps between market rate and affordable housing. Simply put, as residential energy costs rise, housing affordability declines. As such, it is in the shared interest of the consumer and City to promote energy conservation. In furtherance of these objectives, the following actions shall be implemented: (i) continue to collect, maintain and disseminate information from the Southern California Edison Company ("SCE") to encourage existing residents to participate in energy efficiency retrofit and rebate programs; (ii) incorporate energy conservation measures and financial incentives from SCE into the City's housing rehabilitation assistance program; (iii) devise and implement "Green Building" guidelines, embodying LEED (The Leadership in Energy and Environmental Design) principles that promote sustainable designs and environmentally responsible construction; and (iv) devise incentives, in consultation with stakeholders, to encourage compliance with the "Green Building" guidelines.

e. Equal Housing Opportunities. The Housing Element "Equal Housing Opportunities" Goal and policies H-13 through H-15 provide policy guidance for this component of the Housing Plan and are listed below.

- ***Goal:*** *To affirmatively further fair housing and assure equal access to sound, affordable housing for all persons regardless of race, creed, age, or sex.*
- ***Policy H-13:*** *The City declares that all persons regardless of race, creed, age, physical disability, or sex shall have equal access to sound and affordable housing pursuant to State and Federal laws.*
- ***Policy H-14:*** *The City will actively promote enforcement of fair housing laws and continue its support of non-profit organizations that provide housing and other assistance to special needs groups in Ojai (e.g., homeless, disabled, etc.)*
- ***Policy H-15:*** *The City shall promote integration of all economic and population segments in each residential project; however, it is recognized that scales of economy and management efficiencies require that certain projects are made exclusive to target groups.*

Programs 23 through 24 of the proposed 2006-2014 Housing Element demonstrate the City's programmatic plan for implementing these goals and policies. Language containing specific actions to implement the goals and policies is highlighted in italics.

23. Fair Housing. The California Fair Employment and Housing Act: (i) prohibits discrimination and harassment in all aspects of housing including; (ii) requires housing providers to make reasonable accommodation for persons with disabilities; and (iii) prohibits retaliation against any person who has filed a complaint with the State. In furtherance of these provisions and anti-discriminatory practices in general, *the following actions shall be implemented: (i) continue regional participation in fair housing initiatives including continued financial support of the*

Housing Rights Center; (ii) promote equal opportunity for all residents and embody affirmative marketing and antidiscrimination clauses in all affordable housing agreements; and (iii) provide, to the extent legally permissible, preferences to persons and households currently residing or employed in Ojai in regard to occupying new affordable housing.

24. Information and Referral. The California Government Code expressly requires that diligent efforts be made to engage the public in the process of preparing and adopting Housing Elements. In furtherance of this mandate, the following actions shall be implemented: (i) continue to collect, maintain and disseminate information from the County, Housing Authority and State Department of Equal Housing and Employment regarding housing and tenant rights; and (ii) notify the California Department of Housing and Community Development, People's Self Help, Cabrillo Economic Development Corporation (CEDC), Area Housing Authority of Ventura County, Ventura County Tri-Counties Regional Center and all others expressly requesting to receive notice prior to amending or updating the Housing Element.

f. Summary of Potential Development Under the Proposed 2006-2014 Housing Element. As discussed under Subsection a. Adequate Housing Sites and Subsection b. Affordable Housing Supply above, the RHNA allocation in the proposed 2006-2014 Housing Element, once adjusted for units that have already been constructed in this RHNA cycle, calls for a total of 394 dwelling units.[1] In addition, 10 restricted-income units are required to be built or otherwise provided in this RHNA cycle as a condition of approval for an expansion of the Ojai Valley Inn and Spa, and another 105 units (identified as Residual GMO Capacity Units) would be able to be developed under the City's existing zoning and programs. Hence the EIR evaluates the development of 279 units, 201 of which would be new construction and 78 of which would be existing units. Table 2-2 summarizes the RHNA housing goals and how they would be met under the proposed Housing Element Update.

As summarized in Table 2-2, the proposed 2006-2014 Housing Element could facilitate the construction of 201 new housing units, accomplished through two groups of programs:

- ***Focused Development.*** *177 units could be developed with direct City involvement in Senior Housing and Demonstration Projects. Potential sites have been identified for the Senior Housing and Demonstration Projects; these projects would require discretionary review by the City, including environmental review pursuant to CEQA, when sites are finalized and project proposals are ready to be brought forward.*
- ***Scattered Development.*** *Twenty-four units could be constructed primarily by individual property owners. These would be largely facilitated by adjustments in ordinance requirements; various exemptions from growth management regulations and other regulatory requirements; and incentive programs and other strategies contained in the Housing Plan as described above. These units could be developed on suitable parcels throughout the City's residential, VMU and Commercial zone districts.*

Based on the types of programs proposed and on the regulatory context, most of these housing units are expected to be multi-family housing. Single family units would generally be limited to those that are a part of the Mortgage Assistance category listed in Table 2-2. Figure 2-3

[1] Calculated based on the gross allocation of 433 units minus 39 units constructed from 2006-2011.

shows the general locations of tentatively identified sites for the demonstration projects as well as the area where additional residential units could be facilitated by the proposed adjustments in ordinance requirements, various exemptions from growth management regulations and other regulatory requirements, and incentive programs and other strategies contained in the proposed Housing Plan. Figure 2-4 shows tentatively identified candidate housing sites as identified in the draft 2006-2014 Housing Element.

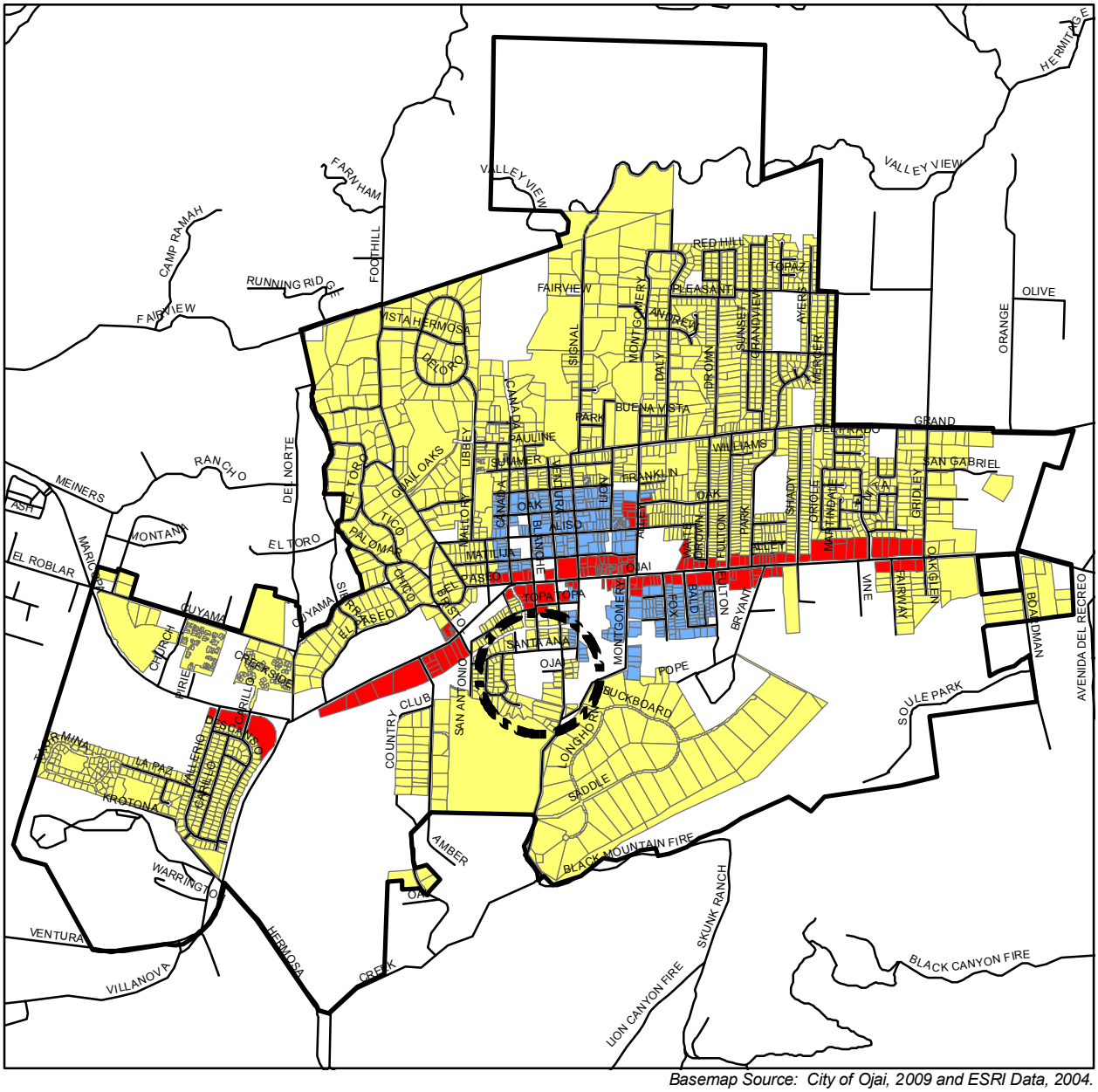
Table 2-2 Housing Goals

GOALS	Income Level					
	Ex. Low	V. Low	Low	Mod	Other	Total
RHNA GOALS						
a. Gross Allocation	45	45	74	90	179	433
b. New Construction 2006-2011		1	5	8	25	39
c. Residual GMO Capacity					105	105
d. Pre-Existing Obligations			**5**	**5**		10
e. Net RHNA Goals	**45**	**45**	**64**	**77**	**49**	**279**
HOUSING PROGRAMS						
2. Affordable Housing Covenants	*0*	*0*	*0*			*0*
3. Second Unit Program		*1*	*3*	*4*	*1*	*8*
4. Home Split Program		*1*	*3*	*4*	*1*	*8*
5. VMU Mixed Use		*1*	*3*	*4*	*1*	*8*
6. Demonstration Projects	*15*	*16*	*32*	*25*	*39*	*127*
7. Senior Housing	*30*	*20*				*50*
8. Mortgage Assistance				*8*		*8*
9. Amnesty Program		*6*	*23*	*33*	*8*	*70*
TOTAL						
Net RHNA Goals	*45*	*44*	*64*	*77*	*65*	*295*
Forecasted Units	*45*	*45*	*64*	*77*	*65*	*295*
Under/Over		*0*	*0*	*0*	*0*	*0*
GOAL ALLOCATION						
In-Fill Units		*3*	*18*	*24*	*132*	*178*
Existing Units		*6*	*23*	*41*	*8*	*78*
New Construction	***45***	***36***	***32***	***25***	***39***	***177***
Total	**45**	**45**	**74**	**90**	**179**	**433**

NOTES:

1. *By operation of the City's Growth Management Ordinance, a total of 136 market rate units are potentially available for development for the 2006-2014 planning horizon of the updated Housing Element. Between the period of 2006 and 2011, a total of 39 dwellings were constructed and are counted against the City's Gross RHNA allocation. By deducting these 39 units from the total of units for which permit allocations are available results in a Net Available figure of 113 dwellings. This figure is further discounted by 8 non-exempt dwellings assigned to Program 5, resulting in a Residual GMO capacity of 105 dwellings.*
2. *Units allocated to "Pre-Existing Obligations" reflect employee based affordable housing for which the Ojai Valley Inn is required to provide by pre-existing agreement.*
3. *Units allocated to Programs 3 and 7 are expressly exempt from the City's GMO by virtue of their affordability. Units allocated to Program 4 are exempt by operation of policies embodied in this particular program which recognize these units as being affordable by design and their exemption serves as an inducement for production under an untested program.*
4. *Units allocated to Program 6 consist of a combination of affordable and market rate units. All units under Program 6 are deemed exempt under the City's GMO by operation of affordability and density bonus provisions.*
5. *The apportionment of goals among income categories for Programs 3, 4, 5, & 9 correspond to the results of survey data and affordability analysis contained in Appendix F and reflects the following apportionment of affordability: Very Low Income – 8%; Lower Income – 33%; Moderate Income – 47%; and Other – 11%.*
6. *All of the units apportioned to Program 8 are deemed to only benefit Moderate Income by virtue of home ownership affordability.*
7. *In-Fill units encompass Lines b, c and d and Programs 3, 4 & 5; Existing Housing units encompass Programs 2, 8 & 9; and New Construction units encompass Programs 6 & 7.*
8. *Some numbers do not add/subtract perfectly due to rounding.*

Source: City of Ojai, Draft 2006-2014 Housing Element



Basemap Source: City of Ojai, 2009 and ESRI Data, 2004.

City Boundary

General tentative locations of senior housing and demonstration housing sites

N

0 2,000 4,000 Feet

Zoning Classifications within which additional residential units could be facilitated by the Housing Element Update:

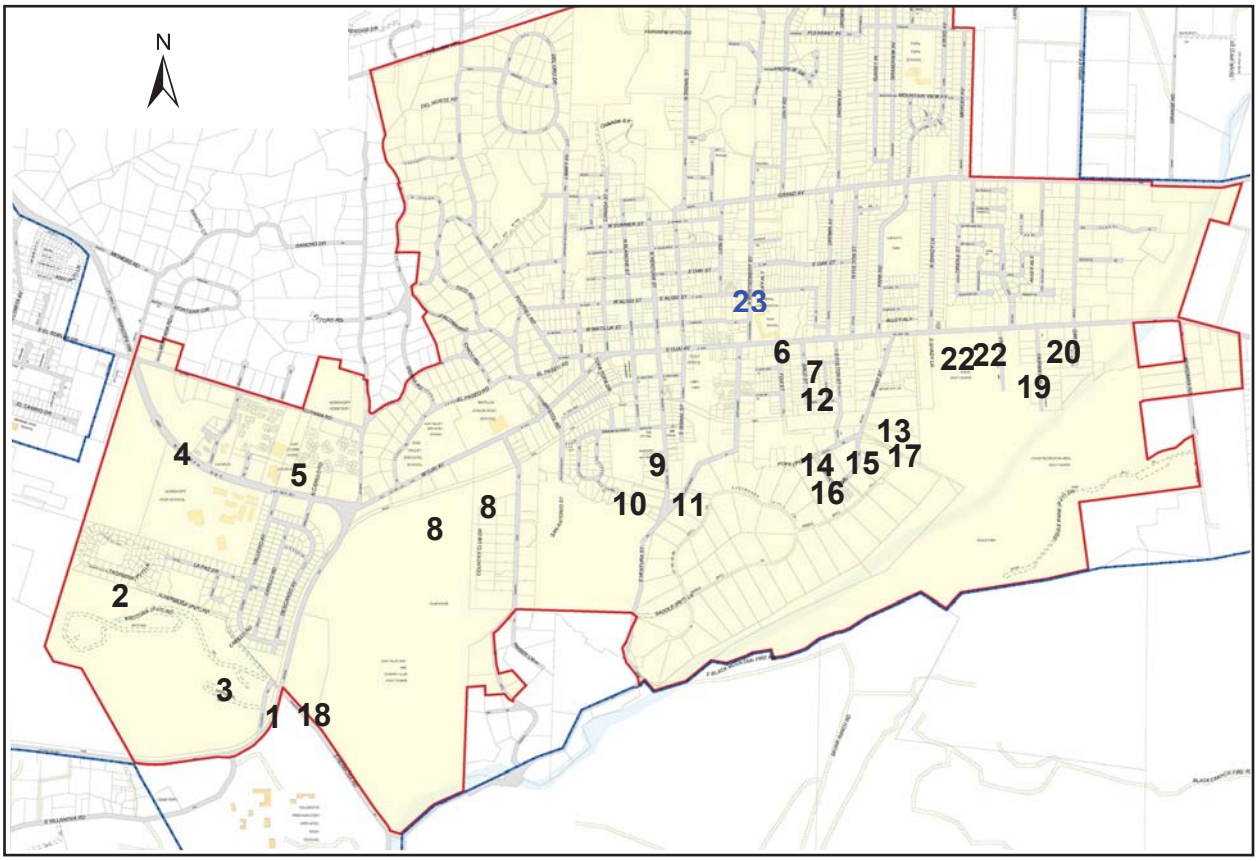
Residential

VMU

Commercial

Locations of Demonstration Projects and Potential Additional Residential Units

Figure 2-3



Candidate Housing Sites

Source: City of Ojai, 2012.

Figure 2-4

City of Ojai

As noted above, some of the new construction that may take place during this RHNA cycle would be expected regardless of adoption of the Housing Element, as part of the continued routine operation of the City's Growth Management Ordinance (GMO). The GMO currently allows up to 16 allocations for residential units per year, although based on the number of allocations requested and awarded in recent years an estimate of approximately four per year is a more realistic expectation. Because these units could be developed with or without Housing Element adoption, the EIR's impact assessment focuses on the 201 new units that would be expected to result from adoption and implementation of the 2006-2014 Housing Element.

In compliance with Housing Element law, the Housing Plan includes an inventory of sites suitable for upzoning to address affordable housing needs. However, because specific sites are not expressly selected, and the potential density, design and layout of senior and demonstration projects are yet unspecified, this EIR analyzes impacts of the Focused and Scattered Development in a citywide growth context rather than as site-specific development.

2.6 CURRENT ADOPTED GENERAL PLAN

The current adopted General Plan provides for a buildout of 3,838 dwelling units. With a 2012 baseline of 3,390 units, there is residual capacity for 448 additional dwellings. This figure is greater than the RHNA target of 433 units and the number of new units (201) facilitated by the Housing Plan.

2.7 DISCRETIONARY ACTIONS

The proposed 2006-2014 Housing Element must be adopted by the Ojai City Council.

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3.0 ENVIRONMENTAL SETTING

This section describes the general environmental conditions throughout the City of Ojai. It also discusses cumulative development citywide. More detailed descriptions of the setting for individual issue areas can be found in the discussions contained within Section 4.0, *Environmental Impact Analysis*.

3.1 REGIONAL SETTING

3.1.1 Local Geography

Ojai is located in the Ojai Valley in northwest Ventura County, approximately 12 miles north of Ventura. The City is generally bounded by the Los Padres National Forest to the north and west and by unincorporated Ventura County to the south and west.

Ojai is situated in a small east-west valley and is surrounded by mountains. The Topa Topa mountains stand at the east end of the Ojai Valley reaching over 6,000 feet. Nordhoff Ridge stands over the north side of the City reaching more than 5,000 feet. Sulphur Mountain bounds the Ojai Valley's southern range at approximately 3,000 feet. The Ventura River drains from the mountains surrounding Ojai to the north and east, drains through the City, and empties into the Pacific Ocean. The Lake Casitas Recreation Area is a man-made reservoir with a capacity of 254,000 acre feet of water existing about four miles south of the City.

Terrain in Ojai ranges from flat, to gently rolling, to steep hillsides near the City's northern and southern boundaries. Mature native trees are the most prominent vegetation types, and occur throughout the open spaces as well as the urban, semi-rural and rural areas of the City, both as individuals and as part of larger stands and woodlands. Several watercourses traverse the City, including San Antonio Creek which runs generally east to west in the southeastern area of the City.

3.1.2 Regional Climate

The City of Ojai has a Mediterranean climate characterized by warm, dry summers and temperate, semi-moist winters. Daytime summer temperatures in the City average high is 91 Fahrenheit and have an average low of 52 Fahrenheit. The City has mild winters, with average high reaching 55 Fahrenheit and lows reaching 36 Fahrenheit. Annual rainfall typically averages about 22 inches, with nearly all precipitation occurring between October and April.

3.1.3 Demographics

Table 3-1 shows 2000 and 2005 estimates of population and housing in the City of Ojai. As indicated, the 2005 City population was 8,132. The City population has grown by an estimated 270 persons (3%) between 2000 and 2005. This represents an average annual growth rate of approximately 0.6%.

Table 3-1
2000 and 2005 Population and Housing

Population		Housing	
2000	**2005**	**2000**	**2005**
7,862	8,132	3,229	3,301

Source: Draft 2006-2014 Ojai Housing Element

The 2005 City housing stock is estimated at 3,301 units. An estimated 72 units have been added between 2000 and 2005, which represents an average annual increase of approximately 0.4%.

3.1.4 General Development Patterns

The City of Ojai is composed of five general types of land uses: Rural/Open Space, Suburban, Village, Employment-Generating, and the Downtown. Ojai is surrounded by a ring of rural and open space lands, which provide definition to the developed portions of the community. Within this ring area a variety of suburban density residential neighborhoods, as well as commercial developments, which are generally located along Ojai Avenue. North of the downtown area is a village-type area of older residential neighborhoods mixed with small-scale commercial development. At the center of Ojai is a traditional small town downtown, which functions as the civic, cultural, and social heart of the community. Southeast of downtown is an area of small industrial uses, as well as a larger suburban business park development.

Growth trends in the City of Ojai show that, although population within the City has more than tripled since 1950, the percentage of growth in population has steadily declined. Areas surrounding the City are growing at a rate of at least twice as fast as the City itself (City of Ojai General Plan Land Use Element, 1997).

3.1.5 Regional Access

Regional access to the City of Ojai is provided by State Route 33 which runs north-south and State Route 150, which runs generally east-west. SR 33 provides the primary route to the City of Ventura and SR 150 provides the primary route to cities of Santa Paul to the east and Carpinteria to the west. Major arterials include La Luna Avenue and Grand Avenue.

3.2 CUMULATIVE DEVELOPMENT

A project's, or in this case, program's cumulative impacts are the possible environmental effects that may be cumulatively considerable when considered with other reasonably foreseeable projects (Section 15065 (a)(3) of the California Environmental Quality Act (CEQA) Guidelines). Cumulatively considerable impacts occur when the incremental effects of a particular project or program are significant when viewed in connection with the effects of other past, current, or

probable future projects or programs that are not incorporated into baseline or existing conditions.

As defined in Section 15355 of the *CEQA Guidelines*, a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts. According to Section 15130 of the *CEQA Guidelines*, the discussion of cumulative impacts must reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects that do not contribute to the cumulative impact. Impacts that do not result in part from the project evaluated in the EIR need not be discussed.

The main determinant for purposes of inclusion and evaluation in this EIR's Cumulative Impact Analysis is whether an individual project, program, policy initiative, or conceptual future project is considered a closely related project with respect to the proposed Housing Element.

Among those factors applied in deciding whether to include or exclude a particular policy, program, project, annexation, or other listed item (public or private) from evaluation include:

- *Whether the project is geographically related to the Housing Element (i.e., have the potential to affect similar resources in the project area);*
- *Whether or not the program, project, or item is a past, present, and reasonably foreseeable future matter;*
- *Whether or not the development potential for a project/program/item is known, unknown, and/or speculative;*
- *Whether or not the project description is sufficiently defined to permit a reasoned analysis of its impacts;*
- *Whether or not the timing for implementation of the program, project, or item is too remote for consideration or analysis;*
- *Whether or not the item is only procedural in nature;*
- *Whether or not the item will result in any direct or indirect physical change in the environment;*
- *Whether or not a project is sufficiently defined in scope and implementation; and*
- *Whether or not an application has been submitted.*

The impact sections of this EIR discuss the potential cumulative environmental impacts resulting from the proposed Housing Element update in association with planned, pending, and reasonably foreseeable projects in the vicinity of the project area.

Projects considered in the Draft EIR cumulative impacts analysis are listed in Table 3-2. The projects listed in Table 3-2 are those that were planned or pending at the time of the release of the Notice of Preparation of the Draft EIR. The updated 2012 list is shown in Table 3-3.

As shown in Table 3-2, cumulative development in the City of Ojai in 2009 included 20 residential units in addition to 86,942 square feet of non-residential development. As shown in Table 3-3, many of the cumulative projects from 2009 continue to be on the planned/pending list

in 2012. Overall, cumulative development in Ojai as of August 2012 consists of 25 residential units and 63,729 square feet of non-residential development.

Table 3-2
Cumulative Projects in Ojai – 2009

Project Applicant	Land Use	Size
Loomis	Residential	3 dwelling units
Smigel	Residential	4 dwelling units
Hromadik	Residential	1 dwelling unit
Manninen	Residential	1 dwelling unit
Meyerstein	Commercial	22,410 square feet
Exon	Residential	4 dwelling units
Wizman and Deluca	Light Industrial	53,908 square feet
Colla	Residential	2 dwelling units
Mann	Residential Light Industrial	5 dwelling units 9,821 square feet
Kenton	Commercial	803 square feet

Source: City of Ojai, Community Development Department, In-house Work Load Status Report, June 17, 2009.

Table 3-3
Cumulative Projects in Ojai – 2012

Project Applicant	Land Use	Size
Loomis	Residential	3 dwelling units
Smigel	Residential	4 dwelling units
Colla	Residential	2 dwelling units
Mann	Residential Light Industrial	6 dwelling units 9,821 square feet
Becker	Residential	Net addition of 5 dwelling units
Wizman	Light Industrial	53,908 square feet
Giannetti	Residential	1 dwelling unit
Romming	Residential	1 dwelling unit
Wollam	Residential	1 dwelling unit
Zimmerman	Residential	1 dwelling unit
Carroll	Residential	1 dwelling unit

Source: City of Ojai, Community Development Department, In-house Work Load Status Report, August 21, 2012.

4.0 ENVIRONMENTAL IMPACT ANALYSIS

This section discusses the possible environmental effects of the proposed project for the specific issue areas that were identified through the NOP/Scoping process as having the potential to experience significant impacts.

"Significant effect" is defined by the *CEQA Guidelines* §15382 as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant."

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

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

Following each environmental impact discussion is a listing of mitigation measures (if recommended or required) and the residual effects or level of significance remaining after the implementation of the measures. In those cases where the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with adoption of the proposed 2006-2014 Housing Element Program in conjunction with other future development in the area.

Please refer to the Executive Summary of this EIR, which summarizes all impacts and mitigation measures that apply to the proposed project.

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4.1 AESTHETICS

This section discusses potential impacts to aesthetic resources that could result from implementation of the programs outlined in the proposed Housing Plan.

4.1.1 Setting

a. City of Ojai Visual Character. Ojai is set in a small, linear valley, which provides it with a distinct sense of place, rural and protected, surrounded by rocky hills and low mountain ranges. The steep slopes of the surrounding mountains and hills comprise a dramatic, scenic backdrop, which gives the area much of its unique charm. The surrounding mountains have slopes that often exceed 50%, adding to the physical setting and scenic resources of the Ojai Valley.

b. Primary Viewing Corridors. State Routes 33 and 150 are the principal travel corridors through Ojai. Nearly all State highways in the County can be characterized as traversing scenic areas, whether in urban centers or crossing rural landscapes. The California Department of Transportation State Scenic Highway System includes a list of highways eligible to become, or designated as, official scenic highways. The intent of the California Scenic Highway System (as stated in Streets and Highways Code Section 260) is to protect and enhance California's natural scenic beauty and to protect the social and economic values provided by the State's scenic resources. SR 33 is a State Scenic Highway and SR 150 eligible for State Scenic Highway status (Caltrans, Officially Designated State Scenic Highways, 2009). The Ventura County General Plan also recognizes Santa Ana Road and Creek Road as eligible County Scenic Highways.

Views of the mountain ranges surrounding Ojai are identified in the City's General Plan as key scenic resources. Views of the mountains are available from many viewpoints in Ojai including public streets, particularly those trending north-south.

c. Neighborhoods. Ojai's neighborhoods exhibit a wide variety of design characteristics and themes. Older residential neighborhoods in the central portion of Ojai reflect a traditional style of development with a grid street system and tend to de-emphasize the presence of automobiles by using narrower street sections than typical modern suburban developments. The design of many individual houses also supports deemphasizing the role of automobiles by reducing the visual prominence of the garage by placing it at the rear of the property or in the side yard. Housing in older neighborhoods tends to be more individualized than mass produced. Many homes in Ojai have unique architectural designs that are not repeated throughout a neighborhood as they would be in a typical suburban subdivision.

d. Light and Glare. Ojai includes a mix of developed lands, open space, and agricultural lands. The majority of the urban areas include outdoor lighting. Nighttime illumination is currently generated by streetlights and vehicular lights associated with roadways, as well as housing developments. Additional glare is created by exterior building materials, surface paving materials, and vehicles traveling or parked on roads and driveways. Any highly reflective façade materials are of particular concern, as buildings reflect sunlight.

e. Regulatory Setting. The City of Ojai regulates the design of the built environment through its General Plan and Zoning Ordinance. New development must be consistent with the General Plan's visual resource policies. The Zoning Ordinance contains height and size limits and requires design review for projects of specific types and in specific areas of the City. The Land Use and Circulation Elements of the General Plan contain policy statements that serve as a framework for evaluating whether a proposed project would cause an adverse effect to visual resources:

- *A substantial demonstrable negative aesthetic effect;*
- *Development that is out of scale or character with a distinct neighborhood or district;*
- *Degradation of, or significant interference with, the public's enjoyment of existing visual resources (from designated public open space or public roads), such as heritage trees or any other aesthetically pleasing resource; and*
- *Obstruction of existing panoramic views of the Topa Topa Mountains.*

Pursuant to Municipal Code Section 10-2.2003, nearly all new development other than one-story single-family homes must be approved through the City's Design Review process. As further stated in the Code, the intent of the Design Review process is as follows:

> *The City is primarily a residential community, noted for its recreational, cultural and educational facilities. Its charm and enduring attraction result from the natural beauty of its unique mountain and valley location, its climate and equally from the distinct character and traditions of community life established by the people who have chosen to live there. The maintenance and orderly growth of this environment, with emphasis upon harmonious architectural development, is essential to the survival of these values. The Commission, by City laws, is charged with the responsibility of the maintenance of architectural standards which will contribute to these ends, sustain property values and further the public welfare. The design of the buildings most characteristic of the City has been inspired chiefly by traditional types developed under similar climatic conditions. The successful adaptation of these architectural forms, with ingenious variations to meet modern needs, has resulted in an architectural design that identifies particularly the central business district of the City from other communities. It is essential to a rational and continued improvement of the community that property owners, architects and builders recognize these facts and use initiative and their best judgment and talents toward the development of buildings of character that harmonize with their surroundings and are suitable for the proposed site.*

4.14.2 Impact Analysis

a. Methodology and Significance Thresholds. The assessment of aesthetic impacts involves qualitative analysis that is inherently subjective in nature. Different viewers react to viewsheds and aesthetic conditions differently. This evaluation measures the existing visual resource against proposed City policies/programs, analyzing the nature of the anticipated change and its compatibility with the visual character of the area. The City General Plan was reviewed for policies relating to visual resources and design policy.

Pursuant to the *CEQA Guidelines*, potentially significant impacts would occur if implementation of the Housing Element would:

- *Substantially degrade the existing visual character or quality of the site and its surroundings;*
- *Have a substantial adverse effect on a scenic vista;*
- *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; and/or*
- *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.*

Pursuant to the City's Initial Study Guidelines, to determine whether a project would have a light and glare impact, a project would have to generate light which would directly illuminate or reflect upon adjacent property or could be directly seen by motorists or persons residing, working, or otherwise located within sight of the project. The following conditions serve as the framework for evaluating whether a proposed project would cause an adverse effect stemming from lighting and glare;

- *Indirect illumination of adjacent properties in excess of 0.5 foot candles;*
- *For pedestrian lighting systems, a point of overlap between light patterns greater than seven feet; and*
- *Intensity of lighting within the physical limits of an area required to be lighted that is greater than seven foot-candles.*

b. Project Impacts and Mitigation Measures. Project impacts and mitigation measures are grouped by topic based on the potential to exceed a threshold of significance. The potentially adverse effect is identified and classified (impact classes are defined in Section 4.0) followed by an explanation. If the impact exceeds a threshold, mitigation is recommended, followed by a discussion of any residual impacts following implementation of applicable mitigation. The following impacts have been identified with respect to aesthetics.

Impact AES-1 **The proposed Housing Element would facilitate the development of up to 201 additional housing units within Ojai that would incrementally increase the density and intensity of the built environment. However, most of these changes would occur over a number of years and would be distributed throughout the planning area such that the increase would not result in a substantial aesthetic change that would degrade the visual character of the City. In addition, required adherence to policies included in the General Plan and compliance with the Design Review process for demonstration projects would reduce the potential for new development to degrade the existing visual character or quality of the City and its surroundings. Therefore, impacts would be Class III, *less than significant*.**

As discussed in Section 2.0 *Project Description*, development of up to 24 new residential units throughout the City's Village Mixed Use (VMU), residential and Commercial zone districts ("scattered development") could be facilitated by adoption of the proposed 2006-2014 Housing

Element. These would typically be in concentrations of one to two additional units that would be built on existing developed properties. An additional 177 units of "focused development" could be developed in senior housing and demonstration housing projects. If all of the units facilitated by the project were built, it would increase the number of housing units in Ojai by approximately 6% (201 units is approximately 6% of 3,390, which is the Department of Finance's 2012 estimate for the City; see Section 4.12 *Population and Housing*). The location of the affected zone districts and the general tentative location of the focused projects are shown on Figure 2-3 in Section 2.0 *Project Description*.

The scattered development would be expected to be built over a number of years as individual property owners throughout the VMU, residential and Commercial zone districts elect to take advantage of the Housing Element programs and proposed regulatory changes and incentives that would allow and/or encourage the addition of residential units on their properties (e.g. second units, home splits, VMU mixed-use units). Changes to the City's visual character from these relatively small structural additions would not be immediate or substantial, as they would occur over time and would be distributed throughout nearly the entire City. Although the potential new development would incrementally increase development intensity and density, the aesthetic changes would not be substantial. In addition, as discussed further below, all new development is required to adhere to City policies designed to reduce visual impacts, preserve view corridors and maintain the existing small-town character of Ojai.

General tentative locations for senior housing and demonstration housing sites are also identified on Figure 2-3. These locations, generally in the vicinity of City Hall, are characterized by rolling terrain and large, mature trees. These projects would be subject to the discretionary approval process including Design Review; as such, their specific impacts would be analyzed if and when they are proposed. Regardless, they would be required to adhere to the City's robust visual resources (listed below) and tree protection policies and regulations, in addition to any mitigation measures or conditions of approval imposed by the City as part of the approval process.

The following General Plan Land Use Element policies would apply to all development facilitated by the 2006-2014 Housing Element.

LU-1: *Emphasize retention of Ojai's natural environmental setting, small town character, and scenic features as a priority over the expansion of urban areas.*

LU-2: *Preserve the following physical components of Ojai's small town character, along with the desirable features of individual neighborhoods, and incorporate them into the design of new development wherever feasible.*

- *A well-defined urban area surrounded by open spaces and grazing and agricultural lands;*
- *A traditional grid street system with limited collector streets and arterial highways, wherein residences front on most streets and there is a noticeable lack of suburban subdivisions bounded by block walls;*
- *Preservation of existing mature trees in place;*
- *A lack of mass produced housing tracts with repetitive architecture, resulting in neighborhoods that feature a custom home atmosphere;*

- *Residential streetscapes dominated by broad canopy trees and oaks within some streets and street rights-of-way;*
- *Provision of multi-family living environments in small projects distributed along or in close proximity to the length of the Ojai Avenue corridor;*
- *Retention of a feeling of "openness" and preservation of views of the hills and mountains which form the Ojai Valley, defining the extent of urban development, as well as preservation of the natural character of these hillside areas.*
- *Preservation of significant community monuments such as Libbey Park, the arcade, and the post office, as well as the visual prominence of these features within the downtown area;*
- *A traditional small town downtown which is pedestrian friendly, of higher intensity than the balance of the community, and which has a unique historical architectural character;*
- *A generally low profile form of development;*
- *An emphasis on the retention of natural landforms and the natural environment over its conversion to urban forms;*
- *An emphasis on ease of pedestrian and bicycle access and transportation.*

LU-3: *Maintain an inventory of land uses that provides diverse economic, social, and cultural opportunities; reinforces the characteristics that make Ojai a desirable place to live; and integrates complementary land uses in a manner which minimizes vehicle miles traveled within the community.*

LU-4: *Create and maintain places and opportunities for the residents of Ojai to interact, exchange ideas, and realize common goals of a unified community. Integrate plazas and focal pints into new commercial and multiple family developments.*

LU-5: *Promote a mix of urban and rural residential neighborhoods which encompass a range of housing types that:*

- *Provide a refuge from the congestion of nearby metropolitan areas;*
- *Are visually attractive and compatible in intensity, dwelling unit size, and structural design with the need to protect the community's small town character;*
- *Provide adequate housing opportunities to meet the needs of present and future Ojai residents; and*
- *Protect the density and character of existing residential neighborhoods, avoiding large concentrations of multiple family developments by distributing such developments into an adequate number of smaller-sized multiple-family housing sites adequate to meet the City's housing objectives for all economic segments of the community.*

LU-10: *Require that new developments be at an appropriate density or intensity based upon compatibility with the majority of existing surrounding uses.*

- *As part of the development review process, treat the densities and intensities outlined in the Land Use Element for specific designations as the maximum allowable, and do not approve the maximum allowable density or intensity*

unless the proposed project is consistent with provisions of each of the elements of the Ojai General Plan.

- *Require that new development respect the views of existing developments; provide view corridors which are oriented toward existing or proposed community amenities, such as parks, open spaces, and natural features.*
- *Where a question of compatibility exists, require the new use to conform to the lower density.*
- *As part of the development review process, new development or the alteration of existing development is to be viewed not only as a freestanding object, but also as part of a street, neighborhood, and as part of the entire community.*
- *Require that the bulk and massing of new structures relate to the prevailing or planned scale of adjacent development.*
- *Require that setbacks from streets relate to existing setbacks along the street, the scale of the structure, and the desired character of the development.*
- *Require that new development respect the views of existing developments; provide view corridors which are oriented toward existing or proposed community amenities, such as parks, open spaces, and natural features.*

Application of these policies to future development under the proposed Housing Element Update would help ensure visual resource protection and compliance with community design goals, and would serve to preserve Ojai's small town character and aesthetic resources.

Finally, it should be noted that the facilitation of additional housing units within the City limits would reduce the pressure for development at the City's periphery, thus minimizing the development pressure on open and agricultural lands that are valued for their visual quality and their contribution to Ojai's visual character in the context of its rural setting.

Mitigation Measures. Development facilitated by the Housing Element would be required to adhere to the Land Use Element policies listed above as well as the Design Review process where applicable. Impacts would be less than significant without mitigation with adherence to these policies and regulations.

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

Impact AES-2 The proposed Housing Element would facilitate the construction of up to 201 new housing units within Ojai's Commercial, residential and VMU Zone Districts. Specific site locations have not been identified for most of this development, however, general tentative locations for senior housing and demonstration housing sites are identified. New development that could be facilitated by the Housing Element would not be expected to result in impacts to views of identified scenic resources. In addition, senior housing and demonstration projects would be required to undergo site-specific Design Review, and to adhere to adopted City policies and regulations designed to protect scenic views. Impacts to view corridors would be Class III, *less than significant*.

As described in Section 4.1.1, *Setting*, the Ventura County General Plan identifies SR 33 as a State Scenic Highway, SR 150 as an eligible State Scenic Highway and Santa Ana Road and Creek Road as eligible County Scenic Highways. Views of the mountain ranges surrounding Ojai are also considered scenic views, and are available from many public streets and viewpoints in the City.

As discussed above, development of up to 24 new residential units throughout the City's VMU, residential and Commercial zone districts ("scattered development") could be facilitated by adoption of the proposed 2006-2014 Housing Element. These would typically be in concentrations of one to two additional units that would be built on existing developed properties. Most of these properties are already developed to some extent, and the additions would not be expected to substantially change view opportunities compared to current conditions. Compliance with height limits, required setbacks and other existing regulatory provisions would further minimize the likelihood that new development would substantially obstruct views of the mountains. In addition, as discussed further below, all new development is required to adhere to City policies designed to protect scenic views, and any development taller than one story would be required to go through the Design Review process. The scattered development would be expected to be built over a number of years as individual property owners throughout the VMU, residential and Commercial zone districts elect to take advantage of the Housing Element programs and proposed regulatory changes and incentives that would allow and/or encourage the addition of residential units on their properties (e.g. second units, home splits, VMU mixed-use units). Although some projects may impede small portions of mountain views from specific locations and angles, taken individually or cumulatively they would not substantially alter the ability to view the mountains and other scenic resources from public streets and viewpoints including routes 150 and 33.

An additional 177 units of "focused development" could be developed in senior housing and demonstration housing projects. The general tentative locations of the focused projects are shown on Figure 2-3 in Section 2.0 *Project Description*. These locationsare located throughout the City and are characterized by a variety of landscapes. These projects would be subject to Design Review; as such, their specific impacts would be analyzed if and when they are proposed. It is likely, depending on their height, that they would not block scenic mountain views, most of which are already obscured by the intervening rolling terrain or large mature oak trees. Regardless, they would be required to adhere to the City's robust visual resources (listed below) and tree protection policies and regulations in addition to any project-specific conditions or mitigation measures imposed as part of the approval process. Projects in these locations would not be expected to substantially alter views from routes 33 or 150, or Santa Ana or Creek roads.

Compliance with the following General Plan policies is required of all projects; this would help to preserve views of ridgelines and other identified scenic resources as projects are reviewed.

> ***Conservation Element Policy:*** *The City shall not support any activity associated with the degradation or the natural scenic character of the Ojai Valley and shall actively pursue the preservation or vistas and natural beauty of Ojai whenever possible.*

Conservation Element Program: *View corridors, prominent visual amenities in the Valley (including Topa Topa Ledge and Chief Peak) and other aesthetic amenities shall be identified as natural resources in the Ojai MEA. These resources and surrounding or affected areas shall be preserved as natural open space whenever possible.*

Land Use Element Policy LU-10: *Require that new developments be at an appropriate density or intensity based upon compatibility with the majority of existing surrounding uses.*

- *…Require that new development respect the views of existing developments; provide view corridors which are oriented toward existing or proposed community amenities, such as parks, open spaces, and natural features…*
- *…Require that new development respect the views of existing developments; provide view corridors which are oriented toward existing or proposed community amenities, such as parks, open spaces, and natural features.*

Land Use Element Policy LU-2: *Preserve the following physical components of Ojai's small town character, along with the desirable features of individual neighborhoods, and incorporate them into the design of new development wherever feasible.*

- *…Retention of a feeling of "openness" and preservation of views of the hills and mountains which form the Ojai Valley, defining the extent of urban development, as well as preservation of the natural character of these hillside areas.*

Mitigation Measures. Impacts would be less than significant without mitigation with adherence to the policies and programs listed above.

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

Impact AES-3 Development facilitated by the proposed Housing Element update could damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, SR 33. However, with adherence to policies and programs in the General Plan Conservation Element potential impacts to existing scenic resources would be Class III, *less than significant*.

As described in Section 4.1.1, *Setting*, SR 33 is a State Scenic Highway and SR 150 is an eligible State Scenic Highway. As discussed above, development of up to 24 new residential units throughout the City's VMU, residential and Commercial zone districts ("scattered development") could be facilitated by adoption of the proposed 2006-2014 Housing Element. These would typically be in concentrations of one to two additional units that would be built on existing developed properties. Most of these properties are already developed to some extent, and the additions would not be expected to substantially damage scenic resources compared to current conditions. Compliance with the resource protection policies and regulations listed below and the City of Ojai Tree Protection Ordinance (Ojai M.C. Sec 4-10.01) would further minimize the likelihood that new development would substantially affect trees. The scattered

development would be expected to be built over a number of years as individual property owners throughout the VMU, residential and Commercial zone districts elect to take advantage of the Housing Element programs and proposed regulatory changes and incentives that would allow and/or encourage the addition of residential units on their properties (e.g., second units, home splits, VMU mixed-use units).

An additional 177 units of "focused development" could be developed in senior housing and demonstration housing projects. The general tentative locations of the focused projects are shown on Figure 2-3 in Section 2.0 *Project Description*. These locations are located throughout the City and are characterized by a variety of landscapes. There are no identified historic resources on the properties being considered as potential locations for these projects. These projects would be subject to Design Review; as such, their specific impacts would be analyzed if and when they are proposed. It is possible that potential development of these projects in these proposed locations could affect scenic resources such as mature trees and rock outcroppings. However, they would be required to adhere to the City's tree policies listed below and the City of Ojai Tree Protection Ordinance (Ojai M.C. Sec 4-10.01) in addition to any conditions or mitigation measures imposed during the approval process. Projects in this location would not substantially alter views from routes 33 or 150, or Santa Ana or Creek roads.

Compliance with the following General Plan policies is required of all projects; this would help to protect scenic resources including trees, rock outcroppings, historic buildings, and other resources as projects are reviewed.

Policy: *It shall be the policy of the City of Ojai to allow no loss of existing resource value for regionally significant Oak Woodland/Savannah.*

Policy: *It will be the policy of the City of Ojai to allow in Woodland/Brushland Ecotone areas no loss of existing resource value within "core" oak woodland and sycamore tree areas while minimizing/limiting loss or remaining existing resource value.*

Program: *The City will retain for aesthetic and cultural value significant stands of oak and sycamore trees. Following are guidelines for developing in and around such trees.*

- *The area within the dripline of oak trees should not be disturbed.*
- *No impervious surfaces should be placed beneath these trees that will prevent soil aeration and root respiration.*
- *To avoid root-rot disease, no landscape ground covers requiring year round irrigation shall be planted on new development parcels.*
- *Grading around oak and sycamore trees should not change the ground grade and drainage patterns in order to avoid the impoundment of water and subsequent root rot.*
- *Heavy equipment should to be operated beneath oaks and sycamores in order to avoid soil compaction and root suffocation.*
- *Trenching for the installation of utilities should avoid the root zone of oak and sycamore trees.*

The Conservation Element also contains programs and policies relating to the protection of cultural resources and is outlined in section 4.5 *Cultural Resources*. Adherence to such

Conservation Element policies and programs would protect historic resources in the City.

Development accommodated along SR 33 would be subject to the policies and programs of the General Plan Conservation Element. With development adhering to these regulations and guidelines, impacts to scenic resources would not be significant. Development would be required to comply with the view corridor protection policies listed under *AES-2* as well as the tree protection policies listed above and Conservation Element policies and programs outlined in section 4.5 *Cultural Resources* to protect historic buildings.

Mitigation Measures. Development facilitated by the Housing Element would be required to adhere to the policies listed under impact *AES-2*, Conservation Element policies listed above, and policies discussed in section 4.5 *Cultural Resources*. Impacts would be less than significant without mitigation with adherence to these policies.

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

Impact AES-4 Development that could be facilitated by the proposed Housing Element would introduce new sources of light and glare. However, with adherence to existing ordinance requirements and required CEQA review for focused development, impact would be Class III, *less than significant*.

As discussed above, development of up to 24 new residential units throughout the City's VMU, residential and Commercial zone districts ("scattered development") could be facilitated by adoption of the proposed 2006-2014 Housing Element. These would typically be in concentrations of one to two additional units that would be built on existing developed properties. These projects would not be expected to introduce substantial new light and glare, both due to their modest size and because they would typically be adding to existing development in built-up areas rather than introducing new development in areas with very low ambient light and glare. In addition, they would be required to adhere to the following Municipal Code provisions intended to minimize light and glare from affecting offsite receptors and property:

> ***Sec. 10-2.806. General performance standards****. All land uses shall be operated and maintained so as to not be injurious to public health, safety, or welfare, and to comply with the following standards.*
>
> *(a) Uses, activities, or processes shall not generate or emit any visible dust, gasses, or smoke, except as necessary for the heating or cooling of structures, and the operation of motor vehicles on the site.*
> *(b) All lighting of landscaping, parking areas, structures, or similar facilities shall be:*
> *(1) Architecturally integrated with the character of adjacent structure(s);*
> *(2) Directed downward and shielded so that all light and glare is confined within the boundaries of the subject parcel;*

(3) Installed so that lights not blink, flash, or be of unusually high intensity or brightness; and
(4) Appropriate in height, intensity, and scale to the uses they are serving.

An additional 177 units of "focused development" could be developed in senior housing and demonstration housing projects. The general tentative locations of the focused projects are shown on Figure 2-3 in Section 2.0 *Project Description.* The potential senior housing and demonstration projects would be subject to Design Review; as such, their specific impacts would be analyzed if and when they are proposed. They would also be required to adhere to the Municipal Code provisions cited above.

Individual projects that could occur under the proposed Housing Element would be subject to CEQA review. Adherence to applicable Municipal Code requirements and any specific requirements specified as part of the Design Review for individual projects would reduce impacts to a less than significant level.

Mitigation Measures. As impacts would be less than significant with adherence to existing policies and regulations, no mitigation is required.

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

c. Cumulative Impacts. Implementation of the Housing Element, in combination with past, present, and potential future cumulative development in the area, would increase the population density in Ojai. Cumulative development within the area would alter the City's physical environment. Required adherence to the City of Ojai's General Plan policies and programs would reduce impacts associated with new development to aesthetics to a less than significant level. Significant cumulative impacts would not occur.

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4.2 AGRICULTURAL RESOURCES

This section address potential impacts related to agricultural resources.

4.2.1 Setting

Agriculture plays an important role in the economy and land use patterns in Ventura County. The fertile soil and mild climate allow high value crops to be planted year round. Table 4.2-1 shows the 2008 values of major crop groupings in Ventura County. Gross revenue sales of agricultural products in the County decreased from $1.859 billion in 2010 to $1.844 billion in 2011. The highest crop values in 2010 and 2011 were in the fruit and nut crops; both are grown in the Ojai Valley.

Table 4.2-1
Ventura County Annual Agricultural Crop Report

Crop Grouping	2010 Crop Value	2011 Crop Value
Fruit and Nut Crops	$1,085,677,000	$1,124,860,000
Vegetable Crops	$533,473,000	$490,233,000
Livestock & Poultry Products	$6,161,000	$6,075,000
Apiary Products	$1,505,000	$2,385,000
Nursery Stock	$180,057,000	$163,793,000
Cut Flowers	$47,348,000	$52,217,000
Field Crops	$2,463,000	$1,684,000
Timber	14,000	$13,000
Sustainable Agriculture	2,453,000	$3,000,000
Total	**$1,859,260,000**	**$1,844,260,000**

Source: Ventura County Agricultural Commissioner, 2011 Ventura County Annual Crop Report, July 2012. http://portal.countyofventura.org/portal/page/portal/AgComm/resources/cropreports/2011-cropreport.pdf.

The City of Ojai General Plan Land Use Element identifies approximately 640 acres of agricultural land in the City of Ojai. The Land Use Element states that the primary purpose of areas designated as agriculture is to provide for agricultural uses and related open land uses which are considered to be an important environmental and economic asset to the City of Ojai. In addition, the agricultural designation is intended to

- *Preserve lands best suited for agricultural activities from the encroachment of incompatible uses*
- *Prevent the intrusion of urban development into agricultural areas in such a manner as to make agricultural production uneconomical or impractical*

- *Provide appropriate areas for certain open uses of land which are not injurious to agricultural uses but which may not be harmonious with urban uses; and to promote the public interest by encouraging, preserving, and protecting such uses within the City*

Agriculturally-zoned lands within the City of Ojai are shown on Figure 4.2-1. Agricultural lands, as classified by the California Department of Conservation, are shown in 4.2-2. No agricultural land within the City limits is designated for Statewide Importance or is part of the Williamson Act program.

4.2.2 Impact Analysis

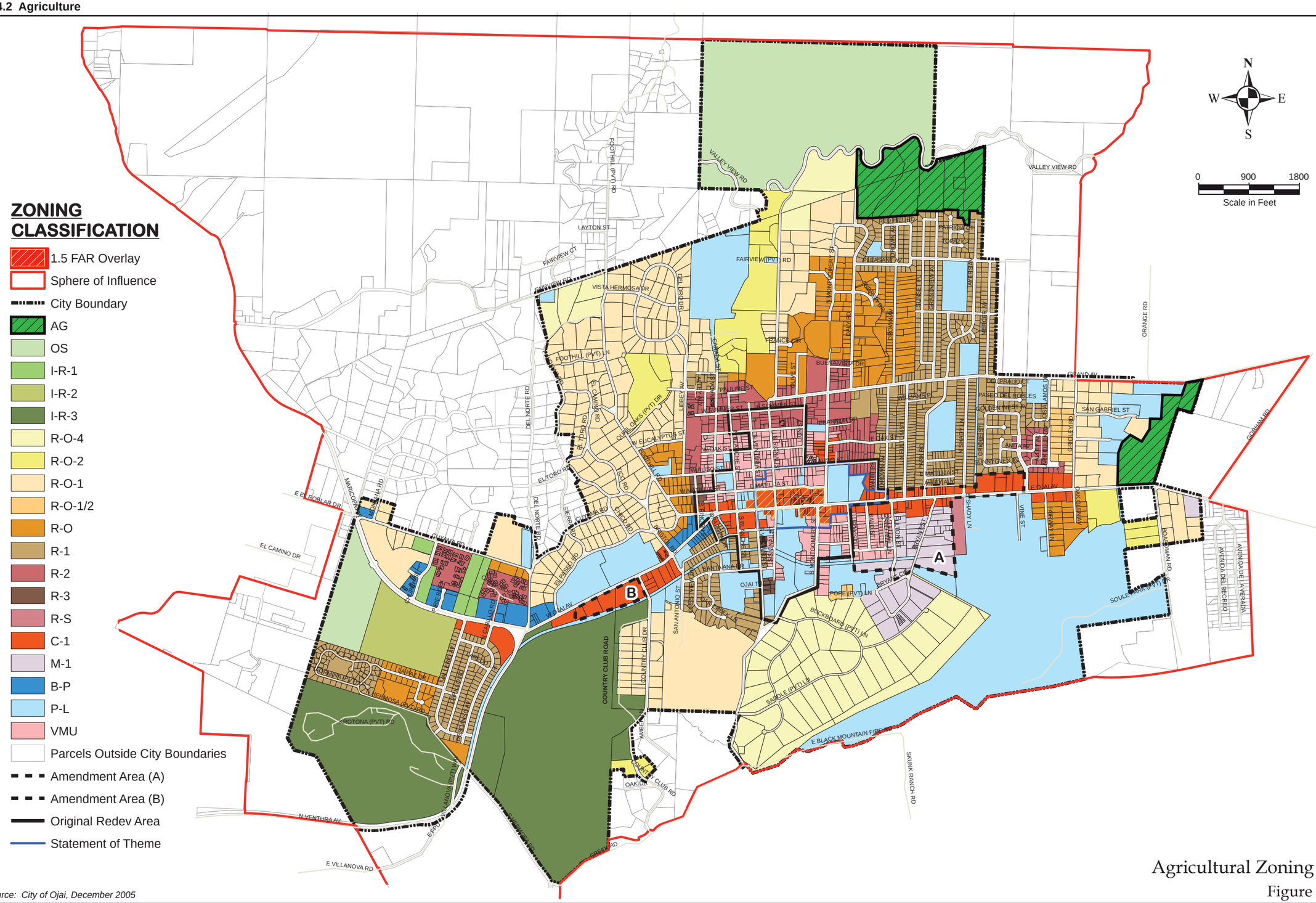
a. Methodology and Significance Thresholds. The City of Ojai has not adopted specific significance thresholds for agricultural conversion; therefore, this analysis relies on criteria suggested in the environmental checklist included in Appendix G of the *CEQA Guidelines*. Based on the above criteria and the Appendix G checklist, a project's impact to agricultural resources is considered significant if the project would:

- *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use*
- *Conflict with existing zoning for agricultural use or a Williamson Act contract*
- *Involve other changes to the environment which due to their location or nature, could result in the conversion of Farmland, to non-agricultural use*

b. Project Impacts and Mitigation Measures. Project impacts and mitigation measures are grouped by topic based on the potential to exceed a threshold of significance. The potentially adverse effect is identified and classified (impact classes are defined in Section 4.0) followed by an explanation. If the impact exceeds a threshold, mitigation is recommended, followed by a discussion of any residual impacts following implementation of applicable mitigation. The following impacts have been identified with respect to agricultural resources.

Impact AG-1 **The proposed Housing Element would facilitate new housing construction and programs to occupy existing housing. Implementation of the proposed Housing Element would not lead to the conversion of farmland, conflict with agricultural zoning or a Williamson Act contracts, or involve changes in the environment that could result in the conversion of farmland to a non-agricultural use. Therefore, impacts to agricultural resources would be Class III, *less than significant*.**

The proposed 2006-2014 Housing Element would facilitate up to 24 residential units ("scattered development") on primarily urbanized parcels throughout the VMU, Commercial and residential zone districts, and up to 177 units of "focused development" located on sites throughout the City. The City's agriculturally-zoned land would not be eligible for development under the proposed policies and programs. As shown on



Agricultural Zoning

Figure 4.2-1

Drawing Source: City of Ojai, December 2005

Figure 4.2-2, only one relatively small area of farmland, classified as "Unique" by the Department of Conservation, is within the zone districts where development could be facilitated. Adherence to City policies related to agriculture, listed below, would apply to any future proposed development on this site. Thus, direct impacts to agriculturally-zoned land are not anticipated. No agricultural land in the City is enrolled in Williamson Act contract.

The majority of the "scattered development" is expected to occur on properties already at least partially developed, and at a minimum adjacent to other developed sites. If this development were to be proposed adjacent to active farmlands, land use conflicts would not be expected due to the small-scale nature of development that would be facilitated, typically one- to two-additional units on already developed properties.

There are no active agricultural lands adjacent to any of the sites where the potential senior and demonstration housing projects would likely be located.

There are several small pockets of land used for raising crops within the City on land zoned VMU, Commercial or residential, and that could thus be eligible for additional unit(s) under the proposed housing plan. The majority of these are remnants of farms or "hobby farms" that do not necessarily represent significant agricultural resources; the City's Initial Study Assessment Guidelines identify those primarily as "commercially viable areas…oriented toward maintaining the long term viability of agriculture." A minimum loss of five acres, larger than the typical pocket of farmland located outside of agriculturally-zoned districts, is considered "significant" per the Guidelines. Thus, even if small areas of urban farmland were affected, the area impacted would be expected to fall below that required to trigger a significant impact. Most of the areas of prime soils are located outside of the zone districts eligible for new construction under the proposed housing plan, as may be seen by comparing Figure 4.1-2 to Figure 2-3 in Section 2.0, *Project Description*.

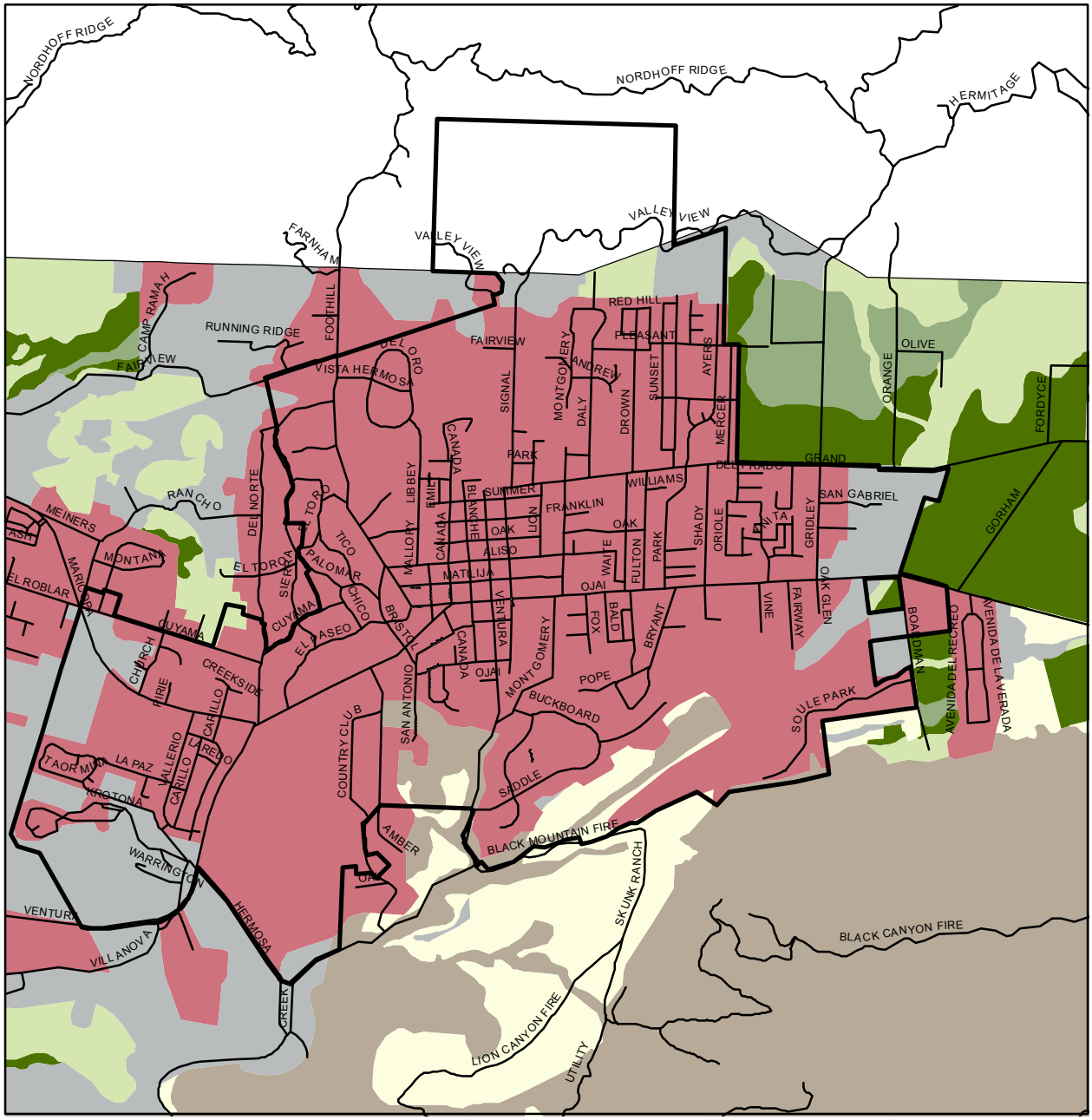
Finally, required adherence to the following policies of the Conservation Element as individual projects are proposed would assist in reducing impacts to agricultural land:

Policy: *Recognize and incorporate the Ventura County Important Farmlands classification system into City programs pertaining to preservation of agricultural lands.*

Program: *Adopt a farmland classification system of all agricultural land within the City Planning Area, and create an "Agricultural Overlay" designation in the General Plan Land Use Element Map that will provide for the preservation of all important farmlands within the City Sphere of Influence. Relevant factors shall be soil type, crop importance and value, location and longevity of agricultural worth.*

Policy: *Preserve "Prime", "Statewide", and "Local" agriculturally significant land in agricultural use in large parcels and contiguous geographic areas.*

Program: *To the maximum extent feasible, maintain Prime, Statewide, and Local farmland parcels to a size of 40 acres or more, and respect recommendations of the MEA pertaining to agricultural preservation.*



Basemap Source: California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, 2006 and City of Ojai, 2009.

- City Boundary
- Prime Farmland (P)
- Farmland of Statewide Importance (S)
- Unique Farmland (U)
- Farmland of Local Importance (L)
- Grazing Land (G)
- Urban and Built-Up Land (D)
- Other Land (X)
- Not Surveyed (Z)

N

0 1,000 2,000 4,000 Feet

Areas of Important Farmland

Figure 4.2-2

Program: Incorporate criteria established in the General Plan Land Use Element pertaining to Agricultural Use into a formal Agricultural Conservation Program for preservation and proper utilization of farmland in Ojai.

Program: Promote the preservation of "Unique" Farmland currently in avocado and/or citrus production.

Policy: Encourage actions such as agricultural zoning and use or the Williamson Act.

Program: Preserve existing agriculture in isolated areas (i.e. on cultivated hillsides surrounding the community), on flood plains, and unique areas capable of average or better than average crop yields.

Program: Make information available at City Hall to all land holders related to the Williamson Act.

Program: Identify all properties within the City where farm activities take place.

Policy: Encourage conservation or agricultural land in the adjacent and nearby surrounding areas to the City.

Program: The City shall maintain existing programs and pursue cooperative programs with the County of Ventura (i.e. greenbelt agreements) regarding farmland preservation.

Program: The City shall promote cooperation with public and private entities for agricultural preservation.

Policy: Separate agricultural and urban uses so that efficient agricultural practice (crop dusting, fertilization, mechanical harvesting) can be accomplished without danger or nuisance to residential areas and without adverse effects on sensitive crops.

Program: The City will review its Land Use Element for appropriateness of land designations.

Program: The City will adopt resolutions requesting that the County zone all important farmland within the Area of Interest for agricultural use with a minimum lot size of 40 acres.

As substantial direct or indirect impacts to agricultural resources would not occur with implementation of the proposed 2006-2014 Housing Element, impacts would be less than significant.

Mitigation Measures. No mitigation would be necessary.

Significance After Mitigation. Impacts would be less than significant without mitigation with adherence to the Conservation Element policies and programs above.

c. Cumulative Impacts. As described in Section 3.0, *Environmental Setting*, the potential development of 201 units facilitated under the Housing Element along with 25 residential dwelling units and 63,729 sf of light industrial account for the anticipated cumulative development through the year 2014 for the City of Ojai. Cumulative development projects are not anticipated to adversely affect agricultural resources as cumulative development would not occur on or adjacent to agricultural land. Planned and pending cumulative development throughout the City would be required to adhere to the same policies and programs of the Conservation Element listed above and therefore would not affect agricultural lands within the City. Thus, planned and pending development within the City would not lead to the significant conversion of farmland, conflict with existing agricultural zoning, or a Williamson Act contract, or involve changes in the environment that could result in the conversion of farmland to a non-agricultural use. Therefore, cumulative impacts would be less than significant.

4.3 AIR QUALITY

This section discusses potential impacts to air quality. Both temporary impacts relating to construction of individual projects and long-term impacts associated with development facilitated by the proposed Housing Element are discussed.

4.3.1 Setting

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

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

Two types of temperature inversions (warmer air on top of colder air) are created in the Ventura County area: subsidence and radiational (surface). The subsidence inversion is a regional effect created by the Pacific high in which air is heated as it is compressed when it flows from the high pressure area to the low pressure areas inland. This type of inversion generally forms at about 1,000 to 2,000 feet and can occur throughout the year, but is most evident during the summer months. Surface inversions are formed by the more rapid cooling of air near the ground at night, especially during winter. This type of inversion is typically lower and is generally accompanied by stable air. Both types of inversions limit the dispersal of air pollutants within the regional airshed. The primary air pollutant of concern during the subsidence inversions is ozone, while carbon monoxide and nitrogen oxides are of greatest concern during winter inversions.

Daytime summer temperatures in Ojai generally range from the mid 70s to the mid 90s. Nighttime low temperatures during the summer are typically in the mid 50s, while the winter high temperatures tend to be in the 60s or 70s. Winter low temperatures are generally in the 30s and 40s. Annual average rainfall in Ojai is about 22 inches, with rainfall occurring almost exclusively during winter months.

b. Local Regulatory Framework. Both the federal and state governments have established ambient air quality standards for the protection of public health. The U.S. Environmental Protection Agency (USEPA) is the federal agency designated to administer air quality regulation, while the California Air Resources Board (CARB) is the state equivalent in the California Environmental Protection Agency. Local control in air quality management is provided by the CARB through county-level Air Pollution Control Districts (APCDs). The CARB has established air quality standards and is responsible for the control of mobile emission

sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. The CARB has established 14 air basins statewide.

The USEPA has set primary national ambient air quality standards (NAAQS) for ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), suspended particulates, known as PM_{10} (particulate matter with a diameter of 10 microns or less) and $PM_{2.5}$ (particulates of less than 2.5 microns in diameter), and lead (Pb). The federal primary standard for eight-hour ozone was recently decreased from 0.08 ppm to 0.075 ppm on March 27, 2008. Primary standards are those levels of air quality deemed necessary, with an adequate margin of safety, to protect public health. In addition, the State of California has established health-based ambient air quality standards for these and other pollutants, some of which are more stringent than the federal standards. Table 4.3-1 lists the current Federal and State standards for regulated pollutants.

Table 4.3-1
Current Federal and State Ambient Air Quality Standards

Pollutant	Federal Standards	California Standards
Ozone	0.075 ppm (8-hr avg)	0.07 ppm (8-hr avg) 0.09 ppm (1-hr avg)
Carbon Monoxide	9.0 ppm (8-hr avg) 35.0 ppm (1-hr avg)	9.0 ppm (8-hr avg) 20.0 ppm (1-hr avg)
Nitrogen Dioxide	0.053 ppm (annual avg)	0.030 ppm (annual avg) 0.18 ppm (1-hr avg)
Sulfur Dioxide	0.03 ppm (annual avg) 0.14 ppm (24-hr avg)	0.04 ppm (24-hr avg) 0.25 ppm (1-hr avg)
Lead	1.5 $\mu g/m^3$ (calendar qtr)	1.5 $\mu g/m^3$ (30-day avg)
Particulate Matter (PM_{10})	150 $\mu g/m^3$ (24-hr avg)	20 $\mu g/m^3$ (annual avg) 50 $\mu g/m^3$ (24-hr avg)
Particulate Matter ($PM_{2.5}$)	15 $\mu g/m^3$ (annual avg) 35 $\mu g/m^3$ (24-hr avg)	12 $\mu g/m^3$ (annual avg) --

ppm = parts per million *$\mu g/m^3$ = micrograms per cubic meter*
Source: ARB, June 26, 2008.

Ojai is located in the Ventura County portion of the South Central Coast Air Basin. The VCAPCD is the designated air quality control agency in Ventura County, which is a severe nonattainment for the federal ozone standard and a state ozone and particulate matter (PM_{10} and $PM_{2.5}$) nonattainment area. In May of 2008, Ventura County has been designated as "severe nonattainment" by the EPA. The County was previously designated as "moderate nonattainment." The City of Ojai is located within a special district called the Ojai Planning Area for the VCAPCD.

In addition, though Ventura County is in attainment for the state and federal carbon monoxide standards, carbon monoxide can potentially be a problem at heavily congested intersections. Each of these pollutants is described below.

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

Suspended Particulates. PM_{10} is particulate matter measuring no more than 10 microns in diameter. It is mostly composed of dust particles, nitrates, and sulfates. PM_{10} is a by-product of fuel combustion and wind erosion of soil and unpaved roads, and is directly emitted into the atmosphere through these processes. It is also created in the atmosphere through chemical reactions. PM_{10} poses a health concern because it can be inhaled into and accumulate in the respiratory system. Particles less than 2.5 micrometers (=microns) in diameter ($PM_{2.5}$) are referred to as "fine" particles and are believed to pose the greatest health risks. Because of their small size (approximately 1/30th the average width of a human hair), fine particles can lodge deeply into the lungs. $PM_{2.5}$ is composed primarily as a by-product of combustion, while matter between 2.5 and 10 microns in diameter is mostly dust from roads and grinding or crushing operations. $PM_{2.5}$ poses a health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the $PM_{2.5}$ that is inhaled into the lungs remains there, which can cause permanent lung damage. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance.

The California Air Resources Board (CARB) currently recommends that local agencies avoid siting new sensitive land uses, including residences, within 500 feet of a freeway (CARB, Air Quality and Land Use Handbook, April 2005). The recommendation is based on research showing that concentrations of traffic related pollutants decline with distance from major roads, primarily in the first 300 - 500 feet. These recommendations are strictly advisory, and local agencies are expected to balance them with other considerations, which presumably include the land use context and local land use priorities, including housing needs. The handbook also notes that the relative exposure and health risk drops substantially within the first 300 feet, and that the impact of traffic emissions is on a gradient that at some point becomes indistinguishable from the regional air pollution problem.

Carbon Monoxide. Carbon monoxide, a colorless, odorless, poisonous gas, is a local pollutant that is found in high concentrations near the source. The major source of carbon monoxide is automobile engines. Elevated concentrations, therefore, are usually only found near areas of high traffic volumes. Carbon monoxide's health effects are related to its affinity for hemoglobin in the blood. At high concentrations, carbon monoxide reduces the amount of oxygen in the blood, causing heart difficulties in people with chronic diseases, reduced lung capacity and impaired mental abilities.

c. Current Ambient Air Quality. The Air Quality Monitoring Station along East Ojai Avenue, located in the City of Ojai best represents the air quality in the City. This monitoring station measures ozone and PM_{10}. There are no CO monitoring stations in Ventura County. The closest monitoring station reporting CO is the Goleta-Fairview station in Santa Barbara. The closest monitoring stations reporting NO_2 and $PM_{2.5}$ is the El Rio-Rio Mesa School #2 monitoring station. Table 4.3-2 lists the ambient air quality data for the above mentioned monitoring stations.

As indicated in Table 4.3-2, 8-hour ozone measurements exceeded the federal and state standards at the Ojai monitoring station in 2009, 2010, and 2011. State 8-hour ozone measurements exceeded state standards 20 times in 2009, 10 times in 2010, and 12 times in 2011. One-hour ozone levels exceeded state standards on 2 days in 2009, 1 day in 2010, and 2 days in 2011. Carbon monoxide, nitrogen dioxide, PM_{10} and $PM_{2.5}$ levels did not exceed established standards in 2009, 2010, or 2011.
The major sources of ozone precursors in Ventura County are motor vehicles and other mobile equipment, solvent use, pesticide application, the petroleum industry, and electric utilities. The major sources of PM_{10} are road dust, construction, mobile sources, and farming operations. Locally, Santa Ana winds are responsible for entraining dust and occasionally causing elevated PM_{10} levels.

d. Air Quality Management Plan. The Federal Clean Air Act mandates that states submit and implement a State Implementation Plan (SIP) for areas not meeting air quality standards. The SIP includes pollution control measures to demonstrate how the standards will be met. The SIP is created by incorporating measures established during the preparation of AQMPs and adopted rules and regulations by each local APCD and AQMD, which are submitted for approval to the ARB and the USEPA. The goal of an AQMP is to reduce pollutant concentrations below the National Ambient Air Quality Standards (NAAQS) through the implementation of air pollutant emission controls.

The USEPA designated Ventura County a moderate nonattainment area for the 8-hour ozone standard in 2004. Moderate ozone nonattainment areas are required to meet the federal 8-hour ozone standard by June 15, 2010. On February 14, 2008, ARB formally requested that the USEPA reclassify Ventura County to a serious 8-hour ozone nonattainment area. This means that Ventura County must meet the federal 8-hour ozone standard by June 15, 2013. VCAPCD has released a Final 2007 AQMP (May 2008), which presents new control measures intended to bring the County into compliance by that date. The 2007 AQMP emission factors based population forecasts on the 2008 South Coast Association of Governments (SCAG) Regional Transportation Plan (RTP).

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

Table 4.3-2
Ambient Air Quality Data

Pollutant	Air Pollution Data		
	2009	2010	2011
Ozone, ppm - maximum hourly concentration (ppm) – Ojai	0.102	0.099	0.101
Number of days of state exceedances (>0.09 ppm)	2	1	2
Number of days of federal exceedances (>0.12 ppm)	0	0	0
Ozone, ppm - maximum 8-hour concentration (ppm) – Ojai	0.095	0.084	0.086
Number of days of State exceedances (>0.07 ppm)	20	10	12
Number of days of federal exceedances (>0.08 ppm)	11	7	4
Carbon Monoxide, ppm - Worst 8 Hours[a]	1.57	1.07	1.89
Number of days of state 1-hour exceedances (>20.0 ppm)[a]	0	0	0
Number of days of state 8-hour exceedances (>9.0 ppm)[a]	0	0	0
Nitrogen Dioxide, ppm - Worst Hour [b]	0.047	0.069	0.041
Number of days of state exceedances (>0.25 ppm)	0	0	0
Particulate Matter <10 microns, maximum concentration in $\mu g/m^3$	37.5	46.6	28.5
Number of samples of state exceedances (>50 $\mu g/m^3$)[c]	0	0	0
Number of samples of federal exceedances (>150 $\mu g/m^3$)[c]	0	0	0
Particulate Matter <2.5 microns, maximum 24-hour average concentration in $\mu g/m^3$ [c]	28.7	33.3	17.4
Estimated number of days of federal 24-hour average exceedances (>65 $\mu g/m^3$) [c]	0	0	0

Source: ARB, Air Quality Data Statistics; available at http://www.arb.ca.gov/adam/cgi-bin/db2www/adamtop4b.d2w/start
[a] *CO monitoring is not available in Ventura County, results were derived from the Santa Barbara site.*
[b] *NO_2 monitoring is not available for the Ojai Avenue site; results were derived from the El Rio-Rio Mesa School #2 station.*
[c] *$PM_{2.5}$ results were unavailable due to insufficient data at the Ojai monitoring station. Results were taken from the El Rio-Rio Mesa School #2 station.*

While the Final 2007 AQMP contains some additional local control measures, most of the emissions reductions that Ventura County needs to attain the federal 8-hour ozone standard and continued progress to the state ozone standard come from the ARB's 2007 SIP. This SIP

contains comprehensive emission reduction programs that focus on reducing emissions from mobile sources, consumer products, and pesticides to significantly improve air quality. Based on photochemical modeling and the use of the local and state control measures, Ventura County is projected to attain the federal ozone standard by the required 2013 date.

e. Sensitive Receptors. Ambient air quality standards have been established to represent the levels of air quality considered sufficient, with an adequate margin of safety, to protect public health and welfare. They are designed to protect that segment of the public most susceptible to respiratory distress, such as children under 14; elderly persons over 65; persons engaged in strenuous work or exercise; and people with cardiovascular and chronic respiratory diseases. The majority of sensitive receptor locations are therefore schools and hospitals. Sensitive receptors in Ojai include Chaparral High School, Matilija Junior High School, Nordhoff High School, Topa Topa Elementary, seniors living at assisted living communities, patients of medical offices, and residences throughout the City.

4.3.2 Impact Analysis

a. Methodology and Significance Thresholds. The analysis of the City of Ojai Housing Element air quality impacts follows the guidance and methodologies recommended in the Ventura County Air Quality Assessment Guidelines (October 2003).

Projects and programs requiring an analysis of consistency with the AQMP include general plan updates and amendments, specific plans, area plans, large residential developments and large commercial/industrial developments. The consistency analysis evaluates the following questions:

- *Are the population projections used in the Housing Element equal to or less than those used in the most recent AQMP for the same area?*
- *Is the rate of increase in vehicle trips and miles traveled less than or equal to the rate of population growth for the same area?*
- *Have all applicable land use and transportation control measures from the AQMP been included in the Housing Element to the maximum extent feasible?*

If the answer to all of the above questions is yes, then the proposed Housing Element is considered consistent with the AQMP. If the answer to any one of the questions is no, then implementation of the Housing Element could potentially delay or preclude attainment of the state ozone standard. This would be considered inconsistent with the AQMP, which would be a potentially significant effect.

The VCAPCD's Ojai Valley Planning Area 5 lbs/day threshold for ROC and NOx is not used in a development potential analysis since the Housing Element involves a series of potential individual actions/development projects. The VCAPCD's quantitative thresholds are designed to provide a gauge for analysis of individual development projects.

The VCAPCD has not established numeric thresholds for particulate matter. However, a project that may generate fugitive dust emissions in such quantities as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons, or which may

endanger the comfort, repose, health, or safety of any such person, or which may cause or have a natural tendency to cause injury or damage to business or property is considered to have a significant air quality impact by the VCAPCD. This threshold is particularly applicable to the generation of fugitive dust during construction grading operations. As outlined in the VCAPCD's Guidelines for the Preparation of Air Quality Impact Analyses, the Housing Elements impact is considered significant if it would:

- *Cause an exceedance or making a substantial contribution to an exceedance of an ambient air quality standard;*
- *Directly or indirectly cause the existing population to exceed the population forecasts in the most recently adopted AQMP; or*
- *Create a human health hazard by exposing sensitive receptors to toxic air emissions.*

Under the City of Ojai Initial Study Assessment Guidelines, impacts are significant if projects in the City:

- *Violate an ambient air quality standard, expose sensitive receptors to pollutant concentrations, or contribute substantially to an existing or protected air quality violation*
- *Conflict with adopted environmental plans and goals of the community*

The proposed Housing Element is a policy document that is intended to guide housing development in the City. Individual projects that are accommodated under the Housing Element may have significant impacts and according to the City of Ojai Initial Study Assessment Guidelines, project specific mitigation measures may involve a variety of short-term and long-term strategies, including the following:

- *Plan-level mitigation (policy level strategies such as mixed use, street standards and parking requirements)*
- *Construction mitigation (Area Source and Operational mitigation measures)*
- *Contribution to an offsite TDM Fund (which may include ride-sharing arrangements and expanded public transit)*
- *Carbon Monoxide mitigation*
- *Toxic Air Contaminant mitigation*
- *Odor mitigation*

b. Project Impacts and Mitigation Measures.

Impact AQ-1 Anticipated population growth facilitated by the Housing Element would be consistent with Ventura County AQMP population forecasts. Therefore, impacts related to consistency with the AQMP would be Class III, *less than significant*.

Vehicle use, energy consumption, and associated air pollutant emissions are directly related to population growth. The population forecasts upon which the Ventura County AQMP is based are used to estimate future emissions and devise appropriate strategies to attain state and

federal air quality standards. When population growth exceeds the forecasts upon which the AQMP is based, emission inventories could be surpassed, which could affect attainment of standards.

The Ventura County AQMP relies on the most recent population estimates developed by the Metropolitan Planning Organization (MPO). The Southern California Association of Governments (SCAG) acts as the MPO for Ventura County. Accordingly, the Ventura County AQMP uses SCAG's Regional Transportation Plan (RTP) for its population forecasts. Based on interpolation of the AQMP population projections, the City of Ojai is projected to have a 2014 population of 9,018. Population projections for the proposed Housing Element were derived from a collaboration of sources that used the annual average growth rate. Sources included the California Department of Finance and the SCAG RTP. Population growth associated with development facilitated by the Housing Element is expected to add up to 474 people (2.36 persons per household x 201 new units; see Section 4.12 *Population and Housing* for more information). See Table 4.3-3 for a comparison of the AQMP and proposed Housing Element population forecasts.

Table 4.3-3
Comparison of 2014 Population Projections

	Population
Ventura AQMP (SCAG RTP) 2014 Population Projections	9,018
Proposed Housing Element 2014 Population Projection (7,535 current residents + up to 474 generated by development facilitated under the proposed project)	8,009
Estimated difference between AQMP and Housing Element Projections	***1,009***

Source: 2008 SCAG RTP, Draft City of Ojai Housing Element (2009).
Note: The most recent AQMP relied on previous SCAG forecasts; therefore, this analysis has not been revised to reflect the 2012 RTP, which was adopted April 2012.

As identified above in Table 4.3-3, development facilitated by the proposed Housing Element would result in a 2014 population of 8,009. This is 1,009 persons below the Ventura County AQMP projections for the year 2014. Therefore, the project is consistent with the residential growth accommodated by the existing AQMP population forecasts and impacts to regional air quality would be less than significant.

Mitigation Measures. Mitigation is not required.

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

Impact AQ-2 Individual projects facilitated by the proposed Housing Element would generate air pollutant emissions. The significance of air quality impacts associated with individual

projects would depend upon the characteristics of the projects and the availability of feasible mitigation measures. However, adherence to applicable policies by accommodated development would result in Class III, *less than significant*, impacts.

Long-term emissions associated with growth facilitated by the proposed Housing Element are those associated with vehicle trips and stationary sources (electricity and natural gas). As noted in Impact AQ-1, development facilitated by the Housing Element would be within regional growth forecasts. However, individual intensification/reuse projects could exceed the VCAPCD's project-specific thresholds for ROC and NOx. Table 4.3-4 shows the size of projects that would be expected to exceed VCAPCD thresholds in 2015.

Table 4.3-4
Project Size That Will Exceed VCAPCD Significance Thresholds for Ozone Precursors (ROC and NOx) in 2015

Land Use	Project Size That Will Exceed Threshold
Single Family Detached Housing	47 dwelling units
Low-Rise Apartment	40 dwelling units
Condominium/Townhouse, General	56 dwelling units
Residential Planned Unit Development	57 dwelling units
Nursing Home	81 dwelling units

Source: Ventura County APCD, Ventura County Air Quality Assessment Guidelines, Appendix F, October 2003.
Note: The VCAPCD has determined that the Ojai Planning Area have a ROC and NOx daily threshold of 5 pounds per day, compared to the rest of the County, which has a 25 pounds per day threshold.

Development facilitated by the project that exceeds the screening thresholds listed above in Table 4.3-4 would be required to complete an air quality analysis. As illustrated, only projects that include 40 or more units have the potential of exceeding thresholds. Although most of the development that would be facilitated by the project would be below the thresholds in Table 4.3-4, one or two of the senior/demonstration projects could involve more than 40 units. It should be noted that development projects facilitated by the Housing Element that occur prior to 2014 must use the most appropriate VCAPCD guidelines and screening tables in their air quality analysis. As such, air quality impacts for accommodated development would be determined on a case by case basis. Implementation of the proposed Housing Element would result in less than significant impacts with adherence to applicable policies by accommodated development.

Mitigation Measures. Mitigation is not required.

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

Impact AQ-3 Construction of individual projects that could be facilitated by the Housing Element update would result in temporary

emissions of air pollutants. The City's standard requirement for adherence to the APCD's construction equipment emission and dust control techniques would reduce impacts to a Class III, *less than significant* level.

Construction activity would cause temporary emissions of various air pollutants. Ozone precursors NO_x and CO would be emitted by the operation of construction equipment, while fugitive dust (PM_{10}) would be emitted by activities that disturb the soil, such as grading and excavation, road construction and building construction. Impacts associated with individual construction projects are not generally considered significant because of their temporary nature. Nevertheless, it is reasonable to conclude that some construction activity could be occurring at any given time. Impacts could also be complicated by the fact that multiple construction projects could occur simultaneously within the City.

Impacts from construction are directly associated with the amount of land disturbance and development that would take place. The Housing Element would accommodate approximately 201 new dwelling units that could be constructed over a six-year period. Potential development opportunities designated by the Housing Element include vacant parcels and underdeveloped parcels within the City. Grading of these areas would be expected to generate temporary fugitive dust emissions. Projects facilitated by the Housing Element may also include the potential for demolition of existing structures or residences. In this case, the demolition of existing older structures that were constructed with asbestos containing materials (ACMs) may occur. Demolition activity that disturbs friable asbestos could potentially create health hazards for receptors in the vicinity of individual demolition sites. However, demolition activity involving ACMs would be required to be conducted in accordance with VCAPCD Rule 62.7, which requires VCAPCD notification and use of licensed asbestos contractors to remove all ACMs prior to demolition. Compliance with Rule 62.7 on all future construction activity would reduce impacts to a less than significant level.

The impact of construction-related emissions upon sensitive receptors such as residences, schools, and hospitals depends upon the location of individual construction projects relative to sensitive receptors. As indicated in Section 2.0, *Project Description*, the new residences would be distributed throughout the Village Mixed Use, Commercial and residential zone districts, or located on the Senior Housing/Demonstration Housing sites shown on Figure 2-3. The locations of the facilitated housing projects would likely be in proximity to residences and other sensitive receptors. This has the potential to subject sensitive receptors to air pollutants. Due to their size and scale, the scattered individual projects would not be expected to require the extent or quantity of grading and other site preparation that could generate substantial quantities of dust or equipment emissions. The senior housing and demonstration projects would likely require project-specific review and approval due to their greater size, which would address potential construction emissions as warranted; regardless, consistent with standard practice, the City would require dust and emissions control mitigation measures or project conditions through the approval processes.

The standard emissions and dust control measures recommended by the APCD and typically applied to projects that involve grading and construction include the following, from the APCD's Air Quality Assessment Guidelines (October 2003):

- *Minimize equipment idling time.*
- *Maintain equipment engines in good condition and in proper tune as per manufacturers' specifications.*
- *Lengthen the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time.*
- *Use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric, if feasible.*
- *The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.*
- *Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities.*
- *Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:*
    - *a) All trucks shall be required to cover their loads as required by California Vehicle Code §23114.*
    - *b) All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible.*
- *Graded and/or excavated inactive areas of the construction site shall be monitored by the City Building Inspector at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally-safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area should be seeded and watered until grass growth is evident, or periodically treated with environmentally-safe dust suppressants, to prevent excessive fugitive dust.*
- *Signs shall be posted on-site limiting 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 APCD 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.*

Finally, projects would be required to comply with all applicable VCAPCD Rules and Regulations, including Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10 (Permits Required).

Mitigation Measures. No mitigation is necessary as impacts are less than significant.

Significance after Mitigation. Impacts would be less than significant without mitigation. Compliance with standard construction emissions and dust control techniques would reduce construction impacts to air quality.

Impact AQ-4 Increased traffic congestion in the City would potentially increase carbon monoxide (CO) concentrations at congested intersections. However, because of the low ambient CO concentrations and anticipated reduction in emissions associated with less polluting vehicles, exceedance of state and federal CO standards is not expected. Impacts relating to CO "hotspots" are therefore considered Class III, *less than significant*.

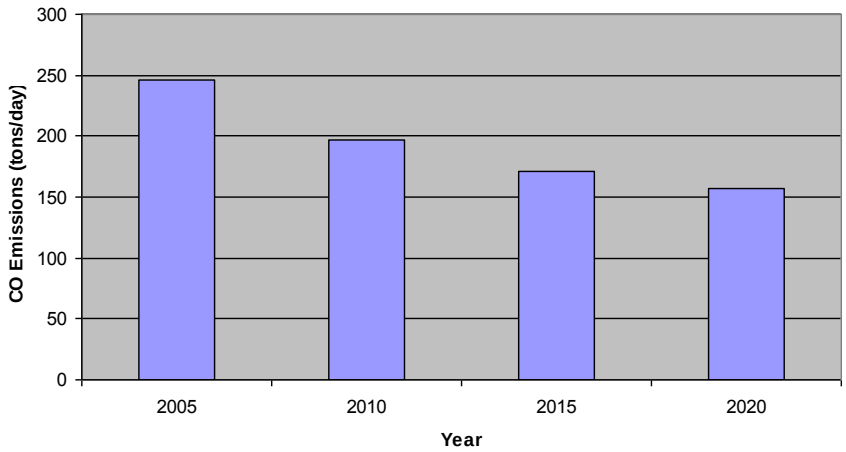
All of Ventura County is in attainment of state and federal CO standards and has been for several years. At the El Rio monitoring station, the maximum 8-hour CO level recorded from 2002-2004 is 3.5 parts per million (ppm), less than half of the 9 ppm state and federal 8-hour standard. Updated CO data (2009-2011) is not available in Ventura County. The closest monitoring station (Santa Barbara) recorded maximum CO levels from 1.07 to 1.89 ppm from 2009-2011. Countywide CO emissions are projected to fall by about 38% by 2020, largely due to the use of cleaner operating vehicles (CARB, 2008 Almanac). See Figure 4.3-1 for Countywide CO projections.

Although CO is not expected to be a major air quality concern in Ventura County over the planning horizon, elevated CO levels can occur at or near intersections that experience severe traffic congestion. A project's localized air quality impact is considered significant if the additional CO emissions resulting from the project create a "hot spot" where the 1-hour or 8-hour standard is exceeded. This typically occurs at severely congested intersections. The Ventura County APCD's *Air Quality Assessment Guidelines* indicate that screening for possible elevated CO levels should be conducted for severely congested intersections experiencing level of service (LOS) E or F with project traffic where a significant project traffic impact may occur. Nevertheless, it should be noted that there are no known CO "hotspots" in Ventura County

As discussed in Section 4.15, *Traffic and Circulation*, traffic growth associated with development that would be facilitated by the proposed project would not result in significant traffic impacts within the City of Ojai, despite two segments experiencing LOS E conditions. However, a significant impact would result on Highway 33 in Casitas Springs, south of the City, as a result of housing accommodated by the project adding more than one peak hour trip to the impacted segment. Based on the 2009 Traffic Impact Analysis (Appendix D) and the 41% reduction in new vehicle trips as compared to the project considered in the Traffic Impact Analysis, the project would add approximately 17 southbound AM peak hour trips and 20 northbound PM peak hour trips to this segment. The increase in traffic associated with facilitated development

is unlikely to result in a CO hotspot due to the low background CO emissions (see Table 4.3-4) and the declining CO emissions in the County (see Figure 4.3-1). The additional 17-20 peak hour trips are not expected to cause violations of state or federal standards.

Figure 4.3-1 Countywide Average CO Emissions



Source: California Air Resources Board, 2008 Almanac.

Mitigation Measures. As impacts would not be significant, mitigation is not required.

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

c. Cumulative Impacts. The impact analysis contained in this section represents the cumulative scenario for the City of Ojai as the proposed Housing Element accounts for all the likely housing development in the City. As indicated above, all impacts are either less than significant or can be reduced to less than significant with mitigation. Therefore, cumulative air quality impacts are less than significant.

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4.4 BIOLOGICAL RESOURCES

This section addresses potential impacts to biological resources, including special-status species and wildlife movement corridors. The discussion is based on a review of the California Natural Diversity Database, United States Geologic Service (USGS) topographic maps, the City's Conservation Element, and available aerial photography.

4.4.1 Setting

The Ojai Valley is located within the foothill region of central Ventura County. Ecologically, the area encompasses a wide range of physical habitats including flatlands, hills, and mountains as well as large oak tree stands and several streams within the City. These habitats support a diverse collection of grassland, brushland, woodland vegetation types, and riparian habitats, which in turn support a wide variety of wildlife.

Potential areas of development are shown in Figure 2-3 in Section 2.0 *Project Description*. The 177 units that could be developed as part of the Senior Housing and Demonstration Projects would be in distinct candidate sites throughout the City, while the remaining 24 units could potentially be located in the residential, VMU, or commercial zones throughout the City. The following discusses, generally, the biological resources within the developable area.

a. Vegetation. Most of the City of Ojai can be characterized as an urban/suburban environment with isolated areas of native vegetation such as: grasslands, coastal sage - scrub, chaparral, oak woodland, and riparian plant communities. The most important biological resource in the City is San Antonio Creek, which traverses from east to west generally along the southerly boundary of the City. This creek contains extensive willow riparian and mature sycamore-willow riparian habitat, and is known to provide habitat for the endangered southern California steelhead trout. Pirie Creek is a primary tributary to San Antonio Creek as it drains the central portion of the City from Nordhoff Ridge to the north of the City, flowing south in its channel west of Drown Avenue, and joining with the Stewart Canyon drainage on the west side of Ventura Street just south of Montgomery Street. From that point the conjoined flows join with San Antonio Creek about 0.5 miles further south. A riparian woodland occurs along Pirie Creek from its confluence with San Antonio Creek north along Ventura Street and Montgomery Street to just north of Pope Lane. It is a maintained ditch with little resources from that point north to Grand Avenue, north of which its lineament is apparent as an oak woodland mixed with numerous non-native trees within the residential areas of the north side of Ojai. Flows from Stewart Canyon north of the City are controlled via a debris basin at the north end of Canada Street, with the former primary drainage locations indicated by the massing of oak trees within the residential areas of north Ojai, with the drainage re-emerging south of Ojai Avenue.

The residential portions of the City are identified as having the potential for "scattered development" on the individual lots. The residential areas of north Ojai still contain numerous native oak trees mixed with non-native ornamental landscaping. The residential areas generally south of Ojai Avenue tend to be more open with fewer trees. The Persimmon Hill Estates area east of Pirie Creek consists of open grasslands on lots where landscaping is lacking, while relatively open grassland areas also occur west of the creek and south of Oak Creek Lane. Another relatively large grassland area is located at the western end of the City north of

Nordhoff High School and Maricopa Highway (SR 33). Scrublands are generally limited to the residential properties along the northern border of the City where the topography rises to the surrounding mountains. The commercial and VMU zoned areas, which would also receive "scattered development" are relatively densely developed, with less landscaping, few native oaks, and more intense human activity.

The area south of the Downtown Core tentatively identified for senior and demonstration housing includes prior developed areas, grassland areas associated with oak woodland, and eucalyptus-dominated riparian communities. The riparian corridor meandering through this area receives direct runoff from a channelized drainage from the northerly commercial areas of Ojai Avenue. The VMU area south of Ojai Avenue, between South Fulton Street and South Montgomery Street is majorly urban and built out. Vegetation within this area is generally landscaped with planted or isolated native and non-native trees and a few vacant parcels dominated by ruderal annual grassland species. The VMU area north of Ojai Avenue, south and east from West Eucalyptus Street to North Montgomery Street, is also built out with residential development. Remnant oaks and landscape trees are more dense within this area than in the southern VMU area. However, vegetation in both the southern and northern VMU would be considered urban.

b. Wildlife. The developed nature of the study area and human activity present provides limited natural habitat for wildlife. Nonetheless, numerous stands of oak trees persist within the city limits and along with ornamental landscaping provide substantial habitat for wildlife species that coexist with humans in this altered environment. Wildlife species that are found throughout the study area include scrub jay, Anna's hummingbird, house finch, house sparrow, starling, common raven, northern mockingbird, black phoebe, American crow, mourning dove, California towhee, Brewer's blackbird, and acorn woodpecker. Several common raptors, such as red-tailed hawk, barn owl, and great-horned owl, can be found nesting in the larger, denser trees within the residential zones of the City. The larger residential lots, especially those along the edges of the City, may also have California quail, band-tailed pigeons, Downey and hairy woodpeckers, northern flicker, western kingbird, Say's phoebe, oak titmouse, common bushtit, nuthatches, house wren, ruby-crowned kinglet, western bluebirds, American robin, dark-eyed juncos, and orioles, as well as other bird species. While snakes are relatively rare within the city limits, western fence lizard, side-blotched lizard, and western skink can be commonly found. Raccoons, opossums, and other similarly human-tolerant species may also be found throughout the developed areas or within undeveloped reaches of the urban environment. Infrequent visitors along the urban edges may include bobcats and deer, with the occasional mountain lion and black bear seen along both the northern and southern city limits.

c. Regulatory Setting. The following describes the regulatory context under which biological resources are managed at the federal, state, and local level. Agencies with responsibility for protection of biological resources within the City of Ojai include:

- *U.S. Fish and Wildlife Service (endangered species and migratory birds)*
- *U.S. Army Corps of Engineers (wetlands and other waters of the United States)*
- *California Department Fish and Game (waters of the State, endangered species, and other protected plants and wildlife)*

- *City of Ojai (General Plan Goals, Policies, and Programs)*

A number of federal and State statutes provide a regulatory structure that guides the protection of biological resources. The following discussion provides a summary of those laws that are most relevant to biological resources in the vicinity of Ojai.

U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service (USFWS) implements the Migratory Bird Treaty Act (16 United States Code (USC) Section 703-711) and the Federal Endangered Species Act (FESA) (16 USC § 153 *et seq)*.

Native birds, including raptors such as the red-tailed hawk, are regulated under the Federal Migratory Bird Treaty Act (MTBA) of 1918 (50 C.F.R.) and protected under California Fish and Game Code (Section 3503, raptors under Section 3503.5). According to this legislation, breeding birds and nests should be avoided until the young have fledged and left the nest.

Projects that would result in a "take" of any federally listed threatened or endangered species are required to obtain permits from the USFWS through either Section 7 (interagency consultation) or Section 10(a) (incidental take permit) of FESA, depending on the involvement by the federal government in permitting or funding the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what mitigation measures would be required to avoid jeopardizing the species.

"Take" under federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect an individual, or to attempt to engage in any such conduct. Candidate species do not have the full protection of FESA; however, the USFWS advises project applicants that they could be elevated to listed status at any time.

U.S. Army Corps of Engineers. Under Section 404 of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) has authority to regulate activities that could discharge fill or dredge material or otherwise adversely modify wetlands or other "waters of the United States." Perennial and intermittent creeks are considered waters of the United States and are within the regulatory jurisdiction of the USACE. The USACE implements the federal policy embodied in Executive Order 11990, which is intended to result in no net loss of wetlands value or acres. In achieving the goals of the Clean Water Act, USACE seeks to avoid adverse impacts and to offset unavoidable adverse impacts on existing aquatic resources. Any fill or adverse modification of wetlands may require a permit from USACE prior to the start of work. Typically, permits issued by USACE are a condition of a project as mitigation to offset unavoidable impacts on wetlands and other waters of the U.S. in a manner that achieves the goal of no net loss of wetland acres or values.

California Department of Fish and Game. The California Department of Fish and Game (CDFG) derives its authority from the Fish and Game Code of California. The California Endangered Species Act (CESA) (Fish and Game Code Section 2050 *et, seq,)* prohibits take of listed threatened or endangered species. Take under CESA is restricted to direct killing of a listed species and does not prohibit indirect harm by way of habitat modification.

California Fish and Game Code Sections 3503, 3503.5, and 3511 describe unlawful take, possession, or needless destruction of birds, nests, and eggs. Fully protected birds (Section 3511) may not be taken or possessed except under specific permit. Section 3503.5 of the Code protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs.

Species of Special Concern (CSC) is a category conferred by CDFG for those species which are considered to be indicators of regional habitat changes or are considered to be potential future protected species. Species of Special Concern do not have any special legal status except that afforded by the Fish and Game Code. The CSC category is intended by the CDFG for use as a management tool to take these species into special consideration when decisions are made concerning the development of natural lands.

The CDFG also has authority to administer the Native Plant Protection Act (Fish and Game Code Section 1900 *et seq*). The Act requires CDFG to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare. Under Section 1913(c) of the Act, the owner of land where a rare or endangered native plant is growing is required to notify the Department at least 10 days in advance of changing the land use to allow for salvage of the plant.

Perennial and intermittent streams also fall within the jurisdiction of the CDFG. Section 1602 of the Fish and Game Code (Streambed Alteration Agreements) gives the CDFG regulatory authority over work within the stream zone (which could extend to the 100-year flood plain) consisting of, but not limited to, the diversion or obstruction of the natural flow or changes in the channel, bed, or bank of any river, stream or lake.

City of Ojai. The City's 1987 General Plan Conservation Element provides the framework for evaluating potential biological impacts. The objectives, policies and programs identified by the City were considered in the impact analysis below.

d. Special-Status Biological Resources. The term "special-status biological resources" includes those plants, animals, vegetation communities, jurisdictional drainages and other sensitive biological resources that are governed under federal, state, and local laws and regulations.

Special-status species include the following five categories of species: (1) those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the US Fish and Wildlife Service (USFWS) under the Federal Endangered Species Act (FESA); (2) those considered "species of concern" by the USFWS; (3) those listed or proposed for listing as rare, threatened, or endangered by the CDFG under the California Endangered Species Act (CESA); (4) animals designated as "Species of Special Concern" by the CDFG; and (5) those listed on the CDFG *Special Vascular Plants, Bryophytes, and Lichens List* (April 2004). This latter document includes the California Native Plant Society (CNPS) *Inventory of Rare and Endangered Vascular Plants of California*, *Sixth Edition* (Tibor, 2001) as updated online.

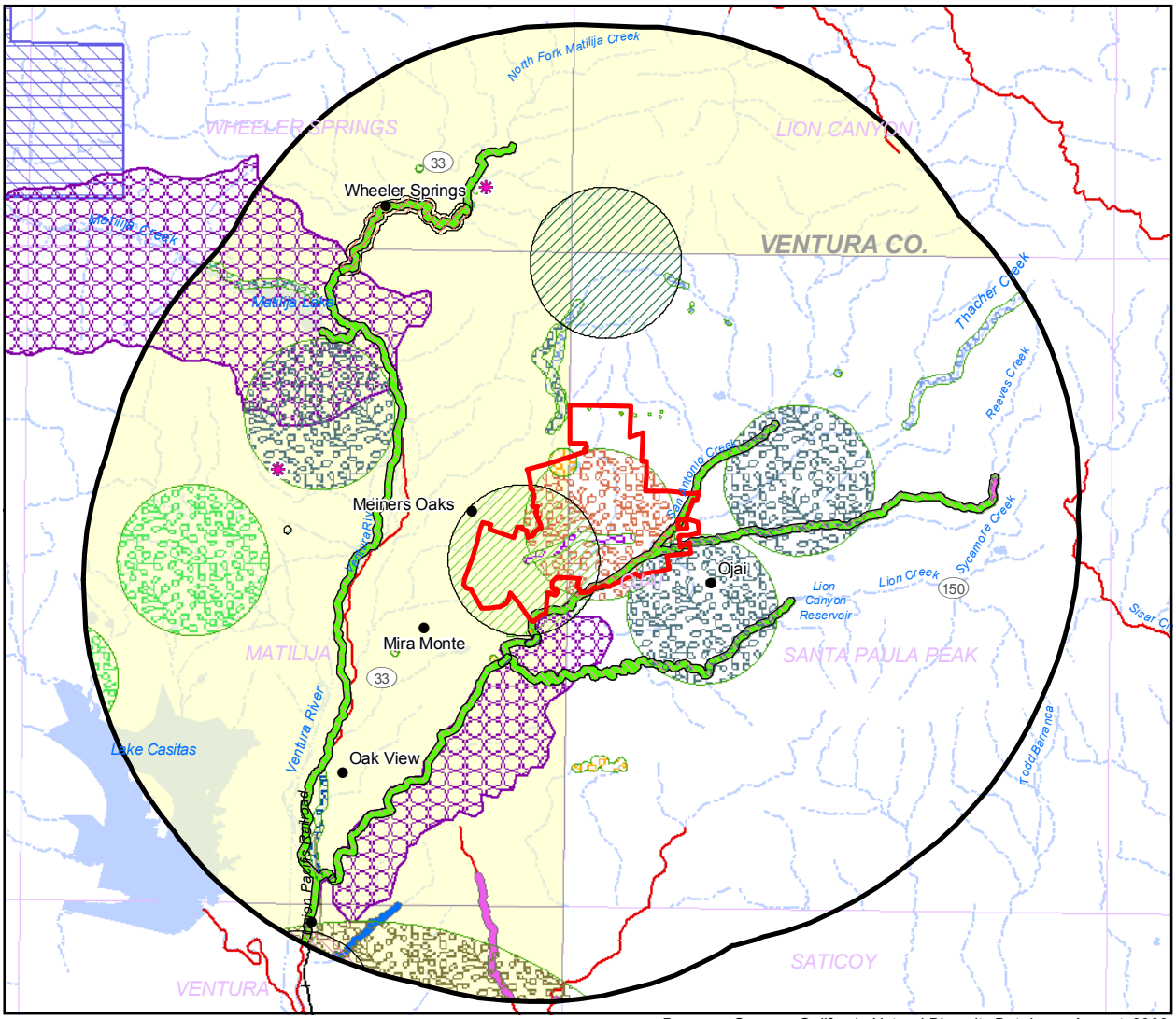
A list of special-status plant and animal species that have the potential to occur within the project area was developed based on a review of the California Natural Diversity Database

(CNDDB) and general knowledge of the area. A map of the CNDDB results for special-status plant and animal species within a 5-mile radius of the Specific Plan area is included as Figure 4.4-1. The special-status species list includes 5 wildlife species and 4 plant species. Table 4.4-1 includes this complete list with the corresponding listing status, and habitat requirements.

Table 4.4-1 Special-Status Species With the Potential to Occur in the Ojai Area

Scientific Name	Common Name	Species Status	Habitat Requirements
Atriplex serenana var. davidsonii	Davidson's saltscale	CNPS 1B.2	Coastal bluff scrub, coastal scrub. Alkaline soil.
Calochortus weedii var. vestus	Late-flowered mariposa lily	CNPS 1B.2	Inhabits serpentine soil in dry, open coastal woodlands, in chaparral, or in cismontane woodland.
Astragalus didymocarpus var. milesianus	Mile's milk-vetch	CNPS 1B.2	Inhabits clay soils in coastal scrub.
Navarretia ojaiensis	Ojai Navarretia	CNPS 1B.1	Occurs on clayey soils, usually in grassland/forbland on north-facing slopes at the base of the slope. Does not appear to compete well with the Mediterranean grasses.
Actinemys marmaorata pallida	Southwestern pond turtle	SSC	A thoroughly aquatic turtle of ponds, marshes, rivers, streams & irrigation ditches with aquatic vegetation. Need basking sites and suitable (sandy banks or grassy open fields) upland habitat for egg-laying.
Rana draytonii	California red-legged frog	FT, SSC	Inhabits lowlands & foothills in or near permanent deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development, and must have access to aestivation habitat.
Vireo bellii pusillus	Least Bell's vireo	FE/SE	Summer resident of southern California in low riparian in vicinity of water or in dry river bottoms; below 2,000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, (willow, Baccharis, mesquite)
Oncorhynchus mykiss irideus	Southern steelhead - southern California ESU	FE, SSC	Fed listing refers to populations from Santa Maria river south to southern extent of range (San Mateo Creek in San Diego Co.). Southern steelhead are likely have greater physiological tolerances to warmer water and more variable conditions.

FE ..... Federal Endangered
FT ..... Federal Threatened
SE..... California Endangered
SSC ..... California Species of Special Concern
CNPS 1A..... California Native Plant Society listed as presumed to be extinct
CNPS 1B California Native Plant Society listed as rare or endangered in California and elsewhere



N

0 1 2 3 4 Miles

Basemap Source: California Natural Diversity Database, August, 2009; U.S. Bureau of the Census TIGER 2000 data; U.S. Fish and Wildlife Service, August, 2009; U.S. Bureau of the Census TIGER 2000 data, and ESRI, 2002. Note - Map to be printed in color, due to subtleties in symbology noticeable only on color version. Critical habitat shown is that most recently available from U.S. FWS. Check with U.S. FWS or Federal Register to confirm.

- Ojai City Boundary
- 5-Mile Buffer

Animals

- California red-legged frog
- Dulzura pocket mouse
- Sierra Madre yellow-legged frog
- coast (San Diego) horned lizard
- hoary bat
- least Bell's vireo
- southern steelhead - southern California ESU
- Spotted Owl Territory

Plants

- California satintail
- Davidson's saltscale
- Miles' milk-vetch
- Ojai fritillary
- Ojai navarretia
- Peninsular nolina
- Salt Spring checkerbloom
- Sanford's arrowhead
- Ventura Marsh milk-vetch
- late-flowered mariposa-lily
- mesa horkelia

Natural Communities

- Southern California Steelhead Stream
- Southern Coast Live Oak Riparian Forest
- Southern Sycamore Alder Riparian Woodland
- *CNDDB Suppressed Records in these quads- Monarch Butterfly, and Southwestern Pond Turtle. Call DFG to get the specific location of these sensitive species.*

Critical Habitat

- S Calif Steelhead FCH
- CA Red-legged Frog PCH
- California Condor FCH (9/22/1977)

Sensitive Elements Reported by the California Natural Diversity Database

Figure 4.4-1

In addition to those species in Table 4.4-1, the CNDDB records for this area includes the Dulzura pocket mouse (*Chaetodipus californicus femoralis*; Species of Special Concern). However, this should be considered a misidentified subspecies record as the distribution of Dulzura pocket mouse is defined as the following: "Occupies chaparral communities on the Pacific slope in San Diego Co., California, ranging southward in the central mountain range (Hanson Laguna Mountains) of northern Baja California to the northwestern slopes of the Sierra San Pedro Màrtir." (Williams, Genoways and Braun, 1993) In addition, Williams, et al (1993) note that "*Chaetodipus californicus* has never been reviewed systematically; little information is available on structural and biochemical variation, and the published records of occurrence suggest errors in taxonomic assignment to subspecies." The local subspecies is *C. c. dispar*, and the Dulzura pocket mouse is not known or expected to exist north of San Diego County.

As documented in the Ojai Initial Study Assessment Guidelines (2002), several specific resource areas within the City are classified as being of moderate and high significance, respectively. Each resource classification is described below. Figure 4.4-2 illustrates the areas of moderate and high significance within the City.

Areas of High Significance. The following outlines areas of high biological significance in Ojai:

- ***Regionally significant oak woodland.*** *These areas represent relatively large blocks of essentially unbroken oak woodland communities.*
- ***Regionally significant riparian woodland.*** *These areas represent relatively large blocks of essentially unbroken riparian communities.*
- ***Woodland/brushland Ecotone.*** *These areas represent relatively large regionally significant woodland in combination with valuable wildlife habitat.*
- ***Rare and endangered species habitat.*** *These areas are as yet not identified, but have the potential to occur within the City as evidenced by the presence of several rare and endangered species in the region.*

Areas of Moderate Significance. The following outlines areas of moderate biological significance in Ojai:

- ***Locally significant stands of native oak.*** *These areas represent stands of native oak, which are either individual trees, relative small groves, or relatively large but developed for urban uses.*
- ***Locally significant stands of native brushland.*** *These areas represent relatively large blocks of native chaparral and coastal sage scrub, which possess moderate value as watershed, native flora, and wildlife value.*

e. Wildlife Corridors. Wildlife corridors are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as between foraging and denning areas, or they may be regional in nature allowing movement across the landscape. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then subsequently return.

Most land use planning guidelines now recognize the importance of protecting wildlife movement corridors, and seek to retain major linkages intact wherever possible. Potential project impacts to wildlife migration are analyzed by biologists on a case-by-case basis using both a macro-scale analysis—where routes used by large carnivores connecting very large core habitat areas may be impacted—as well as a micro-scale analysis—where a road or stream crossing may impact localized movement by many different animals. In 2005 the South Coast Missing Linkages Project proposed the Castaic-Sierra Madre Landscape Linkage, which links areas surrounding the City of Ojai. The northern branch of this linkage follows Kennedy and Cozy Dell Canyons across Highway 33, while the southern branch crosses Highway 33 south of the community of Oak View to Sulphur Mountain. These paths converge and follow Santa Paula Ridge, through portions of Pine Canyon, over Angels Pass, to I-5. Although nearby, the City is not located within this mapped linkage area.

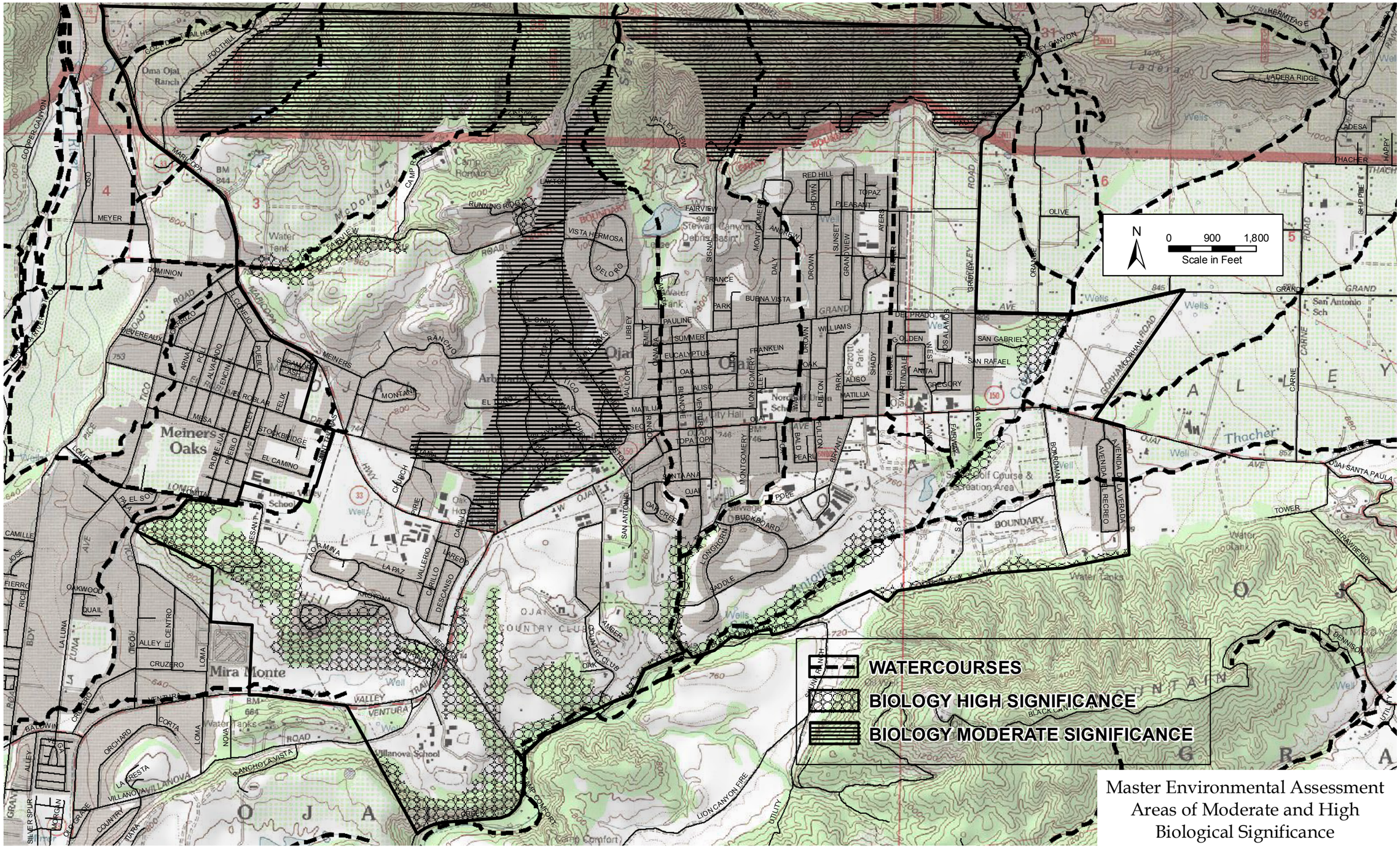
4.4.2 Impact Analysis

a. Methodology and Significance Thresholds. Data used for this analysis included the City of Ojai's Initial Study Assessment Guidelines (2002), the City of Ojai General Plan and Master Environmental Assessment maps, aerial photographs, topographic maps, the CNDDB database and accepted scientific texts regarding the species and habitats discussed.

CEQA Statute 21001(c) states that it is the policy of the state of California to "prevent the elimination of fish and wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities." Environmental impacts relative to biological resources may be assessed using impact significance based on the *CEQA Guidelines* and federal, state and local plans, regulations, and ordinances. Impacts to flora and fauna may be determined to be significant even if they do not directly affect rare, threatened, or endangered species.

Significant impacts to biological resources could occur if development that could be facilitated by implementation of the proposed 2006-2014 Housing Element would:

- *Substantially affect either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service*
- *Substantially affect any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service*
- *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means*
- *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites*



Master Environmental Assessment
Areas of Moderate and High
Biological Significance

Figure 4.4-2

Basemap Source: City of Ojai Initial Study Assessment Guidelines, October 2002, and ESRI Data, 2004.

- *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance*
- *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan*

Consideration of the importance of biological resources and habitat types specific to Ojai is guided by the classification of resource significance provided in the City's *Initial Study Assessment Guidelines* (2002), as listed above in subsection 4.4.1.d.

b. Project Impacts and Mitigation Measures.

Impact BIO-1 The Housing Element could facilitate the development of up to 201 new dwelling units within the City. Development in or adjacent to riparian areas or that involves removal of native trees has the potential to affect special status species occurring within the project area. Impacts would be Class II, *significant but mitigable.*

As discussed in Section 2.0 *Project Description*, development of up to 24 new residential units throughout the City's Village Mixed Use (VMU), residential and Commercial zone districts ("scattered development") could be facilitated by adoption of the proposed 2006-2014 Housing Element. These would typically be one to two additional units that would be built on existing developed properties. An additional 177 units of "focused development" could be developed in senior housing and demonstration housing projects. The location of the affected zone districts and the general tentative location of the focused projects are shown on Figure 2-3 in Section 2.0 *Project Description*.

As indicated by a review of the California Natural Diversity Database (CNDDB), summarized above in Table 4.4-1, most special status species associated with the Ojai area are unlikely to occur where development could be facilitated by the proposed Housing Element update. The occurrences are concentrated outside of City limits, particularly to the south, and along and within San Antonio Creek (see Figure 4.4-1 above). The majority of the properties where additional development, particularly the "scattered development," could be facilitated are already developed to some extent and unlikely to support significant vegetation or other habitat for special status species. Exceptions to this include those bird species of concern that may use trees within the City as habitat and those bird and other animals that may use riparian corridors within the City as habitat. Some of the properties eligible for development under the Housing Element update, as well as the area in which the potential senior and demonstration projects could be built, are adjacent to creeks and/or contain or are adjacent to mature and/or native trees that could serve as habitat for special status species or other species of concern. Examples include oak titmouse (*Baelophus inornatus*), Nuttall's woodpecker (*Picoides nuttallii*), and raptors such as Cooper's hawk.

The City's Conservation Element contains policies and programs intended to protect "regionally significant" habitat and habitat areas identified on the Master Environmental

Assessment maps, including stands of native trees and riparian corridors that provide habitat for special status species. Selected policies and programs include the following:

Policy: *The City will require a biological investigation prior to development within any habitat areas identified in the Ojai MEA. The study will focus on the condition of the habitat, the abundance and diversity of wildlife and relative biological significance of the area.*

Policy: *The City shall preserve to the extent feasible all Oak and Sycamore trees within and adjacent to the community.*

Program: The City will continue to enforce the Tree Removal Permitting process.

Program: The City will develop circulation standards respective of all biological resources.

Program: The City will prohibit modification of significant water sources.

Policy: *It shall be the policy of the City of Ojai to allow no loss of existing resource value for rare, endangered and unique species habitat, except to provide for the maintenance of flood control facilities.*

Program: Identify / delineate the extent of existing habitat area and preserve as permanent open space.

Program: The City will consult the State Department of Fish and Game (DFG), U.S. Fish and Wildlife Service (USFWS), in accordance with the intended goals of the Federal Endangered Species Act of 1973 and California Endangered Species Act of 1970, and other qualified biologists to determine the need for additional species-specific actions. Such actions may include:

- *Screening and setbacks from habitat areas, as in the case of highly sensitive wildlife species, to allow continued use of entire habitat available.*
- *Upon reviewing development applications the city should consider the use of fencing or other means of controlling access to habitat areas, as in the case of fragile flora or wildlife habitat.*

Program: The City will review the Open Space and Land Use Elements and designate these rare, endangered and unique species habitat areas for open space uses only.

Policy: *It shall be the policy of the City of Ojai to allow no loss of existing resource value for regionally significant Oak Woodland/Savannah.*

Program: The City will prepare an oak and sycamore tree preservation and management plan to identify/delineate the extent of existing habitat and to provide specific guidelines for their preservation as permanent open space.

Preparation of the plan should include consultation with DFG through required notification process (Sections 1601-1606, California Fish and Game Code) and the U.S. Army Corps of Engineers (COE) permit process (Section 404, Clean Water Act), if applicable, to determine additional protective actions, such as:

- *The use of fencing and other means of controlling access and disturbance to maintain values of the habitat;*
- *Diversions or control of increased flood runoff from adjacent and upstream urban development's to prevent the scouring of bottom and bank vegetation;*
- *Maintenance of existing water supply for the continued support of habitats.*

Note: In some cases, these measures may not be adequate or feasible due to the presence of irreplaceable flora or physical habitat features.

Program: The City will review the Recreation, Open Space and Land Use Elements of the General Plan and designate those regionally significant Oak. Woodland/Savannah areas for Open Space, Recreation and/ or low density residential uses.

Policy: The City shall allow no loss of the existing resource value of regionally significant riparian habitat.

Program: The City will prepare a riparian preservation and management plan to identify/ delineate the extent of existing habitat and provide specific guidelines to preserve as permanent open space. Preparation of the plan should include consultation with DFG through required notification process (Sections 1601-1606, California Fish and Game Code) and the U.S. Fish and Wildlife Service pursuant to the U.S. Army Corps of Engineers (COE) permit process (Section 404, Clean Water Act), if applicable, to determine additional protective actions, such as:

- *Setbacks and edge screening of adjacent development to allow continued use of entire habitat available by wildlife;*
- *The use of fencing and other means of controlling access and disturbance to maintain habitat values;*
- *Diversions or control of increased · flood runoff from adjacent and upstream urban development's to prevent the scouring of bottom and bank vegetation;*
- *Maintenance of existing water supply for the continued Support of habitats.*

Program: The City will review the Recreation, Open Space and Land Use Elements and designate these riparian habitat areas for Open Space and/or Recreational uses.

Policy: It will be the policy of the City of Ojai to minimize loss of resource value of locally significant stands of oak and sycamore trees.

These policies and programs provide special consideration for "regionally significant" habitat areas and habitat areas specifically identified on the Master Environmental Assessment maps (see Figure 4.4-2 above), and as such protect important habitat for special status species in these areas. However, special status birds and other animals may occur in riparian habitat and mature trees throughout the VMU, residential and Commercial zones, and in the potential senior and demonstration housing sites, including outside of the areas identified as "regionally significant." It should be noted that the senior and demonstration projects would be subject to individual project-level review; as such, their specific biological resources impacts would be analyzed if and when they are proposed. To reduce impacts to special status species associated with grading and construction outside of those areas where the Conservation Element policies currently apply, mitigation is required.

Mitigation Measures. Mitigation is required to ensure that special status species are protected during development outside of "regionally significant" areas already addressed by existing Conservation Element policies.

BIO-1 New Conservation Element Tree and Riparian Habitat Programs. The following programs shall be adopted and added to the City's Conservation Element, under the policy that states "*It shall be the policy of the City of Ojai to allow no net loss of existing resource value for rare, endangered and unique species habitat, except to provide for the maintenance of flood control facilities:*"

1) Tree removal, pruning, or similar actions that may result in the loss of active bird nests shall occur outside of the breeding/nesting bird season (February 1 – August 31) to avoid accidental take. If such removal or pruning must occur during the breeding/nesting season, a qualified, City-approved biologist shall survey all breeding/nesting habitat within the project site and adjacent to the project site for breeding/nesting non-game native birds.

   If an active bird and/or raptor nest is located, the nest site shall be fenced at a distance commensurate with the particular species (and in consultation with CDFG, if necessary) until juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the sensitivity of the area.

2) No new grading or development shall be allowed within 25 feet of the edge of riparian vegetation or top of bank, whichever is further, as delineated by a qualified, City-approved biologist, of a watercourse shown on Master Environmental Assessment Map CONS-1. Additional site-specific setbacks up to 100 feet may be recommended depending on the value of the habitat and the nature and type of riparian-related biological resources present,

with higher value habitat receiving a greater setback than lower value habitat. Where existing buildings and improvements, conforming as to use but nonconforming as to the minimum creek setback established herein, are damaged or destroyed by fire, earthquake or other natural disaster, such buildings and improvements may be reconstructed to the same or lesser size and in the same general footprint location, provided that reconstruction shall be inaugurated by the submittal of a complete construction application within 24 months of the time of damage and be diligently carried to completion.

Significance After Mitigation. Impacts would be less than significant with adoption into the Conservation Element of the policies in Mitigation Measure BIO-1, which would be applied to new development that could result in impacts to tree and riparian habitat supporting special status species.

Impact BIO-2 **Required adherence to adopted City policies and the policies that would be adopted pursuant to Mitigation Measure BIO-1 would avoid substantial adverse affects on riparian habitat and other sensitive natural communities identified in the City's General Plan and Master Environmental Assessment that could result from new development under the proposed Housing Element Update. Impacts would be Class III, *less than significant.***

Some of the development facilitated by the proposed 2006-2014 Housing Element could occur within or adjacent to riparian habitat and other sensitive natural communities identified in the City's General Plan and Master Environmental Assessment. In particular, some eligible properties are adjacent to several watercourses that support riparian habitat on portions of their alignment through the City, and the potential senior housing and demonstration sites lie near identified woodlands, stands of trees and a creek.

As discussed above under *Regulatory Setting*, the City has identified and mapped riparian corridors and sensitive natural communities in Ojai. These resources are discussed in the City's Conservation Element (1987) and Initial Study Assessment Guidelines (2002), and mapped on Master Environmental Assessment maps CONS-1 and BR-2. Figure 4.4-2 above shows these areas, and their definitions are found on page 4.4-7 above.

As noted above under the Impact BIO-1 discussion, the City's Conservation Element includes specific policies and programs intended to protect these resource areas. These policies require biological resources studies when development could affect identified areas of moderate or high sensitivity, and set forth protective measures. Combined with the policies proposed in Mitigation Measure BIO-1, these policies would provide adequate protection for identified riparian habitat and other sensitive natural communities. In addition, senior and demonstration projects with a proposed density that exceeds 20 units/acre would be subject to individual CEQA review; as such, their specific biological resources impacts would be analyzed

if and when they are proposed, and mitigation applied as appropriate. Mitigation strategies listed in the Initial Study Assessment Guidelines include the following:

- *Redesign or modify the plot plan to preserve biotic resources and to avoid disruption of pristine areas.*
- *Near sensitive areas, reduce the density of residential development to the lowest possible level.*
- *Establish an "escape route" for wildlife during construction to allow them to reach undisturbed areas.*
- *Minimize the amount of grading.*
- *Replant or replace all specimen trees subject to removal.*
- *Use native plants in landscaping and where feasible include those plants which also provide food for wildlife.*
- *Provide barriers to prevent uncontrolled access form urban areas into pristine areas.*

The riparian habitat and other sensitive natural communities identified in the City's General Plan and Master Environmental Assessment serve as the primary wildlife corridors through the City of Ojai. The "scattered development" facilitated by the Housing Element would likely be concentrated in urban areas and would not likely affect any wildlife movement corridors. The same policies that address these resource areas would also generally serve to protect wildlife corridors. Finally, nearly all wetlands within the areas where development could be facilitated are within the watercourses identified in the Master Environmental Assessment and protected by adopted policies and those proposed in Mitigation BIO-1. Thus impacts to wetlands from potential construction in proximity to watercourses would also be avoided by adherence to these policies. Further protection for wetlands and safeguards against water quality impacts to wetlands would be avoided by required adherence to existing water quality regulations, as discussed in Section 4.8 *Hydrology and Water Quality*.

Mitigation Measures. As impacts would be less than significant with adherence to adopted Conservation Element policies and programs, in combination with Mitigation Measure BIO-1, no further mitigation is required.

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

Impact BIO-3 **Although projects facilitated by adoption of the 2006-2014 Housing Element could affect native trees, including proposals for tree removals, required compliance with the City's adopted tree protection regulations and policies would reduce impacts to Class III, *less than significant* levels.**

The potential development of up to 201 new residential units could include development on vacant and underdeveloped parcels within the City that support native trees, as well as already-developed parcels with native trees. Native trees, most commonly oaks and sycamores, occur throughout the City, including the VMU, Commercial and residential zone districts, where development of up to 24 additional residential units could be facilitated, and in particular in the general area tentatively identified for up to 177 potential units of senior housing and

demonstration housing. Construction of some of these new units is likely to be proposed where native trees could be adversely affected, for example through damage to root zones or tree canopy, or where native trees would be proposed for removal to accommodate new development.

Chapter 11 of the Ojai Municipal Code, Preservation, Cutting, and Removal of Oak, Sycamore, Heritage and Other Designated Mature Trees, requires that a permit be obtained by any person who proposes to remove, cut down, destroy or relocate an oak, sycamore, or heritage tree; prune live limbs over four inches in diameter of an oak, sycamore, or heritage tree; or trench, grade, fill, compact or place construction material of any type in the drip line of an oak, sycamore, or heritage tree. An arborist's report must be submitted with an application for such a permit, and specific tree protection, replacement and protection measures are listed in the regulations. In addition, the Conservation Element contains policies and programs to protect both individual trees and locally significant stands of oak and sycamore trees (see policies listed above under Impact BIO-1). These regulations, policies and programs provide adequate protection for the native trees in Ojai, and required compliance with them would avoid significant impacts to native trees that could result from new development facilitated by the Housing Element update.

Mitigation Measures. As impacts would be less than significant with required adherence to adopted tree protection policies and regulations, mitigation is not required.

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

c. Cumulative Impacts. The significance of cumulative impacts to biological resources is based upon:

- *The cumulative contribution of the projects and other approved and proposed projects to fragmentation of open space in the project vicinity*
- *The loss of sensitive habitats and species*
- *Contribution of the projects to urban expansion into natural areas*
- *Isolation of open space within the proposed Project Area by future projects in the vicinity*

Development facilitated by the project, in conjunction with other development in the City, would continue to disturb areas with potential biological resources. Biological resource impacts related to cumulative development are dependent upon the specific site and nature of an individual development. Planned and pending development throughout the City would be required to adhere to General Plan objectives, policies, and programs that protect biological resources. Where potentially significant impacts may occur, specific mitigation strategies would be applied through the CEQA process. With adherence to General Plan objectives, policies, and programs, as well as Mitigation Measure BIO-1, cumulative impacts to biological resources as a result of overall growth in the City including development facilitated by the Housing Element would be reduced to a less than significant level.

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4.5 CULTURAL RESOURCES

This section analyzes the impacts of the proposed Housing Element on cultural resources. Impacts to both archaeological and historic resources are addressed.

4.5.1 Setting

a. Archaeological Overview. Ojai is located within the historic territory of the Native American Indian group known as the Chumash. The Chumash occupied the region from San Luis Obispo County to Malibu Canyon on the coast, and inland as far as the western edge of the San Joaquin Valley, as well as the four northern Channel Islands. Traditionally, the region is considered a borderland between the Hokan-speaking Chumash to the west and the Shoshonean speaking Alliklik (a Chumash term for "Grunters") to the east. The territorial boundary between these two linguistic groups is believed to have been the Piru Creek drainage. In the area of Piru Creek and Camulos, there appears to have been a mixed population of Chumash and Takic speakers, although, one informant assigned that whole district to the Chumash. The Chumash achieved a cultural complexity unique for hunter and gatherer groups in California. They possessed a stratified society containing an upper, middle and lower class. Moreover, attributes usually attributed to chiefdom societies such as ownership of resources/property, craft specialists, large permanent population centers (villages), a sodality consisting of religious elitists (Antap), and a market economy were all a part of Chumash culture at historic contact. Six known Chumash names have been reported for places in the Ojai Valley area, including:

- *'Awha'y "moon" – A Mission period village in what is now Ojai (probably upper Ojai).*
- *Ka'alishaw Ka'o "hot water" - Hot springs at Sulphur Mountain on the Santa Clara Creek.*
- *Sis'a "the eyelash" - Mission period village on Sisar Creek.*
- *Sisxulkuy "one is seated on it" - Mission period village at Wheeler Canyon.*
- *Siyopyop "much tar" - Now Canada de la Brea near Ojai.*
- *Waha'as "ominous" - San Cayetano Peak is a shrine mountain west of Sespe Creek.*

b. Historical Overview. From the early voyages of Cabrillo in 1542 and Vizcaino in 1602, to the land expeditions of Portola in 1769 and Anza from 1773-1776, there was little interaction between European explorers and the Chumash in the region. During the Mission Period from 1769 through 1823, 21 missions were established all located a day's ride from one another along the Camino Real which stretched from San Diego to Solano. Native Americans were slowly assimilated into the mission system through recruitment, and moved from their villages and the islands to help sustain the missions. During this period, many diseases were introduced to the Native Americans that led to the decimation of their populations.

Ojai takes its name from the Chumash word A'hwai, meaning "moon." The Ojai Valley encompasses the unincorporated towns of Casitas Springs, Oak View, Mira Monte, and Meiners Oaks. The Ojai Valley was originally the site of several Spanish land grants. Ojai was granted to Fernando Tico, who raised cattle and planted crops circa 1837. Tico sold the 17,716 acre grant in 1853 to Henry Carnes who in turn sold it in 1856 to Juan Camarillo. Thomas A. Scott eventually acquired the rancho in 1864 in hopes of finding oil. His representative in California was Thomas Bard, who acted on his behalf to eventually subdivide the rancho

during the 1870s. In 1874, Roys Gaylord Surdam, real estate speculator and entrepreneur laid out the town of Nordhoff on 1,606 acres of land that he purchased from Bard. By 1874, two names surfaced pertaining to the Valley: the City of Ojai and City of Nordhoff, so named after the writer, Charles Nordhoff. The name Nordhoff became the first nomenclature for the Valley, and was used from 1872 to 1917. Nordhoff grew and prospered. Schools, a library, churches, restaurants, hotels, and ranches flourished. Names like Sherman Thacher, Earl Soule, H.R. Cole, Harrison Sinclair, and Edward Libbey became synonymous with the growth and development of early Ojai. It was Libbey who came to the Valley in 1914 with a vision for the town and Valley. He wanted his vision to be called the Abolata. After numerous discussions about what to name the Valley, the name Ojai won out. On March 23, 1917, the United States Senate approved the name change.

Surdham advertised Ojai in eastern newspapers and proclaimed the area s the "great sanitarium and health resort of California." He offered to give the land free to whoever would build a hotel and in 1874 Abram W. Blumberg answered that challenge by constructing the Nordoff Hotel, also known as the Ojai Valley House and finally as the Ojai Inn. Other resorts followed, including the Berry Villa on Ojai Avenue just west of the Ojai Inn, and the Oak Glen Cottages to the east. In addition resorts near Ojai, Matilija Hot Springs, Lyon's Springs and Wheeler's Resort were built between the 1870s and 1890s. IN 1898, the Ventura River and Ojai Valley Railroad built a branch line to the Ojai Valley, thus encouraging growth by providing a better access to farmers at the east end of the Valley and promoting tourism. Ojai's growth proceeded slowly.

Sanborn Maps show that by 1912, the majority of residences were built on the blocks closest to Ojai Avenue, where the small commercial district was located. Even then, houses were few and scattered. The business district had grown considerably by 1912 and a large number of services were offered along Ojai Avenue to local residents including the Ojai State bank, three grocery stores, the Ojai Print Shop, real estate/insurance office, carpenter and builder, contractor, watchmaker, clothes cleaner, Ojai Bakery, sweet shop, billiards, Ojai garage, blacksmith, three general merchandise stores, Ojai Drugstore, barber, and laundry. With the completion of the Foothill Hotel in 1903, Ojai's reputation as a resort town was sealed. This ornate hotel catered to wealthy eastern clientele. Among the notables who came to Ojai were John D. Rockefeller, Sr., Charles Pratt, secretary of Standard Oil, and Edward Libbey, millionaire glass manufacturer from Ohio. Libbey also built a house in Ojai and became involved in changing the face of the town by persuading community leaders to execute a new plan for Nordhoff. Architects Richard Requa and Frank Mead were hired and designed a Mission theme for the downtown. The old wood frame buildings were brought together under a long arched arcade topped by a Mission style façade and a new post office with a Spanish-style domed tower was built across the street. In 1917, when the arcade was completed, the name of the town was changed to Ojai.

The El Roblar Hotel, presently the Oaks, was built in 1920 by the Ojai Hotel Company organized by Libbey and designed by Richard S. Requa. The Ojai Valley Inn and golf course was also established by Libbey in the 1920s as a private club. It closed during the Depression and was used to house the military during World War II. Following the war, the Inn re-opened to the public and a pool, riding trails and stables were added. With the renewed availability of gasoline following the war, more people than ever traveled by automobile, and the auto court and motel began to rise in popularity. Auto courts first appeared in Ojai during the late 1940s. Local directories in 1948-49 listed the Valley Outpost Lodge on Mallory Way and Blairs Court at

255 S. Montgomery Street. Hotels listed that year included the Ojai Manor on Matilija Street; El Roblar on Ojai Avenue; Ojai Valley Inn and the Pierpont Cottages and Hotel.

By the early 1950s, Ojai auto courts and motels included the Bald Street Court, Ojai Valley Motel on Ojai Ventura Highway, the Pierpont Cottages, and the Valley Outpost Lodge on Mallory Way at Eucalyptus Street. By 1957, the number of motels and auto courts had grown to include the Orchid Town Guest Ranch, BH-Mar Motel, and the Ojai Rancho Motel. From 1945 through 1965 the list expanded to include the Capri Motel on East Ojai Avenue, the Casa Mariana Motel on Ventura Avenue, El Camino Lodge on Ojai Avenue, and the 399 Motel on Maricopa Road. By the 1960s, the motel had become the most popular place to stay among visitors to Ojai. The Foothills Hotel had closed during the Depression and reopened as a boy's school, eventually being demolished. The El Roblar (Oaks Hotel) continued to serve as a hotel and is now a spa. The Ojai Valley Inn continued to grow and expand. By the 1980s, virtually all of the early auto courts that survived, including the Valley Outpost Lodge, had become private residences. The Valley Outpost Lodge was converted from an auto lodge to residential use during the 1980s.

c. Cultural Resources. A records search was conducted at the South Central Coastal Information Center (SCCIC), California State University, Fullerton, on June 23, 2009. There is record of 73 previous cultural resources investigations performed within the City limits. Ten properties listed on the California Register of Historic Places, four of which are also listed on the National Register of Historic Places, were identified within a ½ -mile of the City. Listings from the National Register of Historic Places (NRHP), California Historical Landmarks, California Historical Property Data File, California Points of Historical Interest, and Ventura County Landmarks were searched as part of the cultural resources assessment. Table 4.5-1 lists historic properties and their designation type as recorded in the SCCIC records search and as designated by the City of Ojai, respectively.

Based on the results of the archaeological records search eleven archaeological sites were identified within a ½ -mile radius of the City limits and nine sites were identified within the City limits. No sites are listed on the Archaeological Determination of Eligibility (DOE) list.

c. Regulatory Setting. A property may be designated as historic by National, State, or local authorities. In order for a building to qualify for listing in the National Register of Historic Places, the California Register of Historical Resources, or as a locally significant property in the City of Ojai Landmark Criteria, it must meet one or more identified criteria of significance. If the designation is for a building, the structure should also retain sufficient architectural integrity to continue to evoke the sense of place and time with which it is historically associated. An explanation of these designations follows.

National Register of Historic Places. The National Register of Historic Places (NRHP), which is administered by the National Park Service, is "an authoritative guide to be used by federal, state, and local governments, private groups, and citizens to identify the nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment." However, the federal regulations explicitly provide that National Register listing of private property "does not prohibit under federal law or regulation any actions which may otherwise be taken by the property owner with respect to the property."

Table 4.5-1
Historic Properties within ½ Mile Radius of City Limits

Name	Address	Designation
Charles M. Pratt House	1330 Foothill Road	CRHR, NRHP
Elizabeth Smith Residence	1098 Mc Andrew Road	CRHR
Krishnamurti Office Building	1098 Mc Andrew Road	CRHR
Elizabeth Smith Home/Arya Vihara	1098 Mc Andrew Road	CRHR
Arya Vihara Main Gate Garage	1098 Mc Andrew Road	CRHR
Cottage and Garage	1098 Mc Andrew Road	CRHR
Pine Cottage Residence Complex Garage	1098 Mc Andrew Road	CRHR
Exterior Perimeter Wall and Piers	130 W. Ojai Avenue	CRHR, NRHP
Chapel	130 W. Ojai Avenue	CRHR, NRHP
St. Thomas Aquinas Chapel	130 W. Ojai Avenue	CRHR, NRHP
Nazarene Church (AKA Presbyterian Church)	213 N. Montgomery Street	City of Ojai
The Ladd House	818N. Foothill Road	City of Ojai
The Woolsey House	1484 East Ojai Avenue	City of Ojai
The Libbey House	1000 N. Foothill Road	City of Ojai
The Ojai Arcade	202 - 328 East Ojai Avenue	City of Ojai
The Ojai Post Office Tower	201 East Ojai Avenue	City of Ojai
St. Thomas Aquinas Chapel	130 West Ojai Avenue	City of Ojai
The Ojai Valley Woman's Clubhouse	441 East Ojai Avenue	City of Ojai
Ojai Valley Country Club-Club House		City of Ojai
Nordhoff Cemetery	1000 Cuyama Road	City of Ojai
Ojai Valley Teunis Tournament & Civic Courts	Libbey Parkl205 East Ojai Avenue	City of Ojai
0jai Jail aka Libbey Park Jail		City of Ojai
O.W. Robertson House	718 N. Foothill Road	City of Ojai
Brick School House (Lavender lun)	210 E. Matilija Street	City of Ojai
George Washington Smith House	410 Tico Road	City of Ojai

Sources: SCCIC Records Search, June 23, 2009, and City of Ojai Historic Landmarks list, City of Ojai 2009.
Notes: CRHR = California Register of Historic Resources listing, NRHP = National Register of Historic Places listing.

Listing in the National Register assists in preservation of historic properties through the following actions: recognition that a property is of significance to the nation, the state, or the community; consideration in planning for Federal or federally assisted projects; eligibility for Federal tax benefits; consideration in the decision to issue a federal permit; and qualification for Federal assistance for historic preservation grants, when funds are available. Properties may qualify for NRHP listing if they:

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

According to the NRHP guidelines, the essential physical features of a property must be present for it to be considered significant. Further, in order to qualify for the NRHP, a resource must retain its integrity, or the "ability to convey its significance." The seven aspects of integrity are:

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

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

California Register of Historic Resources. The California Register of Historic Resources is an authoritative guide in California used by State and local agencies, private groups, and citizens to identify the State's historical resources and to indicate which properties are to be

protected, to the extent prudent and feasible, from substantial adverse change. A resource is eligible for listing on the California Register if it meets any of the following criteria for listing:

A. *It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
B. *It is associated with the lives of persons important in our past;*
C. *It embodies the distinctive work of an important creative individual, or possesses high artistic values; or*
D. *It has yielded, or may be likely to yield, information important in prehistory or history.*

The California Register may also include properties listed in "local registers" of historic properties. A "local register of historic resources" is broadly defined in Public Resources Code Section 5020.1(k) as "a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution." Local registers of historic properties come in two forms: (1) surveys of historic resources conducted by a local agency in accordance with Office of Historic Preservation procedures and standards, adopted by the local agency and maintained as current; and (2) landmarks designated under local ordinances or resolutions (Public Resources Code Sections 5024.1, 21804.1, 15064.5).

By definition, the California Register of Historic Resources also includes all "properties formally determined eligible for, or listed in, the National Register of Historic Places," (NRHP) and certain specified State Historical Landmarks. The majority of formal determinations of NRHP eligibility occur when properties are evaluated by the State Office of Historic Preservation in connection with federal environmental review procedures (Section 106 of the Historic Preservation Act of 1966). Formal determinations of eligibility also occur when properties are nominated to the NRHP, but are not listed due to owner objection. The minimum age criterion for the NRHP and the California Register is 50 years. Properties less than 50 years old may be eligible for listing on the NRHP if they can be regarded as "exceptional", as defined by the NRHP procedures, or in terms of the California Register, if "it can be demonstrated that sufficient time has passed to understand its historical importance."

City of Ojai Landmark Criteria. According to the City of Ojai Municipal Code (OMC), Chapter 4, Section 4-8.07, "Criteria for consideration of nomination" for City Landmarks and Historic Districts, a nominated property must have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration and must meet one or more of the following criteria:

The Historic Preservation Commission shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, or area meets one or more of the following criteria:

a. *Its character, interest or value as part of the development, heritage, or cultural characterization of the community;*
b. *Its identification with a person or persons who significantly contributed to the development of the community;*
c. *Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*

d. Its identification as the work of a master builder, designer, architect, or landscape architect whose individual; work has influenced the development of the community;
e. Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;
f. Its embodiment of design elements that make it structurally or architecturally innovative;
g. Its unique location or singular physical characteristics that make it an established or familiar visual feature;
h. Its suitability for preservation or restoration. Any structure, property, or area that meets one or more of the above criteria shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration.
i. It shall have historic, aesthetic, or special character or interest for the general public and not be limited in interest to a special group or person;
j. Its designation shall not require the expenditure by the City of any amount of money not commensurate with the value of the object to be preserved; and
k. Its designation shall not infringe upon the rights of a private owner thereof to make any and all reasonable uses thereof which are not in conflict with the purposes of this chapter.

4.5.2 Impact Analysis

a. Methodology and Significance Thresholds. This assessment is partially based on the information gathered from a records search conducted at SCCIC located on the CSU Fullerton campus.

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

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

There is no evidence to suggest paleontological resources or unique geologic features exist within the developed areas of the City where potential development facilitated by the proposed Housing Element would occur. Therefore, this issue is not further discussed in this section as no impact would occur.

b. Project Impacts and Mitigation Measures.

Impact CR-1 Implementation of the proposed Housing Element may result in the direct or indirect disturbance of as-yet undetected areas of prehistoric and historic archaeological significance. This is considered a Class III, *less than significant* impact.

As discussed in Section 2.0 *Project Description*, development of up to 24 new residential units throughout the City's Village Mixed Use (VMU), residential and Commercial zone districts ("scattered development") could be facilitated by adoption of the proposed 2006-2014 Housing Element. These would typically be in concentrations of one to two additional units that would be built on existing developed properties. An additional 177 units of "focused development" could be developed in senior housing and demonstration housing projects. The location of the affected zone districts and the general tentative location of the focused projects are shown on Figure 2-3 in Section 2.0 *Project Description*.

The SCCIC records search identified archaeological resources within the City limits. The Housing Plan does not identify specific site locations for potential future development, although general tentative locations for senior housing and demonstration housing sites are identified. Surficial archaeological resources or human remains could potentially be unearthed in areas that have not been subject to extensive disturbance. Areas considered for secondary dwellings have likely previously been disturbed due to previous development; thus, any surficial archaeological resources or human remains that may have been present at one time in these areas have likely been disturbed. Nevertheless, the potential exists for previously unknown resources or remains to be damaged during grading for site preparation, particularly in the case of the potential senior housing and demonstration projects. Potential impacts to previously unknown resources are considered significant, though standard measures and procedures are to be followed if resources or remains are discovered during grading and site preparation would mitigate impacts.

Potentially significant impacts would be mitigated through performing site specific Phase I archaeological resources reports prior to development, pursuant to City policy and standard procedure, and through the implementation of the following programs and policies of the Conservation Element of the Ojai General Plan:

Policy: *The City shall develop programs to identify and analyze known cultural resources, attempt to discover potential resources and plan for their appropriate examination and disposition.*

Program: *An updated record/literature search and an on-foot archaeological survey (where warranted) will be conducted in conjunction with the preparation of any development proposal provided that an adequate survey has not been conducted previously.*

Program: *A limited test-level investigation will be conducted for all cultural resource sites that have not previously undergone adequate testing prior to the approval of any development proposals with the immediate area.*

Program: *Within any development proposal area, a mitigation program for cultural resources will be formulated and implemented prior to the issuance of any grading or demolition permit.*

Program: *Archaeological monitoring during grading will be required in areas where significant cultural resources have been identified or are expected to occur.*

Adherence to these policies and procedures would reduce potential archaeological resource impacts to a less than significant level.

Mitigation Measures. As impacts would be less than significant, no mitigation is required.

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

Impact CR-2 Development facilitated by the Housing Element would facilitate development on vacant and underdeveloped parcels within the City and is not anticipated to result in the removal or alteration of buildings that have the potential to be historic resources. This is considered a Class III, *less than significant* impact.

The Housing Element would facilitate development on vacant parcels and underdeveloped parcels within the City. It is not anticipated that implementation of any of the proposed programs would involve the demolition or alteration of buildings to implement proposed programs. The SCCIC records search identified ten properties within a ½-mile radius of the City of Ojai listed on the California Register of Historic Resources (CRHR) and four properties within a ½-mile radius of the City on the National Register of Historic Places (NRHP) list. Development facilitated by the program consists of new residential units that would be added to the City's housing supply. Development of these units would not be expected to involve the demolition or alteration of buildings. In cases where an eligible building may be on or adjacent to a property where new development is facilitated, policies in the proposed 2006-2014 Housing Element and in the adopted Conservation Element would apply and would serve to provide adequate protection for historic resources. The potential senior and demonstration projects would also be subject to these policies, as well as site-specific review.

The proposed 2006-2014 Housing Element contains the following policies to promote the preservation of existing housing:

Policy H-2: The City shall promote the preservation, conservation and conversion of existing housing as a means to satisfy existing and future housing needs through the inventory of housing that currently exists.

Policy H-10: The City shall promote the cooperative repair, rehabilitation and improvement of residential structures that are substandard or in disrepair; resources shall be targeted to facilitate attainment of Housing Element goals (e.g., second unit amnesty) and address properties and occupants of greatest need.

Furthermore, potentially significant impacts would be mitigated through implementation of the following programs and policies of the Conservation Element of the Ojai General Plan:

Policy: The City shall attempt to preserve all Historical buildings/resources designated by the City Council and shall strive to identify and preserve potential historical resources.

Program: *The City shall prepare and maintain a historical resources inventory that identifies and evaluates historical resources in the City.*

Program: *No demolition or alteration of designated historical buildings or properties shall occur in the City unless they are declared unsafe by the City or unless notice has been given consistent with City Ordinances. This program shall be adhered to by verification prior to the issuance of a demolition permit. Historical resources shall be registered and preserved, according to appropriate Federal, State and/or Local guidelines for the long-term benefit of City residents.*

Implementation of these policies along with adherence to the mitigation measure below would reduce potential historic resource impacts to a less than significant level.

Mitigation Measures. Implementation of the Housing Element policies and Conservation Element policies and programs listed above would address impacts to designated historic resources.

Significance After Mitigation. Implementation of Conservation Element policies and actions in combination with the Housing Element policies would reduce potential impacts to historic resources to a less than significant level.

c. Cumulative Impacts. As described in Section 3.0, *Environmental Setting*, the potential development of 201 units facilitated under the Housing Element along with 25 residential dwelling units and 63,729 sf of light industrial account for the anticipated cumulative development through the year 2014 for the City of Ojai. Cumulative development projects are not anticipated to adversely affect archaeological or cultural resources as cumulative development would not occur as planned and pending cumulative development throughout the City would be required to adhere to the same policies and programs of the Conservation Element listed above and therefore would not affect archaeological or cultural resources throughout the City. Therefore, cumulative impacts would be less than significant.

4.6 GEOLOGY and SOILS

This section evaluates impacts relating to geology and soils. Specifically, impacts associated with faulting, ground shaking, liquefaction, and expansive soils are addressed.

4.6.1 Setting

a. Regional Topography. Ojai is located within the Ojai Valley, a ten mile long and three mile wide east-west valley. The Ojai Valley is bounded by the Los Padres National Forest to the north and the Pacific Ocean to the south.

b. Regional Geologic and Hydrogeologic Setting. Ojai is underlain by the following Quaternary age sediments: Qa, Qf, Qoa, and Qog and the following Tertiary age sediments: Tsp, Tcw, and Tcwsh. The Qa deposits are unconsolidated floodplain deposits of silt, sand and gravel. The Qf deposits are alluvial fan boulder gravel. The Qoa deposits are remnants of weakly consolidated older alluvial deposits of gravel, sand, and silt. The Qog deposits are cobble-boulder fan gravel or fanglomerate deposits composed largely of sandstone detritus. The Tsp deposits are maroon, red, and locally green silty shale or claystone and interbedded red to pinkish-gray sandstone; there are some sandstone beds in the lower part of the coarse-grained that include pebble-cobble conglomerate; the lowest part consists of pink sandstone and red claystone. The Tcw deposits are hard, tan, bedded arkosic sandstone deposits with minor interbeds of greenish-gray siltstone and shale with local oyster shell beds common in the upper portion. The Tcwsh deposits are greenish-gray siltstone and shale deposits with occasional interbeds of tan sandstone.

Ojai is in the Ojai Valley Groundwater Basin. Watercourses that pass through Ojai include San Antonio Creek, Thacher Creek, Stewart Canyon Channel, Fox Canyon Barranca, McNell Creek, Happy Valley Drain, and Dron Creek. San Antonio Creek is the largest watercourse in the Ojai area. San Antonio Creek runs through the south portion of the City and flows into the Ventura River.

The Ventura River flows through the Ventura River Valley in the mountains to the northeast of Ojai. The Ventura River drains into the Pacific Ocean when it reaches the City of Ventura. The average annual rainfall for the drainage basin ranges from about 16 inches per year to 24 inches per year. Lake Casitas lies to the southwest of t Ojai and is a major reservoir within the Ventura River Valley watershed.

c. Seismic Setting. Ojai is located within the Transverse Ranges Geomorphic Province of California. The Transverse Ranges are characterized by east-west trending structural features in contrast to the dominant northwest-southeast structural trend of California. Many faults and folds throughout the area are considered active.

The faulting and seismicity of this area is dominated by the intersection of the San Andreas Fault and the Transverse Ranges fault systems. Seismic activity along the San Andreas Fault is in response to differential movement between the Pacific geologic plate (west of the fault) and the North American geologic plate (east of the fault). The Transverse Ranges faults generally reflect crustal shortening (reverse) faulting patterns. The Ventura Basin and Santa Barbara

Channel are the result of the interplay of these two fault regimes. The highest rates of tectonic uplift within the Transverse Ranges have been measured along the coast, west of Ventura, in an area of intense seismicity, active folding, and reverse faulting. Compression along the Ventura Basin is estimated at 7 to 10 millimeters per year (US Geological Survey (USGS), 1994).

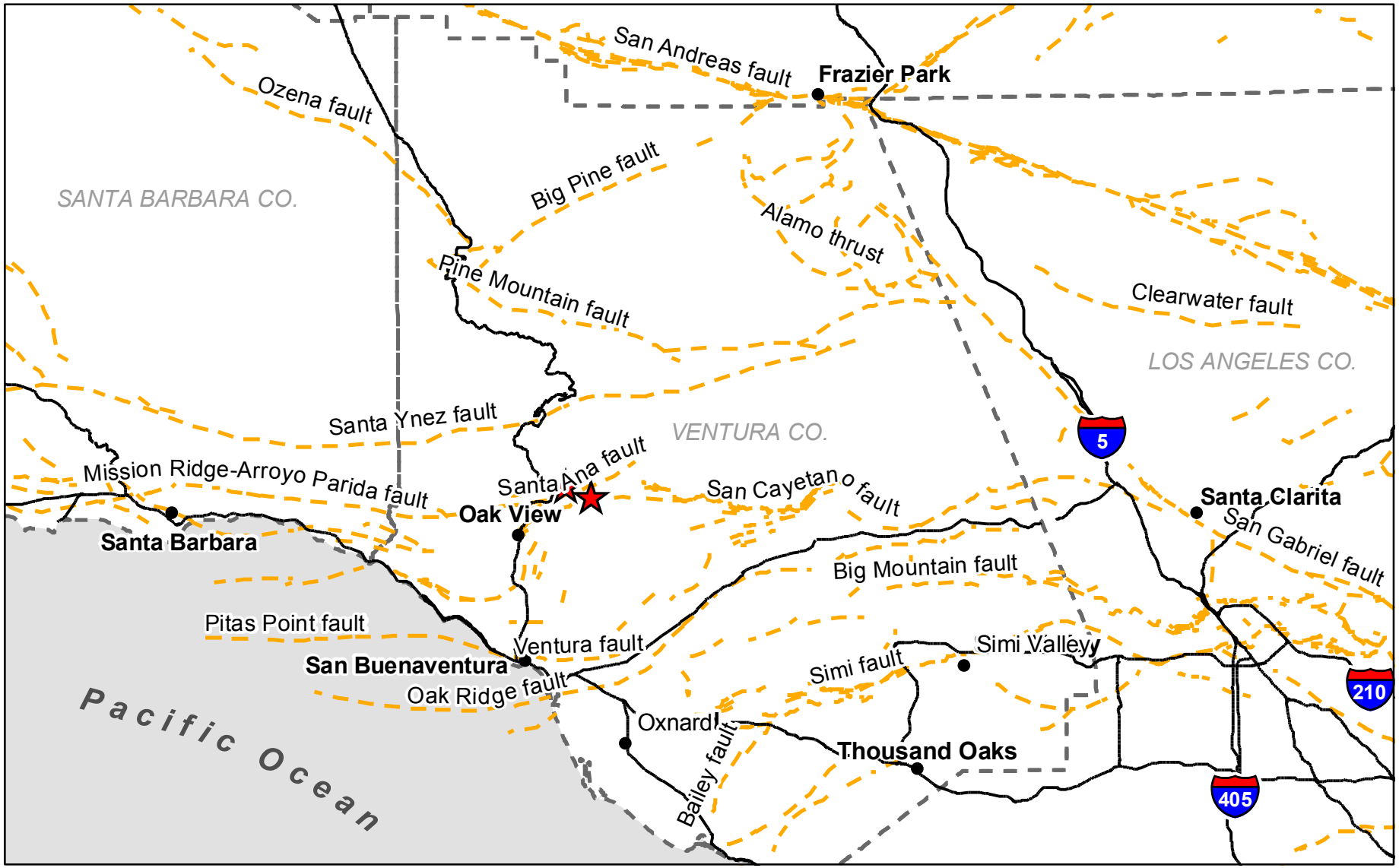
The Transverse Range geographic province is bounded by three major faults: the San Andreas fault, Big Pine fault, and the Malibu Coast fault. Additionally, the Santa Ana/Arroyo Parida fault zone and the Lion Mountain fault are located near the City of Ojai. The Santa Ana/Arroyo Parida fault zone extends from Montecito to the Ventura River and along the south side of the Ojai Valley. The potentially active fault parallels the southern boundary of the City and forms a groundwater barrier in the alluvium beneath the Ventura River. The Lion Mountain fault is encompassed by the Lion Canyon Fault Zone, which extends from Santa Paula Creek along the south edge of Upper Ojai Valley through the Lion Canyon area and possibly to Oak View and beyond Lake Casitas. The fault is located east of the City and does not traverse the City. The Lion Mountain fault is considered potentially active.

d. Seismic Hazards. Faults generally produce damage in two ways: ground shaking and surface rupture. Seismically induced ground shaking can affect a large area and is greatly influenced by the distance of a site to the seismic source, soil conditions, and depth to groundwater. Surface rupture is typically limited to the surface above a fault. Other hazards associated with seismically induced ground shaking include earthquake-triggered landslides.

Seismically Induced Ground Shaking. The U.S. Geological Survey defines active faults as those that have had surface displacement within Holocene time (about the last 11,000 years). Holocene surface displacement can be recognized by the existence of cliffs in alluvium, terraces, offset stream courses, fault troughs and aligned saddles, sag ponds, and the existence of steep mountain fronts. Potentially active faults are those that have had surface displacement during Quaternary time, within the last 1.6 million years. Inactive faults have not had surface displacement within the last 1.6 million years. The faults most likely to seismically affect the City are shown on Figure 4.6-1 and described below.

- ***Oak Ridge Fault****, located south of the City, is considered active.*
- ***Santa Ana Fault,*** *passes through the southern portion of the City, is considered potentially active.*
- ***Lion Canyon Fault,*** *located south of the City, is considered potentially active.*
- ***San Cayetano Fault****, located northeast of the City, is considered active.*
- ***Ventura Fault,*** *located southwest of the City, is considered active.*
- ***Mission Ridge-Arroyo Parida Fault****, located northwest of the City, is considered active.*
- ***San Andreas Fault****, located northeast of the City, is considered active. Much of the trace of this fault is mapped as an Alquist-Priolo Earthquake Fault Zone.*

Oak Ridge Fault. The Oak Ridge Fault is located south of the City along the northern flank of Oak Ridge. The fault is a steep south-dipping reverse fault that forms the boundary between Oak Ridge to the south and the Santa Clara River to the north. Activity along the Oak Ridge Fault is known to have occurred during the late Quaternary (2 to 5 million years ago) (USGS, 1987). The calculated maximum moment magnitude is 6.9 for both the eastern and



Basemap Source: ESRI Data, 2004, and Bryant, W.A. (compiler), 2005, Digital Database of Quaternary and Younger Faults from the Fault Activity Map of California, version 2.0: California Geological Survey Web Page, <http://www.consrv.ca.gov/CGS/information/publications/QuaternaryFaults_ver2.htm>; (1/31/07). Note: information regarding site specific faults/concealed faults can be found on the Dibblee Map 1993 as referenced in the document.

Project Location

Fault Lines

N

0 5 10 Miles

Faults in the Ojai Vicinity

Figure 4.6-1

western parts of this fault (California Division of Mines and Geology (CDMG), 1999).[1] The magnitude 6.7 Northridge earthquake (in 1994) is thought to have occurred along the eastern end of the Oak Ridge fault.

Santa Ana Fault. The Santa Ana Fault extends from Montecito to the Ventura River and along the south side of the Ojai Valley. This fault is an eastward extension of the Mission Ridge Fault in the Santa Barbara area and extends to the southeast end of the Ojai Valley. The fault roughly parallels the southern boundary of the City. The Santa Ana Fault forms a groundwater barrier in the alluvium beneath the Ventura River. This fault has raised the Upper Ojai Valley relative to the Ojai Valley (City of Ojai Safety Element, 1991).

Lion Canyon Fault. The Lion Canyon Fault extends from Santa Paula Creek along the south edge of the Upper Ojai Valley. The fault zone is located between the Lake Casitas and the San Cayetano fault zones. This potentially active fault does not enter the City, but does pass through Ojai Valley communities, including the City of Oak View (City of Ojai Safety Element, 1991).

San Cayetano Fault. The San Cayetano Fault generally trends along the northern border of the Santa Clara River Valley. The fault is an east-west trending fault that dips to the north. This fault is a reverse displacement fault. Northeast of the City, the San Cayetano fault appears to be related to the active Red Mountain Fault. The maximum credible earthquake for the San Cayetano Fault is a magnitude 6.8 event (CDMG, 1996).

Ventura Fault. The Ventura Fault is a left-reverse fault that is 20 km long. The nearest communites to this fault are Ventura and Seacliff. The Ventura fault most recently ruptured about 1500 years ago. The slip rate is between 0.5 and 1.5 mm per year. The interval between major ruptures is uncertain. Rupture of the Ventura fault would likely result in a 6.0-6.8 magnitude earthquake (Southern California Earthquake Data Center, 2009).

Mission Ridge-Arroyo Parida Fault. The Mission Ridge-Arroyo Parida Fault is a left lateral fault with varied vertical slip. This fault traverses from Goleta to Ojai. The fault is 70 km long and had its last known rupture 30,000 years ago. The slip rate for this fault is about 0.37 mm per year and the interval between ruptures is projected to be about 8,000 years. This fault would likely result in a magnitude 6.5-7.3 earthquake.

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

Blind Thrust Faults. In addition to these faults, there is the potential for ground shaking from blind thrust faults. Blind thrust faults are low angle detachment faults that do not reach the ground surface. Recent examples of blind thrust fault earthquakes include the 1994 Northridge (Magnitude 6.7), 1983 Coalinga (Magnitude 6.5), and 1987 Whittier Narrows (Magnitude 5.9) events. As described in Dolan et al (1995), much of the Los Angeles area is

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

underlain by blind thrust faults. In their seismic model for Los Angeles, blind thrust faults are found at a depth of about 6 to 10 miles below ground surface and have the ability to produce magnitude 7.5 earthquakes.

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

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

- ***Type B Faults****. all other faults not classified as Type A faults. Type B faults lack paleoseismic data necessary to constrain the recurrence interval of large events. The San Cayetano and Oak Ridge faults are Type B faults.*

The proximity of active faults is such that the City has experienced strong seismically-induced ground motion and will probably experience it in the future.

Seismically induced ground acceleration is the shaking motion that is produced by an earthquake. Probabilistic modeling is done to predict future ground accelerations. Probabilistic modeling generally considers two scenarios, design basis earthquake ground motion or upper-bound earthquake ground motion. Design basis earthquake ground motion calculations are typically applied for residential and commercial sites. This ground motion is defined as a ground motion that has a 10% chance of exceedance in 50 years. Upper-bound earthquake ground motion calculations are applied to public schools, hospitals, skilled nursing facilities, and essential service buildings, such as police stations, fire stations, city hall, and emergency communication centers. Upper-bound earthquake ground motion is defined as the ground motion that has a 10% chance of exceedance in 100 years.

The probabilistic approach attempts to model the probability that seismically induced ground shaking would affect a specified area. In this approach, the models predict the possibility of a specified ground acceleration affecting a site within a specified timeframe. This is done by identifying faults that are active, determining the frequency of earthquake activity along modeled faults, the strength of the earthquakes, and attenuation relationships as described above. The California Division of Mines and Geology (CDMG, 1996 and 1999) developed a statewide model that takes these variables into consideration. The model depicts peak accelerations that have a 10% probability of being exceeded in 50 years.

The California Division of Mines and Geology's Interactive Probablistic Seismic Hazards Map (CDMG, 2002) shows the probablistic seismic hazards for the City of Ojai. Ground accelerations for firm rock conditions, soft rock conditions, and alluvium conditions are shown on the map. Within the City of Ojai, the earth materials are comprised of soft rock. The nearest identified value for 10% exceedance in 50 years peak ground accelerations in units of gravity (g) expected within the City is 0.60 g to 0.70 g (CDMG, 2002).

The level of ground shaking to which an area is subject is primarily a function of the distance between the area and the seismic source, the type of material underlying a property, and the

motion of fault displacement. In addition, the Northridge (1994) earthquake showed how peculiarities in basin effects can play a significant role in ground accelerations at particular areas. For instance, ground accelerations exceeding 1 g were recorded at areas far from the epicenter of the Northridge earthquake. It is possible that accelerations near or over the upper bound earthquake ground motion could occur anywhere within or adjacent to Ojai.

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

Fault Rupture. Alquist-Priolo Earthquake Fault Zones are areas within 500 feet of a known fault trace. Per Alquist-Priolo legislation, no structure for human occupancy is permitted on the trace of an active fault. The term "structure for human occupancy" is defined as any structure used or intended for supporting or sheltering any use or occupancy, which is expected to have a human occupancy rate of more than 2,000 person-hours per year. If development is proposed within an Alquist-Priolo Earthquake Fault Zone, a geologic study must be conducted to determine the location of the fault trace. Based on the findings in the geologic study, all structures for human occupancy must be set back a minimum of 50 feet from the fault trace because, unless proven otherwise, an area within 50 feet of an active fault is presumed to be underlain by active branches of the fault.

In brief, the Alquist-Priolo Earthquake Fault Zone Maps are designed to identify areas that have a risk of seismically induced ground displacement. Certain seismic and engineering studies are required to be completed prior to development within these zones. The types of projects that are subject to additional studies are defined in the legislation. The following statement is included in the California Division of Mines and Geology Special Publications 42 (1994, page 9):

> *Active faults may exist outside the Earthquake Fault Zones on any zone map. Therefore, fault investigations are recommended for all critical and important developments proposed outside the Earthquake Fault Zones.*

Seismically Induced Liquefaction. Liquefaction is a temporary, but substantial, loss of shear strength in granular solids, such as sand, silt, and gravel, usually occurring during or after a major earthquake. This occurs when the shock waves from an earthquake of sufficient magnitude and duration compact and decrease the volume of the soil; if drainage cannot occur, this reduction in soil volume will increase the pressure exerted on the water contained in the soil, forcing it upward to the ground surface. This process can transform stable granular material into a fluid-like state. The potential for liquefaction to occur is greatest in areas with loose, granular, low-density soil, where the water table is within the upper 40 to 50 feet of the ground surface. Liquefaction can result in slope and/or foundation failure.

Figure 4.6-2 illustrates the areas of historical occurrence of liquefaction and/or areas of potential liquefaction within Ojai, as provided by the California Department of Conservation (2003). As shown, a portion of the City is potentially subject to liquefaction.

e. Soil-Related Hazards. Soil-related hazards include expansive soils, settlement, subsidence, and hydrocompaction. Soil-related hazards that could adversely affect the City of Ojai are discussed below.

Expansive Soil. Expansive soils are generally clayey, expand or swell when wetted and contract or shrink when dried. Expansive soils can cause damage to structure foundations. According to the Soil Survey for the Ventura Area (U.S. Department of Agriculture, 1970), the City has a low shrink-swell potential because soils are generally more sandy than clayey.

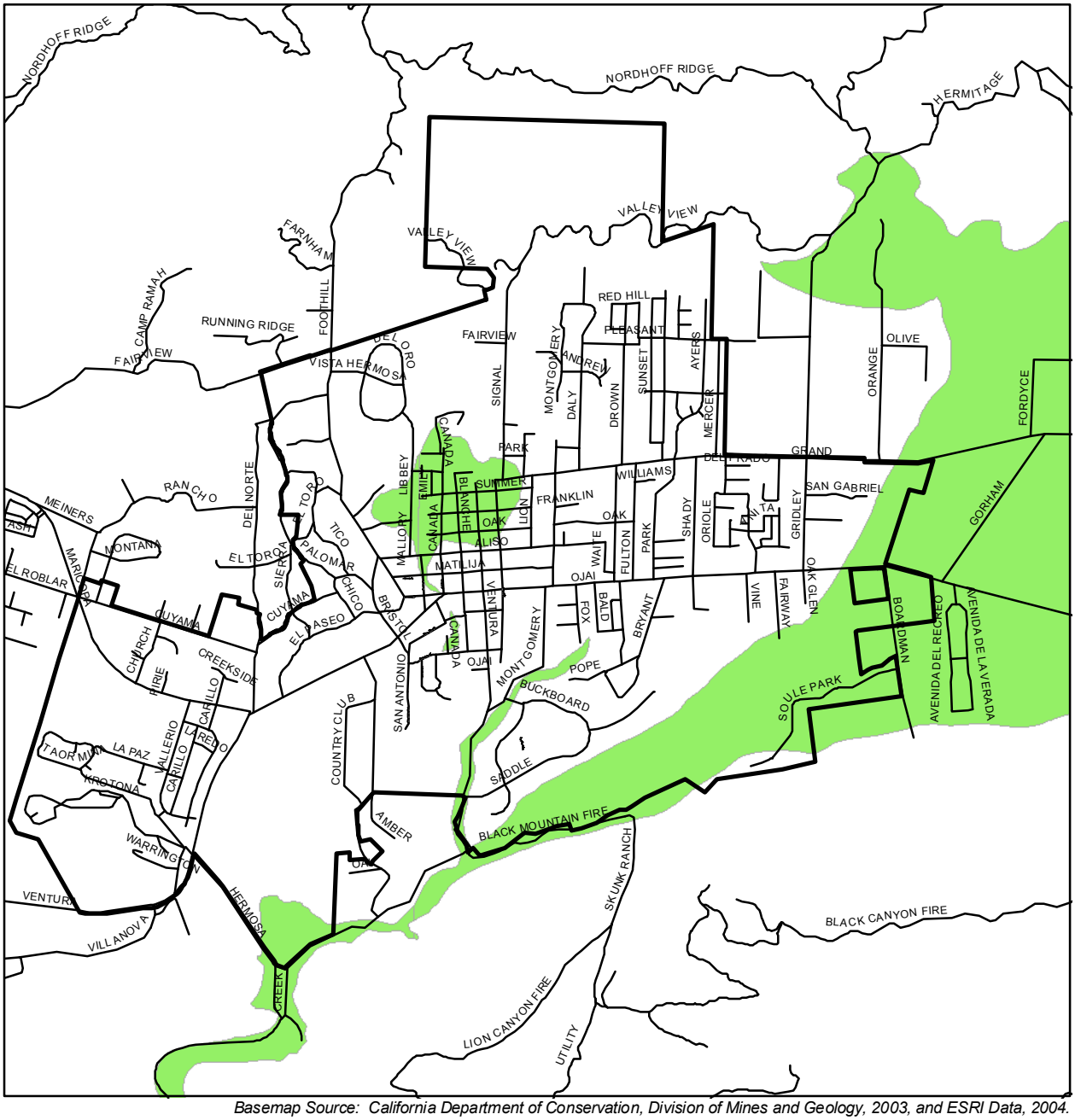
Settlement. Settlement is the downward movement of the land surface resulting from the compression of void space in underlying soils. This compression can occur naturally with the accumulation of sediments over porous alluvial soils within river valleys. Settlement can also result from human activities, including improperly placed artificial fill, and structures built on soils or bedrock materials with differential settlement rates. This phenomenon can alter local drainage patterns and result in structural damage. Soils underlying Ojai are soft rock and generally have a low to moderate potential for settlement.

Subsidence. Subsidence is the sinking of the ground surface caused by compression or collapse of earth materials. Subsidence can be caused by both groundwater extraction and seismically induced liquefaction. Groundwater withdrawal subsidence results from the extraction of groundwater from an unconsolidated aquifer. As water is removed from the aquifer, the total weight of the overburden, which was supported in part by hydrostatic pressure, is placed on the soil matrix compressing the now empty void spaces. This compaction produces a net loss in volume and a subsidence of the land surface. Damage caused by this type of subsidence is generally not of an immediate or violent nature. The consolidation of alluvium and settling of the land surface is a process that often occurs over many years, except when prompted by seismic shaking or wetting of highly collapsible soils. As yet, no recognized subsidence has occurred within Ojai due to either groundwater or oil extraction. Accordingly, the potential for subsidence throughout the City is considered minimal.

Landsliding. Elevations within the City range from approximately 745 to 3,000 feet above sea level. There are no mapped landslides in the City. However, the northern portion of the City and the southwestern portion of the City is subject to potential earthquake induced landslide hazards (County of Ventura General Plan, Hazards Appendix, 2005).

4.6.2 Impact Analysis and Mitigation Measures

a. Methodology and Significance Thresholds. The analysis of potential geology-related impacts is based on a review of available literature on regional geology, including reports and publications by the California Geological Survey, the California Division of Mines and Geology, and the City of Ojai.



Basemap Source: California Department of Conservation, Division of Mines and Geology, 2003, and ESRI Data, 2004.

City Boundary

Liquefaction Hazard Zones

N

0 1,000 2,000 4,000 Feet

Liquefaction Potential in the City of Ojai

Figure 4.6-2

Impacts relating to geology are considered significant if Housing Element implementation would:

- *Expose people or structures to substantial risk of loss, injury or death involving rupture of a known earthquake fault, seismic ground shaking, seismically related ground failure (including liquefaction), or landslides*
- *Result in substantial soil erosion or loss of topsoil*
- *Facilitate development on a geologic unit that is unstable or would become unstable as a result of the project, potentially resulting in landslide, lateral spreading, subsidence, liquefaction, or collapse*
- *Facilitate development on expansive soil and thus create substantial risks to life or property*
- *Facilitate development in areas having soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water*

b. Project Impacts and Mitigation Measures. Project impacts and mitigation measures are grouped by topic based on the potential to exceed a threshold of significance. The potentially adverse effect is identified and classified (impact classes are defined in Section 4.0) followed by an explanation. If the impact exceeds a threshold, mitigation is recommended, followed by a discussion of any residual impacts following implementation of applicable mitigation. The following impacts have been identified with respect to geology and soils.

Impact GEO-1 Future seismic events could produce ground accelerations throughout Ojai, and could affect new construction facilitated by adoption of the proposed 2006-2014 Housing Element. Potential impacts relating to seismic groundshaking are considered Class II, *significant but mitigable*.

The location of the VMU, Commercial and residential zone districts where "scattered development" could occur pursuant to the proposed 2006-2014 Housing Element is shown on Figure 2-3 in Section 2.0 *Project Description*. General tentative locations for senior housing and demonstration housing sites are also identified on Figure 2-3. Implementation of the Ojai Housing Element would accommodate a total of 201 new housing units that would be subject to seismic activity resulting from any of several active faults in the region, including the Oak Ridge Fault, Santa Ana Fault, San Cayetano Fault, Ventura Fault, Mission Ridge-Arroyo Parida Fault, and the San Andreas Fault. The potential for structural damage due to groundshaking is considered a significant impact.

According to the City of Ojai Initial Study Assessment Guidelines, "ground shaking hazards are ubiquitous throughout Ventura County and, ground failure phenomena aside, are accommodated by the Ventura County Building Code. The effects of ground shaking hazards are required to be considered within the existing framework of grading and building code ordinances which apply to all sites and projects. Special threshold criteria for ground shaking hazards are thus not established." (City of Ojai Initial Study Guidelines, 2002).

All development within Ojai would be required to conform to the Uniform Building Code (UBC) and the California Building Code (CBC) (as amended at the time of permit approval).

UBC and CBC building standards would ensure that the design and construction of new structures are engineered to withstand the ground acceleration that may occur in the City. Earthquake resistant designs include such measures as concrete framing, flexible building diaphragms, anchoring concrete or masonry wall, framing below the base, building separation, and collector elements for seismic stresses. Also, new development would be required to comply with the City's Safety Element. Policies within the Safety Element require the preparation of geological reports for structures proposed in areas of high risk for groundshaking and require that development be implemented in accordance with appropriate engineering standards to reduce potential seismic hazards to the extent feasible. Mitigation strategies contained within the Ojai Initial Study Assessment Guidelines include minimizing the number of persons and the amount of property exposed to seismicity risk. Structures of critical importance (hospitals, fire stations, etc.) should not be allowed within fault zones. Additionally, new development, particularly multi-story structures, should be designed and constructed to withstand a horizontal bedrock accesleration of 0.25g. Critical structures and those of filled estero areas should provide for an acceleration of 0.5g (City of Ojai Initial Study Assessment Guidelines, 2002). Proper engineering and compliance with UBC and CBC requirements would minimize the effects of seismic hazards on life and property.

Mitigation Measures. All individual developments within the City of Ojai would be required to comply with applicable requirements of the UBC and CBC. In addition, the following measure is required for all City projects.

GEO-1 Design Level Foundation Study. Prior to issuance of grading permits for individual projects within Ojai, the developer shall submit to the City a design-level foundation study conducted by a qualified geotechnical engineer. All structures shall be designed to limit earthquake-related damage and safeguard against major structural failures and loss of life.

Any recommendations contained in the design-level study and beyond UBC and CBC requirements shall be fully implemented subject to the review and approval of the Public Works Department. Site-specific foundation stabilization techniques that may be recommended following the design-level study may include the following:

- *Removal and recompaction of soil and bedrock underlying the buildings*
- *Use of geotextile reinforcement in subgrade soils underlying the buildings*
- *Design foundations with higher tolerable limits for movement by stiffening of the foundation elements.*

Significance After Mitigation. Compliance with applicable provisions of the UBC and CBC, in combination with the design recommendations provided as part of a design-level study, would reduce impacts relating to groundshaking to a level considered less than significant for properties within the City of Ojai.

Impact GEO-2 No known active faults traverse the City of Ojai; however, one potentially active fault traverses the City and one of the identified potential housing locations in the proposed 2006-2014 Housing Element. Impacts relating to fault surface rupture would be Class II, s*ignificant but mitigable*.

The Housing Element would facilitate up to 201 new housing units in Ojai. The Santa Ana Fault, the closest fault to the City, is a potentially active fault that traverses the southern portion of the City. The Santa Ana Fault would not pass through the VMU zone district and would not pass throught the general tentative location of senior housing and demonstration housing sites as identified in the proposed Housing Element and shown in Figure 2-3. Mitigation strategies related to seismicity contained in the City of Ojai Initial Study Assessment Guidelines include the following:

- *Minimize the number of persons and amount of property exposed to risk. Structures of critical importance (e.g., hospitals, fire stations, etc.) should not be allowed within fault zones designated on MEA: Faults/Flood Plains/Fire Hazards map.*

In addition, structures constructed in the City would be required to comply with UBC and CBC building requirements, which would minimize the risk to life and property near the Santa Ana Fault.

The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The law requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults. Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed buildings will not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet). The closest Alquist-Priolo zones are located 0.5 miles west of the City and 1.5 miles east of the City. Therefore, identified VMU zone district sites and tentative locations of senior housing and demonstration housing sites would not be located in an Alquist-Priolo zone. In addition, any development accommodated by the proposed Housing Element would be located in urbanized areas within the City, which would reduce the pressure for development at the periphery of the City.

Although no Alquist-Priolo zones are located within the City, the Santa Ana fault runs through the southern portion of the City (see Figure 4.6-1). Surface rupture associated with this fault could cause adverse effects to residences accommodated under the Housing Element that are underlain by the fault. As such, potential impacts related to surface rupture would be potentially significant.

Mitigation Measures. The following measure is required for any development potentially underlain by the Santa Ana Fault.

GEO-2 Fault Study. Prior to issuance of grading permits for individual projects within 500 feet of the Santa Ana Fault, the developer shall submit a fault study conducted by a qualified geotechnical engineer to

the City for review. All structures shall be designed to limit structural damage and safeguard against major structural failures and loss of life.

Any recommendations contained in the design-level study shall be fully implemented subject to the review and approval of the Building Official.

Significance After Mitigation. Compliance with the design recommendations provided as part of a design-level fault study would reduce impacts relating to surface rupture to a level considered less than significant for the portion of the City underlain by the Santa Ana Fault.

Impact GEO-3 Future seismic events could result in liquefaction of soils in portions of Ojai where housing might be facilitated by adoption of the proposed 2006-2014 Housing Element. With adherence to existing City requirements for addressing liquefaction potential, this is considered a Class III, *less than significant* impact.

Liquefaction is a phenomenon in which the strength and stiffness of saturated soil is rapidly reduced, either by seismic shaking or other sudden loading. Severe shaking of soil can increase the water pressure within the soil, allowing the soil particles to move independently of one another. The soil consequently behaves more like a viscous fluid than a solid, which could result in damage to building foundations and structures during soil failure. As shown on Figure 4.6-2, a portion of Ojai is subject to potential liquefaction hazards.

The Housing Element would facilitate construction of up to 201 new housing units throughout the City, including senior and demonstration housing in focused locations, as shown on Figure 2-3. The northwest portion of the plan area would be subject to liquefaction and a portion of the general tentative location of senior housing and demonstration housing would also be subject to liquefaction, as shown on Figure 4.6-2. Liquefaction is likely to occur during seismic events and could result in moderate to severe damage to onsite structures if building foundations are not properly designed. This is a potentially significant impact.

According to the City of Ojai Initial Study Assessment Guidelines (2002), projects located in mapped liquefaction susceptible areas or located on a site underlain by recent or older alluvium must be evaluated for liquefaction potential, as determined by the Public Works Director or City Engineer. The liquefaction evaluation would be completed and summarized in a report subject to review and approval. The liquefaction evaluation would be required to include determination of ground water levels based on at least one soil boring drilling a minimum of 40 feet deep. The soil boring would be required to include standard penetration tests. Additionally, the soil boring results would be required to be summarized on a log classifying earth materials and showing the dry density of the various strata as determined by laboratory tests of undisturbed samples. In addition, residences accommodated under the Housing Element would be required to comply with standard UBC and CBC requirements.

Mitigation Measures. Impacts would be less than significant without mitigation.

Significance After Mitigation. Compliance with standard City procedures and UBC and CBC standards would reduce impacts related to seismically induced liquefaction to acceptable engineering standards. Thus, impacts would be less than significant without miigation.

Impact GEO-4 Expansive soil or soil conditions leading to settlement may be present throughout Ojai and could result in foundation and building distress problems and cracking of concrete slabs during development under the proposed housing plan. However, compliance with City, UBC, and CBC requirements would reduce such impacts to a Class III, *less than significant,* level.

Soils within Ojai have low to moderate expansion and settlement potential (City of Ojai General Plan, 1991). According to the City of Ojai Initial Study Assessment Guidelines (2002), expansive soils are present in some areas in thick accumulations and in others as a thin cover. The City specifies that an expansive soil hazard would be classified as soil with an expansion index greater than 20 percent (City of Ojai Initial Study Assessment Guidelines, 2002). Large-scale settlement and expansion problems are not anticipated within the City of Ojai due to the generally low to moderate expansion potential of the soils. Compliance with standard UBC and CBC guidelines, including the preparation of foundation studies prior to development, would ensure that the potential for structural damage from expansion or settlement is minimized.

The Housing Element would facilitate construction of up to 201 new housing units in the City. Although low-moderate expansion and settlement potential has been identified throughout the City, in accordance with UBC and CBC guidelines, if required site specific soils investigation reports show that underlying soils would be subject to expansion, engineered non-expansive fill would be required. Compliance with UBC and CBC guidelines, along with foundation studies prior to construction of new residences, would reduce impacts associated with development to a less than significant level.

Mitigation Measures. No mitigation measures are required. Compliance with standard UBC and CBC requirements would reduce the potential for impacts resulting from expansion and settlement to a less than significant level.

Significance After Mitigation. Impacts related to expansive soils or soils prone to settlement would be less than significant.

Impact GEO-5 A portion of Ojai where construction of new housing could be facilitated by the proposed Housing Element update is subject to potential seismically induced landslide hazards. Compliance with Building Codes would reduce landslide impacts to Class III, *less than significant* levels.

According to the Ojai Initial Study Assessment Guidelines (2002), landslide/mudflow hazards generally exist in and at the base of hillside terrain where channel erosion, weathering, and tectonic movement have caused unstable conditions. Earthquakes and/or heavy periods of rain may trigger actual movement. A particular threat of landslide/mudflow exists in all areas that have already experienced mass movement and in areas subject to changes in topography and

moisture content (typically found in areas with slopes greater than 10%). The threshold for landslide/mudflow hazard is determined by the City based on the location of the site or project within, or outside of, hillside terrain (City of Ojai Initial Study Assessment Guidelines, 2002). There are no mapped landslides within Ojai (County of Ventura General Plan, Hazards Appendix, 2005). Additionally, there are no significantly large areas of landsliding in the City's sphere of influence or in the City (City of Ojai Safety Element, 1991). A portion of the City is subject to earthquake induced landslide hazards (County of Ventura General Plan, Hazards Appendix, 2005). However, the areas designated for the VMU zone district and the tentative location of senior housing and demonstration housing are not located in areas subject to potential earthquake induced landslide hazards. Moreover, mandatory compliance with UBC and CBC requirements would reduce impacts to development facilitated by the proposed Housing Element to a less than significant level.

Mitigation Measures. As impacts would be less than significant, no mitigation is required.

Significance After Mitigation. Impacts related to seismically induced landslide hazards would be less than significant without mitigations.

Impact GEO-6 Portions of Ojai where construction of new housing could be facilitated by the proposed Housing Element contain soils that are subject to erosion hazards. Mandatory compliance with UBC and CBC Building Codes and adopted Safety Element policies and implementation programs would reduce erosion hazard impacts to Class III, *less than significant* levels.

According to the Ojai Initial Study Assessment Guidelines (2002), erosion/siltation hazards are ubiquitous throughout Ventura County and are accommodated by the Ventura County Public Works Agency, Flood Control District Standards and Specifications Design Manual. Erosion/siltation hazards are required to be considered within the existing framework of grading and building code ordinances that apply to all sites and projects. Special threshold criteria for erosion/siltation hazards are thus not established (City of Ojai Initial Study Assessment Guidelines, 2002).

Ten of the candidate housing sites accommodated under the proposed Housing Element would be located on soils with none to moderate erosion hazard potential. Some of the candidate housing sites accommodated under the proposed Housing Element would be located on soils with severe to very severe erosion hazard potentials.

Housing developments located on soils with erosion hazard potential would be required to comply with UBC and CBC Building Code requirements relating to erosion prevention. In addition, the following policies and implementing program under the *Erosion* heading of the General Plan Safety Element (1991) would apply to all development facilitated by the proposed housing plan:

Policy 1: Develop a program for onsite inspection of grading work for developments in severe to very severe erosion areas (as depicted in Exhibit GEO-10 of the City

of Ojai MEA) to ensure that bedding plants are not undercut and that proper fill material is carefully replaced and compacted.

Policy 2: Encourage planting of vegetation on unstable slopes to protect structures at lower elevations. Utilize native plants for landscaping in the hills to eliminate the need for supplemental watering which can promote earth movement/erosion.

Policy 3: Keep land uses which are subject to serious property damage from erosion out of erosion hazard areas identified as severe to very severe (as depicted inExhibit GEO-10 of the City of Qai MEA). Control the siting and design of uses in these erosion hazard areas to minimize the danger of property damage from erosion, such as requiring deep pilings for houses.

Implementing Program: For projects proposed in severe to very severe erosion areas (as depicted in Exhibit GEO-10 of the City of Ojai MEA), the City shall require a geologic report that includes analysis of soils foundation, grading, erosion, and sediment control.

Mitigation Measures. No mitigation measures are required. Compliance with standard UBC and CBC requirements and Safety Element policies and implementing actions would reduce the potential for impacts resulting from erosion hazards to a less than significant level.

Significance After Mitigation. Impacts related to expansive soils or soils prone to settlement would be less than significant.

c. Cumulative Impacts. As described in Section 3.0, *Environmental Setting*, cumulative development in the City includes the potential 201 units facilitated under the Housing Element along with the anticipated cumulative development through the year 2014, which includes 25 residential dwelling units and 63,729 sf of light industrial. Cumulative development in the area would expose additional people and property to seismically related hazards. Cumulative impacts related to fault rupture, seismically related ground shaking, liquefaction, expansive soils, and soil compaction would be addressed on a project-by-project basis. It is presumed that compliance with standard engineering techniques as required by the UBC and CBC, coupled with appropriate measures for individual projects, would reduce cumulative impacts to a less than significant level. Because the potential impacts associated with Housing Element buildout can be mitigated to a less than significant level, the Housing Element's contribution to cumulative impacts would be less than significant.

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4.7 HAZARDS AND HAZARDOUS MATERIALS

This section evaluates potential impacts relating to hazardous materials and hazardous material transport. The Ojai Initial Study Assessment Guidelines defines hazardous materials as any material that, because of its quantity, concentration, physical or chemical characteristics poses a significant present or potential hazard to human health and safety or the environment if released into the workplace or the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous waste, and any material that the administering agency determines to be potentially injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment (City of Ojai Initial Study Assessment Guidelines, 2002). Geologic hazards are discussed in Section 4.5, *Geology and Soils*. Hazards related to diesel emissions are discussed in Section 4.3, *Air Quality*. Flood hazards are discussion in Section 4.8, *Hydrology and Water Quality*.

4.7.1 Setting

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

Use, Storage, and Handling of Hazardous Materials. Numerous federal, state, and local regulations regarding the use, storage, transportation, handling, processing and disposal of hazardous materials and waste have been adopted since the passage of the federal Resource Conservation and Recovery Act (RCRA) of 1976. The goal of RCRA is to assure adequate tracking of hazardous materials from generation to proper disposal. California Fire Codes (CFC) Articles 79, 80 et al., which augment RCRA, are the primary regulatory guidelines used by the City to govern the storage and use of hazardous materials. The CFC also serves as the principal enforcement document from which corresponding violations are written.

Pursuant to SB 1082 (1993), the State of California has adopted regulations to consolidate six hazardous materials management programs under a single, local agency, known as the Certified Unified Program Agency (CUPA). The CUPA provides regulatory oversight for the following program elements:

- *Hazardous Materials Reporting and Response Planning Program*
- *Uniform Fire Code Business Plan*
- *Hazardous Waste Generator Program*
- *Accidental Release Prevention*
- *Underground Storage Tanks*
- *Aboveground Storage Tanks*

In addition to conducting annual facility inspections, the Hazardous Materials Program is involved with hazardous materials emergency response, investigation of the illegal disposal of hazardous waste, public complaints, and stormwater illicit discharge inspections. The Ventura County Environmental Health Department has been designated as the administering agency for CUPA. Accordingly, the County Health Department compiles and maintains a list of businesses that meet the threshold criteria for use, storage, or disposal of hazardous materials, compressed gases and/or hazardous waste. Threshold quantities are defined as hazardous materials equal to or exceeding 55 gallons or 500 pounds, 200 cubic feet of compressed gas, and/or hazardous waste in any amount.

Soil Contamination. Regulatory agencies such as the United States Environmental Protection Agency (USEPA) set forth guidelines that list the point at which concentrations of certain contaminants pose a risk to human health. The USEPA combines current toxicity values of contaminants with exposure factors to estimate what the maximum concentration of a contaminant can be in environmental media before it is a risk to human health. These concentrations set forth by the EPA are termed Screening Levels (SLs) for various pollutants in soil, air, and tap water (USEPA, 2008). SLs can be used to screen pollutants in environmental media, trigger further investigation, and provide an initial cleanup goal.

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

Groundwater Contamination. Both the EPA and the California Department of Health Services (DHS) regulate the concentration of various chemicals in drinking water. The DHS thresholds are generally stricter than the EPA thresholds. Primary maximum contaminant levels (MCLs) are established for a number of chemical and radioactive contaminants (Title 22, Division 4, Chapter 15 California Code of Regulations). MCLs are often used by regulatory agencies to determine cleanup standards when groundwater is affected with contaminants.

Large-Scale Hazardous Material Upset. The Ventura County Fire Department has devised and maintains a comprehensive Standardized Emergency Management System (SEMS) Multihazard Functional Response Plan (1999) that addresses the Counties planned response to extraordinary emergency situations associated with natural disasters, technological incidents, or national security emergencies, including incidents involving major hazardous material upset. The plan provides operational concepts and identifies sources of outside support that would be provided through mutual aid agreements, State and Federal agencies, and the private sector.

Hazardous material incidents differ from other emergency response situations because of the wide diversity of causative factors and the pervasiveness of the potential threat. Circumstances such as prevailing wind and geographic features in the vicinity of emergency incidents may greatly increase hazardous materials dangers. Incidents may occur at fixed facilities within the Ojai, where, most likely, the occupants have filed site-specific emergency response contingency and evacuation plans. Incidents may also occur along any land, water, or air transportation route, and may occur in unpredictable areas, relatively inaccessible by ground transportation.

The Ventura County Fire Department responds to all hazardous materials calls within the City. The HAZMAT team is specially trained and equipped to respond to emergencies involving potentially hazardous materials. As partners to a region-wide Hazardous Materials Response Plan, fire protection equipment and staffing specifically designed for hazardous materials incidents is available from the Ventura County Fire Protection District. Additional fire protection and staffing for hazardous materials is available from the U.S. Naval Construction Battalion Center in Port Hueneme.

b. Hazardous Materials within the City. Improper use, storage, transport, and disposal of hazardous materials and waste may result in harm to humans, surface and groundwater degradation, air pollution, fire, and explosion. The risk of hazardous material exposure can come from a range of sources. These may include household uses, agricultural uses, commercial uses, industrial uses, transportation of hazardous materials, and abandoned industrial sites, commonly known as brownfield sites.

Household Products. By far the most common hazardous materials are household products (used paint, pesticides, cleaning products, and other chemicals). Waste oil is a common hazardous material that is often improperly disposed of and can contaminate surface water through runoff. Other household hazardous wastes are common and often improperly stored in garages and homes. Because of their prevalence and proximity to residents, household products constitute the most pervasive health hazard facing residents of Ojai.

Commercial and Industrial Uses. The County of Ventura (per CUPA) regulates facilities that meet specified threshold quantities for hazardous materials. Under Chapter 6.95, Section 25503 of the California Health and Safety Code, Business Plans are required from California businesses that handle a hazardous material. As part of the Business Plan, emergency response plans must be developed and training sessions provided to employees. Businesses are routinely inspected by the Ventura County Environmental Health Division to ensure that handling, storage, and waste disposal practices conform to appropriate laws and regulations.

Ojai contains a mixture of residential, retail commercial, service commercial, light industrial, and public facility land uses. Potentially hazardous materials include leaking underground storage tanks and other cleanup sites. The following databases were checked for known contamination in the City:

- *Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database;*
- *Geotracker search for leaking underground fuel tanks;*
- *Investigations- Cleanups (SLIC) and Landfill sites, Cortese list of Hazardous Waste and Substances Sites; and*
- *The Department of Toxic Substances Control's Site Mitigation and Brownfields Database.*

Agricultural Pesticide Use. Agricultural operations cover 643 acres in the northern and eastern portions of the City. Orchards are often sprayed with various pesticides, which can contaminate the soils. In general, pesticide use can result in health impacts to unprotected individuals who come into contact with chemicals. The County of Ventura Office of the Agricultural Commissioner Agricultural/Urban Buffer Policy

states that new urban developments (and non-farming activities) should be required to lessen public and animal exposure to agricultural chemicals, dust, noise, and odors and protect agricultural operations and land from vandalism, pilferage trespassing and complaints against standard legal agricultural practices. This policy provides guidelines to prevent conflicts that may arise at the urban/agricultural interface from issues including pesticide sprayings. The Ventura County Agricultural Commissioner's office retains a registry of pesticides used on individual agricultural parcels in the County. Please refer to Section 4.2, *Agriculture*, for further discussion of potential conflicts between agricultural and urban development.

Transportation Corridors. The most likely cause of a major hazardous materials (HAZMAT) incident is a transportation accident involving a vehicle carrying hazardous materials. Historically, HAZMAT incidents frequently occur on the most heavily traveled streets, freeway interchanges, and railroad crossings. There are no railroads that travel through Ojai; therefore, a HAZMAT incident due to a railroad would not occur.

State Route 150 and State Route 33 are the main arteries in the City utilized by transporters of hazardous materials and waste. Trucks commonly carry a variety of potentially hazardous materials, including gasoline, various crude oil derivatives, and other chemicals known to cause human health problems. When properly contained, these materials present no hazard to the community. However, in the event of an accident, such materials may be released, either in liquid or gas form. In the case of some chemicals (such as chlorine), highly toxic fumes may be carried far from the accident site.

Pipelines. Underground pipelines are located throughout the City. Natural gas, crude oil, and refined petroleum products are transported in these lines. The failure of these pipelines could expose people to potential fires and/or explosions from the ignition of materials release. Pipelines are inspected on a regular basis per state and federal requirements, and normally present no hazard to the community. Pipelines would not be anticipated to affect Ojai residents.

4.7.2 Impact Analysis

a. Methodology and Thresholds of Significance. For the purpose of this analysis, a significant impact would occur if implementation of the Housing Element would:

- *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials*
- *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment*
- *Be located on a site included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment*
- *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school*

- *Result in a safety hazard for people residing or working in the project area within the vicinity of an airport land use plan or private airstrip*
- *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan*
- *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands*

Development facilitated by the Housing Element would include housing developments and would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Additionally, development facilitated by the Housing Element would not involve construction of facilities that would emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

b. Project Impacts and Mitigation Measures. The General Plan Safety Element identifies that the City has adopted the 1988 Ventura County Hazardous Waste Plan, which is contained in the Ventura County General Plan Hazards Appendix and was updated in 2005. The Ventura County General Plan Hazards Appendix identifies the following requirements to be included in the Hazardous Waste Management Plan, as required by the Tanner Bill:

- *Analysis of hazardous waste streams generated in the County, including an accounting of the volumes of hazardous waste produced in the County by type of waste, and projection of the expected rates of hazardous waste production by type of waste;*
- *Description of existing hazardous waste facilities that treat, handle, recycle and dispose of the hazardous wastes produced in the County, including facility capacity;*
- *Analysis of recycling potential for hazardous waste and volume reduction of hazardous waste at the generation source;*
- *Consideration of the need to manage small volumes of hazardous waste produced by small businesses and households;*
- *Determination of the need for additional hazardous waste facilities to properly manage the volumes of hazardous waste currently produced or that are produced during the planning period;*
- *Identification of existing hazardous waste facilities that can be expanded to accommodate projected needs and an identification of general areas or specific sites for new hazardous waste facilities that are determined to be needed;*
- *Goals, objectives, policies and criteria for siting new hazardous waste facilities and for the general management of hazardous waste;*
- *Time schedule for implementation of the Plan by the County and the cities.*

The Ojai General Plan Safety Element includes the following policy in addition to the policies contained in the Ventura County General Plan Hazards Appendix.

- *The City shall coordinate with Ventura County to periodically establish days to collect household hazardous waste within the City of Ojai.*

Impact HAZ-1 Uses within the City historically or presently handle hazardous materials to which current and future residents could be exposed. Potential development near hazardous material users, including agricultural and manufacturing sources, could expose individuals to health risks due to soil/groundwater contamination or emission of hazardous materials into the air. However, compliance with existing regulations and Mitigation Measure HAZ-1 would reduce potential impacts associated with hazardous material use to a Class II, *significant but mitigable,* level.

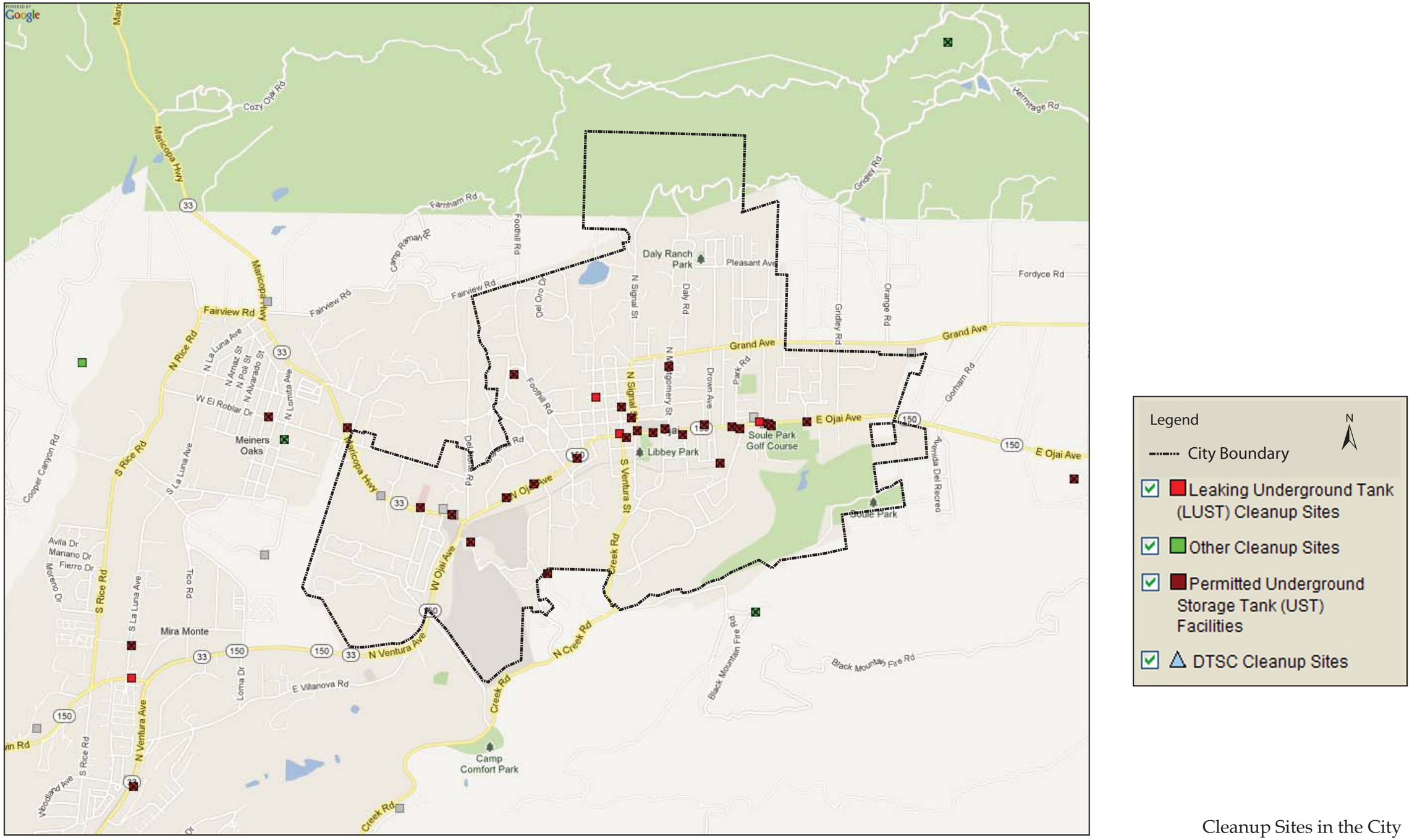
The development of residential uses in proximity to land uses that use or store hazardous materials increases the risk of exposure to deleterious health effects.

Ojai contains approximately 640 acres of agriculture land in the northeast portion of the City and in the western portion of the City. The City also contains approximately 48 acres of manufacturing land uses. Development or redevelopment in the vicinity of industrial or agricultural operations would potentially expose individuals to hazardous materials, such as pesticides, which could increase the chance of health risks.

The proposed Housing Element would facilitate the development of up to 201 new housing units in Ojai. Potential candidate housing sites have been identified (See Figure 2-4 in Section 2.0, *Project Description*). Scattered housing units could be added throughout the VMU, Commercial and residential zone districts and tentative locations of senior housing and demonstration housing have been identified (See Figure 2-3). Housing sites accommodated under the proposed Housing Element that would be located near agricultural or industrial land uses could expose residents to hazardous materials that could enter the air, ground water, or soil. Potential locations for new housing are located in proximity both to active and historic agricultural uses and to active and historic industrial uses. Candidate housing sites could also be located on or near parcels that contain industrial uses. For example, candidate housing sites 13 and 17 are located on parcels that are currently zoned for manufacturing.

The magnitude of hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. If grading activities associated with new development would disturb areas that contain contaminated soils, clean up would be required and oversight would be provided by the Ventura County CUPA and the RWQCB. Clean up goals and methods would be established and the sites would be remediated prior to development. Compliance with federal, state, and local regulations would reduce adverse impacts from hazardous materials.

In addition to hazardous materials used for agriculture and manufacturing, 26 sites in Ojai have been identified as "Leaking Underground Tank (LUST) Cleanup Sites," as shown on Figure 4.7-1 (Geotracker, 2009). Three of the cleanup sites are currently open for remediation or for verification monitoring and the remainder have a "case closed" status.



Cleanup Sites in the City of Ojai

Figure 4.7-1

Source: California Environmental Protection Agency State Water Resources Control Board, http://geotracker.waterboards.ca.gov August 2012.

The only cleanup sites within ¼ mile of the identified candidate sites all have a "case closed" status. A number of cleanup sites, including the three "open" cases, occur within the VMU, Commercial and residential zone districts.

Housing accommodated under the proposed Housing Element could be affected by hazardous materials if housing is built on a site that has previously been used for commercial, industrial, or agricultural uses. Therefore, impacts to housing accommodated under the Housing Element are potentially significant.

Mitigation Measures. The following mitigation measures are required to reduce impacts associated with hazardous materials.

HAZ-1(a) **Phase I Environmental Site Assessment for commercial and industrial zoned parcels.** Prior to approval of a land use permit for grading and/or site preparation on a site that was previously zoned for commercial or industrial use and would accommodate residences under the proposed Housing Element, a Phase I Environmental Site Assessment shall be conducted to assess potential soil and/or groundwater contamination. If indications of potential or recognized environmental conditions are discovered, a site assessment work plan shall be prepared and submitted to the appropriate regulatory agency, which may be the County of Ventura Environmental Health Division (VCEHD), Ventura County Fire Department (VCFD), Los Angeles Regional Water Quality Control Board (RWQCB), or the State of California Environmental Protection Agency Department of Toxic Substances Control (DTSC) for approval. The agency should review the work plan and either sign off on the plan or determine if any additional investigation activities are deemed necessary.

Prior to approval of building permits, the applicant shall submit the site assessment or, if necessary, remediation results to the appropriate regulatory agency for approval. The appropriate regulatory agency shall verify that appropriate sampling and if required, remediation, has been completed. Following verification of regulatory compliance, the appropriate regulatory agency shall complete a permit compliance inspection of the site.

HAZ-1(b) **Soil Sampling.** If environmental conditions are identified by the Phase I Environmental Site Assessment that would be completed on sites that were previously zoned for commercial or industrial use and would accommodate housing under the Housing Element, soil sampling for contaminants shall be conducted by a qualified professional. The results of the soil sampling shall be forwarded to the appropriate regulatory agency (VCEHD, VCFD, RWQCB, or DTSC). The agency should review the data and either sign off on the property or determine if any additional investigation or

remedial activities are deemed necessary. If concentrations of contaminants warrant site remediation, contaminated materials shall be remediated either prior to construction of structures or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory agency. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

Prior to approval of building permits, the applicant shall submit the site assessment or, if necessary, remediation results to the appropriate regulatory agency for approval. The appropriate regulatory agency shall verify that appropriate sampling and, if required, remediation has been completed. Following verification of regulatory compliance, the regulatory agency shall complete a permit compliance inspection of the site.

HAZ-1(c) **Groundwater Sampling and Remediation.** If, during the soil sampling, groundwater contamination is suspected, or if soil contamination is detected at depths at or greater than 30 feet below grade, then the applicant shall perform a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (the VCEHD, VCFD, RWQCB, or DTSC). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.

Prior to approval of building permits, the applicant shall submit the site assessment or, if necessary, remediation results to the appropriate regulatory agency for approval. The agency shall verify with that appropriate sampling and, if required, remediation has been completed. Following verification of regulatory compliance, the agency shall complete a permit compliance inspection of the site.

Significance After Mitigation. Compliance with existing regulations would reduce potential impacts associated with risk through the use, storage, or disposal of hazardous materials to a less than significant level for proposed development within the City. Impacts would be less than significant without mitigation.

Impact HAZ-2 The transportation of hazardous materials could potentially create a public safety hazard for new development that could be accommodated along major transportation corridors under the Housing Element. Provided that the County continues participation in the SEMS Multihazard Functional Response Plan as expected, impacts to new development within Ojai would be Class III, *less than significant*.

Although accidents involving hazardous materials are infrequent, they typically occur along major transportation corridors such as SR 150 and SR 33. Hazardous materials are transported along major transit corridors in the City and the Ojai area. The tentative location of senior housing and demonstration housing sites (as shown in Figure 4.6-1) is not located directly adjacent to a major transportation corridor. In addition, the Village Mixed Use (VMU) district zone would be buffered from SR 150 by commercial zones. Residential developments accommodated under the proposed Housing Element would likely be either buffered from major transportation corridors by commercial development or would not be located in close proximity to transportation corridors. In addition, the Ventura County General Plan Hazards Appendix contains actions and policies regarding siting, handling, and disposal of hazardous waste. When properly contained, these materials present no hazard to the community.

The Ventura County Fire Department has devised and maintains a comprehensive Standardized Emergency Management System (SEMS) Multihazard Functional Response Plan that addresses the planned response to extraordinary emergency situations, including incidents involving major hazardous material upsets. The plan provides operational concepts and identifies sources of outside support that would be provided through mutual aid agreements, State and Federal agencies, and the private sector. Continued implementation of the County's SEMS Plan would ensure that impacts associated with transportation-related hazardous material incidents would be less than significant.

Mitigation Measures. Compliance with existing hazardous materials transportation regulations as well as continuing participation and maintenance of the SEMS Multihazard Functional Response Plan would reduce impacts related to hazardous material upset risk to a less than significant level. No mitigation is required.

Significance After Mitigation. With implementation of the SEMS and Ventura County General Plan policies and actions, impacts would be less than significant.

c. Cumulative Impacts. As described in Section 3.0, *Environmental Setting*, cumulative development in the City includes the potential 201 units facilitated under the Housing Element along with the anticipated cumulative development through the year 2014, which includes 25 residential dwelling units and 63,729 sf of light industrial. Cumulative development within the area would increase the number of people and structures susceptible to risks from hazards and hazardous materials. Implementation of the Ventura County General Plan and the City of Ojai General Plan would reduce impacts associated with exposure of hazardous materials to a less than significant level. Significant cumulative impacts would not occur.

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4.8 HYDROLOGY AND WATER QUALITY

This section addresses impacts to local and regional hydrology, as well as temporary and long-term impacts to surface water and groundwater quality. Water supply impacts are discussed in Section 4.1, *Public Services*.

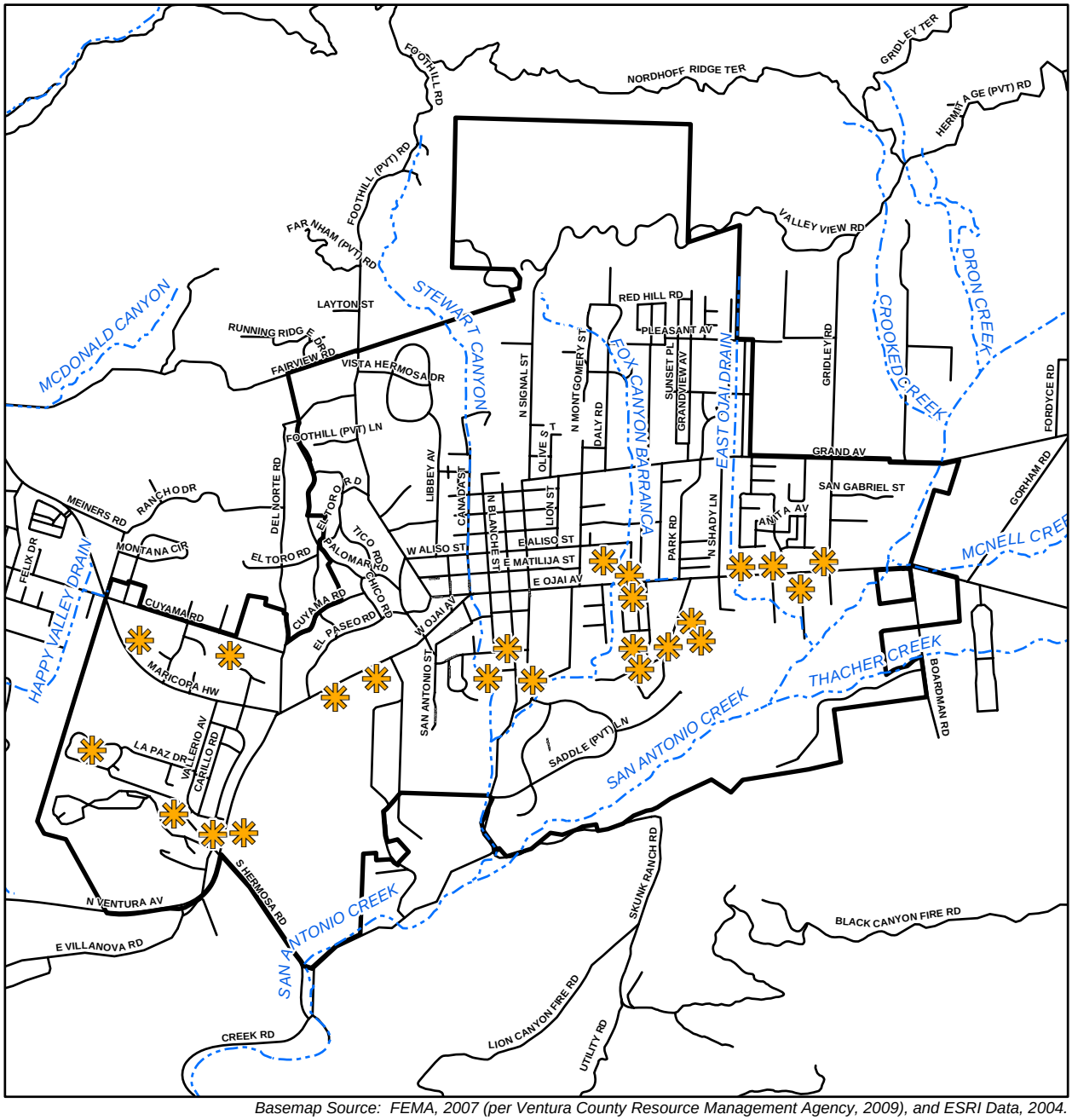
4.8.1 Setting

a. Hydrology. Ojai is located within the Ventura River Basin. The Ventura River drainage pattern begins to the north of the City, in the Los Padres National Forest and terminates at the Pacific Ocean in the City of Ventura. Several rivers and streams in the City drain into San Antonio Creek, a major tributary to the Ventura River. San Antonio Creek meets the Ventura River near Casitas Springs, to the southwest of Ojai. San Antonio Creek and the Ventura River, as well as other drainages in Ojai (see Figure 4.8-1), are under the jurisdiction of the Ventura County Watershed Protection District (VCWPD).

Ojai is a predominantly built environment with approximately 643 acres of agriculture land and 1,110 acres of open space. Impermeable surfaces in the developed portions of the City reduce water infiltration, generally increasing the amount of runoff reaching the storm drainage infrastructure.

b. Flood Hazards. The Federal Emergency Management Agency (FEMA) has defined the 100- and 500-year flood hazard areas within the City of Ojai through the publication of Flood Insurance Rate Maps (FIRMs), which establish base flood heights and flood zones for 100-year and 500-year storm events. The 100-year storm event is defined as a storm that has a 1% probability of occurring in any given year, while a 500-year storm event has a 0.2% chance of occurring in any given year. A "floodplain", also called a flood zone, is the lowland adjacent to a river, lake or ocean and is designated by the frequency of the flood that is large enough to cover it. For example, a 100-year floodplain will be covered by a 100-year flood, while a 500-year floodplain will be covered by a 500-year flood. The "floodway" is the channel of a river or stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 100-year flood can be conveyed without substantial (greater than one foot) increases in flood heights. Planning policies typically prohibit urban development, activities, and structures within the floodway that would alter the floodway's ability to convey the 100-year flood. However, development is not usually restricted within the 500-year flood zone because of the low probability of flood occurrence.

As indicated on the FEMA Flood Maps (Figure 4.8-2), portions of the City of Ojai are located within the 100- and 500-year floodplains. Areas within a 100-year floodplain include areas immediately surrounding San Antonio Creek in the southern portion of the City, areas immediately surrounding Thatcher Creek in the southern portion of the City, and the portion of the City above Canada Street. The 100-year and 500-year floodplains within the portion of the watershed that travels on Canada Street are contained in a channel. Areas between the limits of a 100-year flood and a 500-year flood include the portion of the City between Montgomery Street and Drown Avenue along the Fox Canyon floodplain, near Ojai Avenue, and portions along San Antonio Creek in the southern part of the City. Development accommodated under



Basemap Source: FEMA, 2007 (per Ventura County Resource Management Agency, 2009), and ESRI Data, 2004.

General Locations of Candidate Housing Sites

Ventura County Jurisdictional Channels

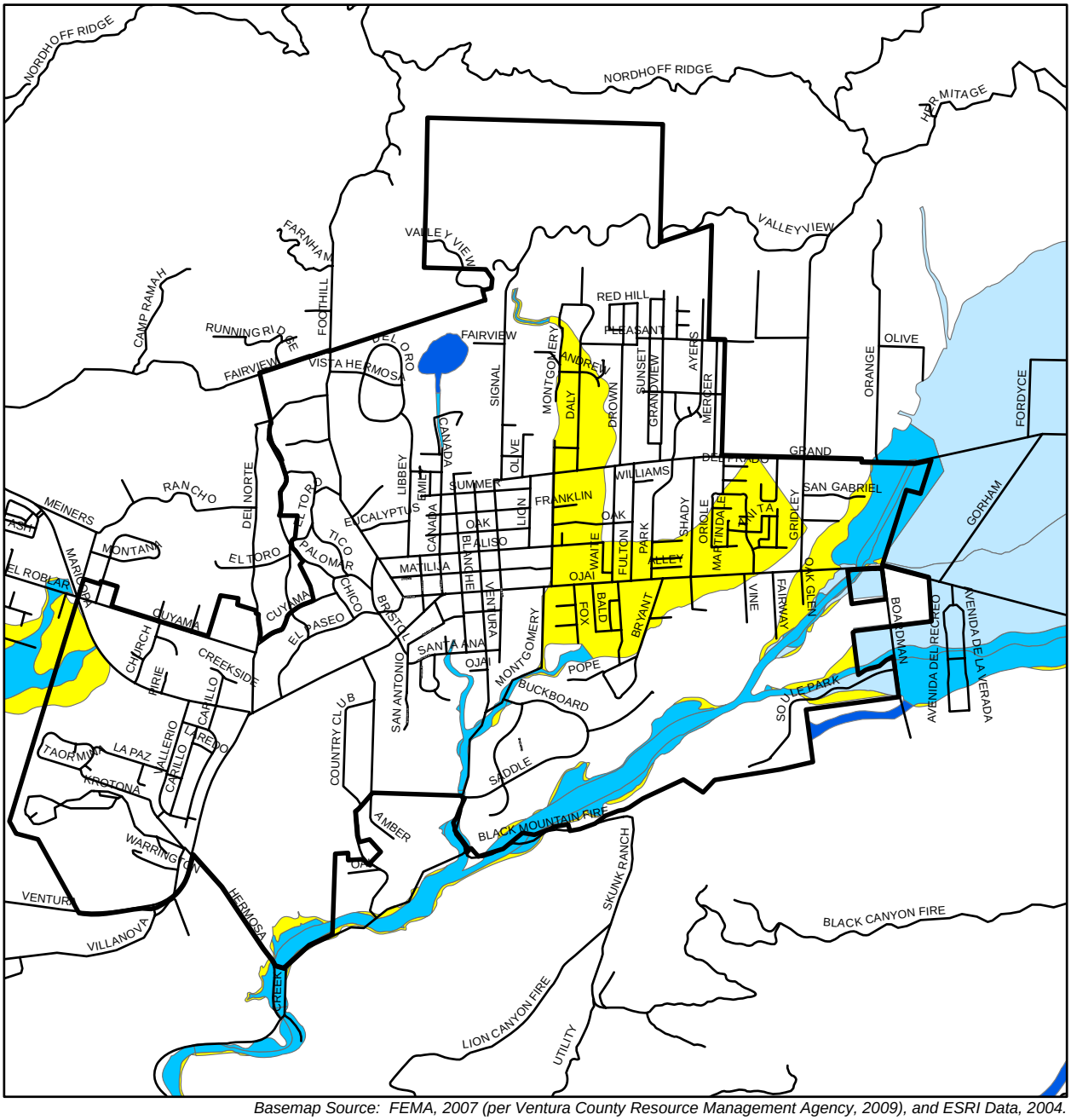
City Boundary

N

0 1,000 2,000 4,000 Feet

Watershed Protection District
Red-Line Channels

Figure 4.8-1



Basemap Source: FEMA, 2007 (per Ventura County Resource Management Agency, 2009), and ESRI Data, 2004.

City Boundary

0.2 Percent Annual Chance Flood Hazard Zone

Zone A

Zone AE

Zone AO

N

0 1,000 2,000 4,000 Feet

FEMA Flood Map

Figure 4.8-2

the Housing Element would not substantially modify the hydrological setting or revise the flood zone for the City or the area.

Matilija Dam northwest of Ojai is the closest dam to the City. The dam currently has a capacity of approximately 1,800 acre feet. Its flood route does not travel through or near the City and would not impact the City in the event of dam inundation. The Senior Canyon Reservoir is located northeast of the Ojai. This reservoir has a 78 acre-foot capacity. The flood route for this reservoir includes Senior Canyon and San Antonio Creek. As Ojai is between the Senior Canyon Reservoir and the San Antonio Creek, the City could be affected in the event of inundation of the Senior Canyon Reservoir. However, the Senior Canyon Reservoir is inspected by the Division of Dam Safety, California Department of Water Resources twice per year to ensure that it meets all safety requirements and that necessary maintenance is performed.

c. Surface and Groundwater Water Quality. The primary sources of pollution to surface and groundwater resources include stormwater runoff from paved areas, which can contain hydrocarbons, sediments, pesticides, herbicides, toxic metals, and coliform bacteria. Improperly placed septic tank leach fields can cause contamination as well. Illegal waste dumping can introduce contaminants such as gasoline, pesticides, herbicides, and other harmful chemicals. Agricultural and industrial operations typically use substances that can affect surface and groundwater quality.

d. Regulatory Framework. Development in the City of Ojai is subject to various local, state, and federal regulations and permits regarding the use of water resources. The Ventura County Watershed Protection District (VCWPD), the California Department of Water Resources, and the Los Angeles Regional Water Quality Control Board are the primary agencies responsible for the protection of watersheds, floodplains, and water quality. The Ventura County Department of Health is the primary agency responsible for establishing design standards and permitting septic tanks and wells. The State Water Resources Control Board (SWRCB) and the Los Angeles Regional Water Quality Control Board (RWQCB) regulates discharges into surface waters. Section 404 of the Clean Water Act prohibits the discharge of dredged or fill materials into Waters of the United States or adjacent wetlands without a permit from the U.S. Army Corps of Engineers. The VCWPD also has regulatory and permitting authority as it relates to surface waters and red-line channels (Figure 4.8-1), which can also correspond to Waters of the U.S. and adjacent wetlands. The District claims permitting authority for any changes in, on, over, under and across the channels and overbank areas and for any acts that impair, divert, impede, or alter the channel or change the quantity or quality of the water reaching a District jurisdictional channel. Channels under the VCWPD's jurisdiction include San Antonio Creek, Stewart Canyon, Fox Canyon, Thacher Creek, McNell Creek, and East Ojai Drain.

The primary water quality regulation is contained in the National Pollution Discharge Elimination System (NPDES) permit administered by the SWRCB and the Los Angeles RWQCB. The NPDES permit establishes requirements prescribing the quality of point source discharges and establishes water quality objectives. These objectives are established based on the designated beneficial uses (e.g., water supply, recreation, and habitat) for surface water and groundwater. The NPDES permit is issued to point source dischargers of pollutants pursuant to Water Code Chapter 5.5. Discharge limits for minerals and pollutants are established and

regulated by the RWQCB. In addition, the most recent NPDES permit issued to Ventura County and the 10 cities within Ventura County, including the City of Ojai, requires Low Impact Development (LID) and Best Management Practices (BMPs) that would be applicable to new development and redevelopment projects accommodated under the Housing Element.

LID includes design strategies with the goal of maintaining or replicating the pre-development hydrologic regime through the use of design techniques to create a functionally equivalent hydrologic site design. Hydrologic functions of storage, infiltration and ground water recharge, as well as the volume and frequency of discharges are maintained through the use of integrated and distributed micro-scale storm water retention and detention areas, reduction of impervious surfaces, and the lengthening of runoff flow paths and flow time.

Other strategies include the preservation/protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable (mature) trees, flood plains, woodlands, and highly permeable soils.

BMPs include methods, measures, or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges including storm water. BMPs include structural and nonstructural controls, and operation and maintenance procedures, which can be applied before, during, and/or after pollution producing activities.

The Ventura County Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) is included as an attachment to the current NPDES permit. The SQUIMP is an implementation document that resulted from the Ventura County Stormwater Quality Management Program, which was formed to enhance, protect and preserve water quality in Ventura County water bodies. The Program aims to implement Clean Water Act Requirements locally. The SQUIMP requires developments to "control post-development peak storm water runoff discharge rates to maintain or reduce predevelopment downstream erosion and to protect stream habitat." The SQUIMP contains guidance for implementing and designing BMPs to improve stormwater quality.

BMPs are required in order to minimize the amount of pollutants that reach the stormwater conveyance system. Treatment Control BMPs are required for eight categories of development. The City is required to implement the requirements of the SQUIMP, and developers are required to comply with SQUIMP provisions.

4.8.2 Impact Analysis

a. Methodology and Significance Thresholds. Impacts would be considered significant if development facilitated by the Housing Element would:

- *Violate any water quality standards or waste discharge requirements*
- *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level*

- *Substantially alter existing drainage patterns such that substantial erosion would occur on- or off-site*
- *Substantially alter existing drainage patterns such that flooding would occur on- or off-site*
- *Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff*
- *Place housing within a 100-year flood hazard area*
- *Place within a 100-year flood hazard area structures that would impede or redirect flood flows*
- *Expose people or structures to risk of flooding, including as a result of dam failure*
- *Expose people or structures to inundation by seiche, tsunami, or mudflow*

Since Ojai lies more than 10 miles from the Pacific Ocean, impacts related to flooding due to seiches and tsunamis are less than significant. Therefore, these impacts are not analyzed.

b. Project Impacts and Mitigation Measures.

Impact HYD-1 Development facilitated by the proposed Housing Element could place new development within flood zones. Compliance with General Plan policies and Municipal Code requirements would reduce impacts related to flood hazards to a Class III, *less than significant,* level.

Floods may threaten life and property, create health and safety hazards and disrupt vital public services. Economic costs may include a variety of flood relief expenses, as well as investment in flood control facilities to protect endangered development. The extent of damage caused by any flood depends on the topography of the area flooded; depth, duration, and velocity of floodwaters; the extent of development in the floodplain; and the effectiveness of forecasting, warnings, and emergency operations. Encroachment onto floodplains, such as artificial fills and structures, reduces the capacity of the flood plain and increases the height of floodwater upstream of the obstructions. The 1987 General Plan Conservation Element includes the following polivies relating to flood hazards:

Policy: *The City shall identify the sources and availability of water, flood potential, and sources of potential damage to the City's water supply and quality in order to maintain the optimum quality of water in the City and its watershed.*

Policy: *The City shall identify and limit the extent and intensity of land uses and development in hazardous areas such as, but not limited to: steep slopes, streambeds, flood hazard zones, fault zones, and erosive or hillside areas.*

The 1991 General Plan Safety Element includes the following actions relating to flood hazards:

Applicants for land use and development permits shall provide all necessary information relative to hazardous conditions which may affect their proposals. Applicants shall also specify how they intend to alleviate identified hazards. Geologic reports, building plans, and environmental impact reports prepared for major construction projects (i.e., all critical

facilities or uses with large human occupancies in recognized or suspected hazard areas) should be reviewed by registered engineering geologists and structural engineers.

Policy: *Support measures for disclosure of the presence of flooding hazards during transactions of property located within areas of special flood hazard (as depicted in Exhibit S-1 of the City of Ojai MEA).*

Policy: *Support measures for the abatement of flooding hazards, including but not limited to: (1) removal or relocation of development from flood hazard areas; (2) construction of impoundments or channel diversions provided that adequate mitigation of environmental impacts can be demonstrated; and (3) debris clearance and silt removal programs conducted by Ventura County Flood Control District in a manner so as not to disrupt existing riparian communities to the extent feasible.*

Policy: *Consider higher density land uses to be appropriate within flood hazard areas in developed urban areas when adequate mitigation of the flood hazard can be demonstrated.*

Policy: *Discourage the location of new critical facilities in flood hazard areas.*

Policy: *Wherever possible, retain natural flood plains and guide development to areas outside of areas of special flood hazard.*

Policy: *Promote subdivision design to avoid areas of special flood hazard when possible, and identify these areas on the approved subdivision map.*

Policy: *Land use in the flood way should be limited to open space, agriculture, or passive to low intensity recreational uses, subject to the approval of the County Flood Control District.*

Policy: *Development shall be protected from a 100-year flood if built within identified flood plain areas.*

Housing that could be accommodated under the proposed Housing Element could potentially be located in 100-year and 500 year flood hazard zones (See Figure 4.8-2).

The 1991 General Plan Safety Element requires that development shall be protected from a 100-year flood if built within identified flood plain areas. The Safety Element recommends, however, that land use in the flood way be limited to open space, agriculture, or passive to low intensity recreational uses, subject to the approval of the County Flood Control District. Development that would be facilitated by the proposed Housing Element would be required to comply with General Plan policies related to flood hazards.

The City of Ojai Municipal Code (Section 9-9.501) includes standards of construction in special flood hazard areas. The following standards would be applicable to any housing development constructed under the proposed Housing Element within the floodplain:

- *All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads*
- *All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damages using methods and practices which minimize flood damages*
- *All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities which are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding*
- *Drainage paths shall be constructed around structures on slopes to guide floodwaters around and away from proposed structures (only applicable in specified zones)*
- *The lowest floor of any new construction or substantial improvement shall be elevated to or above the base flood elevation. The elevation of the lowest floor shall be certified by a registered professional engineer or surveyor, or verified by the Building Inspector.*
- *New construction or substantial improvements shall have the lowest floor elevated above the highest adjacent grade at least as high as the depth number specified on the FIRM, or at least two feet if no depth number is specified (only applicable in specific zones)*
- *Areas below the lowest floor shall be fully enclosed for all new construction projects and substantial improvements. New construction and substantial improvements subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.*
- *The bottom of all openings contained in new construction projects and substantial improvements shall be no higher than one foot above the grade*
- *New construction and substantial improvements shall be certified to comply with a local flood-proofing standard approved by the Federal Insurance Administration*

The standards contained in the Municipal Code would ensure that new construction facilitated by the Housing Element would be constructed in a manner that would diminish flood hazards. Therefore, impacts related to flood hazards would be less than significant.

The Ojai area is also potentially subject to inundation from the Senior Canyon Reservoir. However, response to inundation risk is already addressed through notification and evacuation procedures at the City and County levels. Implementation of the Housing Element would not alter evacuation procedures at the City or regional level and new development would be required to adhere to existing procedures. Compliance with these requirements would reduce flooding impacts due to inundation to a less than significant level.

Mitigation Measures. As impacts would be less than significant, no mitigation is required.

Significance After Mitigation. **C**ompliance with General Plan and Municipal Code requirements would ensure that impacts would be less than significant without mitigation.

Impact HYD-2 Development facilitated by the proposed Housing Element would incrementally increase the amount of impervious surfaces within Ojai, potentially increasing surface runoff. However, compliance with the City's Municipal Code and the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) would reduce impacts to a Class III, *less than significant,* level.

Development facilitated by the proposed Housing Element would add residences to the City, which would increase the amount of overall impervious surfaces in the City. Increased impervious surfaces could result in flooding, erosion, and a decrease in groundwater supply. Waterways that could be affected by increased runoff include San Antonio Creek and the Ventura River.

The City's Municipal Code Section 9-11.305 specifies that "provisions shall be made to control the increased runoff caused by changed soil and surface conditions during and after development so that there will be no increase in runoff and sediment over the pre-development condition."

In addition to Municipal Code requirements, the 2000 Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) requires proposed new developments to "control the post-development peak stormwater runoff discharge rates to maintain or reduce pre-development downstream erosion and to protect stream habitat." Therefore, development accommodated under the Housing Element would not increase the amount of runoff compared to existing conditions.

Development facilitated by the Housing Element may require increases in the number or size of stormwater collection lines, and may require new or expanded recharge infrastructure (i.e., basins or injection wells). Where infill of vacant parcels occurs, localized runoff could increase incrementally. However, such increases would be addressed on a case-by-case basis and individual developers would be required to implement solutions to address their projects' impacts. On-site detention facilities and/or utilization of impervious paving methods could be utilized to minimize runoff at these locations.

In the event that on-site solutions are unavailable, individual developers would be required to contribute to the funding of regional solutions, such as off-site detention basins and/or drainage facility capacity enhancement projects. Implementation of Municipal Code requirements would reduce impacts to surface runoff to a less than significant level.

As shown on Figure 4.8-1, several potential candidate housing sites are in proximity to existing drainage facilities within the jurisdiction of the VCWPD. The VCWPD has constructed facilities in areas on these channels and has property rights in a number of areas as well. According to VCWPD staff, construction of some of the facilities dates back 30 to 40 years or more, and some of the facilities are deficient as to capacity or are nearing the end of their useful life and could require repair or replacement. The VCWPD is engaged in planning efforts to identify and quantify deficiencies in its infrastructure (Robin Jester, VCWPD, July 2009). Permits are required from the VCWPD for anything in, on, over, under and across a jurisdictional channel.

Specific projects may require coordination with the VCWPD that would include upgrading of existing facilities and possible additional rights-of-way. The potential impacts of such upgrades would be studied at the time the projects are proposed, if such upgrades are determined to be required.

Mitigation Measures. Implementation of Municipal Code requirements would reduce impacts to a less than significant level. Mitigation is not required.

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

Impact HYD-3 Development facilitated by the Housing Element would incrementally increase the generation of urban pollutants in surface runoff. Point and non-point sources of contamination could potentially affect water quality in San Antonio Creek, the Ventura River, the Pacific Ocean, local groundwater, and several small watercourses that traverse through Ojai. However, implementation of existing regulatory requirements and General Plan policies and actions would reduce impacts to a Class III, *less than significant*, level.

Development accommodated under the proposed Housing Element could generate an increase in overall urban pollutants in the City. Urban pollutants generated from residential development include toxins from plastic products, gasoline, paint, and solid waste. Residential development facilitated by the Housing Element would be located in urban areas that currently generate pollutants in runoff such as those listed above. However, new development would incrementally add to the amount of pollutants generated in the City and, therefore, the amount of pollutants traveling to nearby waterways. Waterways that could be affected by these pollutants include San Antonio Creek and the Ventura River.

The 1987 General Plan Conservation Element includes the following actions aimed at minimizing impacts to the local storm drain system and surface and groundwater quality.

Policy: The City shall ensure that adequate supplies of water be available to all City residents and uses requiring water.

Policy: The City shall identify the sources and availability of water, flood potential, and sources of potential damage to the City's water supply and quality in order to maintain the optimum quality of water in the City and its watershed.

Water quality impacts associated with development facilitated by the proposed Housing Element are directly related to specific site drainage patterns and stormwater runoff. Development facilitated by the Housing Element would incrementally increase the amount of impermeable surface over current conditions. Development of these areas that are composed of undeveloped, permeable surfaces would increase the amount of impervious surfaces associated with residential structures, parking lots, walkways, roadways, and other paved areas in the City. These surfaces would incrementally increase the amount of runoff following storm events. Stormwater runoff from landscaped areas, roadways and parking lots contains various pollutants associated with motor vehicles, including petroleum compounds, heavy metals,

asbestos, rubber, fertilizers, and pesticides. During storm events, these pollutants are transported into drainage systems such as the San Antonio Creek, the Ventura River, and the Pacific Ocean. Construction activities could also result in the pollution of natural watercourses or underground aquifers. The types of pollutant discharges that result from construction activities include fuel, lubricants, concrete, and sediment.

Discharge of pollutants from any point source is prohibited unless it is in compliance with the applicable NPDES Permit. Pollutants of concern include nutrients (ammonia and nitrate), heavy metals, toxic chemicals, chlorine, and salts. Non-point sources of pollution are also regulated under NPDES permits and include both construction-related runoff and operational runoff associated with urban uses.

Regulations under the federal Clean Water Act require that projects that would disturb greater than one acre during construction comply with the statewide NPDES general construction stormwater permit. Compliance with the NPDES permit is dependent on the preparation of a Storm Water Pollution Prevention Plan (SWPPP) that contains BMPs to control the discharge of pollutants, including sediment, into the local surface water drainages. Development facilitated by the Housing Element would be required to comply with the most recent NPDES requirements at the time of development approval.

Pursuant to the 2009 NPDES Permit, the City of Ojai would be required to implement a Planning and Land Development Program pursuant to part 5.E. for all new development and redevelopment projects to:

a) *Lessen the water quality impacts of development by using smart growth practices such as compact development, directing development towards existing communities via infill or redevelopment, safeguarding of environmentally sensitive areas, mixing of land uses (e.g., homes, offices, and shops), transit accessibility, and better pedestrian and bicycle amenities.*
b) *Minimize the adverse impacts from storm water runoff on the biological integrity of Natural Drainage Systems and the beneficial uses of waterbodies in accordance with requirements under CEQA (Cal. Pub. Resources Code § 21100).*
c) *Minimize the percentage of effective impervious surfaces on land developments to mimic predevelopment water balance through infiltration, evapotranspiration and reuse.*
d) *Minimize pollutant loadings from impervious surfaces such as roof-tops, parking lots, and roadways through the use of properly designed, technically appropriate BMPs (including Source Control BMPs such as good housekeeping practices), Low Impact Development Strategies, and Treatment Control BMPs.*
e) *Properly select, design and maintain Treatment Control BMPs and Hydromodification Control BMPs to address pollutants that are likely to be generated, assure long-term function, and to avoid the breeding of vectors.*
f) *Prioritize the selection of BMPs suites to remove storm water pollutants, reduce storm water runoff volume, and beneficially reuse storm water to support an integrated approach to protecting water quality and managing water resources in the following order of preference:*
    1. *Infiltration BMPs*
    2. *BMPs that store and reuse storm water runoff.*

3. *BMPs that incorporate vegetation to promote pollutant removal and runoff volume reduction and integrate multiple uses*
4. *BMPs which percolate runoff through engineered soil and allow it to discharge downstream slowly*
5. *Approved modular/ proprietary treatment control BMPs that are based on LID concepts and that meet pollution removal goals*

As discussed in the *Setting*, the Ventura County SQUIMP applies to operational runoff and requires development projects to implement various BMPs to minimize the amount of pollutants entering surface waters. The Ventura Countywide Municipal Permit requires SQUIMPs for projects that fall into one of the following eight categories: (1) single family hillside residences; (2) 100,000 square foot commercial developments; (3) automotive repair shops; (4) retail gasoline outlets; (5) restaurants; (6) home subdivisions with 10 or more housing units; (7) location within or directly adjacent to or discharging directly to an environmentally sensitive area; and (8) parking lots with 5,000 square foot or more impervious parking or access surfaces with 25 or more parking spaces and potentially exposed to stormwater runoff.

Future developments within Ojai that fall into any of these categories would be subject to SQUIMP requirements. Per the SQUIMP, structural or treatment control BMPs must meet the following design standards:

- *Volume based post-construction structural or treatment control BMPs shall be designed to mitigate (infiltrate or treat) storm water runoff from the volume of annual runoff to achieve 80% volume capture (Ventura County Land Development Guidelines); or*
- *Flow-based post-construction structural or treatment control BMPs shall be sized to handle the flow generated from 10% of the 50-year design flow rate.*

Implementation of these standards on future development and redevelopment projects within Ojai would address impacts on a project-by-project basis, thus reducing surface water quality impacts to a less than significant level.

BMPs as required by the Ventura County SQUIMP (as discussed above) would mitigate potential impacts to water quality in the Ojai vicinity. In many instances, replacement of older development with new development or redevelopment built in accordance with current water quality control standards may reduce the total amount of contaminants entering surface water and groundwater. Impacts to water quality as a result of infill and new development facilitated under the Housing Element would be less than significant.

Mitigation Measures. Implementation of General Plan policies and actions, in combination with existing regulations, would reduce water quality impacts to a less than significant level. Mitigation is not required.

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

c. Cumulative Impacts. As described in Section 3.0, *Environmental Setting*, cumulative development in the City includes the potential 201 units facilitated under the Housing Element along with the anticipated cumulative development through the year 2014, which includes 25 residential dwelling units and 63,729 sf of light industrial. Continued development in Ojai would increase the amount of impervious surfaces and would increase the volume and velocity of runoff to the surrounding watershed. Development facilitated by the Housing Element may adversely affect the quality of ground water and surface water by increasing the number and density of vehicles, people, and commercial establishments. However, General Plan policies and mitigation measures contained in this section would reduce impacts to a less than significant level. In addition, new development would be subject to regulatory requirements to which existing development was not subject. All development in the City would be subject to the SQUIMP, NDPES permit requirements, and General Plan policies and actions. Cumulative water quality, recharge, and stormwater infrastructure impacts would be less than significant.

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4.9 LAND USE AND PLANNING

This section addresses the Housing Element's consistency with, and potential environmental impacts resulting from, applicable local, regional, and state land use policies. Consistency with the Ventura County Air Quality Management Plan (AQMP) is discussed in Section 4.3, *Air Quality*. Land use compatibility conflicts associated with growth facilitated by the Housing Element are also discussed in Section 4.1, *Aesthetics*, 4.2, *Agriculture*, 4.3, *Air Quality*, 4.7, *Hazards and Hazardous Materials*, 4.13, *Public Services*, and 4.15, *Traffic and Circulation*.

4.9.1 Setting

a. Regulatory Agencies. The City of Ojai is the lead agency for the proposed Housing Element, with sole discretionary approval over the Housing Element, amendments to the General Plan, land use re-designations, and zone changes. The Housing Element is intended to function as a policy document to guide land use decisions within Ojai. As indicated in Section 2.0, *Project Description*, the proposed Housing Element would require discretionary approval from the City.

In addition to the City of Ojai, the Southern California Association of Governments (SCAG) has authority over certain aspects of planning in Ventura County. SCAG functions as the Metropolitan Planning Organization for Los Angeles, Orange, San Bernardino, Riverside, Ventura and Imperial counties. The region encompasses a population exceeding 15 million persons in an area of more than 38,000 square miles. As the designated Metropolitan Planning Organization, SCAG is mandated by the federal government to research and draw up plans for transportation, growth management, hazardous waste management, and air quality. Also functioning as the Metropolitan Transportation Authority, SCAG administers the state-mandated Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), designed to address the regional impact of urban congestion.

b. Applicable Plans and Policies.

City of Ojai General Plan. The Ojai General Plan Land Use and Circulation Elements were adopted in 1997, the Air Quality Element was adopted in 1993, the Noise and Safety Elements were adopted in 1991, and the Conservation and Recreation Elements were adopted in 1987. The General Plan provides a comprehensive picture of future development in the City of Ojai. The General Plan sets forth land use goals, policies, and actions for guiding land use decisions and assessing and processing development proposals in the City.

Regional Comprehensive Plan. SCAG's Regional Comprehensive Plan (RCP) contains a general overview of federal, state, and regional plans applicable to the southern California region and serves as a comprehensive planning guide for future regional growth. The primary goals of the RCP are to improve the standard of living, enhance the quality of life, and promote social equity. The RCP was adopted in May 2008 by the member agencies of SCAG to set broad goals for the Southern California region and identify strategies for agencies at all levels of government to use in their decision making. It includes input from each of the 13 subregions that make up the Southern California region, including Los Angeles, Orange, San Bernardino, Riverside, Imperial, and Ventura counties.

Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). SCAG's 2012–2035 RTP/SCS provides a blueprint for improving quality of life by providing more choices for where residents with the southern California region will live, work, and play, and how they will move around. SCAG has placed a greater emphasis than ever before on sustainability and integrated planning in the RTP/ SCS, whose vision encompasses three principles that collectively work as the key to the region's future: mobility, economy, and sustainability. The RTP/SCS includes a commitment to reduce emissions from transportation sources to comply with Senate Bill 375, improve public health, and meet the National Ambient Air Quality Standards as set forth by the federal Clean Air Act.

4.9.2 Impact Analysis

a. Methodology and Significance Thresholds. The following discussion analyzes the proposed Housing Element's consistency with applicable state and regional policies for the purposes of assessing the proposed Housing Element's environmental impacts related to land use. Impacts to land use and planning would be considered significant if the Housing Element facilitated development that:

- *Physically divided an established community*
- *Conflicted with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect*
- *Conflict with any applicable habitat conservation plan or natural community conservation plan*

The proposed Housing Element is intended to function as a policy document to guide land use decisions within the City of Ojai. As such, it would not physically divide an established community or displace people or housing and would not conflict with an applicable Habitat Conservation Plan or Natural Community Conservation Plan. The proposed Housing Element would result in a potentially significant land use impact if it would conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the City adopted for the purpose of avoiding or mitigating an environmental effect.

Although the analysis that follows evaluates consistency with various regulatory policies, it should be noted that each individual agency (City of Ojai and SCAG) ultimately has the discretion to determine consistency of the Housing Element with the policies, plans, and/or programs that fall within that agency's purview.

b. Project Impacts and Mitigation Measures.

Impact LU-1 The proposed 2006-2014 Housing Element would not conflict with any local regulatory planning documents. This is a Class III, *less than significant,* impact.

The City of Ojai General Plan contains seven elements: the Housing Element, the Land Use Element, the Circulation Element, the Air Quality Element, the Safety Element, the Conservation Element, and the Recreation Element. General Plan law requires that all component elements, whether mandatory or optional, be consistent with one another.

The proposed 2006-2014 is a policy document, and does not propose specific development projects. Therefore the consistency discussion below focuses on General Plan goals, objectives and policies that present programmatic, broad guidance for land use decisions. As specific projects that could be facilitated by adoption of the 2006-2014 Housing Element are proposed, they would be reviewed for consistency with specific applicable policies as warranted. Such projects include development to accommodate up to 24 new residential units throughout the City's VMU, residential and Commercial zone districts ("scattered development") and an additional 177 units in senior housing and demonstration projects on candidate sites located throughout the City (see Figure 2-3 in Section 2.0 *Project Description*).

Adopted goals, objectives and policies that address the overall vision for land use in Ojai include the following:

LU-1: *Emphasize retention of Ojai's natural environmental setting, small town character, and scenic features as a priority over the expansion of urban areas.*

LU-5: *Promote a mix of urban and rural residential neighborhoods which encompass a range of housing types that:*
- *Provide a refuge from the congestion of nearby metropolitan areas;*
- *Are visually attractive and compatible in intensity, dwelling unit size, and structural design with the need to protect the community's small town character;*
- *Provide adequate housing opportunities to meet the needs of present and future Ojai residents; and*
- *Protect the density and character of existing residential neighborhoods, avoiding large concentrations of multiple family developments by distributing such developments into an adequate number of smaller-sized multiple-family housing sites adequate to meet the City's housing objectives for all economic segments of the community.*

LU-9: *Ensure that all extensions of public services and facilities to facilitate land use changes are accomplished in a manner consistent with the provisions of the Ojai General Plan. Prohibit the extension of urban services into areas designated for agricultural, open space, or rural uses. Ensure that existing residents and businesses are not burdened with either the capital or operations and maintenance costs of public services and facilities needed to serve new development.*

Although the proposed Housing Element update would facilitate some additional density throughout the City as well as one or more larger senior housing or demonstration projects, this development would be distributed throughout the City and would not result in the loss or substantial diminishing of Ojai's small-town character. As discussed in Section 4.1 *Aesthetics*, the facilitated development would not degrade Ojai's scenic features. The location of potential

development areas within the urban areas of Ojai would ensure that the natural environmental setting is preserved, and that urban services would not be extended outside of urban areas. Although some growth in population and housing units would be facilitated, such growth is within regional projections for Ojai (See Section 4.12, *Population and Housing*).

The majority of the facilitated new units would be built over a number of years, in relatively small projects consistent with the types of programs and available sites within the affected zone districts. This is consistent with the directive to "avoiding large concentrations of multiple family developments by distributing such developments into an adequate number of smaller-sized multiple-family housing sites." The senior and demonstration housing projects, although not likely to be "large concentrations" per se, could be considered an exception; however, their construction would be consistent with other directives to provide housing for these segments of the population. As noted above, as specific projects are proposed they would be reviewed for consistency with specific applicable policies as warranted.

Another important group of the General Plan's overarching goals and policies addresses sustainability and growth in regard to resource constraints. These include the following:

LU-11: *Limit the intensity of new development to that which is consistent with the long-term availability of the resources needed to support existing and future developments, as well as can be supported by adequate public services and facilities within present and reasonably foreseeable budget limitations.*

- *Permit new developments only where and when adequate water and sewer infrastructure can be ensured by providing systemwide infrastructure improvements in advance of needs. Where construction of master planned facilities is not practical in advance, permit the construction and use of on-site facilities only to the extent that future construction of the master planned facilities will not be jeopardized.*
- *Ensure that new development will not exacerbate congestion problems along State Highway 33 between Ojai and Ventura or along local roadways.*

Conservation Element Water/Watersheds Policy: *The City shall ensure that adequate supplies of water be available to all City residents and uses requiring water.*

Program: Coordination between the City and all water agencies and companies shall be maintained and the City shall work together with any involved entities to enhance the quality and quantity of water in the Ojai Valley.

Conservation Element Water/Watersheds Policy: *The City shall identify the sources and availability of water, flood potential, and sources of potential damage to the City's water supply and quality in order to maintain the optimum quality of water in the City and its watershed.*

Program: The City shall continuously or periodically update its data relating to water supply and quality in the Ojai Valley.

Program: The Ojai MEA shall be periodically updated to ensure a current data inventory of:

- *sources and availability of water,*
- *flood control hazard areas;*
- *erosion areas and erosion control measures;*
- *drainage systems;*
- *protection of watersheds;*
- *affected and interested water agencies in the Valley.*

Development of up to 201 new residential units could be facilitated under the proposed 2006-2014 Housing Element. New units would generate additional demand for resources including water. As discussed in Section 4.16 *Utilities and Service Systems*, water supplies are sufficient to meet the demand that would be generated by full buildout of residential units that could be accommodated under the 2006-2014 Housing Element. In addition, the proposed Housing Element update recommends a comprehensive review of the Air Quality and Circulation Elements to update baseline data, traffic impact methodology and identification of mitigation measures necessary to allow for managed growth. The following initiatives are recommended to ensure that ongoing concerns about water supply, air quality, and circulation are addressed: (i) work in partnership with water stakeholders to develop a detailed hydrological model to more accurately predict the effects of drought, increased pumping, and new wells in the Ojai Basin, implement the San Antonio groundwater recharge project to increase basin capacity, participate in an inter-agency watershed management plan for the Ventura River Watershed to achieve an accurate accounting of supply and demand; (ii) work in partnership with Cal Trans and the County of Ventura to conduct updated traffic counts, create a new model for evaluating future growth impacts and mitigation measures that includes entirety of SR 33 within Ojai Valley, develop a fully integrated traffic management program with consistent policy application, and implement roadway improvements to improve traffic flow on SR 33 throughout the Ojai Valley. These initiatives would serve to move towards resolution of any outstanding questions about water supply and traffic circulation, particularly as they relate to consistency with General Plan objectives regarding the management of growth in relation to long-term resource sustainability. Finally, as no specific development is directly proposed as part of the 2006-2014 Housing Element, its adoption would not be inconsistent with policies calling for development within existing water supply constraints.

As discussed in Section 4.15, *Traffic and Circulation*, implementation of the proposed 2006-2014 Housing Element would result in increased congestion and a significant traffic impact on SR 33 through Casitas Springs. As discussed above, the proposed Housing Element update includes recommendations for comprehensive attempts to improve traffic congestion on SR 33. Policy LU 11, quoted above, and the following additional General Plan policies specifically relate to this issue:

CIR-24: *Ensure that new developments do not contribute to further deterioration of levels of service on the regional roadway system, particularly with regard to State Highway 33. Exceptions to this policy may be made for affordable housing developments needed to achieve adopted Housing Element objectives for the production of housing where no feasible mitigation measures exist consistent with the need for production of affordable housing.*

Air Quality Element Trip Reduction Policy 5: *The City shall deny discretionary projects that do not mitigate their peak hour trips on Highway 33 at the Edison Curve through Casitas Springs, except for affordable housing projects*

As the 2006-2014 Housing Element is a policy document that itself does not permit or propose specific development projects, its adoption would not be inconsistent with Policy LU 11, which specifically applies only to "new development." Policies CIR-24 and Air Quality Element Trip Reduction Policy 5 also apply only to new development, and specifically exempt affordable housing projects.

Based on the discussion above, the policies and programs contained in the proposed 2006-2014 Housing Element are generally consistent with the policies of the General Plan. Finally, the following policies contained within the proposed Housing Element update reflect the overarching goals of the General Plan:

Goal:	***Dovetail the provision of affordable housing with overarching community objectives: low impact development, integration with community context and linking jobs with housing.***
Policy H-1:	*The City shall facilitate production direct involvement in the design-development process to best accomplish low-impact development principles.*
Policy H-2:	*The City shall promote the preservation, conservation and conversion of existing housing as a means to satisfy existing and future housing needs through the inventory of housing that currently exists.*
Policy H-3:	*The City shall work in partnership with water and transportation stakeholders to develop reliable data baselines, modeling methodologies, mitigation measures and policy parameters to maximum resource capacities.*
Goal:	***To provide a continuing supply of affordable housing to meet the needs of existing and future Ojai residents in all income categories.***
Policy H-4:	*The City shall adopt policies, programs and procedures to facilitate attainment of RHNA goals, with particular emphasis placed on the needs possessed by persons and families of low and very low income.*
Policy H-5:	*The City shall actively seek and formulate partnerships with for-profit and non-profit developers to produce affordable housing, provide reasonable assistance to support and process project applications and utilize authorities of the Redevelopment Agency to achieve development objectives.*
Policy H-6:	*The City shall continue to support the Area Housing Authority of Ventura County in the provision of Section 8 rental assistance and*

shall seek to broaden the program to compliment other affordable housing initiatives (e.g., secondary dwelling production, project-based tenant assistance, etc.).

Goal: ***To remove impediments to the provision of affordable housing and provide accommodations for persons with disabilities.***

Policy H-7: *The City shall accommodate the full spectrum of housing types in its land use regulations including, but not limited to, mixed-use developments, rental and co-op housing, secondary dwellings, in-fill development and special needs housing (i.e., SROs, group homes and congregate living).*

Policy H-8: *The City shall periodically evaluate and adjust its regulations, ordinances and development fees to ensure that they do not unduly constrain housing production; new regulatory proposals shall be evaluated for compliance with this policy in advance of adoption.*

Policy H-9: *The City shall encourage the construction or conversion of emergency shelters, transitional housing and single room occupancy units to meet the needs of the homeless population and shall likewise facilitate development of group homes, congregate care and independent living units for persons with disabilities.*

Goal: ***To maintain and enhance the quality of existing housing and residential neighborhoods in Ojai.***

Policy H-10: *The City shall promote the cooperative repair, rehabilitation and improvement of residential structures that are substandard or in disrepair; resources shall be targeted to facilitate attainment of Housing Element goals (e.g., second unit amnesty) and address properties and occupants of greatest need.*

Policy H-11: *The City shall require replacement of dwellings that are occupied by, and affordable to, target income groups and removed from the housing inventory due to demolition or conversion; exceptions shall be granted for owner-occupied dwellings and non-conforming uses.*

Policy H-12: *The City shall encourage energy efficient construction in all new and rehabilitated dwelling units and actively promote sustainable construction.*

Goal: ***To affirmatively further fair housing and assure equal access to sound, affordable housing for all persons regardless of race, creed, age or sex.***

Policy H-13: *The City declares that all persons regardless of race, creed, age, physical disability or sex shall have equal access to sound and affordable housing pursuant to State and Federal laws.*

Policy H-14: *The City will actively promote enforcement of fair housing laws and continue its support of non-profit organizations that provide housing and other assistance to special needs groups in Ojai (e.g., homeless, disabled, etc.)*

Policy H-15: *The City shall promote integration of all economic and population segments in each residential project; however, it is recognized that scales of economy and management efficiencies require that certain projects are made exclusive to target groups.*

The policies and goals contained in the Housing Element aim to link jobs to housing, create low impact affordable housing opportunities, promote the integration of all economic and population segments, meet the housing needs of all income categories, provide in-fill development, and maintain and enhance the quality of housing in the City, among other goals. These policies and goals would reinforce objectives of the General plan because they would minimize vehicle miles traveled by encouraging in-fill development, for example by encouraging additional residential units in the VMU Zone District; provide diverse economic opportunities through a variety of housing options; and preserve the existing character of the City by aiming to maintain and enhance the quality of housing and neighborhoods in the City.

As Housing Element goals and policies are consistent with General Plan objectives and planned review of outdated General Plan Elements, the proposed Housing Element would not conflict with any regulatory planning document.

Mitigation Measures**.** The proposed Housing Element follows the vision that the General Plan established for the City and would generally implement policies and actions of the General Plan. No mitigation is required.

Significance After Mitigation**.** The impact with respect to consistency with City land use policies would be less than significant without mitigation.

Impact LU-2 The proposed Housing Element could be found to be consistent with applicable SCAG policies. This would be a Class III, *less than significant*, impact.

The following discussion lists the applicable policies from the RCP, RTP/SCS, and the Compass Growth Vision and determines whether the Housing Element is consistent with those policies.

SCAG's 2008 RCP serves as a framework for decision-making with respect to regional growth and changes that can be anticipated. The RCP provides a general view of regional plans that will affect local governments, responses to significant issues facing Southern California, and a summary of how the region will meet certain federal and state requirements with respect to Land Use and Housing, Open Space and Habitat, Water, Energy, Air Quality, Solid Waste, Transportation, Security and Emergency Preparedness, and the Economy. Relevant goals and policies contained within the Land Use and Housing, Air Quality, and Open Space chapters are discussed below, with cross-references to sections of this EIR that are applicable to specific issue areas.

Land Use and Housing. The following policies from SCAG's 2008 RCP aim to enhance the existing transportation network, accommodate regional growth, and meet the housing needs of the community.

> ***LU-4:*** *Local governments should provide for new housing, consistent with State Housing Element law, to accommodate their share of forecast regional growth.*

As discussed in Section 4.12, *Population and Housing*, the proposed Housing Element would be consistent with regional growth forecasts and the Housing Element would accommodate the amount of growth anticipated in the City. Therefore, the Housing Element would be consistent with LU-4.

> ***LU-6:*** *Local governments should consider shared regional priorities, as outlined in the Compass Blueprint, Regional Transportation Plan, and this Regional Comprehensive Plan, in determining their own development goals and drafting local plans.*

As discussed in this section, the Housing Element is consistent with the RTP/SCS and the RCP. Because housing goals specified in the Housing Element are consistent with regional plans and priorities, the Housing Element would be consistent with LU-6.

> ***LU-2S:*** *SCAG should continue efforts, in collaboration with State agencies and local jurisdictions, to significantly reform State Housing Element law and the Regional Housing Needs Assessment process. These reforms should promote the broad goals stated by the Secretary of Business, Transportation and Housing and shared by SCAG:*
>
> - *Each municipality has a clear responsibility to provide housing based on the growth in population and jobs generated in the community.*
> - *Jurisdictions should be able to collaborate in meeting housing needs.*
> - *Planning for housing should be pursued over a longer time frame in line with other major growth planning efforts.*

Housing accommodated under the proposed 2006-2014 Housing Element reflects the amount of growth that is anticipated in the City and the area. Goals and policies contained in the Housing Element encompass a long term time frame by anticipating future housing needs. In addition, environmental impacts associated with public services, public facilities, transportation, and utilities accommodated by the Housing Element are discussed in Sections 4.13, *Public Services*, 4.15, *Traffic and Circulation*, and 4.16, *Utilities and Service Systems.* SCAG could use the analysis provided in each of those sections to implement the region's growth policies. Therefore, the 2006-2014 Housing Element would be consistent with LU-2S.

Open Space and Habitat. The following policies from SCAG's 2008 RCP include goals that aim to preserve natural resources.

> ***OSN-4****: SCAG should support policies and actions that preserve natural areas, specifically those areas identified in local, state, and federal plans.*

The proposed 2006-2014 Housing Element would accommodate infill development and redevelopment within existing urban areas of the City, as opposed to development around the periphery of the City. Because development would be located in urban areas, natural areas that exist in the City would be preserved with implementation of the Housing Element. Therefore, the 2006-2014 Housing Element would be consistent with OSN-4.

> ***OSN-5****: SCAG should support the protection of vital resources such as wetlands, groundwater recharge areas, woodlands, production lands, and land containing unique and endangered plants and animals.*

The proposed 2006-2014 Housing Element would accommodate housing in urban areas and would not support development that would interfere with vital resources such as wetlands or biologically significant areas. As discussed in Section 4.8, *Hydrology and Water Quality*, the housing element would increase the amount of impervious area in the City. However, this increase would not significantly affect groundwater recharge in the watershed. Therefore, the 2006-2014 Housing Element would be consistent with OSN-5.

> ***OSN-14****: Developers and local governments should implement mitigation for open space impacts through the following activities:*
>
> - *Individual projects should either avoid significant impacts to regionally significant open space resources or mitigate the significant impacts through measures consistent with regional open space policies for conserving natural lands, community open space and farmlands. All projects should demonstrate consideration of alternatives that would avoid or reduce impacts to open space.*
> - *Individual projects should include into project design, to the maximum extent practicable, mitigation measures and recommended best practices aimed at minimizing or avoiding impacts to natural lands, including, but not limited to FHWA's Critter Crossings, and Ventura County Mitigation Guidelines.*
> - *Project level mitigation for RTP's significant cumulative and growth-inducing impacts on open space resources will include but not be limited to the conservation of natural lands, community open space and important farmland through existing programs in the region or through multi-party conservation compacts facilitated by SCAG.*
> - *Project sponsors should ensure that transportation systems proposed in the RTP avoid or mitigate significant impacts to natural lands, community open space and important farmland, including cumulative impacts and open space impacts from the growth associated with transportation projects and improvements.*
> - *Project sponsors should fully mitigate direct and indirect impacts to open space resulting from implementation of regionally significant projects.*

Open space resources would not be affected by the proposed Housing Element as development accommodated under the Housing Element would consist of infill development and redevelopment in urban areas of the City. As discussed in this

section, the proposed 2006-2014 Housing Element would be consistent with RTP policies and would therefore avoid impacts to natural lands and open space areas. Therefore, the 2006-2014 Housing Element would be consistent with OSN-14.

> ***OSC-1:*** *SCAG, in collaboration with its member agencies, should work to enhance community open space and its accessibility.*

Open space and conservation policies relate to the provision of adequate land for outdoor recreation, maintenance of open space to guard against natural disasters, and the development of well-managed ecosystems. Development applicants would be required to pay recreation fees consistent with City ordinance for each potential development project's contribution to the development of citywide parks (see Section 4.13, *Public Services*). Therefore open spaces would be enhanced as a result of development accommodated under the Housing Element and accessibility to open space would not be altered. Therefore, the 2006-2014 Housing Element would be consistent with OSC-1.

> ***OSC-8:*** *Local governments should encourage patterns of urban development and land use, which reduce costs on infrastructure and make better use of existing facilities.*

Housing accommodated under the proposed 2006-2014 Housing Element would be located in existing urban areas as infill development and redevelopment. Because housing would be located in areas already served by existing infrastructure and facilities, the Housing Element would not increase costs on infrastructure and housing accommodated under the Housing Element would make use of existing facilities. Therefore, the 2006-2014 Housing Element would be consistent with OSC-8.

> ***OSC-10:*** *Developers and local governments should promote infill development and redevelopment to revitalize existing communities.*

> ***OSC-13:*** *Developers and local governments should encourage multiple use spaces and encourage redevelopment in areas where it will provide more opportunities for recreational uses and access to natural areas close to the urban core.*

The Housing Element would accommodate infill development and redevelopment in the City. Infill development and redevelopment in the urban core of the City would provide increased access to natural areas and recreational areas. Therefore, the Housing Element would be consistent with OSC-10.

> ***OSA-1:*** *SCAG should support policies that preserve and promote the productivity and viability of agricultural lands.*

As discussed in Section 4.2, *Agricultural Resources*, the proposed Housing Element would not affect the productivity or viability of agricultural lands in or around the City. Therefore, the Housing Element would be consistent with OSA-1.

OSA-7: *Local governments should avoid the premature conversion of farmlands by promoting infill development and the continuation of agricultural uses until urban development is imminent; if development of agricultural lands is necessary, growth should be directed to those lands on which the continued viability of agricultural production has been compromised by surrounding urban development or the loss of local markets.*

The 2006-2014 Housing Element would accommodate infill development and redevelopment in the urban core of the City and would not result in the conversion of agricultural land to residential uses. Therefore, the 2006-2014 Housing Element would be consistent with OSA-7.

Air Quality. The following policies from SCAG's 2008 RCP include goals to comply with the local Air Quality Management Plan.

AQ-1: *SCAG should implement control measures from local Air Quality Management Plans (AQMPs) by:*

AQ-1.1: *Ensuring that transportation plans, programs, and projects are consistent with State air quality plans for attaining and maintaining the health-based National Ambient Air Quality Standards (NAAQS).*

AQ-1.2: *Ensuring compliance with the Transportation Conformity Rule, including the new air quality standards for fine particulate matter (PM2.5) and 8-hour Ozone.*

AQ-1.3: *Ensuring that there is continued development of Transportation Control Measures (TCMs) in the South Coast Air Basin (SCAB).*

As discussed in Section 4.3, *Air Quality*, the 2006-2014 Housing Element would be consistent with the local AQMP. Developers of projects that generate emissions exceeding VCAPCD significance threshold would be required to pay air quality impact fees that would be used to offset project emissions through implementation of regional air quality programs. The Housing Element would be consistent with State air quality plans and would comply with new air quality standards for $PM_{2.5}$ and Ozone. Therefore, the 2006-2014 Housing Element would be consistent with AQ-1, AQ-1.1, AQ-1.2, and AQ-1.3.

Water. The following policies from SCAG's 2008 RCP include goals that encourage efficient planning and development that utilizes existing facilities and preserves resources.

WA-11: *Developers and local governments should encourage urban development and land uses to make greater use of existing and upgraded facilities prior to incurring new infrastructure costs.*

Housing accommodated under the 2006-2014 Housing Element would include infill development and redevelopment that would be located in existing urban areas of the City, which would support the use of existing facilities and infrastructure. Therefore, the Housing Element would be consistent with WA-11.

> ***WA-13:*** *Developers and local governments should protect and preserve vital land resources – wetlands, groundwater recharge areas, woodlands, riparian corridors, and production lands. The federal government's 'no net loss' wetlands policy should be applied to all of these land resources.*

Vital land resources would not be altered as a result of implementation of the Housing Element. As discussed in Section 4.4, *Biological Resources*, impacts to wetlands would be less than significant with the proposed mitigation requiring creek setbacks. Therefore, the 2006-2014 Housing Element would be consistent with WA-13.

> ***WA-20:*** *Local governments should use both market and regulatory incentive mechanisms to encourage 'water wise' planning and development, including streamlining and prioritizing projects that minimize water demand and improve water use efficiencies.*

> ***WA-23:*** *Local governments should encourage Low Impact Development and natural spaces that reduce, treat, infiltrate and manage runoff flows caused by storms and impervious surfaces.*

Housing accommodated under the 2006-2014 Housing Element would be required to comply with Municipal Code and General Plan requirements related to surface runoff and water consumption, as discussed in Section 4.8, *Hydrology and Water Quality*. In addition, future development would be required to implement improvements such as infiltration swales, biofilters, pervious pavements, and stormwater detention facilities. Projects would be required to control runoff in a manner that would reduce post-project runoff at or below existing conditions. Therefore, the Housing Element would accommodate 'water wise' and Low Impact Development. Development accommodated under the 2006-2014 Housing Element would be consistent with WA-20 and WA-23.

> ***WA-24:*** *Local governments should prevent development in flood hazard areas lacking appropriate protections, especially in alluvial fan areas.*

As discussed in Section 4.8, *Hydrology and Water Quality*, development accommodated under the proposed Housing Element would be required to comply with General Plan requirements related to flooding. As the Housing Element would not accommodate development in flood hazard areas without adequate protection, the proposed 2006-2014 Housing Element would be consistent with WA-24.

Regional Transportation Plan/Sustainable Communities Strategy. Applicable goals of the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) include the following.

- *Align the plan investments and policies with improving regional economic development and competitiveness*
- *Maximize mobility and accessibility for all people and goods in the region*
- *Ensure travel safety and reliability for all people and goods in the region*
- *Preserve and ensure a sustainable regional transportation system*
- *Maximize the productivity of our transportation system*

- *Protect the environment and health of our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking)*
- *Actively encourage and create incentives for energy efficiency, where possible*
- *Encourage land use and growth patterns that facilitate transit and non-motorized transportation*
- *Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies*

RTP/SCS goals encourage efficient use of the transportation system, maximizing mobility, accessibility, and reliability, and environmental protection. Overall traffic volumes would increase under the 2006-2014 Housing Element due to growth in the region. However, the proposed Housing Element generally promotes infill development rather than expansion. Additionally, the proposed Housing Element encourages transit-oriented, mixed use development, for example by encouraging additional residential units in the VMU Zone District, and aims to minimize commute traffic. Therefore, the proposed 2006-2014 Housing Element would facilitate land use patterns that would enhance accessibility and the use of alternative transportation modes. As such, it could be found to be consistent with applicable goals of the RTP/SCS.

Growth Visioning. The fundamental goal of the Compass Growth Visioning effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity, or income class. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: *Improve mobility for all residents.*

GV P1.1: *Encourage transportation investments and land use decisions that are mutually supportive.*
GV P1.2: *Locate new housing near existing jobs and new jobs near existing housing.*
GV P1.3: *Encourage transit-oriented development.*
GV P1.4: *Promote a variety of travel choices.*

Principle 2: *Foster livability in all communities.*

GV P2.1: *Promote infill development and redevelopment to revitalize existing communities.*
GV P2.2: *Promote developments which provide a mix of uses.*
GV P2.3: *Promote "people scaled" walkable communities.*
GV P2.4: *Promote the preservation of stable, single-family neighborhoods.*

Principle 3: *Enable prosperity for all people.*

GV P3.1: *Provide, in each community, a variety of housing types.*
GV P3.2: *Support educational opportunities that promote balanced growth.*

GV P3.3: *Ensure environmental justice regardless of race, ethnicity or income class.*
GV P3.4: *Support local and state fiscal policies that encourage balanced growth.*
GV P3.5: *Encourage Civic engagement.*

Principle 4: *Promote sustainability for future generations.*
GV P4.1: *Preserve rural, agricultural, recreational, and environmentally sensitive areas.*
GV P4.2: *Focus development in urban centers and existing cities.*
GV P4.3: *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
GV P4.4: *Utilize "green" development practices.*

Compass Growth Visioning policies are aimed at a variety of topics, including fostering mobility, livability, prosperity, and sustainability. The proposed 2006-2014 Housing Element would, by design, encourage interconnected, walkable neighborhoods that improve over time, primarily through the focus on infill development. The additional residential units accommodated by the Housing Element would provide a variety of housing types in different economic ranges and diversity of designs.

Mitigation Measures. The proposed Housing Element could be found to be consistent with applicable growth visioning principles and strategies; therefore, mitigation is not required.

Significance After Mitigation**.** Impacts with respect to consistency with growth visioning principles and strategies would be less than significant without mitigation.

Impact LU-3 The proposed Housing Element could be found to be consistent with Senate Bill 375. This would be a Class III, *less than significant,* impact.

Senate Bill 375 is a California state law that became effective January 1, 2009. This law requires California's Air Resources Board (CARB) to develop regional reduction targets for greenhouse gas emissions (GHG), and prompts the creation of regional plans to reduce emissions from vehicle use throughout the state. California's 18 Metropolitan Planning Organizations (MPOs) have been tasked with creating "Sustainable Community Strategies" (SCS). The MPOs are required to develop the SCS through integrated land use and transportation planning and demonstrate an ability to attain the proposed reduction targets by 2020 and 2035. The primary goals of SB 375 are reducing vehicle miles traveled (VMT) and encouraging more compact, complete, and efficient communities.

The proposed 2006-2014 Housing Element includes, among its central objectives, the maintenance of mixed use districts proximate to existing and proposed transit options and geared toward minimizing commute traffic. The proposed Housing Element additionally encourages infill development in urban areas that are underutilized. Infill development accommodated under the proposed Housing Element could reduce overall VMT by facilitating pedestrian friendly, walkable neighborhoods and by encouraging continued development of the VMU district. The VMU district is centrally located in the City and places residents in close proximity to commercial areas. This mixed use district would facilitate a reduction in VMT and

more compact, complete and efficient communities. Therefore, the proposed Housing Element would be consistent with the goals of SB 375 and impacts would be less than significant.

c. Cumulative Impacts. As described in Section 3.0, *Environmental Setting*, cumulative development in the City includes the potential 201 units facilitated under the Housing Element along with the anticipated cumulative development through the year 2014, which includes 25 residential dwelling units and 63,729 sf of light industrial. This cumulative development will result in changes and additional density within Ojai. However, continued required project consistency with the General Plan policies discussed above would reduce land use impacts to less than significant levels. Therefore, cumulative land use and planning impacts would be less than significant.

4.10 MINERAL RESOURCES

This section addresses potential impacts to mineral resources. Both direct impacts to mineral resource production and indirect land use compatibility impacts are discussed.

4.10.1 Setting

Mineral resources are usually mineral derivatives but can include geothermal and natural gas deposits. Because mineral resources can take millions of years to replenish naturally after extraction, they are considered "nonrenewable" resources. Mineral resources are discussed below.

a. Aggregate. The City of Ojai does not contain any known aggregate mines (California Department of Conservation, 2006). The 50-year demand for aggregate resources in Ventura County is 309 tons and the permitted resources total 106 million tons of the 50-year demand (California Department of Conservation, 2006).

b. Petroleum. Oil production has played an integral role in the development of Ventura County since it was discovered in 1885. By the 1980s, a drop in local oil production rates and a general decline in the oil production industry resulted in a substantial reduction in oil field related activity. There are no known petroleum fields in the City of Ojai. The closest petroleum field is about five miles south of the City within the jurisdiction of the County of Ventura.

c. Regulatory Framework. Surface mines are regulated by the state of California in accordance with the Surface Mining and Reclamation Act (SMARA), PRC § 2710 et seq., and through the County's land use permitting processes. Adopted in 1975, SMARA has two basic objectives: (1) to safeguard access to mineral resources of regional and statewide significance in the face of competing land uses and urban expansion; and, (2) to ensure the proper reclamation of surface mining operation. Pursuant to SMARA, the California State Mining and Geology Board oversees the Mineral Resource Zone (MRZ) classification system. The MRZ system characterizes both the location and known/presumed economic value of underlying mineral resources. Typically, the lead agency under SMARA is the city or county within which the mining operation is located; however, the State Mining and Geology Board (SMGB) assumed "lead agency" status from Ventura County on June 14, 2001, pursuant to SMARA §2774.4. The assumption of SMARA powers does not include the County's authority to review, revise, issue, enforce, and revoke mining permits. The SMGB retains the authority to review and approve reclamation plans, review and approve financial assurances, conduct annual mine inspections, and enforce compliance with SMARA regulations.

The MRZ system includes the following classifications:

- *MRZ-1, areas where adequate information indicates that no significant mineral deposits are present*
- *MRZ-2, areas where adequate information indicates that significant mineral deposits exist*

- *MRZ-3, areas containing mineral deposits, the significance of which cannot be evaluated from available data*
- *MRZ-3a, areas judged to have higher potential than other deposits classified as MRZ-3*
- *MRZ-4, areas where available information is inadequate for assignment to any other MRZ zone*

Ojai consists primarily of areas classified as MRZ-1. In addition, the City contains areas that are classified as MRZ-3a. Areas that have been classified as MRZ-3a are near the San Antonio Creek, which runs through the southern portion of the City. Therefore, this area could contain mineral deposits.

Mining operations in the County jurisdiction are regulated through the County's permitting process. Unless a mine operates as a vested operation (having been initiated before the County requirement to obtain a permit to operate), a conditional use permit must be obtained before mining operations begin. SMARA encourages consideration of values relating to recreation, watershed, wildlife, range and forage, and aesthetics in the production and conservation of minerals [§2712(b)]; and requires elimination of hazards to the public health and safety [§2712(c)]. There are no active conditional use permits for aggregate mining activities within the City of Ojai.

CCR Title 14, Division 2, Chapter 8, Subchapter 1 implements portions of SMARA, particularly in relation to reclamation plans, mineral resource management, and financial assurances. CCR §3502(b) specifies required components of the reclamation plan beyond PRC §2772. Section 3503 defines the minimum acceptable practices to be followed in surface mining operations related to erosion control, water quality and watershed control, protection of fish and wildlife habitat, disposal of mine waste rock and overburden, erosion and drainage, resoiling, and revegetation. Sections 3504(b) and 3702 both require that financial assurances be provided by mining/reclamation proponents to ensure that reclamation is "... performed in accordance with the approved reclamation plan ..." Sections 3703–3713 provide performance standards for wildlife habitat; backfilling, re-grading, slope stability, and re-contouring; re-vegetation; drainage, diversion structures, waterways, and erosion control; prime agricultural land reclamation; other agricultural land; building structure, and equipment removal; stream protection, including surface and groundwater; topsoil salvage, maintenance, and redistribution; tailing and mine waste management; and closure of surface openings.

Sections 3800–3806.2 specify the process and types of financial assurances that must be provided for reclamation. CCR §3675 defines land uses that are compatible and incompatible with mining areas. Compatible land uses are defined as those that are"... inherently compatible with mining and/or require a minimum public or private investment in structures, land improvements, and which may allow mining because of the relative economic value of the land and its improvements." Examples of compatible land uses include very low-density residential, recreational, agricultural, and grazing uses. Incompatible uses are defined as "inherently incompatible with mining and/or require public or private investment in structures, land improvements, and landscaping and that may prevent mining because of the greater economic value of the land and its improvements." These include high-density residential uses, public facilities, and other uses.

CCR §3676 specifies the content of mineral resource policies adopted by lead agencies pursuant to PRC §2762. Specifically, lead agencies' mineral resource policies must contain at least the following:

- *A summary of mineral resource information in relation to state policies*
- *Statements of policy in accordance with any state-classified mineral resource area*
- *Implementation measures that identify mineral deposit areas and areas targeted for conservation and possible future extraction, and General Plan policies related to those areas*

No state conservation program equivalent to SMARA exists for petroleum resources.

4.10.2 Impact Analysis

a. Methodology and Significance Thresholds. Potential impacts were assessed by comparing land uses that would be accommodated under the proposed Housing Element to the locations of existing mineral resource extraction areas. Impacts would be considered significant if potential future development would result in the following:

- *The loss of availability of a known mineral resource that would be of value to the region and the residents of the state*
- *The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan*
- *Land use conflicts between mining operations and other land uses*

b. Project Impacts and Mitigation Measures.

Impact M-1 Development facilitated by the proposed 2006-2014 Housing Element would not significantly reduce access to mineral resources. Impacts are considered to be Class III, *less than significant*.

Development facilitated by the proposed Housing Element would involve intensification and reuse of properties within existing urban areas. A small area in the eastern portion of the City of Ojai and a small area in the southwestern portion of the City are known to contain significant minerals, according to the City of Ojai Initial Study Assessment Guidelines (2002). Housing that would be accommodated under the proposed Housing Element could be located in the eastern portion of the City in an area that contains mineral resources. However, the portion of the City that contains mineral resources is currently developed and is not planned for mineral extraction. Therefore, intensification and reuse of properties in this portion of the City would not reduce access to mineral resources. As impacts to mineral resources are not anticipated, impacts relating to the accessibility of mineral resources are considered less than significant.

Mitigation Measures. Development accommodated under the proposed Housing Element would not reduce access to mineral resources; therefore, mitigation is not required.

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

c. Cumulative Impacts. As described in Section 3.0, *Environmental Setting*, cumulative development in the City includes the potential 201 units facilitated under the Housing Element along with the anticipated cumulative development through the year 2014, which includes 25 residential dwelling units and 63,729 sf of light industrial. Cumulative development in the City would not be anticipated to affect mineral resources, as the cumulative development would include infill development and redevelopment, which would be located in the urban areas of the City. Therefore, cumulative impacts to mineral resources would be less than significant.

4.11 NOISE

This section evaluates potential impacts relating to noise. Both temporary construction-related impacts and long-term impacts are addressed.

4.11.1 Setting

The City of Ojai General Plan Noise Element (1991) and the City's Noise Ordinance provide information regarding the physical characteristics of noise and the existing noise environment in the general vicinity of the project. The following is a summary of the information contained in the Noise Element and Noise Ordinance and is intended to provide sufficient background material to allow consideration of the potential noise impacts of the proposed Housing Element.

a. Overview of Sound Measurement. Noise is generally defined as unwanted sound. Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels to be consistent with that of human hearing response. In addition to the actual instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound power level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time. Typically, Leq is summed over a one-hour period.

The sound pressure level is measured on a logarithmic scale with the 0 dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Decibels are based on the logarithmic scale; a doubling of sound energy is equivalent to an increase of 3 dB. Due to the nature of the human ear, a sound must be about 10 dB greater than the reference sound to be judged as twice as loud. In general, a 3 dBA change in community noise levels is noticeable, while 1-2 dB changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40 to 50 dBA, while those along arterial streets are in the 50 to 60+ dBA range. Normal conversational levels are in the 60-65 dBA range, and ambient noise levels greater than that can interrupt conversations.

Noise levels typically attenuate at a rate of 6 dB per doubling of distance from point sources such as industrial machinery. Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dB per doubling of distance. Noise from heavily traveled roads typically attenuates at about 3 dB per doubling of distance.

The time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the day. The Community Noise Equivalent Level (CNEL) recognizes this characteristic, and is a weighted average of the hourly Leqs over a 24-hour period. The weighting includes an addition of 10 dB to nighttime (10:00 p.m. to 7:00 a.m.) and a 5 dB addition to evening (7:00 p.m. to 10:00 p.m.) noise levels to account for the greater disturbance associated with noise during these periods.

b. Sensitive Receptors. Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Residences, hospitals, schools, guest lodging, and libraries are most sensitive to noise intrusion and therefore have more stringent noise exposure targets than manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance.

The Noise Element catalogues noise sensitive receptors identified in the City. Ojai is primarily a residential community with the exception of the main commercial corridor along Ojai Avenue and the industrial area on Bryant Street. Essentially all roadways affect residential uses to some extent. School sensitive receptors within the City include Nordhoff High School, Matilija Junior High School, Ojai Valley School, and the Topa Topa Kindergarten. Other sensitive receptors within the City include medical offices and seniors living in assisted living facilities.

c. Noise Sources. Noise sources often include roadways, construction sites, industrial uses, agriculture, etc. The primary noise sources in the City of Ojai are roadways and commercial operations. According to the Ojai General Plan Noise Element, the dominant daytime noise is caused by automobile traffic. Nighttime noise is generally low, due to the absence of vehicles on the road after 10:00 p.m. Along Ventura Avenue, the ambient noise is dominated by traffic. At most other locations in the City, crickets and other insects are the significant nighttime noise source. Existing noise characteristics and road segments that have been identified as having noise impacts on residences in Ojai are listed in Table 4.11-1.

Table 4.11-1
Existing Noise Levels

Road Segment/Location	Daytime Noise Levels (dBA)
Rural Side Street Areas	50 – 55 dBA
Ojai Avenue – State Route 150 (between Ventura Street and Maricopa Highway)	67 – 69 dBA
Maricopa Highway – State Route 150	58 – 62 dBA
Ventura Avenue – State Route 33/150	67 – 69 dBA
El Roblar Drive west of Maricopa Highway	60 – 63 dBA
La Luna Avenue south of Lomita Dr.	62 -65 dBA
Lomita Avenue east of Tico Road	56 -59 dBA
State Route 33 north of Casitas Vista Road to State Route 150	68 – 71 dBA
Montgomery Street and Grand Avenue Intersection	61 dBA
Montgomery Street and Aliso Street Intersection	58 dBA
Matilija Street and Signal Street Intersection	59 dBA

Source: City of Ojai General Plan FEIR (1997), Table 4.9-A Existing Noise in Ojai Study Area.

d. Regulatory Setting. The City of Ojai has adopted noise policies in its Noise Element (policies NP-1 through NP-7) and Noise Ordinance (Title 5, Chapter 11).

City of Ojai Noise Ordinance. The Ojai noise ordinance (Section 5-11.04 of Ojai's Municipal Code) sets a maximum noise exposure for indoor living areas in residences at 45 dBA CNEL. Additionally, the ordinance sets exterior noise standards applying to residential and commercial/industrial zones during operation of the project. These are listed on Table 4.11-2.

Table 4.11-2
Exterior Noise Standards

Zone	Time Period	Noise Level
Residential Zone (Including Village Mixed Use)	7:00 a.m. to 10:00 p.m.	55 dBA
Residential Zone (Including Village Mixed Use)	10:00 p.m. to 7:00 a.m.	45 dBA
Commercial/ Industrial Zone	7:00 a.m. to 10:00 p.m.	65 dBA
Commercial/ Industrial Zone	10:00 p.m. to 7:00 a.m.	55 dBA

Source: Noise Standards and Regulations Section 5-11.04 Noise Standards and Limits, City of Ojai Municipal Code.

Section 5-11.05 of the noise ordinance indicates that construction activities are exempt from the above mentioned exterior and interior noise standards as long as:

- Construction hours are limited between 7:00 a.m. and 5:00 p.m. on weekdays;
- Authorized by a valid City permit; and that
- All construction equipment be operated standard factory silencers and/or muffler equipment attached and maintained in good working order.

City of Ojai Noise Element. The Ojai Noise Element sets the noise requirement that indoor noise levels for residential living spaces not exceed 45 dB Ldn/CNEL when outdoor noise levels exceed 60 dB Ldn/CNEL. It also makes a recommendation that the City should implement a 55 dB outdoor noise standard. Additionally, the Noise Element establishes when trash pickups may occur and includes policies aimed at reducing the impacts of noise within the City.

4.11.2 Impact Analysis

a. Methodology and Thresholds of Significance. The analysis of noise impacts focuses upon the Housing Element's impact to surrounding noise-sensitive land uses and the impact of existing noise sources upon residents of the City.

Roadway noise impacts were based on projected traffic volumes from the Traffic Study prepared by ATE (see Appendix D). Existing, cumulative, and cumulative plus project conditions were used in this analysis. To determine roadway-generated impacts, the Federal Highway Administration's (FHWA) Traffic Noise Model (TNM) Version 2.5 was used. TNM datasheets can be found in Appendix C.

The average daily traffic (ADT) was used for the planning area segments and a vehicle use mix was completed based on current conditions and compared to the FHWA 2007 *Annual Average Daily Truck Traffic on the California State Highway System* report (2008) for accuracy. Vehicle mixes used in the TNM were dependent upon the information from the truck data from the

above mentioned document. Because peak hour traffic generally accounts for approximately 10% of overall daily traffic, the ADT was then converted to peak hour vehicles by dividing by 10.

The analysis of noise impacts focuses upon a project's impact to surrounding noise-sensitive land uses and the impact of existing noise sources upon the City's residents. Thresholds from the CEQA Initial Study Checklist (*CEQA Guidelines* Appendix G) were used in the project analysis in addition to City thresholds. Development facilitated by the Housing Element would result in potentially significant impacts if development would result in substantial adverse physical impacts associated with any of the following conditions:

- *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;*
- *Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels;*
- *A substantial permanent increase in the project vicinity above levels existing without the project; or*
- *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.*
- *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels*
- *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels*

No public airports or private airstrips exist within or adjacent to the City of Ojai. The closest airport to the City is the Santa Paula Airport located about 13 miles to the east. Therefore, no impacts would occur and only the first four thresholds apply to the proposed project.

Additionally, according to the Ojai Initial Study Assessment Guidelines (October 2002), a significant impact would occur if:

- *The project generates or results in an exceedance of 55 dBA CNEL at exterior living areas (i.e., rear yards or patios) for residential uses, places of worship, and passive recreation areas;*
- *The implementation of the proposed project generates or results in an exceedance of 45 dBA CNEL in habitable interior living spaces (with windows closed) for residential uses, schools, libraries, hotel/motel sleeping areas, and places of worship.*
- *The implementation of the proposed project results in an increase of three dBA or more where the proposed project worsens an existing or projected exceedance of the applicable City standards.*

For purposes of defining a "substantial" increase in traffic noise, project impacts would be significant if the increase in noise exceeded the Federal Interagency Committee on Noise (FICON) recommendations and affects a sensitive receptor. The FICON recommendations are shown in Table 4.11-3.

Table 4.11-3
Significance of Changes in Noise Exposure

Ambient Noise Level Without Project (CNEL)	Significant Impact
< 60 dBA	+ 5.0 dBA or more
60 – 65 dBA	+ 3.0 dBA or more
> 65 dBA	+ 1.5 dBA or more

Temporary or periodic noise increases associated with project implementation would primarily result from future construction activity. A temporary increase in noise is considered "substantial" if it would be in conflict with the City Noise Ordinance, which limits noise-generating construction activity to the hours of 7:00 a.m. to 5:00 p.m. (Sec. 5-11.05).

b. Project Impacts and Mitigation Measures.

Impact N-1 Construction of individual projects facilitated by the Housing Element could intermittently generate high noise levels. This may affect sensitive receptors near construction sites. However, compliance with the Noise Ordinance restrictions on construction timing would reduce this temporary impact to Class III, *less than significant.*

Construction noise from individual projects facilitated by the proposed Housing Element could have noise impacts on adjacent noise-sensitive land uses. As shown in Table 4.11-4, the noise level associated with heavy equipment typically ranges from about 78 to 88 dBA at 50 feet from the source. Such noise levels can be disturbing, particularly to noise-sensitive uses such as residences, schools, and hospitals. The grading/excavation phase of project construction tends to create the highest construction noise levels because of the operation of heavy equipment.

Noise levels similar to those shown in Table 4.11-4 would be expected to occur with accommodated development. As indicated in Section 2.0, approximately 177 of the potential 201 new units would occur in the Senior Housing/Demonstration Housing sites. The remaining units would mostly be built throughout the Village Mixed Use, Commercial and residential zone districts. Construction would potentially result in temporary noise impacts to adjacent residences and other sensitive receptors such as schools throughout the City.

Table 4.11-4
Typical Noise Levels at Construction Sites

Construction Phase	Average Noise Level at 50 Feet	
	Minimum Required Equipment On-Site	All Pertinent Equipment On-Site
Ground Clearing	84 dBA	84 dBA
Excavation	78 dBA	88 dBA
Foundation/Conditioning	88 dBA	88 dBA
Laying Subbase, Paving	78 dBA	79 dBA
Finishing and Cleanup	84 dBA	84 dBA

Source: Bolt, Beranek and Newman, "Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances," prepared for the U.S. Environmental Protection Agency, 1971.

Such levels would be temporary in nature, but would exceed ambient noise levels present throughout the City and may temporarily disturb adjacent receptors. As required by the City's Noise Ordinance (Sect. 5-11.05) construction noise is limited to between the hours of 7:00 a.m. and 5:00 p.m. Additionally, as indicated in subsection 4.11.1.d, *Regulatory Setting*, exterior and interior noise standards established by Section 5-11.05 do not apply during construction times as long as all construction requirements are met.

All future permitted City development would be subject to the City's construction Noise Ordinance requirements. Due to the temporary nature of construction noise and assuming compliance with the City's Noise Ordinance, noise associated with construction of individual projects would not be significant.

Mitigation Measures. As impacts would be less than significant, mitigation is not required. Development facilitated by the project would be required to comply with all components of the City's Noise Ordinance.

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

Impact N-2 Growth facilitated by the Housing Element would incrementally increase traffic-related noise. However, the increase in accommodated development would not exceed established noise thresholds. Therefore, impacts would be Class III, *less than significant*.

Development facilitated by the proposed Housing Element would increase traffic-generated noise on City roadways. Sensitive receptors that may be affected by the increase in roadway noise include residences, medical care facilities, and schools located adjacent to these roadways. Table 4.11-5 compares the existing (2009) noise levels on studied roadway segments to projected

cumulative plus project levels. To determine roadway-generated impacts for existing and cumulative plus project conditions, the Federal Highway Administration's (FHWA) Traffic Noise Model (TNM) Version 2.5 Look-Up Tables software was used. The model provides a determination of the dB change based on the increase in traffic trips associated with a project. The studied segments were the same as those studied in the traffic study prepared by ATE (see Appendix D) as they are the most affected segments in the City. As such, noise increases associated with increased traffic would be lower on other roads.

As illustrated in Table 4.11-5, the increase in noise on the five studied roadway segments would range from 0.1 to 0.6 dB if all potentially facilitated units were built. Note that the model results indicate that noise levels along these roadways exceed noise standards shown in Table 4.11-2 under existing conditions. However, the projected increases would be below the significance thresholds indicated in Table 4.11-2. Therefore, impacts would be less than significant.

Table 4.11-5
Comparison of Existing and Future Noise Levels on Key Project Area Roadways

Roadway Segment	Estimated Noise Level		Change (dB)	Significant Impact?
	Existing	Cumulative + Project		
SR 33 n/o SR-150	65.6	65.7	0.1	No
SR 33 s/o SR-150	72.1	72.3	0.1	No
SR 150 w/o SR-33	67.9	68.1	0.2	No
SR 150 e/o SR-33	68.8	69.2	0.4	No
SR 150 w/o Gridley Rd	63.4	64.0	0.6	No

Source: Federal Highway Administration, Traffic Noise Model version 2.5, Appendix C

As discussed in Section 4.15 *Traffic and Circulation*, the increase in vehicle trips associated with Housing Element implementation would be incrementally lower than what was considered in the 2009 Traffic Impact Analysis in Appendix D. In addition, cumulative traffic growth is lower than that considered in the Traffic Impact Analysis. Therefore, the estimates of project-related traffic noise represent a conservative estimate of the noise impacts of the proposed Housing Element.

It should be noted that the potential senior housing and demonstration projects, which would result in the highest concentration of units on one site facilitated by the Housing Element update, would be subject to CEQA review and the discretionary approval process. As such, their specific noise impacts would be analyzed if and when they are proposed.

Mitigation Measures. As impacts would be less than significant, mitigation is not required.

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

c. Cumulative Impacts. The impact analysis contained in this section represents the cumulative scenario for the City of Ojai as the proposed Housing Element accounts for all the likely housing development in the City. As indicated above, cumulative traffic noise increases and cumulative change from future development was found to be less than significant. Non-traffic noise sources facilitated by the project would be required to be consistent with applicable City policies. Therefore, cumulative noise impacts are less than significant.

4.12 POPULATION AND HOUSING

This section evaluates the proposed project's potential impact on population, housing and employment in Ojai.

4.12.1 Setting

a. Current Population, Housing, and Employment. Ojai is the smallest city in Ventura County, with the 2012 population estimated at 7,535 (California Department of Finance, 2009). Table 4.12-1 provides the 2012 estimates of population and housing for the City of Ojai and Ventura County as a whole. Ojai accounts for less than 1% of the countywide population of 832,970. The City's 3,390 households make up about 1.1% of the County's total households. The average number of persons per household in Ojai is 2.36 (California Department of Finance, 2012), lower than the countywide average of 3.07 persons per household.

Table 4.12-1
Current Housing and Population

	Ojai	Ventura County
Households	3,390	282,923
Population	7,535	832,970
Persons/Household	2.36	3.07

Sources: California Department of Finance, Official State Estimates of City/County Population and Housing, January 1, 2012.

Table 4.12-2 shows employment, households and population projections for the region, subregion, and City of Ojai from the Southern California Association of Governments (SCAG).

Based on the 2008 estimate of employment (jobs) shown in Tables 4.12-2 through 4.12-4 and the number of households in the City, there are about 2 jobs per housing unit. An area is normally considered to be "in balance" if it has between 1.1 and 1.34 jobs per housing unit, as recommended by the Ventura Council of Governments (Economic/Transit/Mixed Use Strategies for Housing Rich Communities, 2004).

4.12.2 Impact Analysis

a. Methodology and Significance Thresholds. Impacts to population are generally social or economic in nature. Under CEQA, a social or economic change is not considered a significant effect on the environment unless the changes can be directly linked to a physical change. Impacts relating to population and housing are considered significant if growth accommodated under the Housing Element would:

- *Induce substantial population growth either directly or indirectly*
- *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere*

Table 4.12-2
SCAG Employment, Households and Population Projections for the County of Ventura

	2008	2020	2035
Population	813,000	889,000	954,000
Households	266,000	292,000	318,000
Employment	348,000	379,000	411,000

Source: SCAG, 2012-2035 Growth Forecast Appendix, April 2012.

Table 4.12-3
SCAG Employment, Households and Population Projections for the City of Ojai

	2008	2020	2035
Population	7,400	8,400	9,400
Households	3,100	3,600	4,100
Employment	6,300	7,100	7,800

Source: SCAG, 2012-2035 RTP Growth Forecast Appendix, April 2012.

- *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere*

For purposes of analysis, "substantial" population growth is defined as growth exceeding SCAG or Ventura County APCD population projections for the City. "Substantial" displacement would occur if allowed land uses would displace more residences than would be accommodated through growth under the Housing Element.

b. Project Impacts and Mitigation Measures.

Impact PH-1 Adoption of the proposed 2006-2014 Housing Element update would not result in the displacement of substantial numbers of people or housing. Any displacement would be more than offset by new housing that would be accommodated under the proposed Housing Element update. Impacts would be Class III, *less than significant*.

The proposed Housing Element would facilitate intensification and reuse of lands in urban areas. By emphasizing reuse of developed lands, development facilitated by the Housing Element would have the potential to displace existing housing or people. However, the intent of the proposed Housing Element is to accommodate additional housing and mixed use

development in the City. Any housing potentially removed and associated displacement would be part of an individual project to increase or improve housing.

The State Department of Finance estimates that there are 3,390 dwelling units in the City. The maximum build-out potential for the City under existing zoning and including the proposed programs in the Housing Element update, would accommodate 5,209 dwelling units. The maximum build-out potential assumes that all properties are developed with a maximum number of residential units permitted according to each parcel's current zone designation. However, properties in the City have typically not achieved their full development potential. Therefore, the Housing Element calculates anticipated development based on the actual pattern of development, which would include 3,566 units, or an addition of 176 units above existing conditions. Development under the Housing Element is anticipated to occur on vacant sites where housing is not currently present. Thus, significant impacts related to displacement are not anticipated.

Mitigation Measures. No significant impacts relating to displacement would occur. Mitigation is not required.

Significance after Mitigation. Impacts relating to the displacement of people and housing would be less than significant.

Impact PH-2 Growth facilitated by the proposed 2006-2014 Housing Element would be compatible with SCAG's Regional Comprehensive Plan and Guide. Consistency with regional forecasts is considered a Class III, *less than significant*, impact.

SCAG population, housing, and job forecasts, which are based on the RTP Population, Household, and Employment forecasts, are shown in Table 4.12-2.

Table 4.12-3 shows the forecasted growth for the City from 1970 to 2005. SCAG projections for Ojai were higher than the actual growth rate in 2000 and 2005. SCAG forecasts represent an average annual growth rate of 0.65%, while the actual average growth rate between 2000 and 2005 was 0.50%.

The proposed Housing Element would facilitate the construction of up to 201 new housing units in Ojai through 2014 (see Table 2-2 in Section 2.0, *Project Description*). Based on the California Department of Finance's 2012 estimate of 2.36 persons per household in Ojai, full buildout under the proposed 2006-2014 Housing Element would generate a population increase of 474 people. Added to a current estimated population of 7,535 (also California Department of Finance, 2012), this would bring Ojai's population to 8,009. This is within than the 2020 SCAG population forecast (See Table 4.12-2); therefore, the population impact of the Housing Element is consistent with SCAG regional growth forecasts and impacts would be less than significant.

Table 4.12-4
Historic and SCAG Forecasted Growth

	Population Growth		Growth Rate	
	Actual	**Forecast**	**Actual**	**Forecast**
1970	5,975	n/a	n/a	n/a
1980	6,816	n/a	1.33%	n/a
1990	7,613	n/a	1.11%	n/a
2000	7,862	7,868	0.32%	0.33%
2005	8,132	8,180	0.68%	0.80%

Sources: State of California, Department of Finance, Population and Housing Estimates. Southern California Association of Governments, 2012 Regional Transportation Plan, City Projections.
Note: Numbers for 1970, 1980, 1990, and 2000 reflect US Census counts.

The projected 2020 job to housing ratio is 1.97 jobs per housing unit. Development accommodated under the proposed Housing Element would add 201 housing units to the City. These units would be part of the forecast growth for the City. Nevertheless, if the 201 housing units were added to the 2020 forecast, the job to housing ratio would be 1.87 jobs per housing unit. As discussed above, an area is considered to be "in balance" if there are 1.1 to 1.34 jobs per housing unit. Although Ojai is currently "housing rich" and would continue to be so, adoption of the proposed 2006-2014 Housing Element would not result in a substantial exacerbation of this imbalance.

Mitigation Measures. Mitigation is not required.

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

c. Cumulative Impacts.

Housing and Population. As described in Section 3.0, *Environmental Setting*, cumulative development in the City includes the potential 201 units facilitated under the Housing Element along with the anticipated cumulative development through the year 2014, which includes 25 residential dwelling units and 63,729 sf of light industrial. Cumulative development will continue to evolve the demographic character of the area. The current population of the City is within SCAG projections and the increase in population associated with cumulative development, including the additional 59 persons (2.36 persons per unit x 25 units) would remain within population estimates. Therefore, the Housing Element's contribution to population impacts would be considered less than significant.

Displacement of Housing and Population. The proposed Housing Element in addition to cumulative growth would not be anticipated to displace substantial amounts of housing or numbers of people in the City. Therefore, cumulative impacts related to the displacement of people and housing would be less than significant.

4.13 PUBLIC SERVICES

This section evaluates potential impacts relating to fire services, police services, and schools. Impacts related to recreation are discussed in section 4.14, *Recreation*.

4.13.1 Setting

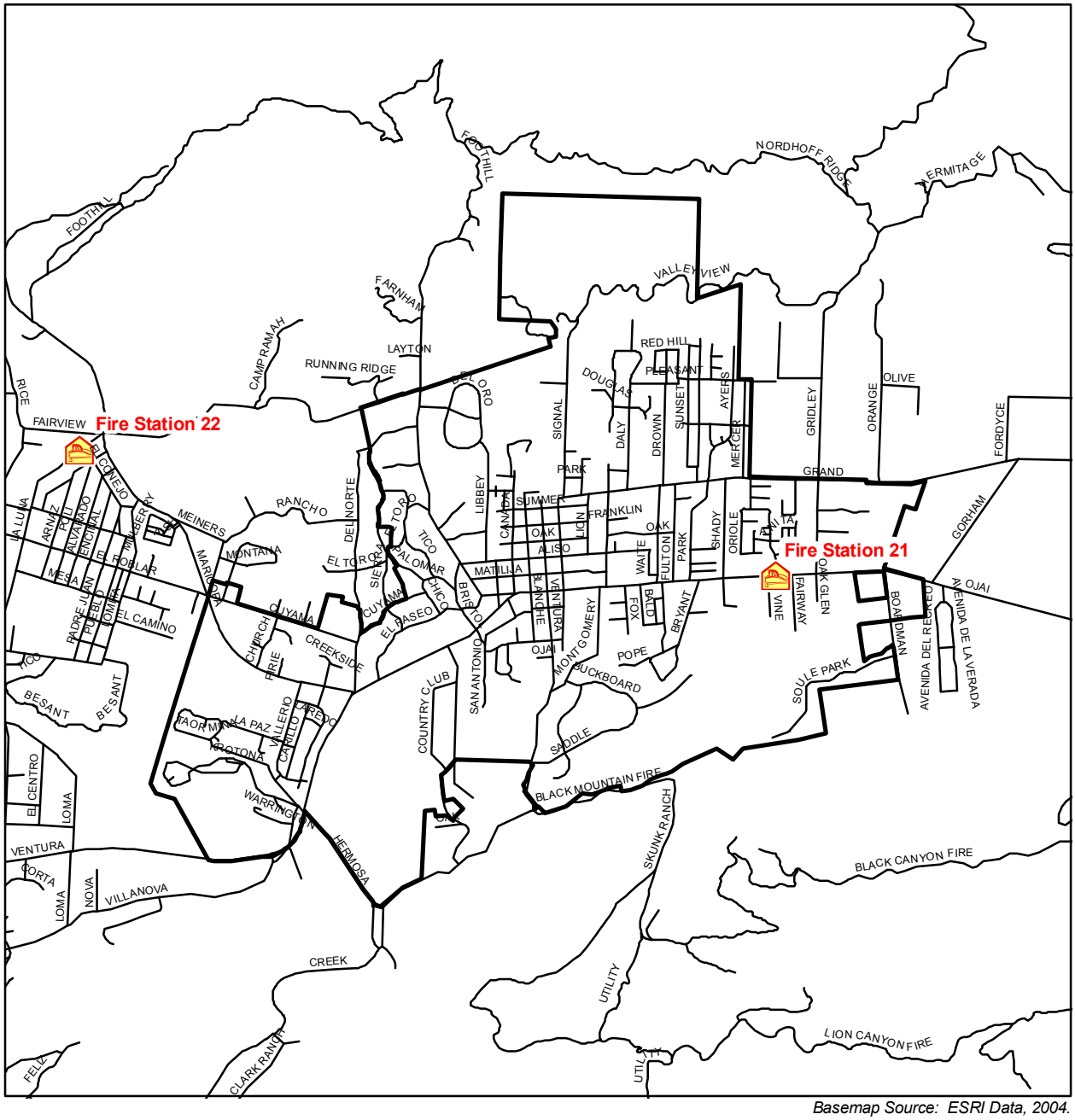
a. Fire Protection. Ventura County Fire Department provides fire protection in Ojai. Fire Station 21 (1201 Ojai Avenue) and 22 (466 South La Luna Avenue) serve the City. Fire Station 21 is staffed daily by three firefighters and houses a first run engine, a reserve pumper, and a brush engine. Fire Station 22 is staffed by three firefighters and houses a 1,500 gallons per minute pumper, a brush engine, a patrol, and a utility. The Safety Element of the General Plan identifies Fire Station 21 as the primary station serving the City of Ojai. The Land Use Element of the General Plan (Land Use Element) requires a five-minute maximum response time for fire and emergency medical calls on both a citywide and response area basis. The General Plan Safety Element lists Fire Station 21 with an average response time of 4.9 minutes, which meets the Land Use Element standard. Figure 4.13-1 shows the location of fire stations serving Ojai.

b. Police. Police services are provided citywide by the Ventura County Sheriff's Department (VCSD), which serves approximately 30,000 residents of the Ojai Valley. The Ojai station is located at 402 South Ventura Street. The General Plan Land Use Element requires 1.5 police officers per 1,000 residents. Ventura County guidelines minimally acceptable level for the Sheriff's Department in Ventura County is 1 officer for every 1,270 residents. Based on 36 officers (pers. comm. VCSD, May 4, 2009) and the approximate Ojai Valley population of 30,000, the current ratio of about 1 officer per 833 residents meets the Ventura County guidelines, but does not meet the Land Use Element standard by 166 residents. The VCSD maintains an average emergency response time of 5 to 6 minutes (pers. comm. with Stacie Snow, VCSD, Crime Analysis Unit, May, 2009). Figure 4.13-2 shows the location of sheriff stations serving Ojai.

c. Schools. The Ojai Unified School District (OUSD) comprises five elementary schools (one within the City limits), two high schools, and one junior high school. The total District (K-12) enrollment for the 2008-2009 school year was approximately 3,078 students (pers. comm. with Andrea Pendleton, OUSD, May 2009). OUSD schools and their 2009 enrollments and capacities are shown in Table 4.13-1.

4.13.2 Impact Analysis

a. Methodology and Significance Thresholds. Information on current fire service demands and available staff and equipment was obtained from the Ventura County Fire Department. Information on current population to deputy ratios and police service demands was collected from the Ventura County Sheriff's Department. Student generation rates were provided by the OUSD and used to estimate the number of students generated by a project.



Basemap Source: ESRI Data, 2004.

City Boundary

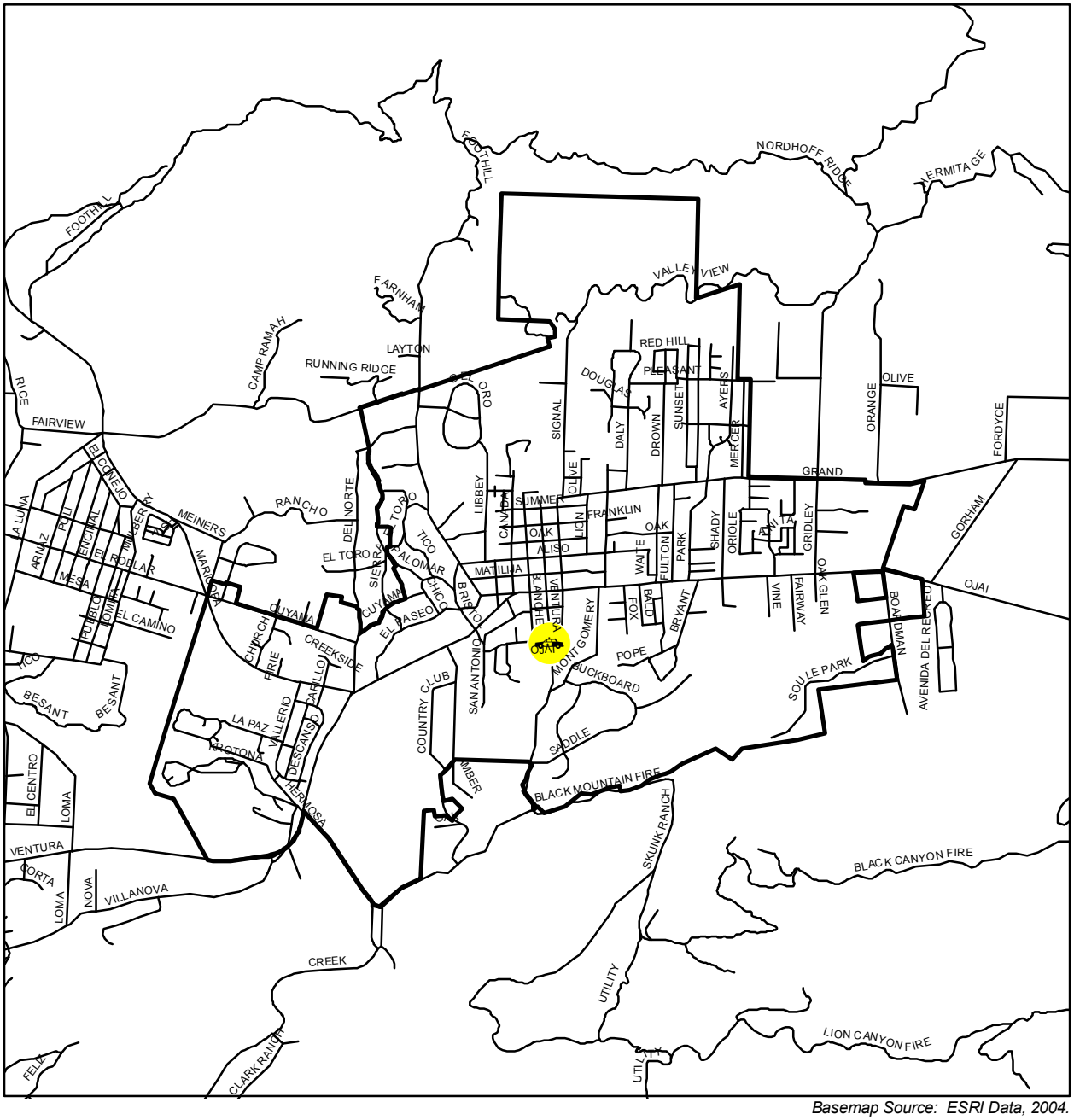
Fire Station Location

N

0 2,000 4,000 Feet

Fire Station Locations

Figure 4.13-1



Basemap Source: ESRI Data, 2004.

City Boundary

Police Station

N

0 2,000 4,000 Feet

Police Station Location

Figure 4.13-2

Public service impacts are considered potentially significant if development facilitated by the Housing Element would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response time, or other performance objectives for any of the following services:

- *Fire protection*
- *Police protection*
- *Schools*

Table 4.13-1
2009 OUSD Enrollment and Capacities

Grades	Current Enrollment	Current Capacity*	Existing Capacity Available for Additional Students	Capacity Utilization
Elementary Schools Total	1,430	2,262	832	63%
Middle Schools Total	549	800	251	69%
High Schools Total	1,099	1,310	211	84%
District-Wide Totals	**3,078**	**4,372**	**N/A**	**N/A**

** % Capacity is approximate and could change with budgetary restrictions.*
Source: Table 4.13-3 lists complete source list.

b. Project Impacts and Mitigation Measures.

Impact PS-1 Development facilitated by the Housing Element would add up to 201 new dwelling units to the City. This would place additional demand on fire protection services, but would not create the need for new or expanded fire protection facilities. Impacts would therefore be Class III, *less than significant*.

Development facilitated by the Housing Element would increase demand for fire and emergency services in the City. Fire Station 21 is staffed daily by three firefighters and houses a first run engine, a reserve pumper, and a brush engine. Fire Station 22 is staffed by three firefighters and houses a 1,500 gallon per minute pumper, a brush engine, a patrol, and a utility. Under the proposed Housing Element update, up to 201 new dwelling units could be added through 2014. Population growth associated with development facilitated by the Housing Element is expected to increase by up to 474 people (2.36 persons per household x 201 new units; see Section 4.12 *Population and Housing* for more information). This would bring the 2014 population to 8,009, an increase of 474 persons as compared to the 2009 population of 7,535. The ratio of firefighters to residents would decrease incrementally; however, this decrease would not adversely affect fire protection services (pers. comm. with Bob Michaels, Records Manager, VCFD, May 2009). Development impact fees collected from development of projects

facilitated under the proposed Housing Element's housing plan could be used as necessary for the purchase and maintenance of equipment.

As described in the *Setting*, Fire Station 21 has an average emergency response time of 4.9 minutes. The locations for new residential development facilitated by the proposed Housing Element and secondary dwelling programs are all in urban areas within the City. Therefore, because Fire Station 21 serves all areas within City boundaries, residential development accommodated under the proposed Housing Element would receive fire protection services by Fire Station 21within the 5-minute response time set by the City's General Plan Land Use Element. Therefore, no new facilities would be needed to provide service and impacts related to fire response would be less than significant.

A minimum fire flow is required to provide sufficient water to firefighters during an emergency. Fire flow is defined as the amount of water required, above and beyond domestic needs, to extinguish a fire in a structure and which should be available during peak water demand periods. The number and location of fire hydrants that would service development facilitated by the Housing Element would be determined in conjunction with the VCFD once final site plans are submitted for approval. The General Plan Safety Element requires all new development to provide steamer hydrants every 500 feet for residential districts. In addition to maintaining the mandatory fire flow and acceptable response times, development would be required to comply with all fire safety regulations outlined in the Uniform Fire Code. Therefore, impacts to fire flow would be less than significant.

Mitigation Measures. None required.

Significance After Mitigation. Impacts to fire protection service would be less than significant without mitigation.

Impact PS-2 Implementation of the Housing Element would increase the City's population, which would incrementally increase demand for police protection service. However, the increase would not substantially affect the personnel, equipment, or organization of the VCSD or require the construction of new facilities. Therefore, impacts to police service are considered Class III, *less than significant*.

Police protection services are not "facility-driven;" that is, police protection services are not reliant on facilities in order to effectively patrol a beat. An expansion of, or intensification of development within a beat does not necessarily result in the need for additional facilities if police officers and patrol vehicles are equipped with adequate telecommunications equipment in order to communicate with police headquarters. However, if the geographical area of a beat is expanded, population increases, or intensification/redevelopment of an existing beat results in the need for new police officers, new or expanded facilities could be needed.

Under the proposed Housing Element, new housing construction and programs to make use of existing housing stock would increase the City's housing by up to 201 dwelling units. This number of new units would add an estimated 474 residents, bringing the 2014 population to 8,009. The City's population increase of 474 persons over an eight-year period is an increase of

less than 1% per year, which is consistent with the City's population growth during the previous Housing Element plan period. This population increase would result in an increase in the demand for police protection services in the City, but would not create the need for new facilities.

The ratio of police officers to residents as of May, 2009 for the entire Ojai Valley is one officer per 833 residents. Population increase accommodated under the Housing Element would result in an incremental decrease of the police officers to resident ratio, to one officer per 847 residents. The Land Use Element requires 1.5 police officers per 1,000 residents. Ventura County guidelines minimally acceptable level for the Sheriff's Department in Ventura County is one officer for every 1,270 residents. Based on the anticipated ratio of about one officer per 847 residents, population increase accommodated under the Housing Element would meet Ventura County guidelines, but does not meet the City's Land Use Element standards. Regardless, with continued funding from development fees, the VCSD would be able to continue to effectively patrol the City, including new development facilitated by the Housing Element and no new facilities would be needed (pers. comm. with Stacie Snow, VCSD, Crime Analysis Unit, May, 2009). Thus, impacts would be less than significant.

As described in the *Setting*, the VCSD maintains an average emergency response time of five to six minutes. The addition of up to 201 new units through 2014 would not adversely affect the VCSD's ability to respond to emergencies in a timely manner. Further, the proposed Housing Element development would not necessitate the construction of a new police station as potential project locations are already served by the VCSD (pers. comm. with Stacie Snow, VCSD, Crime Analysis Unit, May, 2009). Therefore, impacts relating to the provision of police protection services would be less than significant.

Mitigation Measures. None required.

Significance After Mitigation**.** Impacts to police protection service would be less than significant without mitigation.

Impact PS-3 Residential development facilitated by the proposed 2006-2014 Housing Element would generate new students and increase the demand for school facilities. However, new development would be required to pay the school facilities fee. According to State law, payment of these fees is considered full mitigation of school impacts associated with new development. Therefore, impacts are considered Class III, *less than significant*.

The proposed Housing Element would facilitate up to 201 new dwelling units in Ojai through 2014. As of 2012 there are 3,390 households in Ojai and an estimated 3,078 students in the OUSD.[1] The OUSD does not maintain student generation factors (pers. comm. Andrea Pendleton, OUSD, May 2009); therefore, student generation factors from the Ventura Unified School District (VUSD) were used for this analysis. Fifty of the units potentially facilitated by the Housing Element would be senior housing, which would not generate new students (City of

[1] Students are a 2009 estimate.

Ojai Initial Study Guidelines). The generation of school-aged children is based on the following factors from the VUSD Developer Fee Report:

- *0.22 elementary school students per unit*
- *0.09 middle school students per unit*
- *0.11 high school students per unit*

Using these generation factors, the remaining 161 new units proposed by the Housing Element would generate an estimated 68 new students. As shown in Table 4.13-2, districtwide capacity could accommodate for an additional 1,294 students and would therefore be capable of receiving the 68 new students potentially generated by implementation of the proposed Housing Element.

Table 4.13-2
Future OUSD Enrollment and Capacity

School Type	2009 Enrollment	Future Enrollment	Capacity*
Elementary School	1,430[a]	1,465	2,262[a]
Middle School	549[b]	564	800[b]
High School	1,099[c]	1,117	1,310[c]
Total	3,078	3,146	4,372

Source: [a] Enrollment and capacity figures for K-8: pers. comm. with Attendance Office, Topa Topa Elementary School, May 2009; pers. comm. with Amy Dennis, Office Manager, San Antonio Elementary School, May 2009; pers. comm. with Marilyn Smith, Principal, Summit Elementary School, May 2009; and pers. comm. with Sue Foster, Office Administrator, Meiners Oaks Elementary, June 2009; pers. comm. with Kathy White, Principal, Mira Monte School, June 2009.
[b] Enrollment and capacity figure for Middle School: pers. comm. with John Schweller, co-Principal, Matilija Junior High School, May, 2009.
[c] Enrollment and capacity figures for High School: pers. comm. with Andrea Pendleton, Ojai Unified School District, May 2009; and pers. comm. with Dan Musick, Principal, Nordhoff High School, May 2009.
*Note: * School capacity figures are approximate and could fluctuate based on budgetary restrictions.*

In accordance with Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "…is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Therefore, impacts to relating to school capacity would be less than significant with payment of required fees.

Mitigation Measures. None required.

Significance After Mitigation. Impacts to public schools would be less than significant with payment of State-mandated fees.

c. Cumulative Impacts.

Fire Protection. As described in Section 3.0, *Environmental Setting*, the potential development of 201 units facilitated under the Housing Element along with 25 residential dwelling units and 63,729 sf of light industrial account for the anticipated cumulative

development through the year 2014 for the City of Ojai. Growth forecasts for the City of Ojai would increase demand for fire protection services. Development impact fees collected from cumulative development would be used as necessary for the purchase and maintenance of equipment. The General Plan Safety Element requires all new development to provide steamer hydrants every 500 feet for residential districts. In addition to maintaining the mandatory fire flow and acceptable response times, cumulative development would be required to comply with all fire safety regulations outlined in the Uniform Fire Code. Cumulative impacts would not be significant with compliance with all fire safety regulations.

Police Protection. The potential development of 201 units facilitated under the Housing Element along with 25 residential dwelling units and 63,729 sf of light industrial account for the anticipated cumulative development through the year 2014 for the City of Ojai. Growth forecasts for the City of Ojai would increase demand for police protection services. Development impact fees collected from cumulative development individual applicants could be used as necessary for the purchase and maintenance of equipment. Therefore, impacts relating to the provision of police protection service would be less than significant. Cumulative development would occur in areas already patrolled by the VCSD and therefore cumulative impacts would be less than significant.

Schools. The potential development of 201 units facilitated under the Housing Element along with 25 residential dwelling units and 63,729 sf of light industrial account for the anticipated cumulative development through the year 2014 for the City of Ojai. Growth forecasts for the City of Ojai would add new students attending OUSD schools. The 50 proposed senior housing units to be potentially developed under the proposed Housing Element would not generate students. Therefore, the potential development of the proposed Housing Element along with the proposed 25 residential units of pending development would generate approximately 79 new students. The OUSD has sufficient capacity to accommodate 106 new students. Pursuant to Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Cumulative commercial and light development would not generate new students but would be required to pay State-mandated school impact fees to the OUSD. Therefore, pursuant to CGC §65994(h), cumulative impacts relating to school capacity would not be significant if future developers within the OUSD continue to pay State-mandated school impact fees.

4.14 RECREATION

This section discusses the impacts to recreational resources within Ojai. Parks, open space, and trails are discussed in this section.

4.14.1 Setting

Parks, recreational resources and open space are important to identify and evaluate because they provide an important measure of the physical quality of life in a community. Such resources enhance the City's aesthetic qualities, the health of the City's environment, and residents' perceptions and enjoyment of the City. Figure 4.14-1 shows the locations of existing City operated parks.

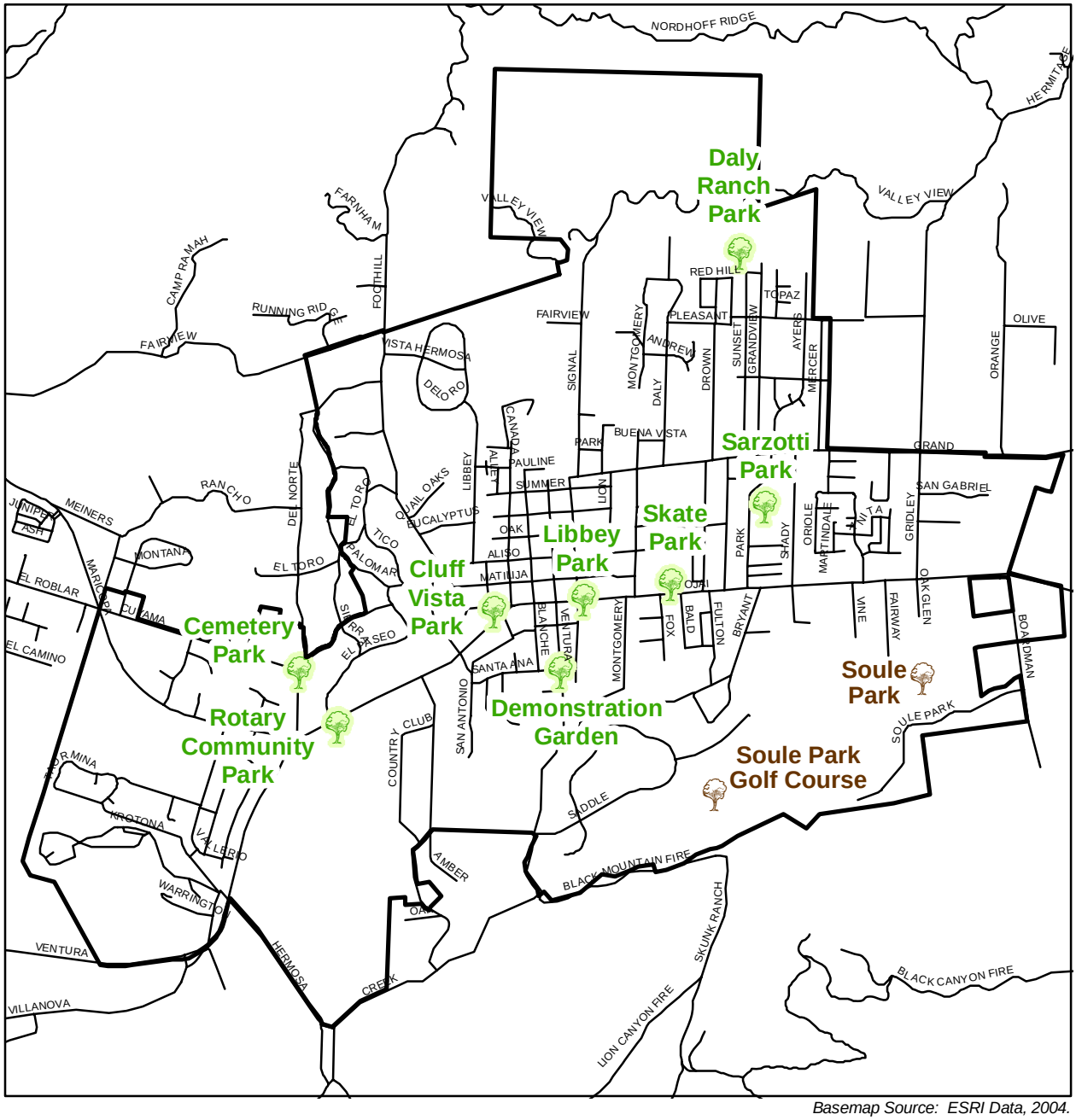
The City is committed to ensuring that its citizens have ample access to high quality spaces for leisure and active recreation. The City also provides a variety of recreation services such as sports leagues, education classes, cultural events, entertainment experiences, and other leisure activities for the community.

a. Parks. As of 2012, the City of Ojai owns and operates about 24 acres of developed parkland, or about 3 acres per 1,000 residents. Facilities operated by the City include Libbey Park, Sarzotti Park, Rotary Community Park, Daly Park, Cluff Vista Park, the Skate Park, the Cemetery, and the Demonstration Garden. An inventory of existing public parks in Ojai is provided in Table 4.14-1.

Table 4.14-1
Ojai Park & Recreational Facilities

Park	Total Acres
Libbey Park	7.46
Sarzotti Park	9.73
Rotary Community Park	1.32
Cluff Vista Park	0.54
Skate Park	0.17
Daly	1.47
Cemetery	2.70
Demonstration Garden	0.74
Total	**24.13**

Source: Pers. Comm. with Shari Herbruck, City of Ojai, May 2009.



Basemap Source: ESRI Data, 2004.

City Boundary

City-Owned Park

County Park within City Limits

N

0 2,000 4,000 Feet

City-Owned Park Locations

Figure 4.14-1

b. Recreation. Recreational facilities in Ojai serve a wide variety of activities including tennis, swimming, baseball, basketball, golf, multi-use game courts and more. Many recreational facilities are incorporated into City-owned parks used for active and passive recreation. Recreational facilities in the City are identified in Table 4.14-1. Additional recreational facilities in and around the City, but not operated by the City are also available to Ojai residents. These include the Lake Casitas Recreation Area, Los Padres National Forest, Soule Park Municipal Golf Course, Ojai Valley Inn Golf Course, and Ventura County parks including Camp Comfort, Foster Park, Soule Park, and Steckel Park. State beaches are regionally accessible with Emma Wood State Beach located about 12 miles from the City. The Open Space Element of the Ojai General Plan (Open Space Element) encourages the multiple use of school playfields and thereby increasing the amount of open space available in Ojai.

The City of Ojai also operates a wide range of recreation programs for residents of all ages. The City offers a variety of sports programs, including youth and adult sports programs, classes, aquatics, and workshops. City-sponsored senior programs include art classes, writing seminars, and golf lessons. Youth programs include seasonal camps, parent and child participation classes, after school programs, music instruction and art classes. The City also hosts a number of special events throughout the year, including seasonal festivals and holiday celebrations.

c. Open Space. Ojai is surrounded by open space and park land owned by the Casitas Municipal Water District, Ventura County, and the United States Forest Service. In addition to the publicly-owned open space surrounding Ojai, the City has approximately 1,930 acres of protected open space within its boundaries, including land owned and operated by the Ojai Valley Land Conservancy. Figure 4.14-2 shows the locations of open space areas within and surrounding the City. Within and around open space in Ojai is a network of trails used for a variety of interests, including hiking, mountain biking, horse riding, jogging, or walking. Figure 4.14-3 shows the locations of the various trails around the City.

4.14.2 Impact Analysis

a. Methodology and Significance Thresholds. This analysis is based on the comparison of the current park land-to-population ratio and the City's target ratio. The City has set a target of four acres of parks per 1,000 residents. Impacts are considered significant if implementation of the Housing Element would result in the City dropping below the standard of less than four acres of park land per 1,000 residents or hinder progress towards attainment of the standard.

Impacts would be considered significant if implementation of the Housing Element results in:

- *Implementation of the project increases the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated*
- *Project includes recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment*

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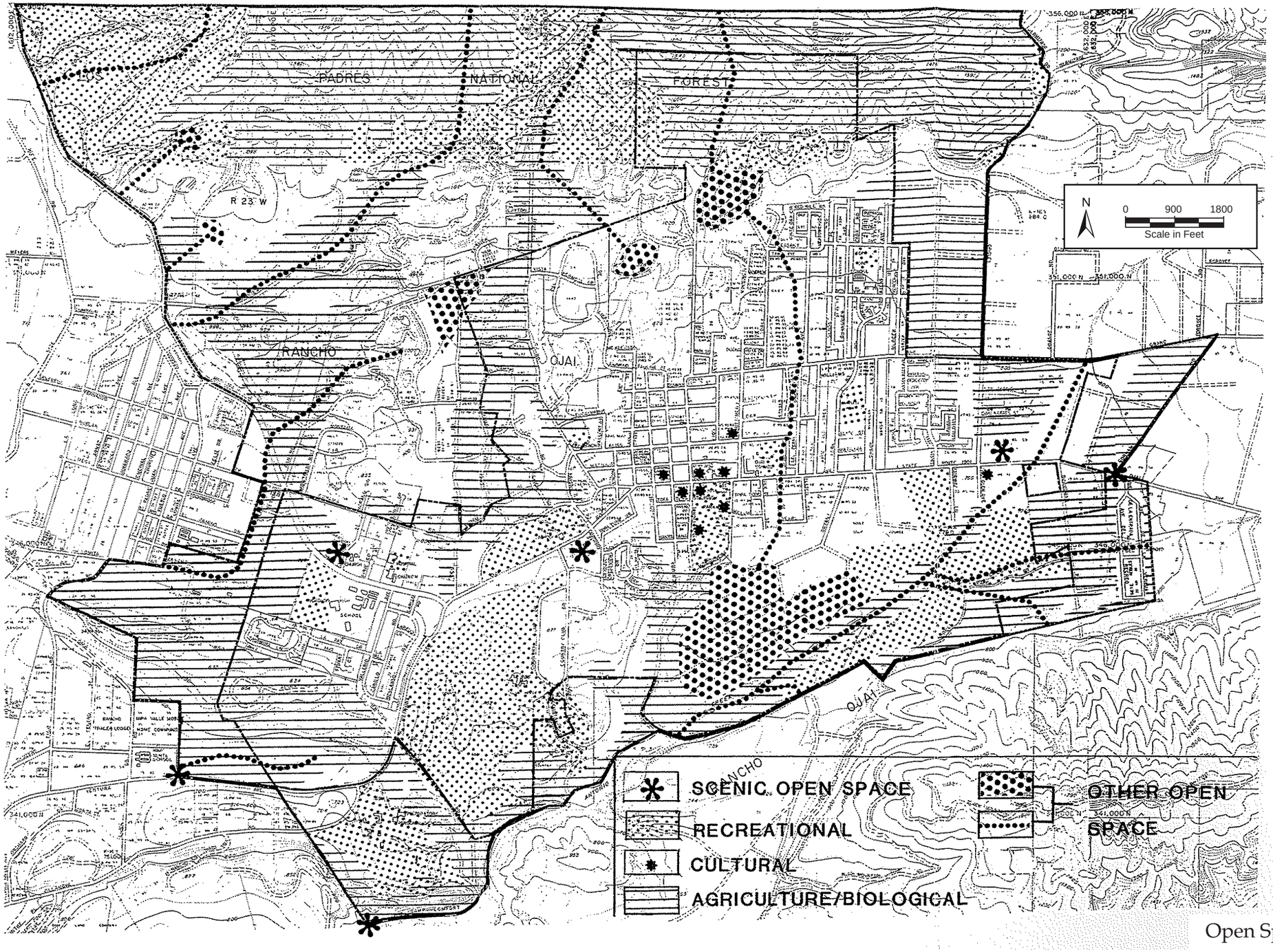
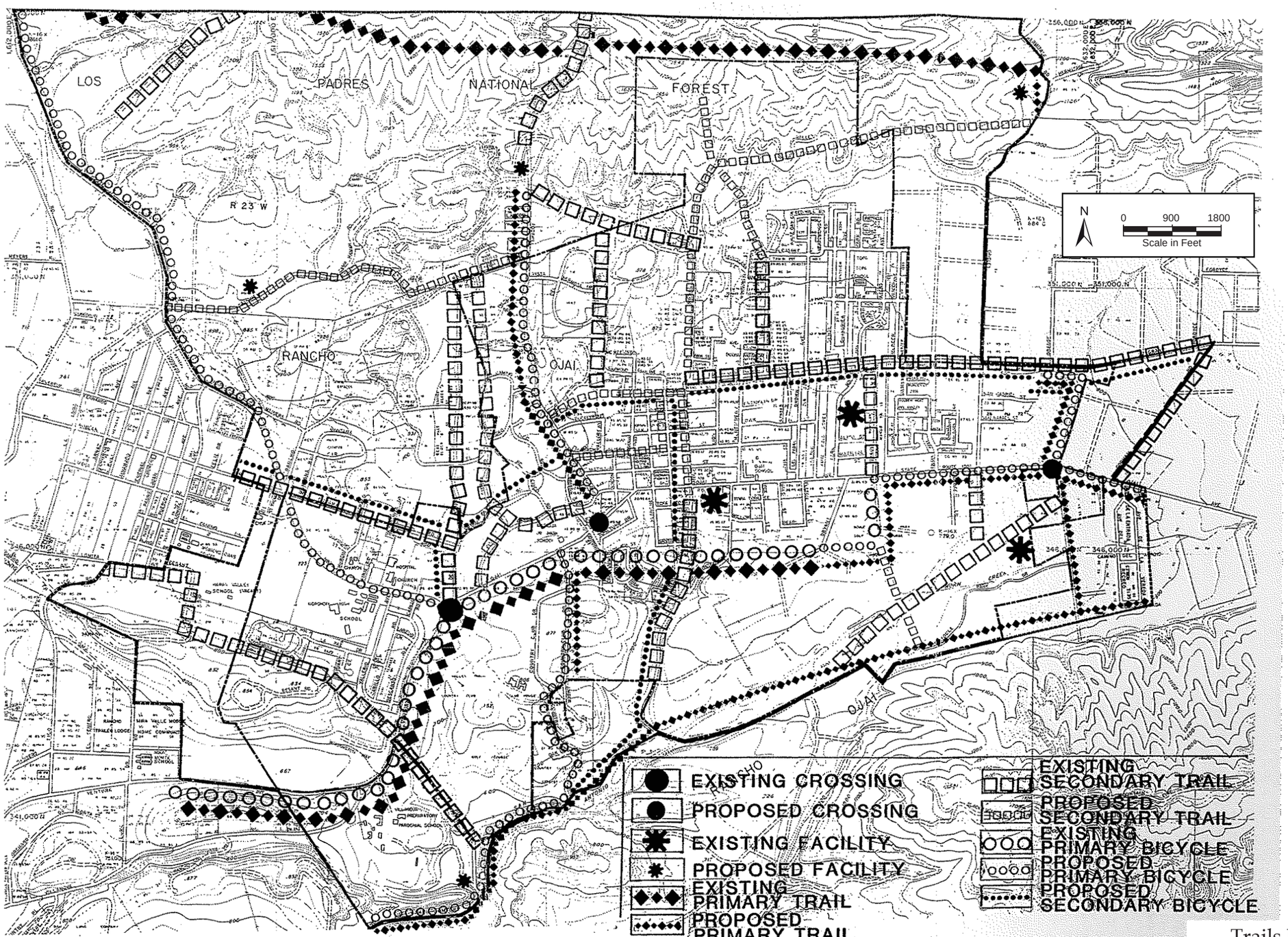


Open Space Locations

Figure 4.14-2

Drawing Source: City of Ojai Initial Study Assessment Guidelines, October 2002.



Trails Locations

Drawing Source: City of Ojai Initial Study Assessment Guidelines, October 2002.

Figure 4.14-3

b. Project Impacts.

Impact REC-1 Development facilitated by the Housing Element would incrementally increase the City's population and demand for parks and recreation facilities. The current inventory of parks does not meet the City's target of four acres of active parkland per 1,000 residents. However, development fees required by new development facilitated by the proposed Housing Element would finance park and recreation facilities to ensure new development does not hinder the City's progress towards its target of four acres of parkland per 1,000 residents. Therefore, this is considered a Class III, *less than significant,* impact.

The City's target parkland-to-population ratio is four acres per 1,000 residents. Using this standard, the City would ideally provide 30.1 acres of parkland to serve its current population of 7,535. Since the City currently has approximately 24 acres of parkland, there is an 6.1-acre deficit in parkland and recreational facilities in the City.

The proposed Housing Element would increase the City's population by 474 residents by 2014, bringing the population to 8,009. Using the four acres per 1,000 residents standard, the City would need approximately 32 acres of parkland by the year 2014 or about 32 more acres than are demanded by the current population. This exceeds the current inventory of parkland by 8 acres.

The following policies and programs from the Recreation Element of the General Plan would help address the increased demand for parks associated with population growth facilitated by the Housing Element.

Program: *The City shall require non-City residents to pay a proportional share of administrative park maintenance costs. This will allow them the use of City facilities and programs until a Special District is created.*

Policy: *The City shall actively pursue methods to improve and expand existing recreational facilities in Ojai and the Ojai Valley.*

Program: *The City shall encourage Ventura County, school districts and other public agencies and private interests to combine efforts for recreation facilities' improvements to adequately serve the recreational needs of all residents of the Ojai Valley.*

Program: *The City shall request that the County improve and maintain regional park facilities in the Ojai Valley. Further, the City shall request that the County recognize that regional recreational facilities in the Ojai Valley contribute to the overall economic vitality for the community. In making this contribution they need not be fiscally self sufficient.*

Policy: *The City shall work in coordination with the County of Ventura and other agencies and interests to optimize the use of all County parks and to balance the use of County and City parks.*

Program: *The City shall encourage the County and other public agencies to formulate a Park-Sharing Agreement regarding the proportionate provision and use of parks and their services. The Agreement will address park maintenance responsibilities in Ojai and its vicinity.*

Policy: *The City shall maximize uses within all existing parks in the area to their fullest, and then improve and expand upon existing City parkland to meet the growing recreational demands of the City.*

Program: *The City shall explore and pursuer the utilization of park-in-lieu-fees to enhance and expand upon existing City park facilities.*

Program: *An overall Parks Maintenance Plan shall be formulated to provide funding for the maintenance of all existing and future City parks areas.*

Policy: *In the long-term planning of City parkland, the City shall identify and retain open space for potential future parkland.*

Program: *The City shall encourage donations and dedications to the City of suitable park land within, and adjacent to, the community. Such dedication shall include maintenance responsibility agreements.*

The following policies and programs from the Recreation Element would help address the increased demand for recreational facilities associated with population growth facilitated by the Housing Element.

Policy: *The City shall work with the County of Ventura and other involved agencies and interested parties to provide a balance of recreational services and programs and facilities in the community.*

Program: *The Ojai Parks and Recreation Commission shall review and update its long range plan of recreation services and facilities. This effort should be conducted in cooperation with Ventura County and other interests.*

Program: *The City shall develop and equitable Recreation Fee System for non-City residents participating in City Recreation programs. Funds shall be utilized by the City Recreation department for the provision and improvement of recreation services.*

Program: *Staff levels for the Recreation Department shall be periodically reviewed by the City Staff and City Council in order to facilitate the organization, conduct, and supervision of Recreation Programs. Funding shall be encouraged to be included in the Ojai Recreation long-range plan and the City should pursue support of other involved agencies.*

Policy: *The City shall attempt to utilize all existing facilities within the community to the maximum extent feasible and desirable.*

Program: *The City shall propose a coordinated work effort with the County to formulate an agreement pertaining to shared use of all facilities, incorporating an equitable fee system to allocate financial obligations for maintenance of facilities, and supervision of programs.*

Policy: *The City shall attempt to supplement existing recreation and cultural facilities by developing new facilities at the time they are considered needed and desired by the community.*

With implementation of these adopted policies and programs, the City may continue to make progress towards achieving the target ratio of park space to population. Additionally, pursuant to Chapter 1 Article 5 of the Ojai Municipal Code, Park and Recreational Tax, the developer(s) of the individual new dwelling units would be required to pay a per-unit fee to the City, which would be used for the development of new park and recreation facilities. Finally, it should be noted that Ojai is surrounded by ample passive and active recreation opportunities, including Lake Casitas and the National Forest.

Mitigation Measures. With adherence to the General Plan Recreation Element policies and programs listed above along with payment of park and recreational fees, no mitigation measures are required.

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

c. Cumulative Impacts. As described in Section 3.0, *Environmental Setting*, the potential development of 201 units facilitated under the Housing Element along with 25 residential dwelling units and 63,729 sf of light industrial account for the anticipated cumulative development through the year 2014 for the City of Ojai. Growth forecasts for the City of Ojai would increase demand for parks and recreational facilities. Based on the four acres per 1,000 resident goal, citywide demand for parkland in 2014 would be approximately 32.3 acres. Dedication of parkland for new development and continued collection of required park fees on new development would allow the City to address increased demand for parks associated with population growth. Continued payment of required park fees and dedication of land for parks on a case-by-case basis would reduce cumulative impacts to a less than significant level.

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4.15 TRAFFIC and CIRCULATION

This section summarizes potential impacts relating to traffic and circulation as reported in the traffic impact study performed by Associated Transportation Engineers (ATE). The traffic study is included in its entirety in Appendix D.

4.15.1 Setting

a. Existing Street Network. The project study area is served by a circulation system comprising highway, arterial streets and collector streets. The major roadways serving the project are described below.

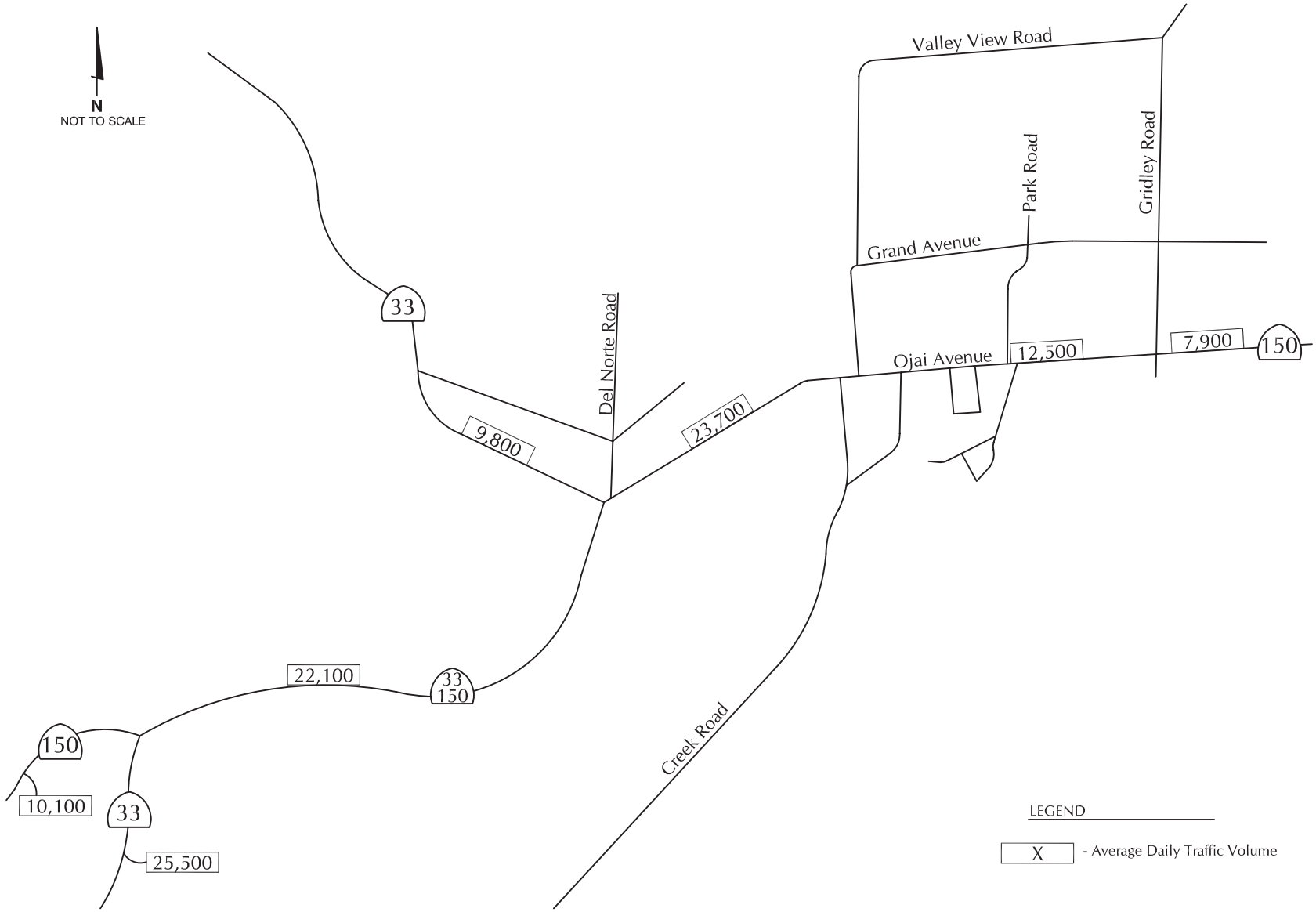
State Route 33. State Route 33 is a two to four-lane highway that extends between U.S. Highway 101 in Ventura County to State Route 166 in San Luis Obispo County. State Route 33 extends north from U.S. Highway 101 as a four-lane freeway section, then transitions to a conventional two-lane highway as it travels through the community of Casitas Springs and the City of Ojai. State Route 33 (Ventura Avenue) is a principal north-south arterial through the City of Ojai. The two-lane section of State Route 33 through Casitas Springs has been identified as an impacted roadway section on the Ventura County's Regional Road network.

State Route 150. State Route 150 is a two-lane conventional highway that connects U.S. Highway 101 in Santa Barbara County to State Route 126 in Ventura County, linking the cities of Carpinteria, Ojai and Santa Paula. State Route 150 (Ojai Avenue) is a principal east-west arterial through the City of Ojai.

b. Existing Traffic Conditions.

Intersection LOS Definitions. Level of Service (LOS) is a qualitative measure used to describe the condition of traffic flow, ranging A through F, with LOS A indicating very good traffic flow and LOS F indicating poor traffic flow. LOS is determined based on the amount of traffic the roadway carries in relation to its design capacity. Roadways are classified according to their function and have varying degrees of capacity based on their size and design elements and the friction caused by intersections, grades, horizontal and vertical alignments, sight distance, level of truck and bus traffic, level of pedestrian and bicycle traffic, etc. Full definitions are shown below in Table 4.15-1.

Existing Roadway Operations. Year 2009 average daily traffic (ADT) volumes for the study-area roadway segments are illustrated on Figure 4.15-1. The traffic volumes were collected by Caltrans and are presented in the 2007 Traffic Volumes on California State Highways. In determining the operational characteristics of these roadway segments, LOS A through F are applied, with LOS A indicating very good operations and LOS F indicating poor operations (see Table 4.15-1 for definitions). The Circulation Element of the Ojai General Plan identifies LOS E as minimum acceptable level of service for state routes 33 and 150 through Ojai.



Drawing Source: Associated Transportation Engineers, August 3, 2009.

Existing Roadway Traffic Volumes

Figure 4.15-1

Table 4.15-1
Levels of Service (LOS) Definitions

LOS	Definition
A	Low volumes; primarily free flow operations. Density is low and vehicles can freely maneuver within traffic stream. Drivers can maintain their desired speeds with little or no delay.
B	Stable flow with potential for some restriction of operating speeds due to traffic conditions. Maneuvering is only slightly restricted. Stopped delays are not bothersome and drivers are not subject to appreciable tension.
C	Stable operations, however the ability to maneuver is more restricted by the increase in traffic volumes. Relatively satisfactory operating speeds prevail but adverse signal coordination or longer queues cause delays.
D	Approaching unstable traffic flow where small increases in volume could cause substantial delays. Most drivers are restricted in their ability to maneuver and their selection of travel speeds. Comfort and convenience are low but tolerable.
E	Operations characterized by significant approach delays and average travel speeds of one-half to one-third of free flow speed. Flow is unstable and potential for stoppages of brief duration. High signal density, extensive queuing, or signal progression/timing are the typical causes of delays.
F	Forced flow operations with high approach delays at critical signalized intersections. Speeds are reduced substantially and stoppages may occur for short or long periods of time because of downstream congestion.

Source: ATE, Traffic Impact Analysis, 2009 (Appendix D)

Levels of Service for the study area roadway segments were determined based on Ventura County roadway engineering design capacities (see technical appendices to the traffic study, Appendix D to this EIR). The results are presented in Table 4.15-2.

Table 4.15-2
2009 Roadway Levels of Service

Roadway Segment	Existing Geometry	Roadway Classification	Existing ADT	LOS D/E Capacity	LOS
SR-33 n/o SR-150	2-lane	Class 1	9,800	16,000	LOS C
SR-33 s/o SR-150 [a]	2-lane	Class 1	25,500	27,000	LOS E
SR-150 w/o SR-33	2-lane	Class 1	10,100	16,000	LOS C
SR-150 e/o SR-33 [a]	2-lane	Class 1	23,700	27,000	LOS E
SR-150 w/o Gridley Road	2-lane	Class 1	12,500	16,000	LOS D

n/o = north of; s/o = south of; w/o = west of; e/o = east of
[a] City of Ojai Circulation Element has established LOS E for these roadway segments.
Source: ATE, Traffic Impact Analysis, 2009. (Appendix D)

The data presented in Table 4.15-2 indicates that the roadway segments currently operate in the LOS C - E range based on the County's level of service criteria. As noted above and discussed in the following section, LOS E is the minimum threshold established in the City's Circulation Element for State Route 150 (Ojai Avenue) and State Route 33 through Ojai.

4.15.2 Impact Analysis

a. Methodology and Significance Thresholds. The following section reviews the traffic analysis scenarios and key elements of the traffic methodology used in the project analysis. It should be noted that this program-level EIR examines the broad environmental effects of adoption of the proposed 2006-2014 Housing Element, and as such does not anticipate the precise impacts of individual projects that could be facilitated by its adoption. Impacts to the main arterials through the City and regional roads serving the City are analyzed, rather than intersection impacts that would require specific locations of future development.

City of Ojai Traffic Impact Thresholds. A significant adverse traffic impact is assumed to occur at any roadway segment if a project is anticipated to add average daily or peak hour volumes to a roadway segment that would cause it to exceed the roadway performance standards in Table 4.15-3. (Consistent with the programmatic nature of the project and of this EIR, and the focus on the regional circulation network, potential impacts to specific intersections were not analyzed.)

Table 4.15-3
Allowable Project-Related Traffic Increases Where Roadway Performance Standards Are or Will be Exceeded

Existing or Future Link/Intersection LOS	Volume to Capacity (V/C) Ratio	Maximum Peak Hour V/C Increase
C	0.71 – 0.80	0.010
D	0.81 – 0.90	0.0060
E	0.91 – 1.00	0.0030
F	> 1.01	0.0030

Source: ATE, Traffic Impact Analysis, 2009. (Appendix D)

Ojai Circulation Element Thresholds. The Circulation Element of the City of Ojai General Plan includes policies aimed at improving the circulation within the City. Policy CIR-1 indicates that the City strives to maintain LOS C for all roadways within the City, however, with the exception that the minimum acceptable LOS along State Routes 33 and 150 would be LOS D, except for any segments or intersections operating below LOS D as of the date of adoption of the Circulation Element (May 13, 1997), in which case, LOS E is considered acceptable.

County of Ventura Traffic Impact Thresholds. The County of Ventura's traffic impact thresholds for the Ojai area focus on the segment of State Route 33 in the community of Casitas Springs, located south of the City of Ojai (Table 4.15-4). The threshold states that a project would contribute to significant cumulative impacts if it adds one or more southbound trips during the A.M. peak period or adds one or more northbound trips during the P.M. peak period to State Route 33 through Casitas Springs.

Table 4.15-4
Minimum Acceptable Level of Service for Roadway Segments

Case	Minimum LOS	Description
a.	LOS D	All County thoroughfares and state highways within the unincorporated area of the County, except as provided in case b.
b.	LOS E	State Route 33 between the end of the freeway and the City of Ojai
c.	LOS C	All County maintained local roads
d.	Varies	The LOS prescribed by the applicable city for all state highways, city thoroughfares, and city maintained local roads located within that city, if the city has formally adopted General Plan policies, ordinances, or reciprocal agreement with the County, pertaining to highways, county thoroughfares and county-maintained local roads in the unincorporated area of the county.
e.		County LOS standards are applicable for any City that has not adopted its own standards.

Source: ATE, Traffic Impact Analysis, 2009. (Appendix D)
At any intersection between two roads, each of which has a prescribed minimum acceptable LOS, the less stringent LOS of the two shall be the minimum acceptable LOS of that intersection.

A significant adverse project-specific traffic impact is assumed to occur on any road segment if any one of the following results from the project:

a. The project would add 10 or more PHT to a road segment that is currently operating at an acceptable LOS as defined in Table 4.15-4, but would cause the LOS to fall to an unacceptable level as defined in Table 4.15-4.

b. The project would add one or more PHT to a roadway segment that is currently operating at less-than-acceptable LOS as defined in Table 4.15-4.

c. The project would add 10 or more ADT or 1% or more of the total projected ADT, whichever is greater to a roadway that currently operating at less-than-acceptable LOS as defined in Table 4.15-4.

A significant adverse cumulative traffic impact is assumed to occur on any road segment if any one of the following results from the project:

a. The project would add one or more ADT to a roadway segment that is part of the regional road network and is projected to fail to a less-than-acceptable LOS as defined in Table 4.15-4 by the year 2020. However, if the project would increase the projected 2020 V/C ratio by less than 0.01 and the County's Traffic Impact fees are paid, the project's contribution to an otherwise significant cumulative impact is considered mitigated.

b. The project would add one or more ADT to a roadway segment that is part of the regional road network and is projected to operate at an acceptable LOS by the year 2020, but when considered with other approved proposed and reasonably foreseeable future projects, would cause the road segment to fall to a less-than-acceptable LOS as defined in Table 4.15-4.

c. The project would add one or more A.M. southbound or P.M. northbound PHT to State Route 33 between the northerly end of the Ojai Freeway and the City of Ojai limits.

The 1997 Circulation Element EIR indicates that three segments of Ojai Avenue would operate in the LOS F range with General Plan buildout. The 1997 Circulation Element EIR also indicated that the remaining sections of Ojai Avenue would operate at LOS E or better.

Project Trip Generation Methodology. Average daily, A.M., and P.M. peak hour trip generation estimates were calculated for the new housing units that could be facilitated by adoption of the proposed Housing Element Update using the rates presented in the Institute of Transportation Engineers (ITE), Trip Generation, 8th Edition for Low Rise Apartment (Land Use Code 221) and Senior Housing Attached (Land Use Code 252). This is a standard reference used by jurisdictions throughout the United States and is based on actual trip generation studies performed at numerous locations in areas of various populations. Table 4.15-5 illustrates the trip generation for development facilitated by the proposed Housing Element.

Table 4.15-5
Ojai Housing Element Update Trip Generation

Land Use	Size	ADT		AM PHT		PM PHT	
		Rate	Trips	Rate	Trips	Rate	Trips
Multi-Family Residential	151 d.u.	6.59	995	0.46	69	0.58	88
Senior Housing	50 d.u.	3.48	174	0.13	7	0.16	8
Total Trip Generation			**1,169**		**76**		**96**

ADT = Average Daily Traffic Generation
AM PHT = AM Peak Hour Trips
PM PHT = PM Peak Hour Trips
Source: ATE, Traffic Impact Analysis, 2009 (Appendix D) and updated project description (Section 2.0).

Project Trip Distribution and Assignment. Local and regional trip distribution patterns were developed for the project based on Journey-to-Work data published as part of the 2000 Census for the City of Ojai. Data presented in the 2000 Census Journey-to-Work database was reviewed to understand peak hour commute patterns for area residents. The data includes travel times for commute trips. ATE researched the Journey-to-Work data for Ojai to develop the trip distribution patterns for the project.

The distribution analysis accounts for local traffic commuting within the Ojai area. The analysis assumes that 50% of project traffic would be oriented to the local area. This assumption is based on 2000 Census data, which shows 50% of commute trips are less than or equal to 14 minutes in travel time.

The remaining 50% of the project-generated traffic would be allocated as follows:

- 10% would be oriented to/from State Route 150 west of Rice Road towards Carpinteria and Santa Barbara (this represents 20% of the 50% regional trips);

- 5% would be oriented to/from State Route 150 east of Gorham Road towards Santa Paula and Fillmore (this represents 10% of the 50% regional trips);
- 30% would be oriented to/from State Route 33 south of State Route 150 towards the Casitas Springs and Ventura areas (this represents 60% of the 50% regional trips); and
- 5% would be oriented to/from State Route 33 north of State Route 150 towards the Santa Barbara County area (this represents 10% of the 50% regional trips)

Figure 4.15-2 illustrates the project's trip assignment to studied segments.

Cumulative Traffic Volumes. Traffic associated with cumulative development would add additional trips to the existing roadway infrastructure. Cumulative traffic conditions for the local and regional street network analyzed in this traffic study were assessed assuming the completion of a list of planned and pending projects within the City of Ojai. Additional future growth outside of the City was determined by utilizing a growth factor for the State Route 33 and State Route 150 based on Caltrans historical traffic count data. The Fulton Street extension, the Pearl Street extension and planned Bryant Street improvements are expected to enhance the local circulation system as buildout of the community occurs over time. Estimated traffic generation associated with cumulative projects as of 2009 is illustrated in Table 4.15-6. Traffic generation associated with cumulative projects as of 2012 is illustrated in Table 4.15-7.

Table 4.15-6
Ojai Cumulative Developments Trip Generation - 2009

Project Applicant	Land Use	Size	ADT	A.M. PHT	P.M. PHT
Loomis	Residential	3 d.u.'s	29	2	3
Smigel	Residential	4 d.u.'s	25	3	4
Hromadik	Residential	1 d.u.	10	1	1
Manninen	Residential	1 d.u.	10	1	1
Meyerstein	Commercial	22,410 s.f.	993	30	61
Exon	Residential	4 d.u.'s	38	3	4
Wizman and Deluca	Light Industrial	53,908 s.f.	376	50	52
Colla	Residential	2 d.u.'s	19	2	2
Mann	Residential Light Industrial	5 d.u.'s 9,821 s.f.	34 68	3 9	3 10
Kenton	Commercial	803 s.f.	36	1	2
Cumulative Projects Trip Generation			**1,638**	**105**	**143**

ADT = Average Daily Trips Traffic Generation
A.M. PHT= AM Peak Hour Trips
P.M. PHT = PM Peak Hour Trips
Source: ATE, Traffic Impact Analysis, 2009. (Appendix D)

Table 4.15-7
Ojai Cumulative Developments Trip Generation - 2012

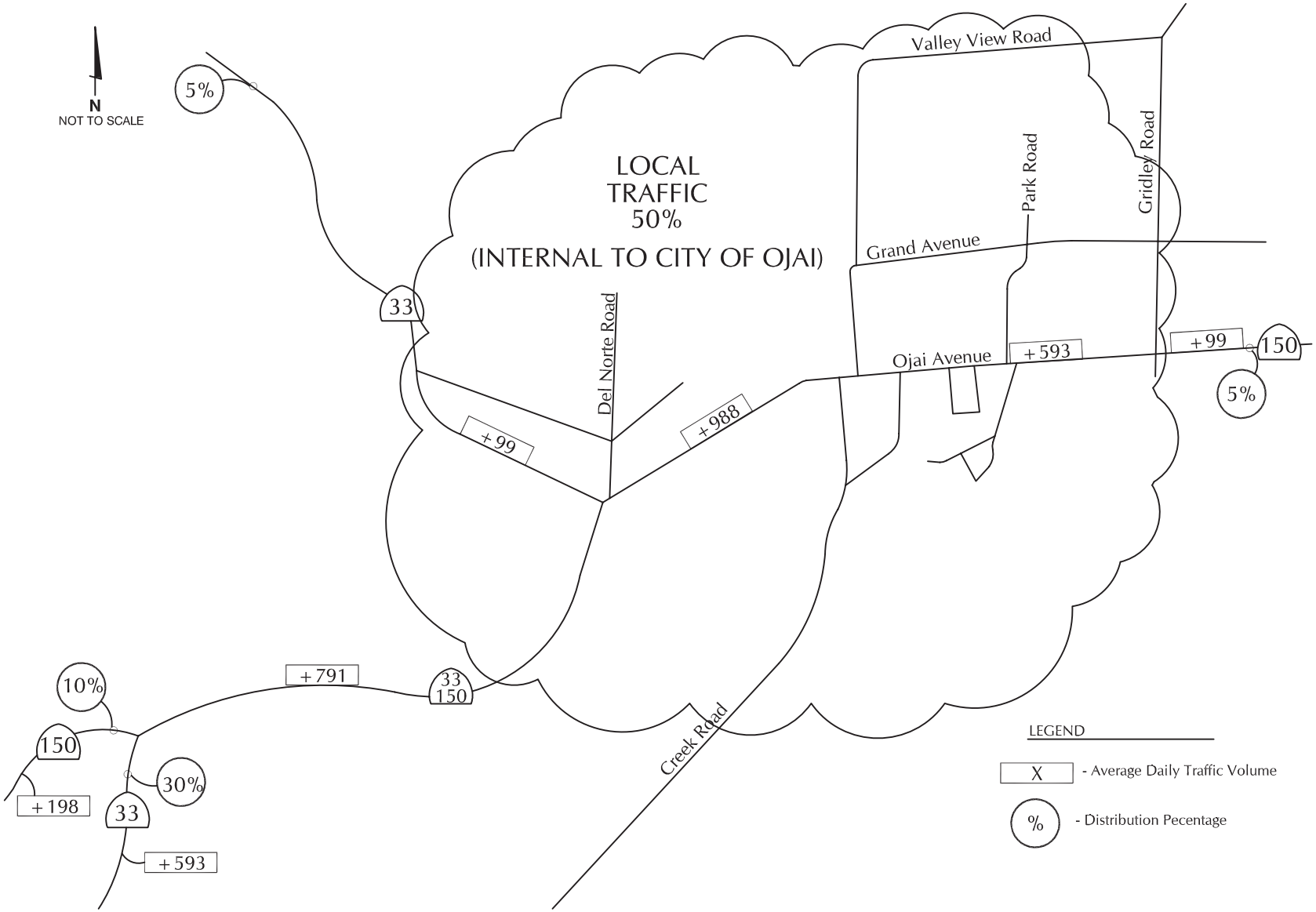
Project Applicant	Land Use	Size	ADT	A.M. PHT	P.M. PHT
Loomis	Residential	3 d.u.'s	29	2	3
Smigel	Residential	4 d.u.'s	25	3	4
Colla	Residential	2 d.u.'s	19	2	2
Mann	Residential Light Industrial	6 d.u.'s 9,821 s.f.	40 68	3 9	3 10
Becker	Residential	Net addition of 5 d.u.'s	33	2	3
Wizman	Light Industrial	53,908 s.f.	376	50	52
Giannetti	Residential	1 d.u.	10	1	1
Romming	Residential	1 d.u.	10	1	1
Wollam	Residential	1 d.u.	10	1	1
Zimmerman	Residential	1 d.u.	10	1	1
Carroll	Residential	1 d.u.	10	1	1
Cumulative Projects Trip Generation			**640**	**76**	**82**

ADT = Average Daily Trips Traffic Generation
A.M. PHT= AM Peak Hour Trips
P.M. PHT = PM Peak Hour Trips
Source: ATE, Traffic Impact Analysis, 2009. (Appendix D)

The data presented in Table 4.15-6 indicates that the 2009 approved/pending projects would generate a total of 1,638 average daily trips, 105 A.M. peak hour trips and 143 P.M. peak hour trips. Table 4.15-7 shows that 2012 approved/pending projects would generate 640 average daily trips, 76 A.M. peak hour trips, and 82 P.M. peak hour trips. As shown, 2012 cumulative project trip generation is lower than that considered in the 2009 Traffic Impact Analysis.

The approved/pending projects were distributed and assigned to the study area roadways based on existing travel patterns as well as a general knowledge of the population, employment and commercial centers in the Ojai community. Table 4.15-8 illustrates the cumulative roadway levels of service at the studied roadway segments.

Because two years occurred between circulation of the Draft EIR and consideration of the Final EIR, study area traffic levels were reexamined to determine whether or not predicted cumulative traffic levels from the 2009 Traffic Impact Analysis were valid. As indicated in Table 4.15-8, overall traffic levels at intersections along SR 33, as reported in the County of Ventura Transportation Department's "2011 Traffic Volumes on Ventura Roadways" generally declined slightly between 2009 and 2011. For this reason and because the cumulative project traffic generation is lower than that considered in the 2009 Traffic Impact analysis upon which



Drawing Source: Associated Transportation Engineers, August 3, 2009.

Project Trip Distribution and Assignment

Figure 4.15-2

the Draft EIR traffic analysis was based (as discussed above), the analysis included in the Draft EIR represents a conservative estimate of cumulative impacts.

Table 4.15-8
Change in Traffic Levels, 2009-2011

Intersection Along SR 33	Vehicles per Day		
	2009	2010	2011
Casitas Vista Road (w/o Ojai Fwy)	2,500	2,300	2,400
Creek Road (e/o Country Club Dr)	2,500	2,500	2,400
Creek Road (e/o Ventura Ave)	2,700	2,700	2,700
El Roblar Drive (w/o Maricopa Hwy)	7,900	7,600	7,500
Fairview Road (e/o Maricopa Hwy)	700	800	800
Lockwood Valley Road (w/o Kern Co.)	1,100	1,000	900
Lockwood Valley Road (e/o Maricopa)	300	300	300
Villanova Road (e/o Ventura Ave)	2,100	2,300	2,400
Total Volume (all intersecions)	**19,800**	**19,500**	**19,400**

Table 4.15-9 shows the projected levels of service on affected segments of SR 33 and SR 150 under cumulative conditions. The data shown are based on the 2009 Traffic Impact Analysis. The analysis is considered conservative because, as discussed above, overall traffic levels have generally declined since 2009, traffic generation associated with 2012 cumulative development in Ojai is lower than that associated with 2009 cumulative development considered in the 2009 Traffic Impact Analysis, and traffic generation associated with new housing facilitated by the proposed Housing Element is lower than that considered in the 2009 Traffic Impact Analysis (see Table 4.15-5). The data presented in Table 4.15-9 indicates that under cumulative conditions the roadway segments would operate in the LOS C - E range based on the County's level of service criteria.

Table 4.15-9
Cumulative Roadway Levels of Service

Roadway Segment	Cumulative ADT	LOS D/E Capacity	LOS
SR 33 n/o SR 150	9,900	16,000	C
SR 33 s/o SR 150 [a]	26,000	27,000	E
SR 150 w/o SR 33	10,300	16,000	D
SR 150 e/o SR 33 [a]	25,000	27,000	E
SR 150 w/o Gridley Road	13,000	16,000	D

[a] *City of Ojai Circulation Element has established LOS E for these roadway segments.*
Source: ATE, Traffic Impact Analysis, 2009. (Appendix D)

b. Project Impacts and Mitigation Measures.

Impact TC-1 Development facilitated by the proposed project would add traffic trips in addition to the cumulative traffic projections. However, the trips associated with implementation of the project would not result in the exceedance of adopted City LOS standards at the studied roadway segments within Ojai. Impacts would be Class III, *less than significant*.

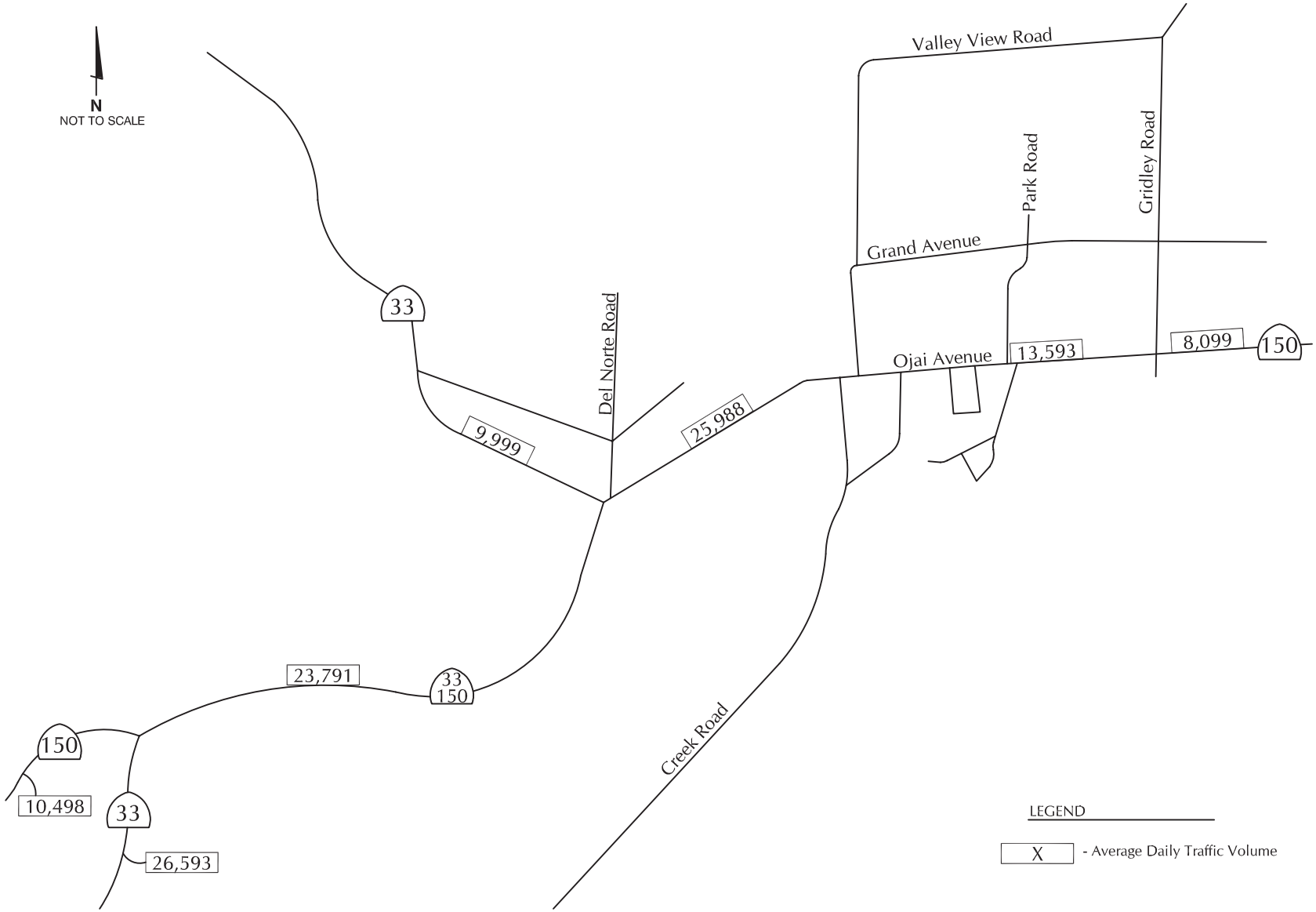
Development facilitated by the proposed project would add traffic trips in addition to those associated with the cumulative planned and pending projects. As discussed above, traffic generation associated with the proposed Housing Element would be about 41% lower than that associated with the draft Housing Element studied in the 2009 Traffic Impact Analysis for the project. In addition, cumulative traffic generation is lower than was considered in the 2009 Traffic Impact Analysis. Therefore, overall (cumulative + project) traffic levels are projected to be the same as or lower than those considered in the 2009 Traffic Impact Analysis and Draft EIR. As such, the analysis contained in the 2009 Traffic Impact Analysis is considered conservative and update of the Traffic Impact Analysis to reflect the Housing Element revisions considered in 2012 was determined not to be warranted.

The average daily traffic (ADT) volumes for the study area roadway segments for the cumulative traffic projections plus traffic that could be generated by development under the Housing Element update are illustrated on Figure 4.15-3. Levels of Service for the study area roadway segments were determined based on Ventura County roadway engineering design capacities. Table 4.15-9 indicates the cumulative plus project roadway volumes the studied intersections would experience.

Table 4.15-9
Cumulative Plus Project Roadway LOS

Roadway Segment	Cumulative + Project ADT/LOS	LOS D/E Capacity	Significant Impact?
SR 33 n/o SR 150	9,999/LOS C	16,000	No
SR 33 s/o SR 150 [a]	26,593/LOS E	27,000	No
SR 150 w/o SR 33	10,498/LOS D	16,000	No
SR 150 e/o SR 33 [a]	25,988/LOS E	27,000	No
SR 150 w/o Gridley Road	13,593/LOS D	16,000	No

[a] *City of Ojai Circulation Element has established LOS E for these roadway segments.*
Source: ATE, Traffic Impact Analysis, 2009. (Appendix D)



Drawing Source: Associated Transportation Engineers, August 3, 2009.

Cumulative Plus Project Roadway Traffic Volumes

Figure 4.15-3

The data presented in Table 4.15-9 indicates that the under cumulative plus project conditions roadway segments would continue to operate in the LOS C - E range with the addition of project traffic based on the County's level of service criteria. As noted previously, LOS E is the threshold established in the City's Circulation Element for State Route 150 and State Route 33 through the City of Ojai. The key segments of Ojai Avenue would continue to meet the City's minimum LOS standard and the project would not result in a significant cumulative impact based on the City's CEQA threshold and Circulation Element policies.

Finally, it should be noted that the potential demonstration and senior housing projects identified in the proposed Housing Element Update, which would concentrate up to 177 units on one or more sites, would be subject to individual project-level review and the City's approval process. As such, their specific impacts would be analyzed if and when they are proposed, and they would be required to adhere to the City's General Plan policies related to traffic in addition to any mitigation measures or conditions of approval imposed during the review process.

Mitigation Measures. As impacts would be less than significant, mitigation is not required.

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

Impact TC-2 Development facilitated by the proposed Housing Element would add trips to the Ventura County regional roadway network. The additional trips would result in a significant traffic impact on State Route 33 through the Casitas Springs area. As no feasible mitigation is available to reduce this impact below thresholds of significance, it would be Class I, *significant and unavoidable.*

Development facilitated by the Housing Element would generate traffic on SR 33 through Casitas Springs, within the County of Ventura's regional roadway network. This segment is a portion of a primary connector for the City of Ojai and the US-101 in addition to providing access to residents in Casitas Springs. Based on the distribution model developed for the project, the new housing would add 17 southbound A.M. peak hour trips and 20 northbound P.M. peak hour trips to the segment of SR 33 located south of the City in the Casitas Springs area. Since the development of new housing would add more than one peak hour trip to the Casitas Springs segment of SR 33 during the A.M. and P.M. peak hours periods, it would have a significant traffic impact based on the County's General Plan policies (see Subsection 4.15.2.a, *Methodology and Significance Thresholds*, for further information).

It is possible that widening SR 33 through the congested segment could improve traffic flow to acceptable levels. However, mitigation of this kind is considered infeasible on a number of levels, due to such factors as likely secondary environmental impacts, neighborhood impacts, scope and cost, that render it undesirable. In addition, this segment is outside of the jurisdiction of the City of Ojai.

Mitigation Measures. The following mitigation measures would reduce this impact to the extent feasible.

TC-2 **Transportation Demand Management.** The following shall be included as conditions of approval for all multi-unit demonstration and senior housing projects developed pursuant to the Housing Plan:

a. In addition to criteria related to income requirements and other essential factors, priority for acceptance of an application for a residential unit shall be given to those applicants whose workplace is closest in proximity to the development.

b. Install way-finding signs within and from the project site directing tenants and visitors to locations of transit (buses, shuttles etc.) and of bicycle/pedestrian trails. Signage may include public information kiosks to post other pamphlets to assist pedestrians find transit access points.

c. Provide one or more transportation information kiosks or bulletin board areas onsite such that residents have convenient, conspicuous access to such a feature. The transportation information shall include, but is not limited to, the following:

- Current routes, maps, and schedules for public transit serving the area
- Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency, dial-a-ride and similar service providers, and local transit operators
- Locations where daily tickets and monthly passes may be purchased for local transit providers
- Ridesharing promotion material supplied by commuter-oriented organizations
- Regional/local bicycle and pedestrian trail/path routes and facility maps/information
- A listing of onsite services or facilities which are available for carpoolers, vanpoolers, bicyclists, and transit riders.

d. Provide bicycle racks on site at the minimum rate of 10% of the number of the total automobile parking spaces required, rounded up to the next whole number. Bicycle racks shall be secure, easily accessible to residents. Simple arched tubular bike racks are recommended as a minimum standard. Fanciful but practical racks are encouraged.

Significance after Mitigation. Although these measures would reduce the impact at State Route 33 south of the City of Ojai, impacts would remain significant and unavoidable.

c. Cumulative Impacts. The analysis under Impacts T-1 through T-2 considers cumulative growth through 2014. As noted under the discussion for Impact T-1, no significant impact would occur associated with development facilitated by the project in combination with cumulative development. The project's contribution to cumulative impacts at SR 33 through Casitas Springs would be cumulatively considerable and therefore significant.

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4.16 UTILITIES and SERVICE SYSTEMS

This section assesses possible impacts to water service, wastewater conveyance and treatment facilities, and solid waste disposal facilities. Impacts related to storm drains are discussed in 4.8, *Hydrology and Water Quality*.

4.16.1 Setting

a. Water. The Golden State Water Company (GSWC) provides water to the City of Ojai. GSWC water supplies are obtained from the Ojai Groundwater Basin and the Casitas Municipal Water District (CMWD), which receives water from two surface reservoirs, Matilija and Casitas. Table 4.16-1 summarizes historic and projected water supply from these sources. The 2004 CMWD Water Supply and Use Status Report provides information on the status of water supply and use for the CMWD and suggests strategies for meeting water use in the future. The report outlines the Bureau of Reclamation 1954 evaluation of the Ventura River Project and the CMWD's evaluation during the 1989 drought period to consider the ability of Lake Casitas storage under the hydrology determined as the most critical drought period of record to meet the water demands of the CMWD service area. The critical drought period of record occurred from 1944 to 1965. The findings of each report as summarized in the Water Supply and Use Status Report are as follows:

- *The yield of Lake Casitas without an integrated Matilija Dam was 21,500 acre-feet, and 21,920 with Matilija Dam as a part of the system;*
- *The estimated total water supplies in the CMWD service area was 30,907 acre-feet and the water demands for the same service area were approximately 30,320 acre-feet;*
- *The CMWD should consider implementing a variety of alternatives for balancing water supply and demand.*

The CMWD's service area experienced a temporary drought beginning in 1987 and ending in 1992. The Ventura River and Ojai Groundwater basins were being depleted and Lake Casitas water storage dropped to near 50% capacity. The CMWD implemented a temporary moratorium on providing new water service connections up to 1994 until an additional 300 acre-foot water supply was developed from the Mira Monte Well, which was made available for new water service connections. The City of Ventura reduced its use of the CMWD's water from 9,510 acre-feet in 1989 to 1,370 acre-feet in 1992. The reduction for Ventura continued until 1997, when CMWD agreed to supply Ventura with 6,000 acre-feet.

Also in 1997, the National Marine Fisheries Service (NMFS) listed anadromous steelhead as an endangered species. The Ventura River Basin is an important spawning habitat for Southern California steelhead and as a result of this listing the CMWD constructed a fish passage facility at the Robles Diversion Dam and changed the Robles Diversion operational release criteria to one that provided additional downstream release of flows for fish passage. The issuance of a Biological Opinion by the NMFS in March 2003 set into place the revised operational criteria for the Robles Diversion Facility to take immediate management actions to ensure the protection of future water supplies. On April 23, 2003, the CMWD suspended the issuance of new water service connections. Since suspending new service connections, the CMWD has implemented water conservation efforts, evaluated potential supplies of additional water, and initiated an

Table 4.16-1
1945 – 1965 Predicted Water Supply and Use

	1959 Operating Criteria		Robles B.O. Operating Criteria	
	With Matilija	**Without Matilija**	**With Matilija**	**Without Matilija**
Average Annual Water Volume (AF/Year)	AF/yr	AF/yr	AF/yr	AF/yr
Ventura River Supply				
Ventura River Flows (Inflow to Robles Facility)	16,850	16,850	16,850	16,850
Water Loss (Robles Facility Operations)	1,290	1,290	1,290	1,290
Water Bypassed at Robles Facility	7,560	8,020	8,700	9,490
Water Diverted to Lake Casitas	8,000	7,540	6,860	6,070
Lake Casitas Supply				
Water Captured from Tributaries	6,000	6,000	6,000	6,000
Net Water Loss (Evaporation-Rainfall)	2,630	2,630	2,630	2,630
CMWD Supply and Use: 21-year Period				
Safe Yield: Deliveries to Water Distribution System	22,770	22,310	21,630	20,840
Water Use: Deliveries to Water Distribution System	21,200	21,200	21,200	21,200
Difference between Supply and Use	1,570	1,110	430	360
Total Water Volume (AF)				
Ventura River Supply				
Ventura River Flows (Inflow to Robles Facility)	353,850	353,850	353,850	353,850
Water Loss (Robles Facility Operations)	27,090	27,090	27,090	27,090
Water Bypassed at Robles Facility	158,760	168,420	182,700	199,290
Water Diverted to Lake Casitas	168,000	158,340	144,060	127,470
Lake Casitas Supply				
Water Captured from Tributaries	126,000	126,000	126,000	126,000
Net Water Loss (Evaporation-Rainfall)	55,230	55,230	55,230	55,230
CMWD Supply and Use: 21-Year Period				
Safe Yield: Available Supply (Lake Casitas plus Mira Monte Well	478,170	468,510	454,230	437,640
Water Use: Deliveries to Water Distribution System	445,200	445,200	445,200	445,200
Difference between Supply and Use	32,970	23,310	9,030	7,560

Source: 2004 Casitas Municipal Water District Water Supply and Use Status Report.

evaluation of water supply and use within the CMWD.

Another potential change to CMWD water supplies is the future disposition of Matilija Dam. This facility is being evaluated for potential decommissioning and removal. Sediment in the Matilija Reservoir has reduced the water storage volume behind the dam to approximately 600 acre-feet. Removal of the dam would promote the migration of steelhead to the upper reaches of the Matilija Creek and would enhance the movement of sediment to Ventura County beaches. However, removal of the Matilija Dam could affect water supply and water quality temporarily and for the long term.

The 2004 Water Supply and Use Status Report considers the potential impact of the Robles Biological Opinion Operating Criteria and removal of Matilija Dam on the CMWD's water supply, the effect of predicted water use on the CMWD's water supply, and levels of reductions in water use required to balance water supply and use. The Casitas Reservoir and Robles diversion system became operable in January 1959. Since the initial operation of the Robles Diversion Dam and canal, the District operated diversions and downstream releases in accordance with a given set of guidelines, referred to as the 1959 Trial Operating Criteria. The 1959 Trial Operating Criteria provided for a minimum of 20 cfs bypass, when more than 20 cfs was available at Robles Diversion Dam, and criteria for bypassing less than 20 cfs when downstream aquifers were in full condition. In 1998, the listing of the steelhead as an endangered species and the desire to return the species to the Ventura River led to changes in the operating criteria for Robles Diversion Dam known as the Biological Opinion Operating Criteria. The Water Supply and Use Status Report uses hydrology information from 1945 through 1965 as the critical drought period and information from 1966 through 1980 as the reservoir recovery period. These periods have empirical hydrology information that provides an opportunity to model different operating scenarios for the Robles Diversion Facility including with the 1959 Trial Operating Criteria and the Biological Opinion Operating Criteria.

<u>1945 through 1965 Model</u>. The hydrologic period from 1945 to 1965 represents the longest drought on record for the Ventura River Basin. Predicted available water supply and water use levels for the CMWD based on the 1945 through 1965 hydrologic period are shown on Table 4.16-1. The 2004 Water Supply and Use Status Report concludes that, with the Matilija Dam remaining in operation, the annual Lake Casitas safe yield for the year 1959 Trial Operating Criteria is 22,770 acre-feet as compared to the Biological Opinion Operating Criteria safe yield of 21,630 acre-feet. The difference between these two scenarios is a total of 1,140 acre-feet. Over the 21-year critical period this would be a total difference of 23,940 acre-feet. In the event that the Matilija Dam were decommissioned and removed, the available supply under the Biological Opinion Operating Criteria would be reduced by an additional 790 acre-feet. Under this scenario, annual safe yield supply for the drought period would be 20,840 acre-feet. The difference between the annual safe yield available supplies under the 1959 Trial Operating Criteria with the Matilija Dam and the Robles Biological Opinion Operating Criteria without Matilija Dam is 1,930 acre-feet.

Predicted water use patterns for this study period illustrate that consecutive dry year water demands could stress water supplies for the CMWD. Based on rainfall patterns during the critical drought period, the predicted average annual water use for the entire CMWD is 21,200 acre-feet. Water supplies therefore exceed the water use throughout the study period in all but

one scenario: the Robles Biological Opinion Operating Criteria without Matilija Dam. In this scenario, water use could exceed supplies by approximately 360-acre feet per year. Over a 21-year period this would accumulate to a deficiency of 7,560 acre-feet.

1966 through 1980 Model. The 1966 through 1980 period represents hydrologic patterns following a critical drought period. In the 2004 Water Supply and Use Status Report, this time period is analyzed because it occurred from the time Lake Casitas was at its lowest storage volume until the reservoir returned to full storage capacity. Predicted available water supply and water use levels for the CMWD based on hydrologic conditions for the period immediately following the drought period, 1966-1980, are shown in Table 4.16-2.

For the 1966 through 1980 period, during the wetter conditions, yields vary from a maximum of 24,180 acre-feet under the 1959 Trial Operating Criteria with Matilija Dam, to a minimum of 19,780 acre-feet under the Biological Opinion Operating Criteria without Matilija Dam. Higher rainfall during this period led to reduced water use within the CMWD's service area. The average annual predicted water use for this period was 18,820 acre-feet. The range of predicted water use is from 22,704 acre-feet to 15,249 acre-feet. This reduction in predicted water use was primarily due to lower quantities of water used for agriculture.

Under all four scenarios for this period, the available supply would be higher than the predicted water use values. The 2004 Water Supply and Use Status Report concludes, however, that under actual use conditions Lake Casitas storage may restore to full capacity at a different rate. If Lake Casitas filled at a slower rate the reservoir may not reach full storage capacity before the onset of another long-term drought period.

CMWD's Operating Method. The CMWD identifies the Biological Opinion Criteria method in the Water Supply and Use Status Report as the method by which the CMWD operates the Robles Diversion Dam and Fish Passage Facility. The Water Supply and Use Status Report foresees the decommissioning of the Matilija Dam or the sediment deposition of remaining reservoir capacity as inevitable. Therefore, the CMWD strives to continue to balance water use with availability of supply.

The CMWD identifies four conservation methods to reduce water use in the Water Supply and Use Status Report. The goal of these reduction strategies is to bring the average annual water use during the critical dry period to as close to the safe yield supply found with the Robles Biological Opinion Operating Criteria of 20,869 acre-feet with the decommission of the Matilija Reservoir.

2010 Urban Water Management Plan. The GSWC 2010 Urban Water Management Plan outlines the current and planned water supplies available to meet Ojai's projected water demands. GSWC owns and operates the Ojai System and provides water to the City. Groundwater makes up the majority of the available supply, whereas the remainder is purchased water from the CMWD.

The Ojai Basin Groundwater Management Agency (OBGMA) manages groundwater in the Ojai Basin. For 2009, OBGMA estimates the Ojai Basin is capable of supporting extraction up to 6,000 acre feet provided the watershed experiences an average water year. This assumption is

Table 4.16-2
1966-1980 Predicted Water Supply and Use

	1959 Operating Criteria		Robles B.O. Operating Criteria	
	With Matilija	**Without Matilija**	**With Matilija**	**Without Matilija**
Average Annual Water Volume (AF/Year)	AF/yr	AF/yr	AF/yr	AF/yr
Ventura River Supply				
Ventura River Flows (Inflow to Robles Facility)	45,590	45,590	45,590	45,590
Water Loss (Robles Facility Operations)	1,690	1,690	1,690	1,690
Water Bypassed at Robles Facility	22,100	22,850	25,000	26,460
Water Diverted to Lake Casitas	21,800	21,050	18,900	17,440
Lake Casitas Supply				
Water Captured from Tributaries	21,700	21,700	21,700	21,700
Net Water Loss (Evaporation-Rainfall)	3,670	3,670	3,670	3,670
CMWD Supply and Use: 15-year Period				
Yield: Deliveries to Water Distribution System	24,180	23,500	21,180	19,780
Water Use: Deliveries to Water Distribution System	18,820	18,820	18,820	18,820
Difference between Supply and Use	5,360	4,680	2,360	960
Total Water Volume (AF)				
Ventura River Supply				
Ventura River Flows (Inflow to Robles Facility)	683,850	683,850	683,850	683,850
Water Loss (Robles Facility Operations)	25,350	25,350	25,350	25,350
Water Bypassed at Robles Facility	331,500	342,750	375,000	396,900
Water Diverted to Lake Casitas	327,000	315,750	283,500	261,600
Lake Casitas Supply				
Water Captured from Tributaries	325,500	325,500	325,500	325,500
Net Water Loss (Evaporation-Rainfall)	55,050	55,050	55,050	55,050
CMWD Supply and Use: 21-Year Period				
Safe Yield: Available Supply (Lake Casitas plus Mira Monte Well	362,700	352,500	317,700	296,700
Water Use: Deliveries to Water Distribution System	282,300	282,300	282,300	282,300
Difference between Supply and Use	80,400	70,200	35,400	14,400

Source: 2004 Casitas Municipal Water District Water Supply and Use Status Report.

in question based on rainfall levels through January 2009 (proposed 2006-2014 Housing Element). Groundwater extractions in the Ojai Basin have been approximately 5,000 AFY, with an average extraction rate of 5,170 AFY between 1981 and 2005 (GSWC, 2010 UWMP). During this period, GSWC's extractions for the Ojai System averaged 1,820 AFY while non-GSWC groundwater use averaged 3,350 AFY. Projected groundwater pumping for GSWC's Ojai System in 2015 is 2,196 AFY. Table 4.16-3 shows the current and planned water supplies up to the year 2035 as outlined in the GSWC's 2010 UWMP.

Table 4.16-3
Current and Planned Water Supplies

Source		2010	2015	2020	2025	2030	2035
Purchased Water from CMWD		265	391	411	428	443	453
Groundwater		1,741	2,196	2,329	2,426	2,510	2,564
Recycled		0	0	0	0	0	0
Total		**2,007**	**2,587**	**2,740**	**2,854**	**2,953**	**3,017**

Note: All numbers are AF/year.
Source: Golden State Water Company, 2010 Urban Water Management Plan.

GSWC's water supply is projected to increase by about 50% from 2010 to 2035 to meet the associated projected water demands. The 2010 UWMP states that GSWC's supply is expected to be 100% reliable through 2035 during normal water years.

As of 2006, GSWC purchased about 22% of its overall water supply from the CMWD. The CMWD's plan for management of water resources is to optimize the use of its available resources during surpluses and shortages to minimize the probability of severe shortages and to eliminate the possibility of extreme shortages and shortage allocations.

As summarized in the 2010 UWMP, the CMWD is increasing reliability within its service area by developing water conservation programs and strategies to secure alternative water supplies to supplement existing supplies available to the GSWC during periods of drought.

Continued efforts by the OBGMA and GSWC to manage groundwater resources within the Ojai Basin would help maintain the reliability of the water supply. Table 4.16-4 presents water supply projections for purchased and groundwater sources during a normal year, a single-dry year, and multiple-dry years for the Ojai system.

Table 4.16-4
Supply Reliability for the Ojai System for 2035

			Multiple-Dry Water Years		
Source	**Normal Water Year**	**Single Dry Water Year**	**Year 1**	**Year 2**	**Year 3**
Purchase Water	382	481	481	481	481

Table 4.16-4
Supply Reliability for the Ojai System for 2035

			Multiple-Dry Water Years		
Source	**Normal Water Year**	**Single Dry Water Year**	**Year 1**	**Year 2**	**Year 3**
from CMWD					
Groundwater*	2,060	1,963	1,963	1,963	1,963
Total	**2,442**	**2,444**	**2,444**	**2,444**	**2,444**
Percent of Normal	-	100	100	100	100

Source: Golden State Water Company, 2010 Urban Water Management Plan.
All figures are AF/year.

** Reliability based on projected use of the Ojai Valley Groundwater Basin.*

Purchased water supplies from the CMWD are expected to be 100% reliable to meet the normal year demands of the Ojai System through 2035 (2010 UWMP). The total supply and demand assessment shows that the CMWD has an excess supply during normal years. The CMWD anticipates shortages in supply during single-dry years and in multiple-dry years, with a shortage of 2.3% of the projected demands for the single-dry years and varying from 1.0% to 17.2% shortfall over the multiple-dry years (2010 UWMP). It is anticipated that any shortage in purchased water would be met by local groundwater supplies and/or by utilizing conservation practices. The CMWD and GSWC have implemented and will continue to implement projects to ensure the purchased water demands can be met under normal, single-dry year, and multiple-dry years (2010 UWMP).

Southern California Association of Governments (SCAG) household projections were used to determine the growth in single-family and multi-family service connections for the years 2015, 2020, 2025, 2030, and 2035. For example, the percent growth rate in households from the year 2010 to year 2015 was multiplied by the number of residential service connections in 2010 to obtain a projection of the number of connections in the year 2015. Similarly, employment growth projections were used to determine the growth for commercial, industrial, institutional/government, landscape, and agriculture service connections. The population-based projected water use was then calculated by multiplying the number of projected active service connections for each customer category with the corresponding customer average water use factor calculated above. The projected water sales are calculated using the population-based projections for water use as shown in Table 4.16-5. Table 4.16-6 summarizes the projections of water sales, unaccounted for water, and total water demand through the year 2035.

Table 4.16-5
Projections
For Water Deliveries for the Ojai System

Year	Projection Type	Residential	Commercial /Industrial	Institutional/ Government	Landscape/ Other	Total
2005	No. of Accounts	2,556	209	55	32	2,852
	Water Use (af)	1,572	284	85	13	1,954
2010	No. of Accounts	2,582	219	59	36	2,896
	Water Use (af)	1,442	241	81	14	1,778
2015	No. of Accounts	2,780	236	64	39	3,119
	Water Use (af)	1,709	340	118	98	2,264
2020	No. of Accounts	2,942	250	67	42	3,301
	Water Use (af)	1,808	359	124	105	2,397
2025	No. of Accounts	3,076	262	71	44	3,453
	Water Use (af)	1,890	376	131	112	2,510
2030	No. of Accounts	3,197	272	73	46	3,588
	Water Use (af)	1,965	392	135	115	2,607
2035	No. of Accounts	3,311	281	76	47	3,715
	Water Use (af)	2,036	405	141	119	2,699

Source: Golden State Water Company, 2010 UWMP.

Table 4.16-6
Total Water Demand

Year	Projected Water Sales	System Losses	Total Water Demand Baseline	Conservation to Meet SBX7-7	Total Demand with SBX7-7 Compliance
2005	1,955	284	2,239	0	N/A
2010	1,778	229	2,007	0	N/A
2015	2,264	290	2,555	61	2,494
2020	2,397	307	2,704	373	2,331
2025	2,510	322	2,832	404	2,428

Table 4.16-6
Total Water Demand

Year	Projected Water Sales	System Losses	Total Water Demand Baseline	Conservation to Meet SBX7-7	Total Demand with SBX7-7 Compliance
2030	2,607	334	2,942	429	2,513
2035	2,699	346	3,045	478	2,567

Source: Golden State Water Company, 2010 Urban Water Management Plan.
Notes: All figures are AF/year.

Southern California Steelhead Recovery Plan. The National Marine Fisheries Service (NMFS) released a draft Southern California Steelhead Recovery Plan for public review in July 2009. The Recovery Plan serves as a guideline for achieving recovery criteria and goals for the Southern California Steelhead by describing the criteria by which NMFS would measure species recovery, the proposed strategy to achieve recovery, and the recovery actions believed necessary by NMFS to achieve viable populations of steelhead within the Recovery Planning Area. The Planning Area extends roughly from northern Santa Barbara County south to the U.S./Mexico border, and encompasses short coastal streams draining mountain ranges immediately adjacent to the coast (e.g., Santa Ynez, Santa Monica, Santa Ana Mountains), and those watersheds containing larger river systems that extend inland through gaps in the coastal ranges (e.g., Santa Maria, Santa Ynez, Ventura, Santa Clara, San Gabriel, Santa Ana, and San Diego Rivers).

The Recovery Plan's proposed actions for the Ventura River and Matilija Creek include those aimed at halting the alteration of the pattern and magnitude of stream flow where possible, or implementing measures (e.g., operating criteria) to ensure that a more natural stream flow is restored. For the Ventura River watershed, specific goals include "implementing operating criteria to ensure the pattern and magnitude of water releases from Casitas, Matilija, and Robles Diversion dams comport with the natural or pre-dam pattern and magnitude of stream flow." Also discussed is physical modification of Casitas, Matilija, and Robles Diversion dams to allow unimpeded volitional migration of steelhead to upstream spawning and rearing habitats. Regarding groundwater extraction, the Plan recommends hydrological analysis to identify groundwater extraction regimes' effect on the natural pattern and magnitude of surface flows in the mainstem, tributaries, and the estuary. The plan also recommends a groundwater monitoring program to guide management of groundwater extractions to provide surface flows necessary to support steelhead migration, spawning, incubation and rearing.

As noted in the draft Recovery Plan, plans published by NMFS are guidance documents, not regulatory documents. Identification of an action to be implemented by any public or private party does not create a legal obligation beyond existing legal requirements. Thus the plan, if adopted, would not necessarily limit the extraction or use of water within the plan area. It should also be noted that due to the high costs and multi-jurisdictional agreement(s) likely associated with many of the recommended actions, it would be highly speculative to assume that they will be completed within the planning time frame of the proposed Housing Element Update, if at all. Finally, the draft plan just published has been released for public review; it is

not known when a final plan might be adopted or how the final plan will differ from the current draft.

b. Wastewater. The City of Ojai's wastewater treatment facilities are run by the Ojai Valley Sanitary District (Sanitary District). The Sanitary District collects and transports wastewater for treatment at the Ojai Valley Treatment Plant and disposes of effluent and sludge. The Sanitary District's collection system consists of approximately 120 miles of trunk and main sewer lines.

The Ojai Valley Sanitary District Wastewater Treatment Plant treats the wastewater for the City. This plant has a capacity of 3 million gallons per day (MGD) and provides tertiary treatment, effluent filtration and chlorination/de-chlorination. The effluent then discharges into the Ventura River. Solids handling consists of thickening, anaerobic digestion and dewatering by filter presses prior to land application. Current plant flow conditions average 2.17 MGD (pers. comm. with John Correa, Sanitary District, May 22, 2009).

Table 4.16-7 shows monthly average wastewater flows for 2008. Peak monthly flow in 2008 occurred in January (3.03 MGD). Because Ojai has experienced a population decline since 2008 (from an estimated 8,157 residents in 2009 to 7,535 in 2012), it is anticipated that wastewater flows from the City have declined commensurately.

c. Solid Waste/Recycling. Solid waste collection and recycling services would be provided by E.J. Harrison and Sons, a private collection service. Ojai Municipal Code requires all households and businesses to have service. This arrangement includes curbside collection, with three residential disposal options trash, recyclables, and yard waste.

After collection, waste is sorted at the Gold Coast Material Recovery Facility and Transfer Station. What cannot be recycled is sent to landfills. The City's non-recycled waste goes to Toland Road Landfill. The Toland Road Landfill, which is operated by the Ventura Regional Sanitation District, has a permitted throughput of 1,500 tons of waste per day. Current throughput averages about 1,300 tons per day (pers. comm. with Sally Coleman, Director of Operations, May 2009). The landfill's total permitted capacity is 30 million cubic yards of waste, and it is projected to reach capacity in 2027. Table 4.16-8 lists the maximum daily capacity and estimated current throughput at the landfill.

State law requires cities to divert at least 50% of the solid waste they generate from landfills through source reduction, reuse of materials, and recycling. The City's waste diversion rate for 2006 was 55%.

Table 4.16-7
Citywide Wastewater Flows, 2008

Month	Average Flow (mgd)
January	3.03
February	2.75
March	2.32
April	2.16

Table 4.16-7
Citywide Wastewater Flows, 2008

Month	Average Flow (mgd)
May	2.08
June	2.04
July	2.04
August	1.99
September	1.90
October	1.85
November	1.91
December	1.98
Average	2.17
Peak	3.03
Minimum	1.85
Total	**26.05**

Source: pers. comm. with Ronald Sheets, Ojai Valley Sanitary District, Operations Superintendent, May 27, 2009.

Table 4.16-8
Maximum Daily Capacity and Current Daily Throughput at Toland Road Landfill

Landfill	Permitted Daily Capacity (tons)	Maximum Daily Throughput (tons)	Available Daily Capacity (tons)
Toland Road	1,500	1,400	100

The daily waste that reaches the Toland Landfill ranges from 1,200 to 1,400 tons/day, Mon. through Sat.; thus 1,400 tons/day was assumed as a maximum scenario.

4.16.2 Impact Analysis

a. Methodology and Significance Thresholds. Development facilitated by the proposed Housing Element would result in potentially significant impacts if growth accommodated by the proposed Housing Element would result in substantial adverse physical impacts associated with provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.

Water. Water demand was estimated using factors from the CMWD 2004 Supply and Use Status Report, GSWC's 2010 Urban Water Management Plan, and the Southern Steelhead Recovery Plan. Impacts related to the implementation of the Project would be considered substantial if development facilitated by the Housing Element would:

- *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted);*
- *Require or result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or*
- *Fail to have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed*

Wastewater. Wastewater generation factors were taken from the City of Ojai Housing Element and from personal communication with the Ojai Valley Sanitary District. Storm water drainage impacts are discussed in Section 4.8, *Hydrology and Water Quality*. Impacts related to the Project would be considered substantial if growth accommodated under the Project would:

- *Require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; or*
- *Result in a determination that the wastewater treatment provider (the City or the Ojai Valley Sanitary District) does not have adequate capacity to serve projected demand in addition to existing commitments*
- *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board;*
- *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;*

Solid Waste. Solid waste generation was estimated using a typical estimate of 4 pounds of solid waste per person per day (2006-2014 City of Ojai Housing Element). Impacts are considered significant if solid waste generated by growth that could be accommodated under the projects facilitated by the proposed Housing Element would exceed the existing or planned capacity of landfills or do not comply with federal, state, and local statutes and regulations related to solid waste.

- *Not be served by a landfill with sufficient permitted capacity to accommodate solid waste disposal needs;*
- *Comply with federal, state, and local statutes and regulations related to solid waste.*

b. Project Impacts and Mitigation Measures.

Impact U-1 Development facilitated by the Housing Element would generate a net increase in water demand. However, forecast water use would remain within the capabilities of the GSWC and the estimated safe annual yield of the Ojai Groundwater Basin. Therefore, water supply impacts would be Class III, *less than significant*.

As noted in Table 4.16-3, GSWC estimates 2015 water supplies at 2,587 acre-feet per year (AFY), including 2,196 AFY from groundwater and 391 AFY to be purchased from CMWD. As noted in Table 4.16-6, baseline water demand is estimated at 2,555 AFY and water demand with SBX7-7 compliance would be 2,494 AFY. This indicates that water supplies would be adequate to meet forecast demand.

Adoption of the policies and Housing Plan in the proposed 2006-2014 Housing Element would facilitate the development of up to 201 new dwelling units throughout Ojai, resulting in a population increase estimated at 474 persons (see Section 4.12, *Population and Housing*, for calculations). Based on a demand factor of 157 gallons per person per day (proposed 2006-2014 Housing Element), 474 persons would generate a net water demand increase of 74,418 gallons per day, or approximately 83 AFY.

The 2010 UWMP assumes a projected 2015 population for Ojai of 8,276 persons. As noted above, the proposed Housing Element would facilitate a population increase of 474 persons during the 2006-2014 period. These additional 474 residents would bring the 2012 base population of 7,535 (Department of Finance, 2009) to 8,009 persons by 2014. Consequently, the City's population would potentially be 267 persons less than what is projected in the 2015 UWMP water demand forecast (8,276 minus 8,009). Thus, water demand would be within that forecast in the 2010 UWMP.

As noted in the 2010 UWMP, planned water supplies for the Ojai System in 2015 include 2,196 AF of groundwater. Planned supplies in 2035 include 2,564 AF of groundwater. It is assumed that additional surface water from the CMWD would not be available to meet the increased demand generated by growth facilitated by the proposed Housing Element. However, because overall water use would be within the level of demand forecast in the 2010 UWMP, groundwater use would also be within the UWMP forecast.

The 2010 UWMP estimates the safe yield from the Ojai Groundwater Basin at 6,000 AFY. The UWMP does not include a specific estimate of overall 2015 groundwater use, but estimates overall 2035 groundwater use from the Ojai Groundwater Basin at 5,870 AF.[1] Population growth associated with the Housing Element would not cause an exceedance of this forecast water use. Therefore, groundwater use would remain within the 6,000 AFY estimated safe yield for the Basinand impacts would be less than significant.

It should be noted that the City received comments on its Notice of Preparation (NOP) from an OBGMA board member stating an opinion that the projected water supply conclusions made in the 2005 UWMP (the latest version of the UWMP at the time the NOP was circulated) are overly optimistic. The two key concerns raised in the OBGMA board member's comment letter may be summarized as follows:

1) *In the event of an extended drought, GSWC would not be able to pump enough water to meet demand within the safe yield of the groundwater basin. Due to the increased cost of CMWD water, additional wells would be drilled in the basin.*

[1] *Current groundwater use is approximately 5,000 AFY and is projected to grow to 5,870 AFY by 2035. Consequently, 2015 use is anticipated to be somewhere between these figures.*

2) *In the event of a drought, CMWD would not be able to supply additional water to make up for water GSWC needs.*

The draft 2006-2014 Housing Element proposes working in partnership with water stakeholders on the following initiatives: (i) develop a detailed hydrological model to more accurately predict the effects of drought, increased pumping, and new wells in the Ojai Basin; (ii) implement the San Antonio groundwater recharge project to increase basin capacity; and (iii) participate in an interagency watershed management plan for the Ventura River Watershed to achieve an accurate accounting of supply and demand.

The proposed Housing Element also includes the following requirements for specific issue-oriented environmental review for water resources:

a. *An initial study and requisite environmental documentation shall be prepared to determine the availability of sufficient water resources and roadway capacity to accommodate the project within safe yields and acceptable levels of service.*

b. *In the absence of conclusive evidence that adequate water resources and road capacity are available to accommodate the project, a Water and Traffic Management Plan shall be required for each such project that fully mitigates the impacts upon water and roadway capacity.*

c. *Where resource impacts cannot be mitigated through reasonable and feasible measures, the resulting impact shall be deemed to be significant and unavoidable. In such cases, the project shall either be denied or the City may override the impact, at its discretion, with overriding considerations.*

These Housing Element proposals would ensure that housing developers would address water supply impacts associated with individual projects as necessary and that the City will have a mechanism for addressing water supply impacts associated with such projects. In addition, as discussed previously, the GSWC's adopted UWMP indicates that sufficient water will be available to meet forecast demand without adversely affecting the groundwater basin. Based on these facts and the absence of data to suggest that the water supply forecasts contained in the UWMP are incorrect, it is concluded that water supplies will be adequate to meet the demands generated by potential housing development. Therefore, impacts relating to water supply would be less than significant.

New or upgraded water connections may be required for programs facilitated by the proposed Housing Element update. Connection fees would be paid by all new developments and these would cover each project's "buy-in" to existing City supply, storage and transmission/ distribution systems. Where substantial intensification is anticipated, upgrades to older water distribution infrastructure to improve pressure and fire flow might be required. In addition, developers would be responsible for constructing all local on and off-site distribution improvements necessary to bring individual developments up to current standards. Because individual developers would be required to make and finance needed upgrades to water infrastructure systems, adverse effects to water facilities and infrastructure are not anticipated.

<u>Mitigation Measures</u>. The proposed Housing Element requirements described above

would ensure that water supply impacts associated with individual future housing developments are addressed. Mitigation is not required as significant impacts have not been identified. Nevertheless, the following is recommended to minimize water demand and associated impacts to the local groundwater basin.

U-1 Water Conservation Plan. The City shall develop a water conservation plan that outlines approaches to minimize water demand for new housing in Ojai. The water conservation plan shall describe specific methods to reduce water use, including but not limited to:

- Use of water conserving water fixtures
- Investigate opportunities to improve the efficiency of the existing water delivery system, including minimizing water loss from leaking infrastructure
- Incorporation of drought tolerant landscaping
- Use of grey water and/or rain water for irrigation

Significance After Mitigation. Water use associated with new housing development in Ojai would increase overall water use, including the use of groundwater. However, as described above, water use would remain within the estimated safe annual yield of the Ojai Groundwater Basin and within the capabilities of the GSWC. Therefore, water supply impacts would be less than significant. Implementation of the recommended measure would further reduce water demand and potential impacts.

Impact U-2 New development facilitated by the Housing Element would increase wastewater generation. Projected future wastewater flows to the City's wastewater treatment plant would remain within the current plant capacity and would not require the construction or expansion of new facilities. Programs facilitated by the proposed Housing Element would be required to comply with mandatory Los Angeles Regional Water Quality Control Board requirements. Impacts would therefore be Class III, *less than significant.*

Increased development facilitated by the Housing Element would incrementally increase flows to the Ojai Sanitary District Treatment Plant (Treatment Plant). The Treatment Plant averages approximately 2.17 MGD and has a designed capacity of 3 MGD, presently leaving approximately 1 MGD of available capacity (Ronald Sheets, May 2009). The Housing Element would facilitate the construction of up to 201 new housing units resulting in 474 new residents. Using the wastewater generation estimate of 58.1 gallons per person per day (2006-2014 Ojai Housing Element), potential maximum residential growth attributed to the Housing Element would generate 27,539 gallons of effluent each day. This represents an approximately 2% increase above existing Treatment Plant wastewater flows. The post-project flow of the Treatment Plant would total an estimated 2.2 million gallons per day, with a remaining capacity of approximately 0.8 million gallons per day. Table 4.16-9 provides a breakdown of post-project wastewater flow as compared to the existing capacity. Increase in wastewater flow from 201 new residential units would not exceed the Sanitary District's daily capacity and existing facilities could support project generated flows. Therefore, the proposed Housing Element

would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities. The project would be required to comply with mandatory requirements of the Los Angeles Regional Water Quality Control Board (WQCR). Development facilitated by the proposed Housing Element would not be permitted unless existing facilities could handle project generated flows. Compliance with mandatory requirements of the WQCR would reduce wastewater effects to a less than significant level.

Table 4.16-9
Projected Wastewater Generation Increase

New Units	Estimated Wastewater Generation Increase	Treatment Plant Flow with Project	Current Treatment Plant Capacity	Available Treatment Plant Capacity Post-Project (Current Capacity minus Flow with Project)
201	27,539 gpd*	2,197,539 gpd	3,000,000 gpd	802,461 gpd

*Notes: gpd = gallons per day. *Ojai water generation factor 58.1 gpd per person.*
58.1 gpd x 700 persons = 40,670 gpd wastewater.
Source: 2006-2014 Ojai Housing Element.

Mitigation Measures. Mitigation is not required.

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

Impact U-3 Development facilitated by the Housing Element would not generate solid waste exceeding the capacity of local landfills. Therefore, the proposed project's impact is considered Class III, *less than significant.*

Table 4.16-10 shows the estimated increase in solid waste generation anticipated with the increase in population anticipated under the Housing Element. As indicated, daily citywide solid waste generation is projected to increase by about 0.9 tons per day as a result of the 201 new residential units facilitated by the proposed Housing Element. Assuming that the current 55% diversion rate is maintained, 45% of this total (about 0.43 tons per day) would be sent to Toland landfill. This is within the 100-ton currently available capacity at the Toland Road landfill. Therefore, project impacts would not be significant.

Table 4.16-10
Projected Solid Waste Generation

Pounds Generated Per Day [a]	Pounds Diverted from Landfills [b]	Pounds Sent to Landfills
1,896	1,043	853

[a] Based on the current per capita rate of 4 pounds/person/day applied to the 474 additional residents proposed under the Housing Element.
[b] Assumes the City's current diversion rate of 55%.
Note: 1 short ton = 2000 pounds.

Mitigation Measures. The Housing Element's impacts to solid waste disposal facilities would not be significant; therefore, mitigation is not required. Developers of Housing Element programs would participate in current and planned City recycling and waste diversion programs.

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

c. Cumulative Impacts.

Water. As described in Section 3.0, *Environmental Setting*, the potential development of 201 units facilitated under the Housing Element along with 25 residential dwelling units and 63,729 sf of light industrial account for the anticipated cumulative development through the year 2014 for the City of Ojai and would result in an estimated 805 new residents. Growth accommodated under the Housing Element would generate a net increase in citywide water demand estimated at 83 AFY, which is within what is forecast under the 2010 UWMP. Planned and pending projects would generate an additional demand of approximately 22 AFY,[2] but would not increase demand beyond the estimated safe annual yield of 6,000 AFY. Therefore, cumulative impacts would not be significant.

Wastewater. The Treatment Plant has a capacity of 3 MGD and 2009 plant flow conditions average 2.17 MGD (pers. comm. with John Correa, Sanitary District, May 22, 2009). The Ojai Valley Sanitary District collects and processes wastewater from about 20,000 residents of the City of Ojai, the unincorporated Ojai Valley, and the north Ventura Avenue area. The Treatment Plant currently has approximately 1 MGD of available capacity. Additional wastewater flow to the Sanitary District plant due to anticipated service area growth would be incremental. Thus, an adequate buffer is available for the projected citywide flow increase and cumulative wastewater system impacts are not considered significant.

Solid Waste. Based on the City's current 55% diversion rate, 45% of this total, about 0.43 tons per day generated by the proposed project, would be sent to Toland Road Landfill. This represents less than 1% of the 100-ton available capacity at the Toland Road Landfill. The Toland Road Landfill is projected to close by 2027. The City of Ojai and other Ventura County communities, are anticipated to exceed the available solid waste capacity at Toland Road Landfill. Consequently, a new or expanded solid waste disposal facility is expected to be needed over the next 15 years to accommodate waste generated countywide. However, solid waste facilities have adequate capacity to serve the Housing Element over its planning period reaching to 2014. Therefore, cumulative impacts relating to solid waste disposal considered less than significant.

[2] *Water demand generation factors for light industrial and commercial uses were derived from the Sanitation Districts of Los Angeles County Wastewater Generation Rates.*

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5.0 GROWTH EFFECTS AND OTHER CEQA CONSIDERATIONS

5.1 GROWTH EFFECTS

Section 15126(d) of the *State CEQA Guidelines* requires a discussion of a proposed project's potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The proposed project's growth effects are therefore considered significant if they could result in significant physical effects in one or more environmental issue areas. The most commonly cited example of how an economic effect might create a physical change is where economic growth in one area could create blight conditions elsewhere by causing existing competitors to go out of business and the buildings to be left vacant.

5.1.1 Economic and Population Growth

Implementation of the proposed Housing Element would involve the construction of 201 new housing units in the City of Ojai. The project would generate temporary employment opportunities during construction, which would be expected to draw workers primarily from the existing regional work force. Therefore, the proposed project would not be considered growth inducing from a temporary employment standpoint.

Implementation of the Housing Element would create new housing opportunities to meet the City's RHNA goals and serve workers in the region. Therefore, proposed uses within the project would not have an adverse affect on employers in the region or attract workers from outside the region.

The proposed project would accommodate the construction of 201 new units. Implementation of the project is anticipated to increase the City's population by 474 persons. This would increase the population of Ojai, which was estimated at 7,535 people to a population of 8,009 persons by 2014. The potential 474 new residents would make up less than 6% of the estimated existing population and the projected year 2020 population of 8,400. The increases in housing and population as a result of the proposed project are within SCAG projections for the City of Ojai.

5.1.2 Removal of Obstacles to Growth

Proposed project locations have not yet been identified but would be located in an urbanized area. No new roadways or bike/pedestrian pathways are proposed other than those that would serve the site directly or those that would improve or reconfigure existing connections. The City of Ojai is an urbanized location with existing infrastructure in place. Development facilitated by the Housing Element only accommodates development located within the City and does not facilitate the growth of development outside the City. Improvements in infrastructure capacity, such as for downstream sewer facilities, would generally be sized to accommodate the project, and would not facilitate substantial increase in land use intensity or density nor make possible

growth outside of already developed areas.

5.2 GLOBAL CLIMATE CHANGE

Global climate change (GCC) is a change in the average weather of the earth that is measured by temperature, wind patterns, precipitation, and storms over a long period of time. The baseline, against which these changes are measured, originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed an unprecedented acceleration in the rate of warming during the past 150 years.

GCC is a documented effect. Although the degree to which the change is caused by anthropogenic (man-made) sources is still under study, the increase in warming has coincided with the global Industrial Revolution, which has seen the widespread reduction of forests to accommodate urban centers and agriculture and the use of fossil fuels, primarily burning of coal, oil, and natural gas for energy. Per the United Nations Intergovernmental Panel on Climate Change (IPCC, 2007), the understanding of anthropogenic warming and cooling influences on climate has led to a high confidence (90% or greater chance) that the global average net effect of human activities since 1750 has been one of warming. Most of the observed increase in global average temperatures, since the mid-20th century, is very likely due to the observed increase in anthropogenic greenhouse gases (GHG) concentrations per the IPCC (November 2007). While there is some disagreement by individual scientists with some of the findings of the IPCC, the majority of scientists working on climate change agree with the main conclusions, as do the majority of major scientific societies and national academies of science. Disagreement within the scientific community is always present for all issues, however, the current state of knowledge is substantially in favor of GCC warming, with eleven of the last twelve years (1995-2006) ranking among the twelve warmest years in the instrumental record of global surface temperature since 1850 (IPCC, 2007). In addition, the majority of scientists agree that anthropogenic sources are a main, if not primary, contributor to the GCC warming.

5.2.1 Greenhouse Gases (GHGs)

Gases that absorb and re-emit infrared radiation in the atmosphere are often called greenhouse gases (GHG), in reference to the fact that greenhouses retain heat. Common GHG include water vapor, carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O_x), fluorinated gases, and ozone. GHG are emitted by both natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from off-gassing associated with agricultural practices and landfills. Man-made GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases, such as hydrofluorocarbons (HFCs), perfluorocarbons (PFC), and sulfur hexafluoride (SF_6) (Cal EPA, 2006b).

The accumulation of GHG in the atmosphere regulates the earth's temperature. Without the natural heat trapping effect of GHG, Earth's surface would be about 34° C cooler (CAT, 2006).

However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. The following discusses the primary GHGs of concern.

Carbon Dioxide. The global carbon cycle is made up of large carbon flows and reservoirs. Billions of tons of carbon in the form of CO_2 are absorbed by oceans and living biomass (i.e., sinks) and are emitted to the atmosphere annually through natural processes (i.e., sources). When in equilibrium, carbon fluxes among these various reservoirs are roughly balanced (USEPA, April 2008). CO_2 was the first GHG demonstrated to be increasing in atmospheric concentration, with the first conclusive measurements being made in the last half of the 20th century. Concentrations of CO_2 in the atmosphere have risen approximately 35% since the Industrial Revolution. Per the IPCC (2007), the global atmospheric concentration of carbon dioxide has increased from a pre-industrial value of about 280 parts per million (ppm) to 379 ppm in 2005. The atmospheric concentration of CO_2 in 2005 exceeds the natural range over the last 650,000 years (180 to 300 ppm) as determined from ice cores. The average annual carbon dioxide concentration growth rate was larger during the last 10 years (1995–2005 average: 1.9 ppm per year) than it has been since the beginning of continuous direct atmospheric measurements (1960–2005 average: 1.4 ppm per year), although there is year-to-year variability in growth rates.

Methane. Methane (CH_4) is an effective absorber of radiation, though its atmospheric concentration is less than that of carbon dioxide and its lifetime in the atmosphere is limited to 10-12 years, compared to some other GHGs. It is approximately 20 times more effective at trapping heat in the atmosphere than CO_2 (global warming potential [GWP] 20x that of CO_2). Over the last 250 years, the concentration of CH_4 in the atmosphere has increased by 148% (IPCC 2007). Anthropogenic sources of CH_4 include landfills, natural gas and petroleum systems, agricultural activities, coal mining, wastewater treatment, stationary and mobile combustion, and certain industrial processes (USEPA, April 2008).

Nitrous Oxide. Concentrations of nitrous oxide (N_2O) also began to rise at the beginning of the industrial revolution. N_2O is produced by microbial processes in soil and water, including those reactions that occur in fertilizers containing nitrogen. Use of these fertilizers has increased over the last century. Nitrous oxide's GWP is 300 times that of CO_2.

Fluorinated Gases (HFCS, PFCS and SF_6). Fluorinated gases, such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfurhexafluoride (SF_6), are greenhouse gases that are emitted from a variety of industrial processes. Fluorinated gases are used as substitutes for ozone-depleting substances, such as chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and halons, which have been regulated since the mid-1980s because of their ozone-destroying potential and are phased out under the *Montreal Protocol* and Clean Air Act Amendments of 1990. Fluorinated gases are typically emitted in smaller quantities than CO_2, CH_4, and N_2O, but each molecule can have a much greater global warming effect. SF_6 is the most potent greenhouse gas the IPCC has evaluated.

5.2.2 Greenhouse Gas Inventory

Worldwide anthropogenic emissions of GHG were approximately 40,000 million metric tons of carbon dioxide equivalent (CDE[1]) in 2004, including ongoing emissions from industrial and agricultural sources, but excluding emissions from land use changes (i.e., deforestation, biomass decay) (IPCC, 2007). CO_2 emissions from fossil fuel use accounts for 56.6% of the total emissions of 49,000 million metric tons CDE (includes land use changes) and all CO_2 emissions are 76.7% of the total. Methane emissions account for 14.3% of GHG and N_2O emissions for 7.9% (IPCC, 2007).

Total U.S. GHG emissions were 7,282 million metric tons CDE in 2007 (Energy Information Administration (EIA), Department of Energy (DOE), December 2008)), or about 14% of worldwide GHG emissions. U.S. emissions rose by 16.7% from 1990 to 2007, while emissions fell by 1.1% from 2005 to 2006 (75.7 MMT CDE). The following factors were primary contributors to this decrease: (1) warmer winter conditions in 2006, which reduced consumption of heating fuels, as well as cooler summer conditions, which reduced demand for electricity; (2) restraint on fuel consumption caused by rising fuel prices, primarily in the transportation sector; and (3) increased use of natural gas and renewables in the electric power sector.

The primary GHG emitted by human activities in the United States is CO_2, representing an estimated 82.7% of total GHG emissions (EIA, DOE, December 2008). The largest source of CO_2, and of overall greenhouse gas emissions, is fossil fuel combustion. CH_4 emissions, which have declined from 1990 levels, resulted primarily from enteric fermentation associated with domestic livestock, decomposition of wastes in landfills, and natural gas systems. Agricultural soil management and mobile source fossil fuel combustion were the major sources of N_2O emissions. The emissions of substitutes for ozone depleting substances and emissions of HFC-23 during the production of HCFC-22 are the primary contributors to aggregate HFC emissions. Electrical transmission and distribution systems account for most SF_6 emissions, while PFC emissions result from semiconductor manufacturing and as a by-product of primary aluminum production.

The residential and commercial end-use sectors accounted for 17% and 15%, respectively, of CO_2 emissions from fossil fuel combustion in 2007 (EIA, DOE, December 2008). Both sectors rely heavily on electricity for meeting energy demands attributable to lighting, heating, cooling, and operating appliances. The remaining emissions were due to the consumption of natural gas and petroleum for heating and cooking.

California is the second largest contributor in the United States among states and if California were a country, it would be the sixteenth largest contributor in the world (AEP, 2007). Based upon the 2000 to 2006 GHG inventory data (the latest year available) compiled by the California Air Resources Board (CARB, 2009), California produced approximately 484 gross MMT CDE (about 7% of 2006 US total). The major source of GHG in California is transportation, contributing about 38% of the state's total GHG emissions. Electricity generation is the second largest source, contributing 22% of the state's GHG emissions (CARB, 2009). California emissions are due in part to its large size and large population. California had the fourth lowest CO_2 emissions per capita from fossil fuel combustion in the country in 2004, due to the success of its energy-efficiency and renewable energy programs and commitments that have lowered the state's GHG emissions rate

[1] *Carbon dioxide equivalent (CDE or CO_2E) is a quantity that describes, for a given mixture and amount of GHGs, the amount of CO_2 (usually in metric tons; million metric tons [megatonne] = $MMTCO_2E$ = terragram [Tg] CO_2 Eq; 1,000 MMT = gigatonne) that would have the same global warming potential (GWP) when measured over a specified timescale (generally, 100 years).*

of growth by more than half of what it would have otherwise been (CEC, December 2006). Another factor that reduces California's per capita fuel use and GHG emissions, as compared to other states, is its relatively mild climate.

5.3.3 Effects of Global Climate Change

GCC has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. A warming of about 0.2°C (0.36°F) per decade is projected, and there are identifiable signs that global warming could be taking place, including substantial ice loss in the Arctic (IPCC, 2007).

According to the California Energy Commission's (CEC) Draft Climate Action Team Biennial Report, potential impacts in California of global warming may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CEC, March 2009). Below is a summary of some of the potential effects reported by an array of studies that could be experienced in California as a result of global warming and climate change.

Air Quality. Higher temperatures, conducive to air pollution formation, could worsen air quality in California. Climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. If higher temperatures are accompanied by drier conditions, the potential for large wildfires could increase, which, in turn, would further worsen air quality. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains would tend to temporarily clear the air of particulate pollution and reduce the incidence of large wildfires, thus ameliorating the pollution associated with wildfires. Additionally, severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state (CEC, March 2009).

Water Supply. Uncertainty remains with respect to the overall impact of global climate change on future water supplies in California. Studies have found that, "considerable uncertainty about precise impacts of climate change on California hydrology and water resources will remain, until we have more precise and consistent information about how precipitation patterns, timing, and intensity will change" (Climate Change and California Water Resources). For example, some studies identify little change in total annual precipitation in projections for California (California Climate Change Center [CCCC], 2006). Other studies show significantly more precipitation (Climate Change and California Water Resources [(DWR 2006)]). Even assuming that climate change leads to long-term increases in precipitation, analysis of the impact of climate change is further complicated by the fact that no studies have identified or quantified the runoff impacts that such an increase in precipitation would have in particular watersheds (California Climate Change Center, 2006). Also, little is known about how groundwater recharge and water quality will be affected (Id.). Higher rainfall could lead to greater groundwater recharge, although reductions in spring runoff and higher evapotranspiration could reduce the amount of water available for recharge (Ibid.).

The California Department of Water Resources (DWR 2006) report on climate change and effects on the State Water Project (SWP), the Central Valley Project, and the Sacramento-San Joaquin Delta concludes that "[c]limate change will likely have a significant effect on California's future water resources . . . [and] future water demand." DWR also reports that "much uncertainty about future water demand [remains], especially [for] those aspects of future demand that will be directly affected by climate change and warming. While climate change is expected to continue through at least the end of this century, the magnitude and, in some cases, the nature of future changes is uncertain" (DWR, 2006).

This uncertainty serves to complicate the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood (DWR, 2006). DWR adds that "[i]t is unlikely that this level of uncertainty will diminish significantly in the foreseeable future." Still, changes in water supply are expected to occur, and many regional studies have shown that large changes in the reliability of water yields from reservoirs could result from only small changes in inflows (Kiparsky 2003; DWR 2005; Cayan 2006, Cayan, D., et al, 2006).

Hydrology. As discussed above, climate changes could potentially affect: the amount of snowfall, rainfall, and snow pack; the intensity and frequency of storms; flood hydrographs (flash floods, rain or snow events, coincidental high tide and high runoff events); sea level rise and coastal flooding; coastal erosion; and the potential for salt water intrusion. Sea level rise may be a product of global warming through two main processes: expansion of sea water as the oceans warm and melting of ice over land. A rise in sea levels could result in coastal flooding and erosion and could jeopardize California's water supply. Increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

Agriculture. California has a $30 billion agricultural industry that produces half of the country's fruits and vegetables. Higher CO_2 levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, water demand could increase; crop-yield could be threatened by a less reliable water supply; and greater ozone pollution could render plants more susceptible to pest and disease outbreaks. In addition, temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thus affect their quality (CCCC, 2006).

Ecosystems and Wildlife. Increases in global temperatures and the potential resulting changes in weather patterns could have ecological effects on a global and local scale. Increasing concentrations of GHGs are likely to accelerate the rate of climate change. Scientists expect that the average global surface temperature could rise as discussed previously: 1.0-4.5°F (0.6-2.5°C) in the next 50 years, and 2.2-10°F (1.4-5.8°C) in the next century, with substantial regional variation (EPA 2000). Soil moisture is likely to decline in many regions, and intense rainstorms are likely to become more frequent. Sea level could rise as much as two feet along most of the U.S. coast. Rising temperatures could have four major impacts on plants and animals: (1) timing of ecological events; (2) geographic range; (3) species' composition within communities; and (4) ecosystem processes, such as carbon cycling and storage (Parmesan, 2004; Parmesan, C. and H. Galbraith 2004.)

5.2.4 Regulatory Setting

International and Federal. The United States is, and has been, a participant in the United Nations Framework Convention on Climate Change (UNFCCC), since is was signed on March 21, 1994. The Kyoto Protocol is a treaty, made under the UNFCCC, and was the first international agreement to regulate GHG emissions. It has been estimated that if the commitments outlined in the Kyoto Protocol are met, global GHG emissions could be reduced by an estimated 5% from 1990 levels, during the first commitment period of 2008–2012. It should be noted that although the United States is a signatory to the Kyoto Protocol, Congress has not ratified the Protocol and the United States has not bound itself to the Protocol's commitments (UNFCCC, 2007).

The United States is currently using a voluntary and incentive-based approach toward emissions reductions in lieu of the Kyoto Protocol's mandatory framework. The Climate Change Technology Program (CCTP) is a multi-agency research and development coordination effort (led by the Secretaries of Energy and Commerce) that is charged with carrying out the President's National Climate Change Technology Initiative (CCTP, December 2007; http://www.epa.gov/climatechange/policy/cctp.html).

To date, the United States Environmental Protection Agency (USEPA) has not regulated GHGs under the Clean Air Act; however, the U.S. Supreme Court in *Massachusetts v. EPA* (April 2, 2007) held that the USEPA can, and should, consider regulating motor-vehicle GHG emissions. The USEPA has not yet promulgated federal regulations limiting GHG emissions. On June 30, 2009, the USEPA granted California's request for a waiver to directly limit GHG tailpipe emissions for new motor vehicles beginning with the current model year.

California Regulations. Assembly Bill (AB) 1493, requiring the development and adoption of regulations to achieve "the maximum feasible reduction of greenhouse gases," emitted by noncommercial passenger vehicles, light-duty trucks, and other vehicles used primarily for personal transportation in the State was signed into law in September 2002. In 2005, Executive Order S-3-05 established statewide GHG emissions reduction targets. S-3-05 provides that by 2010, emissions shall be reduced to 2000 levels; by 2020, emissions shall be reduced to 1990 levels; and by 2050, emissions shall be reduced to 80% of 1990 levels (CalEPA 2006a).

In response to EO S-3-05, the CalEPA created the Climate Action Team (CAT), which in March 2006, published the Climate Action Team Report (the "2006 CAT Report"). The 2006 CAT Report identifies a recommended list of strategies that the state could pursue to reduce climate change greenhouse gas emissions. These are strategies that could be implemented by various state agencies to ensure that the AB 32 targets are met and can be met with existing authority of the state agencies. The strategies include the reduction of passenger and light duty truck emissions, the reduction of idling times for diesel trucks, an overhaul of shipping technology/ infrastructure, increased use of alternative fuels, increased recycling, and landfill methane capture, etc.

AB 32, the "California Global Warming Solutions Act of 2006," was signed into law in the fall of 2006. AB 32 requires the ARB to adopt regulations by January 1, 2008 to require reporting and verification of statewide GHG emissions. The ARB was required to produce a plan by January 1,

2009 to indicate how emission reductions will be achieved from significant GHG sources via regulations, market mechanisms, and other actions. In addition, this law requires the ARB to adopt regulations by January 1, 2010 to implement the early action GHG emission reduction measures that can be implemented before the adoption of those recommended by the 2009 plan. The bill requires achievement by 2020 of a statewide GHG emissions limit equivalent to 1990 emissions (essentially a 25% reduction below 2005 emission levels; same requirement as under S-3-05), and the adoption of rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions.

In response to the requirements of AB 32, the ARB produced a list of 37 early actions for reducing GHG emissions in June 2007. The ARB expanded this list in October 2007 to 44 measures that have the potential to reduce GHG emissions by at least 42 million metric tons of CO_2 emissions by 2020, representing about 25% of the estimated reductions needed by 2020 (ARB, October 2007). After completing a comprehensive review and update process, the ARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT CDE. The scoping plan required under AB 32 was approved by the ARB Board on December 12, 2008, and it provides the outline for actions to reduce GHG in California. The scoping plan has a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 cost of implementation fee regulation to fund the program.

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis under CEQA. This bill directs the California Office of Planning and Research to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions by July 1, 2009. Draft guidelines were released in April 2009. The Resources Agency is required to certify or adopt those guidelines by January 1, 2010.

Executive Order S-01-07 was enacted on January 18, 2007. The order mandates that a statewide goal be established to reduce the carbon intensity of California's transportation fuels by at least 10% by 2020. In addition, a Low Carbon Fuel Standard ("LCFS") for transportation fuels is to be established for California.

Senate Bill (SB) 375, signed in August 2008, requires the inclusion of sustainable communities' strategies (SCS) in regional transportation plans (RTPs) for the purpose of reducing GHG emissions. The bill requires ARB to set regional targets for the purpose of reducing greenhouse gas emissions from passenger vehicles, for 2020 and 2035. On January 23, 2009 ARB appointed a Regional Targets Advisory Committee (RTAC) to provide recommendations on factors to be considered and methodologies to be used in the ARB target setting process, as required under SB 375. The Southern California Association of Governments (SCAG) adopted the SCS for its region (which includes Ojai) in April 2012.

For more information on the assembly bills, executive orders, and reports discussed above, please refer to the following websites: www.climatechange.ca.gov and www.arb.ca.gov/cc/cc.htm.

Local Regulations and CEQA Requirements. GHG emissions and their contribution to global climate change have only recently been addressed in CEQA documents, such that CEQA

and current case law do not provide specific guidance relative to their assessment. Quantitative significance thresholds for this topic have not been adopted by the State of California, though several cities, counties, and APCD/AQMDs are currently considering them. The Office of Planning and Research (OPR) was directed under SB 97, to prepare, develop, and transmit to the Resources Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions through CEQA by July 1, 2009. Draft guidelines were released in April 2009 and the revisions of the *CEQA Guidelines* took effect January 1, 2010. The revisions do not include quantitative emissions thresholds. In addition, the Governor's Office of Planning and Research (OPR) prepared *CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA)*. *CEQA and Climate Change* offers informal guidance regarding the steps lead agencies should take to address climate change in their CEQA documents. This guidance was developed in cooperation with the Resources Agency, the California Environmental Protection Agency (Cal/EPA), and the ARB.

5.2.5 Climate Change Impact Analysis

The information provided in this section is based on California goals for reducing GHG emissions, as well as an emissions inventory developed for the proposed project. Determining how a proposed project might contribute to climate change, and what the overall effect of an individual project would be based on that contribution is still undergoing debate at this time. As previously discussed, no approved thresholds or methodologies are currently available for determining the significance of a land use project's potential cumulative contribution to global climate change in CEQA documents. An individual project (unless it is a massive construction project, such as a dam or a new freeway project, or a large fossil-fuel fired power plant) does not generate sufficient GHG emissions to directly influence global climate change; therefore, the issue of global climate change typically involves an analysis of whether a project's contribution towards a cumulative impact is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. The following is a good faith effort at disclosing the nature of the project's potential effect with regard to GHG emissions, and suggest measures as appropriate to reduce potential GHG emissions.

Methodology. This analysis is based on the methodologies recommended by the California Air Pollution Control Officers Association [CAPCOA] (January 2008) *CEQA and Climate Change* white paper and included the use of the California Climate Action Registry General Reporting Protocol (January 2009).

Calculations of carbon dioxide, methane, and nitrous oxide are provided for full disclosure of the magnitude of potential project effects. The analysis focuses on carbon dioxide (CO_2), nitrous oxide (N_2O), and methane (CH_4) as these are those GHG emissions that the project would emit in the largest quantities, as compared to other GHGs (such as chlorofluorocarbons [CFCs]). Calculations were based on the methodologies discussed in the CAPCOA white paper (January 2008) and included the use of the California Climate Action Registry General Reporting Protocol (March 2007). Additionally, a qualitative analysis based on the proposed Housing Element's goals and policies was completed following the procedures from CAPCOA's *Model Policies for Greenhouse Gases in General Plans* (June 2009).

Operational Emissions. Operational emissions of CO_2, associated with space heating and landscape maintenance were quantified using the URBEMIS 2007 (version 9.2.2) computer model endorsed by the CARB. Nitrous oxide (N_2O) and methane (CH_4) emissions were quantified using the California Climate Action Registry General Reporting Protocol (January 2009) indirect emissions factors for electricity use (see Appendix B for calculations). The calculations and emission factors contained in the General Reporting Protocol were selected based on technical advice provided to the Registry by the California Energy Commission. This methodology is considered reasonable and reliable for use, as it has been subjected to peer review by numerous public and private stakeholders, and in particular by the California Energy Commission, and is recommended by CAPCOA (January 2008).

Emissions from Mobile Sources. Emissions of CO_2 from transportation sources were quantified using the URBEMIS 2007 (version 9.2.2) computer model. Nitrous oxide (N_2O) and methane (CH_4) emissions were quantified, using the California Climate Action Registry General Reporting Protocol (January 2009) direct emissions factors for mobile combustion (see Appendix B for calculations). Total daily mileage was calculated in URBEMIS 2007 and extrapolated to derive total annual mileage. Emission rates were based on the vehicle mix output, generated by URBEMIS, and the emission factors found in the California Climate Action Registry General Reporting Protocol.

It should be noted that one of the limitations to a quantitative analysis is that emission models, such as URBEMIS, evaluate aggregate emissions and do not demonstrate, with respect to a global impact, what proportion of these emissions are "new" emissions, specifically attributable to the proposed project in question. For most projects, the main contribution of GHG emissions is from motor vehicles and the total vehicle miles traveled (VMT), but the quantity of these emissions appropriately characterized as "new" is uncertain. Traffic associated with a project may be relocated trips from other locales, and consequently, may result in either higher or lower net VMT. In this instance, it is likely that some of the proposed project-related GHG emissions, associated with traffic and energy demand, would be truly "new" emissions; but, it is also likely that some of the emissions represent diversion of emissions from other locations. Thus, although GHG emissions are associated with the project, it is not possible to discern how much diversion is occurring or what fraction of those emissions represent global increases. In the absence of information regarding the different types of trips, the VMT generated by URBEMIS is used as a conservative estimate.

<u>Significance Thresholds</u>. CAPCOA (January 2008) conducted an analysis of various approaches and significance thresholds, ranging from a zero threshold (all projects are cumulatively considerable) to a high of 40,000 – 50,000 metric tons CDE per year. (See Table 5-1) For example, assuming a zero threshold and the AB 32 2020 targets, this approach would require all discretionary projects to achieve a 33% reduction from projected "business-as-usual" emissions to be considered less than significant. A zero threshold approach could be considered based on the concept that climate change is a global phenomenon in that all GHG emissions generated throughout the earth contribute to it, and not controlling small source emissions would potentially neglect a major portion of the GHG inventory. Another method based on a market capture approach that requires mitigation for greater than 90% of likely future discretionary development would use a quantitative threshold of greater than 900 metric tons CDE/year for most projects, which would generally correspond to office projects of approximately 35,000 square feet, retail projects of approximately 11,000 square feet, or supermarket space of approximately

6,300 square feet. Another potential threshold of 10,000 metric tons was considered by the Market Advisory Committee for inclusion in a GHG Cap and Trade System in California. A 10,000 metric ton significance threshold would correspond to the GHG emissions of approximately 550 residential units, 400,000 square feet of office space, 120,000 square feet of retail, and 70,000 square feet of supermarket space (CAPCOA, January 2008). This threshold would capture roughly half of new residential or commercial development (CAPCOA, January 2008). The basic concepts for the various approaches suggested by CAPCOA are used herein to determine whether or not the GHG emissions associated with the proposed Housing Element are "cumulatively considerable."

Table 5-1
CAPCOA Suggested Thresholds for Greenhouse Gases

Quantitative (900 tons)	~900 tons CDE/year
Quantitative CARB Reporting Threshold/Cap and Trade	Report: 25,000 tons CDE/year Cap and Trade: 10,000 tons CDE/year
Quantitative Regulated Inventory Capture	~40,000 - 50,000 tons CDE/year
Qualitative Unit-Based Threshold	Commercial space > 50,000 sf*
Statewide, Regional or Area-wide (CEQA Guidelines 15206(b)).	Office Space > 250,000 sf

**sf = square feet*
Sources: California Air Pollution Control Officers Association (CAPCOA), CEQA & Climate Change, January 2008.

With regards to the suggested thresholds in Table 5-1, the second lowest threshold of 10,000 CDE/year has been used as a quantitative benchmark for significance and qualitative consideration of the California Environmental Protection Agency's (CalEPA) GHG emissions reduction strategies that were prepared for CalEPA's Climate Action Team (CAT) established by Executive Order S-3-05 for projects below 10,000 tons CDE/year. A project's contribution to cumulative impacts to global climate change is considered cumulatively considerable, if the project would generate 10,000 tons CDE/year.

Additionally, qualitative policy analysis thresholds apply to the proposed Housing Element. The proposed Housing Element would have a significant impact if it would interfere with the ability of the State of California to achieve its GHG emission goals. Furthermore, for project's that would generate fewer than 10,000 CDE/year, the impact would be cumulatively considerable if the project would be inconsistent with one or more of the CAT's GHG reduction strategies, indicated in Table 5-6. Impacts would also be cumulatively considerable if the goals and polices of the project are inconsistent with the suggested goals and applicable policies contained in the CAPCOA's *Model Policies for GHG's in General Plans* (June 2009).

The information provided in this section is based on recently established California goals for reducing GHG emissions. The City of Ojai is not required to establish significance thresholds for GHG emissions. However, in 2010, there is the possibility that cities will be required to establish significance thresholds. Therefore, as a result of further direction on the issue, the GHG analysis contained in this EIR will follow available guidelines, such as those contained in this section.

Estimate of GHG Emissions.

Indirect Emissions from Electricity Use. Development facilitated by the proposed Housing Element would result in an increase in electricity use. Operation of the facilitated development would consume an estimated 1,398,960 kilowatt-hours [kWh]/year of electricity (see Table 5-2). The generation of electricity through combustion of fossil fuel typically yields CO_2, and to a smaller extent N_2O and CH_4. As discussed above, annual electricity emissions can be calculated using the California Climate Action Registry General Reporting Protocol (April 2008), which has developed emission factors based on the mix of fossil-fueled generation plants, hydroelectric power generation, nuclear power generation, and alternative energy sources associated with the regional grid. CO_2 emission estimates using the URBEMIS model also take into account emissions from other operation sources such as natural gas used for space heating. Table 5-3 shows the operational emissions of GHGs associated with the proposed project, estimated at 944.5 metric tons per year of CO_2e. Appendix B includes the URBEMIS and GHG emissions worksheets.

Table 5-2
Estimated Electricity Consumption of Facilitated Development

Type of Use	Units	Electricity Demand Factor	Annual Electricity Demand
Residential	201	6,960 kWH/unit/year [a]	1,398,960
		Total	**1,398,960kWH/year**

kWH = kilowatt hour
[a] Demand factor from Energy Information Administration, Department of Energy, US Average Monthly Bill by Sector, Census Div., and State 2007, www.eia.doe.gov. Based on 580 kWH/month

Table 5-3
Estimated Annual Operational Emissions of Greenhouse Gases Associated with New Housing Facilitated by the Project

	Annual Emissions	
Emission Source	**Emissions**	**Total CO_2e**
Carbon Dioxide (CO_2)[1]	562.8 tons (short, US)	510.5 metric tons CO_2e
Carbon Dioxide (CO_2)[2]	477.5 tons (short, US)	433.2 metric tons CO_2e
Methane (CH_4)[2]	0.0043 metric tons	0.1 metric tons CO2e
Nitrous Oxide (N_2O)[2]	0.0023 metric tons	0.7 metric tons CO2e
	Project Total	**944.5 metric tons CO_2e**

Source:
[1] Operational Emissions from URBEMIS 2007 (version 9.2.4).
[2] California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, June 2008, page 39-46.

Transportation Emissions. Mobile source GHG emissions were estimated using the average daily trips estimate generated by the traffic study (Appendix D) and the total vehicle miles traveled (VMT) estimated by URBEMIS (Appendix B). The URBEMIS 2007 model estimates that the project would generate approximately 10,396 daily VMT. Table 5-4 shows the estimated mobile emissions of GHGs based on this VMT.

Table 5-4
Estimated Annual Mobile Emissions of GHGs Associated with Facilitated Development

	Annual Emissions	
Emission Source	**Emissions**	**Total CO_2e**
Carbon Dioxide (CO_2)[a]	1,785.2 tons CO_2 (short, US)	1,619.5 metric tons CO_2e
Methane (CH_4)[b]	0.2 metric tons CH_4	4.4 metric tons CO_2e
Nitrous Oxide (N_2O)[b]	0.3 metric tons N_2O	77.8 metric tons CO_2e
	Project Total	**1,701.7 metric tons CO_2e**

Source:
a Emissions from URBEMIS 2007 v.9.2.4
b California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.1 January 2009, page 41-48.
See Appendix B for GHG emission worksheets.

As indicated above in Table 5-4, the project's modeled annual mobile GHG emissions are 1,701.7 metric tons of CO_2e.

Combined Operational and Mobile Emissions. Table 5-5 combines the operational and mobile GHG emissions associated with development facilitated by the proposed Housing Element. As indicated, the combined total GHG emissions for the accommodated development would be approximately 2,646 metric tons CO_2e per year. This total represents roughly 0.0005% of California's total 2006 emissions of 484 million metric tons. These emission projections indicated that the majority of the project GHG emissions are associated with vehicular travel (64%). Mobile emissions are in part a redirection of existing travel to other locations, and so

may already be a part of the total California GHG emissions.

Table 5-5
Combined Annual Emissions of Greenhouse Gases

Emission Source	Annual Emissions
Operational	**944.5 metric tons CO_2e**
Mobile	**1,701.7 metric tons CO_2e**
Total	**2,646.2 metric tons CO_2e**

Sources:
Operational Emissions from URBEMIS 2007 (version 9.2.4).
California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, June 2008.

GHG Cumulative Significance. As discussed above under *Methodology*, CAPCOA provides several approaches to consider whether a project's contribution to climate change are cumulatively considerable. Therefore, due to the project being a Housing Element, this analysis will include both quantitative and qualitative analysis.

Quantitative Significance Analysis. Based on the CAPCOA suggested thresholds indentified in Table 5-1, the project's contribution of about 2,646 metric tons CDE/year (See Table 5-5) would be less than 4 of the 5 suggested quantitative thresholds. As indicated above in the *Significance Thresholds* subsection, the 10,000 CDE/year threshold is considered the benchmark for projects by the CalEPA during the interim prior to regulations being established. It should also be noted that the modeled emissions represent a conservative estimate assuming that all forecast development (201 new residential units) are developed within the 2014 planning horizon and that all emissions are new. Development facilitated by the project would be less than the 10,000 CDE/year interim threshold and would not represent a cumulatively considerable impact to climate change.

Qualitative Significance Analysis. As indicated above in the *Significance Thresholds* subsection, impacts may be found cumulatively considerable if there is inconsistency with the State's GHG emisssion reduction plans or with CAPCOA's guidance document for general plans.

As indicated above, the proposed project would contribute less than 10,000 CDE/year. Therefore, projects that would generate fewer than 10,000 tons CDE/year would be considered cumulatively considerable if the project would be inconsistent with one or more fo the CAT's GHG reduction strategies. The CAT strategies are recommended to reduce GHG emissions at a statewide level to meet the goals of the Executive Order S-3-05 (http://www.climatechange.ca.gov). Table 5-6 indicates the project's consistency with CAT's GHG reduction strategies.

Table 5-6
Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

Strategy	Project Consistency
California Air Resources Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the ARB in September 2004.	**Not Applicable** The State required these regulations for vehicle manufacturers. This strategy addresses actions that are outside the scope of the proposed Housing Element, which would not hinder implementation of this strategy.
Diesel Anti-Idling The ARB adopted a measure to limit diesel-fueled commercial motor vehicle idling in July 2004.	**Not Applicable** Current State law restricts diesel truck idling to five minutes or less. This strategy addresses actions that are outside the scope of the proposed Housing Element, adoption of which would not hinder implementation of this strategy.
Hydrofluorocarbon Reduction 1) Ban retail sale of HFC in small cans. 2) Require that only low GWP refrigerants be used in new vehicular systems. 3) Adopt specifications for new commercial refrigeration. 4) Add refrigerant leak-tightness to the pass criteria for vehicular inspection and maintenance programs. 5) Enforce federal ban on releasing HFCs.	**Not Applicable** This strategy applies to consumer products. All applicable products are required comply with the regulations that are in effect at the time of manufacture. This strategy addresses actions that are outside the scope of the proposed Housing Element, adoption of which would not hinder implementation of this strategy.
Alternative Fuels: Biodiesel Blends ARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	**Not Applicable** This strategy addresses actions that are outside the scope of the proposed Housing Element, adoption of which would not hinder implementation of this strategy.
Alternative Fuels: Ethanol Increased use of E-85 fuel.	**Not Applicable** This strategy addresses actions that are outside the scope of the proposed Housing Element, adoption of which would not hinder implementation of this strategy.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy duty vehicles and an education program for the heavy duty vehicle sector.	**Not Applicable** This strategy addresses actions that are outside the scope of the proposed Housing Element, adoption of which would not hinder implementation of this strategy.
Achieve 50% Statewide Recycling Goal Achieving the State's 50% waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48% has been achieved on a statewide basis. Therefore, a 2% additional reduction is needed.	**Consistent** The City of Ojai has already achieved the 50% Statewide Recycling Goal. It is anticipated that the development facilitated by the Housing Element would similarly divert at least 50% of its solid waste after the recyclable content is diverted. Development projects accommodated by the Housing Element would be conditioned to provide recycling bins to residences.
Zero Waste – High Recycling Efforts to exceed the 50% goal would allow for additional reductions in climate change emissions.	**Consistent** It is anticipated that the development facilitated by the Housing Element would similarly divert at least 50% of solid waste, and possibly more. Projects accommodated by the Housing Element would be conditioned to provide recycling bins to promote recycling for residential uses and would be required to comply with applicable State and City requirements for solid waste reduction.

Table 5-6
Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

Strategy	Project Consistency
Department of Forestry	
Urban Forestry A new statewide goal of planting 5 million trees in urban areas by 2020 would be achieved through the expansion of local urban forestry programs.	**Consistent** The proposed Housing Element would facilitate the development of 201 new housing in the City of Ojai. Section 10-2.108 of the Ojai Municipal Code indicates that street trees shall be required of all new development at the discretion of the Planning Director. Compliance with this ordinance would result in consistency with this strategy. The City's tree protection regulations provide for replanting removed trees. In addition, the City is drafting a Community Forest Master Plan, which includes as goals establishing and maintaining an optimal level of tree coverage and protecting existing trees.
Department of Water Resources	
Water Use Efficiency Approximately 19% of all electricity, 30% of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce greenhouse gas emissions.	**Consistent** Development accommodated by the proposed Housing Element would have the ability to utilize technologies that improve water use efficiency. The facilitated Limited Impact Development (LID) projects would likely utilize features that would improve water use efficiency. The infill nature of development would not require significantly greater water transport distances.
Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	**Consistent** All future development facilitated by the project would need to comply with the standards of Title 24 that are in effect at the time of development.
Appliance Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the Energy Commission to adopt and periodically update its appliance energy efficiency standards (that apply to devices and equipment using energy that are sold or offered for sale in California).	**Not Applicable** Under State law, appliances that are purchased for any development facilitated by the project - both pre- and post-development – would be consistent with energy efficiency standards that are in effect at the time of manufacture. The proposed Housing Element would not hinder implementation of this strategy.
Fuel-Efficient Replacement Tires & Inflation Programs State legislation established a statewide program to encourage the production and use of more efficient tires.	**Not Applicable** This strategy addresses actions that are outside the scope of the proposed Housing Element, adoption of which would not hinder implementation of this strategy.
Municipal Utility Energy Efficiency Programs/Demand Response Includes energy efficiency programs, renewable portfolio standard, combined heat and power, and transitioning away from carbon-intensive generation.	**Not Applicable** This strategy addresses actions that are outside the scope of the proposed Housing Element, adoption of which would not hinder implementation of this strategy.
Municipal Utility Renewable Portfolio Standard California's Renewable Portfolio Standard (RPS), established in 2002, requires that all load serving entities achieve a goal of 20 percent of retail electricity sales from renewable energy sources by 2017, within certain cost constraints.	**Not Applicable** This strategy addresses actions that are outside the scope of the proposed Housing Element, adoption of which would not hinder implementation of this strategy.
Municipal Utility Combined Heat and Power	**Not Applicable**

Table 5-6
Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

Strategy	Project Consistency
Cost effective reduction from fossil fuel consumption in the commercial and industrial sector through the application of on-site power production to meet both heat and electricity loads.	This strategy addresses actions that are outside the scope of the proposed Housing Element, adoption of which would not hinder implementation of this strategy.
Alternative Fuels: Non-Petroleum Fuels Increasing the use of non-petroleum fuels in California's transportation sector, as recommended as recommended in the CEC's 2003 and 2005 Integrated Energy Policy Reports.	**Not Applicable** This strategy addresses actions that are outside the scope of the proposed Housing Element, adoption of which would not hinder implementation of this strategy.
Business, Transportation and Housing	
Measures to Improve Transportation Energy Efficiency Builds on current efforts to provide a framework for expanded and new initiatives including incentives, tools and information that advance cleaner transportation and reduce climate change emissions.	**Consistent** The Housing Element would facilitate infill development which could reduce greenhouse gas emissions as a result of reduced vehicular trips.
Smart Land Use and Intelligent Transportation Systems (ITS) Smart land use strategies encourage jobs/housing proximity, promote transit-oriented development, and encourage high-density residential/commercial development along transit corridors. ITS is the application of advanced technology systems and management strategies to improve operational efficiency of transportation systems and movement of people, goods and services. The Governor is finalizing a comprehensive 10-year strategic growth plan with the intent of developing ways to promote, through state investments, incentives and technical assistance, land use, and technology strategies that provide for a prosperous economy, social equity and a quality environment. Smart land use, demand management, ITS, and value pricing are critical elements in this plan for improving mobility and transportation efficiency. Specific strategies include: promoting jobs/housing proximity and transit-oriented development; encouraging high density residential/commercial development along transit/rail corridor; valuing and congestion pricing; implementing intelligent transportation systems, traveler information/traffic control, incident management; accelerating the development of broadband infrastructure; and comprehensive, integrated, multimodal/intermodal transportation planning.	**Consistent** Development facilitated by the proposed Housing Element would locate many of the new residences in relatively close proximity to commercial areas within the City of Ojai. Additionally, the project facilitates development in the Village Mixed Use district of Ojai, which would cut down on vehicular trips. SR-33 passes through the City of Ojai and provides an efficient mode of goods transportation. Furthermore, the Housing Element facilitates the development of Limited Impact Development (LID), which intends to link new residential development non-residential employees and sustainable construction.

Table 5-6
Project Consistency with Applicable Climate Action Team Greenhouse Gas Emission Reduction Strategies

Strategy	Project Consistency
State and Consumer Services Agency	
Green Buildings Initiative Green Building Executive Order, S-20-04 (CA 2004), sets a goal of reducing energy use in public and private buildings by 20 percent by the year 2015, as compared with 2003 levels. The Executive Order and related action plan spell out specific actions state agencies are to take with state-owned and -leased buildings. The order and plan also discuss various strategies and incentives to encourage private building owners and operators to achieve the 20 percent target.	**Consistent** As discussed previously, any development facilitated by the Housing Element would be required to be constructed in compliance with the standards of Title 24 that are in effect at the time of development. The 2005 Title 24 standards are approximately 8.5% more efficient than the 2001 standards. Additionally, Objective 21, Sustainability, of the proposed Housing Element promotes the implementation of "Green Building" guidelines that embody the spirit of LEED.
Public Utilities Commission (PUC)	
Accelerated Renewable Portfolio Standard The Governor has set a goal of achieving 33 percent renewable in the State's resource mix by 2020. The joint PUC/Energy Commission September 2005 Energy Action Plan II (EAP II) adopts the 33 percent goal.	**Not Applicable** This strategy addresses actions that are outside the scope of the proposed Housing Element, which would not hinder implementation of this strategy.
California Solar Initiative The solar initiative includes installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses, increased use of solar thermal systems to offset the increasing demand for natural gas, use of advanced metering in solar applications, and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	**Not Applicable** The proposed Housing Element does not directly propose development. Rather it facilitates and plans where housing will likely occur. The use of solar roofs is up to developer of the facilitated development. Although, it should be noted that Objective 21, Sustainability, of the project intends to implement "Green Building" guidelines, embodying Leadership in Energy and Environmental Design (LEED) principles. LEED principles promote the use of solar energy production.

As indicated above in Table 5-6, the proposed Housing Element would be consistent with all of the applicable CAT strategies. Therefore, the project's contribution to GHG emissions would not be cumulatively considerable.

CAPCOA's, *Model Policies for GHGs in General Plans,* is a guidance document that provides potential goals, policies, and objectives municipalities could include in their General Plans so as to comply with the overarching climate change goals established by AB-32. Although the document identifies these as suggested strategies, because formal thresholds have not been established, complying with these strategies would provide for a mode for which General Plan projects would achieve consistency with AB-32 goals. It should be noted that Table 2 of CAPCOA's *Model Policies for GHGs in General Plans* (June 2009) document identifies policies and goals for 9 general plan elements. However, it does not provide goals and policies for Housing Elements. Therefore, the overall goals for each element are broad enough to include in the analysis along with a few select policies identified as being applicable to Housing Elements in Table 2. Table 5-7 illustrates the project consistency analysis.

Table 5-7
Project Consistency with CAPCOA's
Model Policies for GHGs in General Plans

Goal or Policy	Project Consistency
Greenhouse Gas Reduction Planning Goal Reduce GHG emissions from all activities within the City/County boundaries to support the State's efforts under AB-32 and to mitigate the impact of climate change on the City/County, State, and world.	**Consistent** As indicated by the Adequate Housing Site Goal of the proposed Housing Element, the project emphasizes low impact development, integration with community context, and linking jobs with housing. Furthermore, Goal H-12 and Objective 21, Sustainability, encourages the use of energy efficient construction and implements strategies to utilize "Green Building" construction guidelines.
Land Use and Urban Design Policies Goal Promote land use strategies that decrease reliance on automobile use, increase the use of alternative modes of transportation, maximize efficiency of urban services provision and reduce emissions of GHGs.	**Consistent** Development facilitated by the proposed Housing Element would be consistent with this goal through its objectives which promote mixed use developments such as in the VMU zone (Objective 5) or walkability by placing the majority of units within close proximity to the "town center" and commercial uses.
Land Use Policy LU-2.1.5 The City/County will work with employers developing larger projects to ensure local housing opportunities for their employees, and engage employers to find ways to provide housing assistance as part of their employee benefit packages; major projects in mixed-use areas should include work-force housing where feasible.	**Consistent** The type of project considered in the policy is unlikely to be developed in Ojai due to the City's size and commercial environment.
Transportation Goal Reduce GHG emissions by reducing vehicle miles traveled and by increasing or encouraging the use of alternative fuels and transportation technologies.	**Consistent** the proposed Housing Element would facilitate infill development that would place residential uses in proximity to commercial uses. This is exemplified in the Village Mixed Use and Demonstration Projects that would be facilitated by the project; it would place residential uses near the town center and commercial uses along Ojai Avenue.
Energy Efficiency Goal Reduce emissions from the generation of electricity by reducing electricity use through increased efficiency.	**Consistent** Goal H-12 and Objective 21, Sustainability, encourages energy efficient construction in residential units facilitated by the Housing Element in addition to devising and implementing "Green Building" guidelines. As indicated by Objective 21, the "Green Building" guidelines would embody LEED sustainable principles. The development of green building guidelines would increase the energy efficiency in faciltated development.
Energy Efficiency Policy EE-2.2: Affordable Housing Energy Efficiency Affordable housing development shall incorporate energy efficient design and features to the maximum extent feasible.	**Consistent** Goal H-12 and Objective 21, Sustainability, apply to all projects facilitated by the proposed Housing Element. See discussion above.
Energy Efficiency Policy EE-2.2.1 The City/County will target local funds, including redevelopment and community block grant resources, to assist affordable housing developers in meeting the energy efficiency requirements.	**Consistent** Goal H-12 and Objective 21, Sustainability, apply to all projects facilitated by the proposed Housing Element. When combined with other goals and policies proposed by the Housing Element such as those in the Affordable Housing Supply section and Objective 2, Affordable Housing Covenants, it can be found that the proposed project intends to assist in the funding of affordable housing and identifies goals and objectives which fulfill the goal of energy efficient development.

Table 5-7
Project Consistency with CAPCOA's
Model Policies for GHGs in General Plans

Alternative Energy Goal The City/County will seek to reduce emissions associated with electrical generation by promoting and supporting the generation and use of alternative energy.	**Consistent** See discussion above for the Energy Efficiency Goal.
Municipal Operations Goal Reduce GHG emissions from municipal facilities and operations, and by purchasing goods and services that embody fewer GHG emissions.	**Not Applicable** The proposed Housing Element facilitates residential development within the City of Ojai. It does not facilitate the development of any municipal operations or structures. Therefore, this goal does not apply to the proposed project.
Waste Reduction and Diversion Goal Reduce GHG emissions waste through improved management of waste handling and reductions in waste generation.	**Consistent** It is anticipated that the development facilitated by the Housing Element would divert at least 50% of its solid waste after the recyclable content is diverted in compliance with State solid waste reduction regulations. Projects accommodated by the Housing Element will be conditioned to provide recycling bins to promote recycling for residential uses and would be required to comply with applicable State and City requirements for solid waste reduction.
Conservation and Open Space Goal Conserve natural resources such as water and open space to minimize energy used and GHG emissions and to preserve and promote the ability of such resources to remove carbon from the atmosphere.	**Not Applicable** The proposed Housing Element facilitates infill development within the City limits. Therefore, this goal does not apply to the proposed project.
Education and Outreach Goal Increase public awareness of climate change and climate protection challenges, and support community reductions of GHG emissions through coordinated, creative public education and outreach, and recognition of achievements.	**Consistent** Objective 21, Sustainability, of the proposed Housing Element intends to implement the dissemination of energy retrofitting and rebate programs to the residents of the City. Additionally, the project intends to incorporate energy conservation measures and financial incentives from SCE into the City's housing rehabilitation program.

Source: CAPCOA, Model Policies for GHGs in General Plans, June 2009.

As indicated above in Table 5-7, the proposed Housing Element would be consistent with the suggested goals and policies from CAPCOA's *Model Policies for GHGs in General Plans*. Therefore, the project's contribution to climate change would not be cumulatively considerable.

6.0 ALTERNATIVES

As required by Section 15126.6 of the *State CEQA Guidelines*, this EIR examines a range of reasonable alternatives to the proposed project that have the potential avoid or minimize the adverse environmental effects of the project. Included in this analysis are two alternatives that involve different strategies for meeting Regional Housing Needs Assessment (RHNA) goals, as well as two versions of a CEQA-required "no project" alternative. This section also identifies the Environmentally Superior Alternative in accordance with CEQA. The following alternatives are evaluated in this EIR:

- ***Alternative 1: No Project – No Housing Element.*** *Under this alternative, the City would not adopt a new Housing Element and the 2000-2005 Housing Element would expire. Under this alternative, housing towards the RHNA goals may be constructed in the normal course of business and growth, but none would be expressly facilitated by adoption of new policies or programs. Over the eight-year planning period, an estimated 32 new units*[1] *would be expected to be built under normal operation of the City's Growth Management Ordinance.*
- ***Alternative 2: No Project – Existing Housing Element.*** *Under this alternative the City would continue to operate under the goals, policies and programs in the 2000-2005 Housing Element for the 2006-2014 planning period. The 2000-2005 Housing Element would remain in effect.*
- ***Alternative 3: Existing Units Only Alternative.*** *Under this alternative the City would meet its RHNA goals through the use of existing housing units by relying on an amnesty program, affordable housing covenants and mortgage assistance. No new housing units would be facilitated by this alternative.*
- ***Alternative 4: More Reliance on New Construction Alternative.*** *This alternative would involve meeting the RHNA goals with a higher proportion of units from new construction than the proposed 2006-2014 Housing Element. Under this alternative, 15 existing units and 412 new units would comprise the 427 units needed to meet the housing goal. Of these, 194 new units would be facilitated within an expanded "special housing overlay," which allows a variety of housing types, including affordable housing, senior housing, transitional housing and shelters. Demonstration and senior housing projects would provide 71 units. The 15 existing units would be facilitated through affordable housing covenants. There would be no amnesty program.*

A more detailed description of the alternatives is included in the impact analysis for each alternative.

[1] The Growth Management Ordinance (OMC Section 10-6.601) currently allows growth of up to 16 units per year, however, based on recent trends and the number of allocations requested and issued in recent years, a more reasonable number of four units per year was used in this analysis (4 units/year x 8-year Housing Element time frame = 32 units).

6.1 ALTERNATIVE 1: NO PROJECT

6.1.1 Description

Under this alternative the City would not adopt a Housing Element and the 2000-2005 Housing Element would expire. Under this alternative housing towards the RHNA goals may be constructed in the normal course of business and growth, but none would be expressly facilitated by adoption of new policies or programs. Over the eight-year planning period, 32 new units would be expected to be built under normal operation of the City's Growth Management Ordinance.

6.1.2 Impact Analysis

a. Aesthetics. The aesthetic impacts of the No Project – No Housing Element Alternative would be substantially reduced compared to those of the proposed project, and would manifest differently. Fewer units (32 compared to 201) would be built, and they would all be scattered throughout the City, as no senior or demonstration projects would be built. As with the proposed 2006-2014 Housing Element, the City would experience an incremental change in its visual character under this alternative, but to a lesser degree as fewer overall units would be facilitated. In addition, as with the proposed project, the changes would occur over a number of years, and application of the City's visual resources policies, view protection policies, and Design Review process to individual projects would serve to avoid significant impacts related to visual character, scenic resources or scenic views. As no senior or demonstration housing projects would be specifically facilitated, impacts in the area around City Hall would be reduced compared to the proposed project, and would remain less than significant.

Finally, this alternative, compared to the proposed project, would introduce fewer sources of light and glare. Like the proposed project, this alternative would not be expected to introduce substantial new light and glare, because they would typically be adding to existing development in built-up areas, similar to the proposed project, rather than introducing new development in areas with very low ambient light and glare. In addition, development under this alternative would be required to adhere to Municipal Code provisions intended to minimize light and glare from affecting offsite receptors and property as outlined under impact AES-4 in Section 4.1, *Aesthetics*. Impacts related to aesthetics and visual resources would be reduced overall compared with the proposed project, and would remain less than significant, under this alternative.

b. Agricultural Resources. The agricultural resources impacts of the No Project – No Housing Element Alternative would be similar to, but reduced compared to the proposed project, as neither would lead to the conversion of farmland, conflict with existing agricultural zoning, or a Williamson Act contract, or involve changes in the environment that could result in the conversion of farmland to a non-agricultural use because neither proposes new development on or adjacent to agricultural land. Like the proposed project, impacts would be less than significant under this alternative.

c. Air Quality. Since fewer (32 rather than 201) new residential units would be facilitated under this alternative than the proposed project, impacts to air quality from both construction and operation would also be reduced. Population generation under this alternative would be within the Ventura County AQMP projections for the year 2014, similar to the proposed project. Therefore, this alternative is consistent with the residential growth accommodated by the existing AQMP population forecasts and impacts to regional air quality would be less than significant, similar to the proposed project. As this alternative would accommodate fewer units than the proposed project, this alternative would produce less long-term emissions associated with vehicle trips and stationary sources (electricity and natural gas). As this alternative would facilitate less development than the proposed project, construction activity would generate less temporary emissions of various air pollutants. This alternative would result in a smaller population increase than the proposed project and therefore would result in a smaller increase in traffic congestion in the City which would reduce the potential to increase carbon monoxide (CO) concentrations at congested intersections. In summary, air quality impacts would be less than the proposed project's and impacts would be less than significant, as would the proposed project's.

d. Biological Resources. Impacts to biological resources would be reduced under this alternative compared to the proposed project. Development of approximately four units per year, scattered throughout the City, would not result in potentially significant impacts to creeks and nesting or roosting birds, and would not require mitigation. The City's Conservation Element contains policies and programs intended to protect "regionally significant" habitat and habitat areas identified on the Master Environmental Assessment maps, including stands of native trees and riparian corridors that provide habitat for special status species would apply to this alternative and are outlined in Section 4.4, *Biological Resources*. The proposed alternative would be less likely to affect protected trees as less development would be facilitated under this alternative as compared to the proposed project. Development would be required to adhere to Chapter 11 of the Ojai Municipal Code, Preservation, Cutting, and Removal of Oak, Sycamore, Heritage and Other Designated Mature Trees, along with Conservation Element policies and programs to protect both individual trees and locally significant stands of oak and sycamore trees. These regulations, policies and programs provide adequate protection for the native trees in Ojai, and required compliance with them would avoid significant impacts to native trees that could result from new development facilitated by this alternative. Like the proposed project, impacts would be less than significant under this alternative, but mitigation would not be required and in fact, as this growth would not be a "project" under CEQA, could not be applied regardless.

e. Cultural Resources. Development facilitated under this alternative would be subject to the same General Plan policies and programs, as well as City procedures, in place to avoid impacts to cultural resources for the proposed project. As such, this alternative would not be expected to directly or indirectly disturb as-yet undetected areas of prehistoric and historic significance, result in the removal or alteration of potentially historic buildings, or uncover human remains. Similar to the proposed project, impacts would be less than significant under this alternative, and would be reduced compared with the proposed project because fewer residntial units would be developed.

f. Geology. This alternative would fewer units than the proposed project (32 rather than 201). As such, fewer housing units and people would be subject to potential risks from

seismic activity resulting from any of several active faults in the region, surface fault rupture, liquefaction, soil settlement, landslides, and erosion hazards as compared to the proposed project. New housing units would be required to comply with standard engineering techniques as required by the UBC and CBC. Like the proposed project, impacts would be less than significant under this alternative with adherence to UBC and CBC requirements; however no mitigation would be necessary and in fact, as this growth would not be a "project" under CEQA, could not be applied regardless.

g. Hazards and Hazardous Materials. This alternative would facilitate fewer units (32 rather than 201) being constructed as compared to the proposed project. As with the proposed project, new development could be built in proximity to land uses that use or store hazardous materials, however this relatively low natural growth rate would not result in potentially significant impacts. Implementation of this alternative would generate less population growth than the proposed project and therefore would place less people at risk of exposure in the event of an accident during the transportation of hazardous materials along Ojai's major corridors, SR 33 and SR 150. Continued implementation of the County's SEMS Plan would ensure that impacts associated with transportation-related hazardous material incidents would be less than significant. Like the proposed project, impacts would be less than significant under this alternative, but no mitigation would be necessary and in fact, as this growth would not be a "project" under CEQA, could not be applied regardless.

h. Hydrology and Water Quality. New construction under this alternative would comply with General Plan actions and Municipal Code requirements thereby reducing impacts related to flood hazards to less than significant. As this alternative would facilitate 169 fewer housing units than the proposed project, this alternative would result in less impervious surfaces being created throughout the City than the proposed project. As this alternative would create less impervious surface space than the proposed project, surface runoff would be less than the proposed project. This alternative would generate fewer pollutants including toxins from plastic products, gasoline, paint, and solid waste than the proposed project. This would result in fewer pollutants traveling to nearby waterways than the proposed project. This alternative would be required to adhere to the same General Plan policies and actions and existing regulations outlined in Section 4.8, *Hydrology and Water Quality* as the proposed project. Like the proposed project, impacts would be less than significant under this alternative, although somewhat reduced.

i. Land Use and Planning. This alternative would comply with the policies and programs of the seven elements of the City of Ojai General Plan outlined in Section, 4.9 *Land Use and Planning*. Therefore, this alternative would not conflict with any local regulatory planning documents. This alternative would be consistent with the SCAG framework for decision-making with respect to regional growth and changes that can be anticipated within the next 20 years. SCAG's Regional Comprehensive Plan (RCP) provides a general view of regional plans that will affect local governments, responses to significant issues facing southern California, and a summary of how the region will meet certain federal and state requirements with respect to Transportation, Growth Management, Air Quality, Housing, Hazardous Waste Management, and Water Quality Management. This alternative would be consistent with these issues as the proposed project would not result in an increase in population or housing beyond SCAG projections. Like the proposed project, impacts would be less than significant under this

alternative. However, as noted above, it would not be consistent with the identified RHNA goals for the City of Ojai.

j. Mineral Resources. Tentative locations for new units proposed under this alternative would not be developed in an area designated as MRZ-1 or within an area identified in the City of Ojai Initial Study Assessment Guidelines (2002) as an area containing significant materials. This alternative would not interfere with any locations within the City that could potentially contain mineral resources. Like the proposed project, impacts would be less than significant.

k. Noise. This alternative would result in the facilitation of fewer housing units than the proposed project (32 rather than 201), which would result in less construction noise. This alternative would result in fewer vehicle trips than the proposed project as it would increase the City's population by fewer residents as compared to the proposed project's population increase. Therefore, traffic-generated noise on City roadways would be reduced compared with the proposed project and sensitive receptors would have less of a risk of being affected. All future permitted City development would be subject to the City's construction Noise Ordinance requirements. Like the proposed project, impacts would be less than significant without the need for mitigation.

l. Population and Housing. Under this alternative, 32 new housing units would be developed under continued application of the Growth Management Ordinance. Development would be located on either vacant parcels or underutilized parcels, collectively containing only a limited amount of existing housing. Consequently, displacement of substantial amounts of housing in this area would be unlikely, but if it did occur, the number of new units constructed would be greater than those removed. Population would increase by as many as 75 people under this alternative. This increase would be within SCAG regional growth forecasts as shown on Table 4.12-5, in Section 4.12, *Population and Housing*. Therefore, impacts would be less than significant, similar to the proposed project.

m. Public Services. This alternative would facilitate an increase in the City's population of fewer people than would the proposed project. As the population increase would be less than the proposed project, this alternative would create less additional demand on fire protection services, police protection services, and school facilities. Per unit fees for police protection services, fire services, and school impact fees would be required to be paid for all new units constructed. Like the proposed project, impacts would be less than significant with payment of required fees.

n. Recreation. This alternative would facilitate an increase in the City's population of 75 rather than the 474 people associated with the proposed project. As population increase would be less than the proposed project, this alternative would create less additional demand on parks or recreation facilities. Developers would be required to pay a per-unit City fee pursuant to Chapter 1 Article 5 of the Ojai Municipal Code, Park and Recreational Tax. Therefore, new funds would be made available under this alternative to aid the City in its goal of reaching its target of four acres of parkland per 1,000 residents. Like the proposed project, impacts would be less than significant.

o. Traffic and Circulation. Fewer new traffic trips would be would be associated with implementation of this alternative due to the reduction in units facilitated. Table 4.15-8 of

Section 4.15, *Traffic and Circulation*, indicates that under cumulative plus proposed project conditions, roadway segments would continue to operate in the LOS C – E range with the addition of the project traffic based on the County's LOS data. As this alternative would produce fewer net trips, impacts would be similar or reduced, and would be less than significant, as for the proposed project. However, development facilitated under this alternative would generate traffic on SR 33 through Casitas Springs within the County of Ventura's regional roadway network. Since the development of 32 new housing units would add more than one peak hour trip to the Casitas Springs segment of SR 33 during A.M. and P.M. peak hour periods, it would exceed the threshold established by the County's General Plan policies, similar to (but to a lesser degree than) the proposed project.

p. Utilities. This alternative would result in the facilitation of fewer units than the proposed project (32 rather than 201). This would result in less demand on the water supplies provided to the City and the City's water infrastructure system as compared to the proposed project.

As discussed in Section 4.16, *Utilities and Service Systems*, planned water supplies for the Ojai System in 2015 include 2,196 AF of groundwater. Planned supplies in 2035 include 2,564 AF of groundwater. It is assumed that additional surface water from the CMWD would not be available to meet the increased demand generated by growth facilitated by the proposed Housing Element. Therefore, the 14 AFY of additional demand generated by new units built pursuant to the GMO under the No Project Alternative would increase 2015 groundwater use to an estimated 2,210 AFY (2,196 + 14) and would increase 2035 groundwater use to an estimated 2,578 AFY (2,564 + 14).

The 2010 UWMP estimates the safe yield from the Ojai Groundwater Basin at 6,000 AFY. The UWMP does not include a specific estimate of overall 2015 groundwater use, but estimates overall 2035 groundwater use from the Ojai Groundwater Basin at 5,870 AF. Adding the 14 additional AF of demand associated with GMO-allocated growth under the No Project Alternative to the future forecast demand would not cause an exceedance of forecast supplies. Therefore, impacts under the No Project Alternative would be reduced compared with the proposed project, and would be less than significant without mitigation, as with the proposed project. However, water conservation measures would still be recommended, as they are for the proposed project.

Wastewater and solid waste generation would be reduced under this alternative compared with the proposed 2006-2014 Housing Element. Thus, similar to the proposed project, impacts would be less than significant, as well as reduced, for these issue areas.

6.2 ALTERNATIVE 2: NO PROJECT – EXISTING HOUSING ELEMENT

6.2.1 Description

Under this alternative the City would continue to operate under the goals, policies and programs in the 2000-2005 Housing Element during the 2006-2014 planning period. The 2000-2005 Housing Element would remain in effect. Approximately 80% of the stated objectives

within the 2000-2005 Housing Element have been achieved: a total of 119 dwellings were applied towards the RHNA goals in the 2000-2005 Housing Element between 1998 and 2005 and an additional 39 dwellings were constructed from 2006-2011, leaving 51 remaining units to achieve the 209-unit goal. Therefore this alternative would facilitate the construction of 51 units. Many of these units would be accommodated through application of the Special Housing (SPL) overlay to various sites, mostly in the eastern portion of the City (East of Montgomery Street). This alternative would not meet the basic objectives of the proposed project because its implementation would not meet the RHNA goals identified for Ojai.

6.2.2 Impact Analysis

a. Aesthetics. The aesthetic impacts of the No Project – Existing Housing Element Alternative would be similar in degree compared to those of the proposed project but would manifest differently. Fifty-one units would be accommodated under this alternative, generally distributed throughout the City. This is because use of the SPL-overlay sites to be identified would accommodate most of the units.

As with the proposed 2006-2014 Housing Element, the City would experience incremental change in its visual character under this alternative. Projects would be larger in scale than the scattered development that would be facilitated by the proposed project. However, fewer overall units would be facilitated. In addition, as with the proposed project, the changes would occur over a number of years, and although development would be more concentrated, application of the City's visual resources policies, view protection policies, and Design Review process to individual projects would serve to avoid significant impacts related to visual character, scenic resources or scenic views. As no senior or demonstration housing projects would be specifically facilitated, the concentration of impacts in the areas where demonstration projects would occur would be reduced compared to the proposed project, and would remain less than significant.

Like the proposed project, this alternative would not be expected to introduce substantial new light and glare, because they would typically be adding to existing development in built-up areas, similar to the proposed project, rather than introducing new development in areas with very low ambient light and glare. In addition, development under this alternative would be required to adhere to Municipal Code provisions intended to minimize light and glare from affecting offsite receptors and property as outlined under impact AES-4 in Section 4.1, *Aesthetics*. Like the proposed project, impacts related to aesthetics and visual resources would be less than significant under this alternative.

b. Agricultural Resources. The agricultural resources impacts of the No Project – Existing Housing Element Alternative would be similar to the proposed project as neither would lead to the conversion of farmland, conflict with existing agricultural zoning, or a Williamson Act contract, or involve changes in the environment that could result in the conversion of farmland to a non-agricultural use because neither proposes new development on or adjacent to agricultural land. Like the proposed project, impacts would be less than significant under this alternative.

c. Air Quality. Since 150 fewer new residential units would be facilitated under this alternative than the proposed project, impacts to air quality from both construction and operation would also be reduced. This alternative would result in a generation of approximately 120 new residents, which would be within the Ventura County AQMP projections for the year 2014. Therefore, this alternative is consistent with the residential growth accommodated by the existing AQMP population forecasts and impacts to regional air quality would be less than significant, similar to the proposed project. As this alternative would accommodate 150 fewer units than the proposed project, this alternative would produce less long-term emissions associated with vehicle trips and stationary sources (electricity and natural gas). As this alternative proposes less development than the proposed project, construction activity would generate less temporary emissions of various air pollutants. This alternative would result in a smaller population increase than the proposed project and therefore would result in a smaller increase in traffic congestion in the City which would reduce the potential to increase carbon monoxide (CO) concentrations at congested intersections. In summary, air quality impacts would be less than the proposed project's and impacts would be less than significant, as would the proposed project's.

d. Biological Resources. Impacts to biological resources would be reduced under this alternative compared to the proposed project. The 51 units accomodated under this alternative would likely be located in the SPL overlay in the eastern portion of the City. As indicated in Table 4.4-1 of Section 4.4, *Biological Resources*, most special status species associated with the Ojai area are unlikely to occur where development could be facilitated by this alternative. The City's Conservation Element contains policies and programs intended to protect "regionally significant" habitat and habitat areas identified on the Master Environmental Assessment maps, including stands of native trees and riparian corridors that provide habitat for special status species would apply to this alternative and are outlined in Section 4.4, *Biological Resources*. Special status birds and other animals may be located in riparian habitat and mature trees within areas outside of areas identified as "regionally significant" where development could occur under this alternative. Such development would be subject to individual project level review and specific biological resources impacts would be analyzed if a project were proposed. Nevertheless, mitigation measures proposed for the proposed project for creek protection and nesting/roosting bird protection would be applicable to this alternative. Required adherence to adopted City policies and the proposed project's mitigation measure under BIO-1 would avoid substantial adverse affects on riparian habitat and other sensitive natural communities identified in the City's General Plan and Master Environmental Assessment that could result from new development under this alternative. The proposed alternative would be less likely to affect protected trees as less development would be facilitated under this alternative as compared to the proposed project. Development would be required to adhere to Chapter 11 of the Ojai Municipal Code, Preservation, Cutting, and Removal of Oak, Sycamore, Heritage and Other Designated Mature Trees, along with Conservation Element policies and programs to protect both individual trees and locally significant stands of oak and sycamore trees. These regulations, policies and programs provide adequate protection for the native trees in Ojai, and required compliance with them would avoid significant impacts to native trees that could result from new development facilitated by this alternative. Like the proposed project, impacts would be less than significant under this alternative with the implementation of the abovementioned mitigation measures and adherence to the City's Municipal Code and Conservation Element policies and programs.

e. Cultural Resources. Development facilitated under this alternative would be subject to the same General Plan policies and programs, as well as City procedures, in place to avoid impacts to cultural resources for the proposed project. As such, this alternative would not be expected to directly or indirectly disturb as-yet undetected areas of prehistoric and historic significance, result in the removal or alteration of potentially historic buildings, or uncover human remains. Similar to the proposed project, impacts would be less than significant under this alternative.

f. Geology. This alternative would facilitate 150 fewer units than the proposed project. As such, fewer housing units and people would be subject to potential risks from seismic activity resulting from any of several active faults in the region, surface fault rupture, liquefaction, soil settlement, landslides, and erosion hazards as compared to the proposed project. New housing units would be required to comply with standard engineering techniques as required by the UBC and CBC. Like the proposed project, impacts would be less than significant under this alternative with adherence to UBC and CBC requirements and implementation of mitigation measures outlined in Section 4.6, *Geology,* which would apply.

g. Hazards and Hazardous Materials. This alternative would facilitate 150 fewer units being constructed as compared to the proposed project. As with the proposed project, new development could be built in proximity to land uses that use or store hazardous materials and which could result in the exposure of people to deleterious health effects. Therefore, impacts to housing facilitated under this alternative would be potentially significant. All mitigation measures identified for the proposed project would apply to this alternative. Implementation of this alternative would generate less population growth than the proposed project and therefore would place less people at risk of exposure in the event of an accident during the transportation of hazardous materials along Ojai's major corridors, SR 33 and SR 150. Continued implementation of the County's SEMS Plan would ensure that impacts associated with transportation-related hazardous material incidents would be less than significant. Like the proposed project, impacts would be less than significant under this alternative, with the proposed mitigation measures.

h. Hydrology and Water Quality. New construction under this alternative would comply with General Plan actions and Municipal Code requirements thereby reducing impacts related to flood hazards to less than significant. As this alternative would facilitate 150 fewer housing units than the proposed project, this alternative would result in less impervious surfaces being created throughout the City than the proposed project. As this alternative would create less impervious surface space than the proposed project, surface runoff would be less than the proposed project. This alternative would generate fewer pollutants including toxins from plastic products, gasoline, paint, and solid waste than the proposed project. This would result in fewer pollutants traveling to nearby waterways than the proposed project. This alternative would be required to adhere to the same General Plan policies and actions and existing regulations outlined in Section 4.8, *Hydrology and Water Quality* as the proposed project. Like the proposed project, impacts would be less than significant under this alternative, although somewhat reduced.

i. Land Use and Planning. This alternative would comply with the policies and programs of the seven elements of the City of Ojai General Plan outlined in Section, 4.9 *Land Use and Planning*. Therefore, this alternative would not conflict with any local regulatory

planning documents. This alternative would be consistent with the SCAG framework for decision-making with respect to regional growth and changes that can be anticipated within the next 20 years. SCAG's Regional Comprehensive Plan (RCP) provides a general view of regional plans that will affect local governments, responses to significant issues facing southern California, and a summary of how the region will meet certain federal and state requirements with respect to Transportation, Growth Management, Air Quality, Housing, Hazardous Waste Management, and Water Quality Management. This alternative would be consistent with these issues as the proposed project would not result in an increase in population or housing beyond SCAG projections. The proposed alternative would increase Ojai's density and therefore would be consistent with the goals of SB 375. Like the proposed project, impacts would be less than significant under this alternative. However, as noted above, it would not be consistent with the identified RHNA goals for the City of Ojai.

j. Mineral Resources. Tentative locations for new units proposed under this alternative would not be developed in an area designated as MRZ-1 or within an area identified in the City of Ojai Initial Study Assessment Guidelines (2002) as an area containing significant materials. This alternative would not interfere with any locations within the City that could potentially contain mineral resources. Like the proposed project, impacts would be less than significant.

k. Noise. This alternative would result in the facilitation of 150 fewer housing units than the proposed project, which would result in less construction noise. This alternative would result in fewer vehicle trips than the proposed project as it would increase the City's population by 120 residents as compared to the proposed project's population increase of 474 new residents. Therefore, traffic-generated noise on City roadways would be reduced compared with the proposed project and sensitive receptors would have less of a risk of being affected. All future permitted City development would be subject to the City's construction Noise Ordinance requirements. Like the proposed project, impacts would be less than significant.

l. Population and Housing. Under this alternative, 51 new housing units would be facilitated, many of which would be accommodated through application of the SPL overlay to various sites which are located mostly in the eastern portion of the City (East of Montgomery Street). Development would be located on either vacant parcels or underutilized parcels, collectively containing only a limited amount of existing housing. Consequently, displacement of substantial amounts of housing in this area would be unlikely, but if it did occur, the number of new units constructed would be greater than those removed. Population would increase by as many as 120 people under this alternative. This increase would be within SCAG regional growth forecasts as shown on Table 4.12-5, in Section 4.12, *Population and Housing*. Therefore, impacts would be less than significant, similar to the proposed project.

m. Public Services. This alternative would facilitate an increase in the City's population of 354 fewer people than would the proposed project. As the population increase would be less than the proposed project, this alternative would create less additional demand on fire protection services, police protection services, and school facilities. Per unit fees for police protection services, fire services, and school impact fees would be required to be paid for all new units constructed. Like the proposed project, impacts would be less than significant with payment of required fees.

n. Recreation. This alternative would facilitate an increase in the City's population of 354 fewer people than would the proposed project. As population increase would be less than the proposed project, this alternative would create less additional demand on parks or recreation facilities. Developers would be required to pay a per-unit City fee pursuant to Chapter 1 Article 5 of the Ojai Municipal Code, Park and Recreational Tax. Therefore, new funds would be made available under this alternative to aid the City in its goal of reaching its target of four acres of parkland per 1,000 residents. Like the proposed project, impacts would be less than significant.

o. Traffic and Circulation. Fewer new traffic trips would be would be associated with implementation of this alternative due to the reduction in units facilitated. Table 4.15-8 of Section 4.15, *Traffic and Circulation*, indicates that under cumulative plus proposed project conditions, roadway segments would continue to operate in the LOS C – E range with the addition of the project traffic based on the County's LOS data. As this alternative would produce fewer net trips, impacts would be similar or reduced, and would be less than significant, as for the proposed project. However, development facilitated under this alternative would generate traffic on SR 33 through Casitas Springs within the County of Ventura's regional roadway network. Since the development of new housing would add more than one peak hour trip to the Casitas Springs segment of SR 33 during A.M. and P.M. peak hour periods, it would have a significant impact based on the County's General Plan policies. That impact would be significant and unavoidable, as with the proposed project, although reduced in severity.

p. Utilities. This alternative would result in the facilitation of 150 fewer units than the proposed project (51 rather than 201). This would result in less demand on the water supplies provided to the City and the City's water infrastructure system as compared to the proposed project.

Based on a demand factor of 157 gallons per person per day (proposed 2006-2014 Housing Element), 51 units would generate a net water demand increase of 18,840 gallons per day, or approximately 21 acre-feet per year (AFY). As discussed in Section 4.16, *Utilities and Service Systems*, planned water supplies for the Ojai System in 2015 include 2,196 AF of groundwater. Planned supplies in 2035 include 2,564 AF of groundwater. It is assumed that additional surface water from the CMWD would not be available to meet the increased demand generated by growth facilitated by the proposed Housing Element. Therefore, the 21 AFY of additional demand that would be generated by the No Project – Existing Housing Element Alternative would increase 2015 groundwater use to an estimated 2,217 AFY (2,196 + 21) and would increase 2035 groundwater use to an estimated 2,585 AFY (2,564 + 21).

The 2010 UWMP estimates the safe yield from the Ojai Groundwater Basin at 6,000 AFY. The UWMP does not include a specific estimate of overall 2015 groundwater use, but estimates overall 2035 groundwater use from the Ojai Groundwater Basin at 5,870 AF. Adding the 21 additional AF of demand associated with the No Project – Existing Housing Element Alternative to this total would would not exceed the forecast supplies. Therefore, impacts under the No Project – Existing Housing Element Alternative would be reduced compared with the proposed project, and would be less than significant without mitigation, as with the proposed project. However, water conservation measures would still be recommended, as they are for the proposed project.

Wastewater and solid waste generation would be reduced under this alternative compared with the proposed 2006-2014 Housing Element. Thus, similar to the proposed project, impacts would be less than significant, as well as reduced, for these issue areas.

6.3 ALTERNATIVE 3: EXISTING UNITS ONLY ALTERNATIVE

6.3.1 Description

Under this alternative the City would meet its RHNA goals through the use of existing housing units by relying primarily on an amnesty program, affordable housing covenants and mortgage assistance. (These programs also form part of the RHNA strategy for the proposed 2006-2014 Housing Element.) No new housing units would be facilitated by this alternative.

The affordable housing covenants program would facilitate the conversion of market rate units into affordable housing through a combination of acquisition, Section 8 property-based assistance and purchase of affordability covenants is expressly allowed by State Housing Element law for rental properties containing four or more units. In the previous Housing Element cycle, the City helped finance the purchase of 15 units using this program. According to preliminary analysis, there are approximately 37 candidate properties totaling roughly 279 multiple family units for which the purchase of affordable covenants and provision of project-based Section 8 rental assistance (in partnership with the Areawide Housing Authority) may be possible. Of this total, eight properties (50 total dwellings) consist of apartments with between four and nine dwellings; 11 properties (157 total dwellings) consist of apartments with 10 or more dwellings; and 18 properties (72 total dwellings) consist of mixed-use projects.

The mortgage assistance program would provide financial assistance to restructure existing indebtedness as necessary to achieve affordability by target income homeowners.
At present, 16 residential properties in Ojai are in financial duress (i.e., bank owned, under foreclosure and mortgage delinquent). Recent activity at the State and Federal levels address residential foreclosures stemming from the implosion of subprime mortgages.

An amnesty program would legalize second dwellings (making such properties more marketable) in exchange for counting such units against the City's RHNA goals. Units requiring exceptions from underlying development standards would be subject to affordability covenants for lower-income households.

Because this alternative would not involve a change in land use or development, no change in environmental conditions would occur. The purpose of the Existing Units Only Alternative is to meet the RHNA goals set for the Housing Element while minimizing environmental impacts.

6.3.2 Impact Analysis

a. Aesthetics. The aesthetic impacts of the Existing Units Only Alternative would be reduced compared to those of the proposed project. With no new development proposed under this alternative, the City would not experience any change to its visual character as compared to the increased development intensity and density that would be facilitated by the

proposed project. Under this alternative, there would be no potential for impacts to significant view corridors as no new development would occur. This alternative would also avoid the potential impacts to scenic resources, including trees and rock outcroppings as could occur under the proposed Housing Element update. As this alternative would not facilitate any new development, there would be no new sources of light or glare that would be introduced in the City. Like the proposed project, impacts would be less than significant under this alternative.

b. Agricultural Resources. The agricultural resources impacts of the Existing Units Only Alternative would be similar to the proposed project as neither would lead to the conversion of farmland, conflict with existing agricultural zoning, or a Williamson Act contract, or involve changes in the environment that could result in the conversion of farmland to a non-agricultural use as neither proposes new development on or adjacent to agricultural land. As with the proposed project, impacts would be less than significant under this alternative.

c. Air Quality. This alternative would not result in the development of new housing units and would not generate population growth, as it primarily consists of transitioning existing housing to legal status and to affordabile levels. Therefore, similar to the proposed project, this alternative would be within the Ventura County AQMP population forecasts and is consistent with the AQMP. This alternative would not facilitate new construction and would therefore reduce potential impacts to sensitive receptors from temporary air quality impacts as compared to potential construction of units under the proposed Housing Element. Under this alternative, long-term emissions associated with vehicle trips would be less than the proposed project as it would not generate population growth. Long-term emissions associated with stationary sources would also be expected to be less as no new development would occur. As this alternative would not introduce new development, it would not exceed the screening thresholds listed in Table 4.3-4 of Section 4.3, *Air Quality*. As the proposed alternative would not result in new trips, this alternative would not result in CO hotspots impacts. As with the proposed project, impacts would be less than significant under this alternative.

d. Biological Resources. This alternative would not result in the development of new housing units and therefore would not affect biological resources. As this alternative would fulfill RHNA housing goals through the use of existing housing, it would not result in an adverse impact to special status species, "regionally significant" habitat and habitat areas identified on the Master Environmental Assessment maps, riparian habitat and other sensitive natural communities identified in the City's General Plan and Master Environmental Assessment, or protected trees. Under this alternative, impacts would be less than significant without mitigation as no new development would occur.

e. Cultural Resources. Under the proposed alternative, no new development would be facilitated. As such, this alternative does not have the potential to directly or indirectly disturb as-yet undetected areas of prehistoric and historic significance, result in the removal or alteration of potentially historic buildings, or uncover human remains. Impacts would be reduced compared to the proposed project, and as with the proposed project, impacts would be less than significant under this alternative.

f. Geology. Under the proposed alternative, the City would meet RHNA goals through the use of existing housing units by relying on an amnesty program, affordable housing covenants and mortgage assistance. Because no new development would be accomodated

under this alternative, no new structures or people would be subject to seismic activity resulting from any of several active faults in the region, surface fault rupture, liquefaction, soil settlement, landslides, and erosion hazards. Existing housing units are required to comply with standard engineering techniques as required by the UBC and CBC. As with the proposed project, impacts would be less than significant under this alternative, but no mitigation would be required.

g. Hazards and Hazardous Materials. Under this alternative, no new development would occur and the City would meet RHNA goals through the use of existing housing. Therefore, no new residential uses would be built in proximity to land uses that use or store hazardous materials and implementation of this alternative would not expose people to deleterious health effects. Implementation of this alternative would not result in population growth in the City and therefore no additional people would be exposed in the event of an accident during the transportation of hazardous materials along Ojai's major corridors, SR 33 and SR 150. Continued implementation of the County's SEMS Plan would ensure that impacts associated with transportation-related hazardous material incidents would be less than significant. As with the proposed project, impacts would be less than significant under this alternative, but no mitigation would be required.

h. Hydrology and Water Quality. This alternative would meet RHNA goals through the use of existing housing and proposes no new development. Existing housing is required to comply with General Plan actions and Municipal Code requirements that reduce impacts related to flood hazards to less than significant. Under this alternative, no new development would be constructed; therefore, the City would not increase the amount of impervious surfaces. Without an increase in impervious surfaces, surface runoff in the City would be the same as under existing conditions. As this alternative would not construct new units or result in population growth, the generation of pollutants in the City including toxins from plastic products, gasoline, paint, and solid waste would decrease. Therefore, this alternative would not add to the amount of pollutants traveling to nearby waterways. As with the proposed project, impacts would be less than significant under this alternative.

i. Land Use and Planning. Under this alternative, the City would meet its RHNA goals through the use of existing housing. This alternative would comply with the policies and programs of the seven elements of the City of Ojai General Plan outlined in Section, 4.9 *Land Use and Planning*. Therefore, this alternative would not conflict with any local regulatory planning documents. This alternative would be consistent with the SCAG framework for decision-making with respect to regional growth and changes that can be anticipated within the next 20 years. SCAG's Regional Comprehensive Plan (RCP) provides a general view of regional plans that will affect local governments, responses to significant issues facing southern California, and a summary of how the region will meet certain federal and state requirements with respect to Transportation, Growth Management, Air Quality, Housing, Hazardous Waste Management, and Water Quality Management. This alternative would be consistent with these issues as the proposed project would not result in an increase in population or housing. The proposed alternative would not increase population or housing and therefore would be consistent with the goals of SB 375. As with the proposed project, impacts would be less than significant under this alternative.

j. Mineral Resources. This alternative would make use of existing housing to meet its RHNA goals and does not propose new development. Therefore, no new units would be developed in an area designated as MRZ-1 or within an area identified in the City of Ojai Initial Study Assessment Guidelines (2002) as an area containing significant materials. This alternative would not interfere with any locations within the City that could potentially contain mineral resources. As with the proposed project, impacts would be less than significant.

k. Noise. Under this alternative, RHNA goals would be met through existing housing; therefore, no construction noise impacts would occur. This alternative would not result in any population growth and therefore would not result in new vehicle trips. Therefore, traffic-generated noise on City roadways would be the same as existing conditions and sensitive receptors would not be affected. As with the proposed project, impacts would be less than significant.

l. Population and Housing. This alternative would make use of existing housing to meet its RHNA goals and does not propose new development. Under this alternative, no persons or housing would be displaced. The existing population would be accommodated under the proposed amnesty programs, affordable housing covenants, and mortgage assistance. Population would not increase under this alternative; therefore, population growth would be consistent with SCAG regional growth forecasts. As with the proposed project, impacts would be less than significant.

m. Public Services. This alternative would not result in the construction of new development or generate population growth. As population would stay the same, this alternative would not create additional demand on fire protection services, police protection services, or school facilities. As with the proposed project, impacts would be less than significant.

n. Recreation. This alternative would not facilitate new development or generate population growth. As population would stay the same, this alternative would not create additional demand on parks or recreation facilities. As with the proposed project, impacts would be less than significant.

o. Traffic and Circulation. This alternative would not facilitate new development or generate population growth. No new traffic trips would be would be associated with implementation of this alternative. Therefore, implementation of this alternative would not result in the exceedance of LOS standards nor would it add peak hour trips to the Casitas Springs segment of SR 33. The significant traffic impact identified for the proposed project would be avoided.

p. Utilities. This alternative would not facilitate new development or generate population growth. Because there would be no new demand for water supplies or generation of solid waste or wastewater, impacts would be less than significant. Therefore, impacts under the Existing Units Only Alternative would be substantially reduced compared with the proposed project, and would be less than significant without mitigation, as with the proposed project.

6.4 ALTERNATIVE 4: MORE RELIANCE ON NEW CONSTRUCTION ALTERNATIVE

6.4.1 Description

This alternative would involve meeting the RHNA goals with a higher proportion of units form new construction than the proposed 2006-2014 Housing Element. Under this alternative, 15 existing units and 412 new units would comprise the 427 units needed to meet the housing goal. Of these, 194 new units would be facilitated within an expanded "special housing overlay," which allows a variety of housing types, including affordable housing, senior housing, transitional housing and shelters. Demonstration and senior housing projects would provide 71 units. The 15 existing units would be facilitated through affordable housing covenants. There would be no amnesty program. The zone districts and potential senior and demonstration housing sites where the new units could be constructed would be generally the same as in the proposed 2006-2014 Housing Element.

6.4.2 Impact Analysis

a. Aesthetics. The aesthetic impacts of the More Reliance on New Construction Alternative would be greater than those of the proposed project as up to an additional 211 units (412 rather than 201) would be constructed under this alternative. This alternative would incrementally increase the density and intensity of Ojai's built environment. However, changes would occur over a number of years and new development would be spread throughout the planning area such that the increase would likely not substantially degrade the visual character of the City. Development facilitated by implementation of this alternative would be subject to the Design Review process where applicable and the City's visual resources and tree protection policies and regulations outlined in Section 4.1, *Aesthetics*. Application of these policies to future development proposed in this alternative would help ensure visual resource protection and compliance with community design goals, and would serve to preserve Ojai's small town character and aesthetic resources. As this alternative proposes more units than the proposed project, there would be a greater chance that some projects developed under this alternative could impede portions of mountain views and other scenic resources from public streets and viewpoints including state routes 33 and 150. Again, however, compliance with the General Plan policies listed under impact AES-2 in Section 4.1, *Aesthetics*, is required of all projects; this would help to preserve views of ridgelines and other identified scenic resources as projects are reviewed. Development of an additional 211 units under this alternative as compared to the proposed project would introduce more sources of light and glare. However, these projects would not be expected to introduce substantial new light and glare, both due to their expectedly modest sizes and because they would typically be adding to existing development in built-up areas rather than introducing new development in areas with very low ambient light and glare. In addition, they would be required to adhere to the following Municipal Code provisions intended to minimize light and glare from affecting offsite receptors and property as outlined under impact AES-4 in Section 4.1, *Aesthetics*. Although the visual impacts of this alternative would be greater than those associated with the proposed project, impacts would be less than significant, as they would be for the proposed project.

b. Agricultural Resources. The agricultural resources impacts of the More Reliance on New Construction Alternative would be similar to the proposed project as neither would lead to the conversion of farmland, conflict with existing agricultural zoning, or a Williamson Act contract, or involve changes in the environment that could result in the conversion of farmland to a non-agricultural use as neither proposes new development on or adjacent to agricultural land. Development of new housing units would be facilitated in generally the same areas of the City as for the proposed project. As with the proposed project, impacts would be less than significant under this alternative.

c. Air Quality. Since the overall number of new residential units to be facilitated would increase by 201 units under this alternative as compared with the proposed project (from 201 to 412), impacts to air quality from both construction and operation would also be increased. This alternative would result in generation of up to approximately 972 new residents, which would exceed the Ventura County AQMP projections for the year 2014 by approximately 110 residents. Therefore, this alternative is not consistent with the residential growth accommodated by the existing AQMP population forecasts and impacts to regional air quality would be potentially significant. As this alternative proposes 211 additional units to be constructed as compared to the proposed project, this alternative would produce more long-term emissions associated with vehicle trips and stationary sources (electricity and natural gas). As this alternative proposes more development than the proposed project, construction activity would cause greater temporary emissions of various air pollutants. As this alternative would result in the generation of more people than the proposed project, this alternative would result in a greater increase in traffic congestion in the City than the proposed project that could potentially increase carbon monoxide (CO) concentrations at congested intersections. In summary, operational air quality impacts would be greater compared to the proposed project's and would be potentially significant.

d. Biological Resources. Since the overall number of new residential units faciltated under this would be 211 more units than the proposed project, potential for adverse impacts to biological resources would be greater than those associated with the proposed project. Still, new housing units would be facilitated in generally the same areas of the City as for the proposed project. As indicated in Table 4.4-1 of Section 4.4, *Biological Resources*, most special status species associated with the Ojai area are unlikely to occur where development could be facilitated. The City's Conservation Element contains policies and programs intended to protect "regionally significant" habitat and habitat areas identified on the Master Environmental Assessment maps, including stands of native trees and riparian corridors that provide habitat for special status species would apply to this alternative and are outlined in Section 4.4, *Biological Resources*. Special status birds and other animals may be located in riparian habitat and mature trees within areas outside of areas identified as "regionally significant" where development could occur under this alternative. Such development would be subject to individual project level review and specific biological resources impacts would be analyzed if a project were proposed. Nevertheless, mitigation measures proposed under the proposed project to protect nesting/roosting birds and riparian habitat would be applicable to this alternative. Required adherence to adopted City policies and the proposed project's mitigation measure under BIO-1 would avoid substantial adverse affects on riparian habitat and other sensitive natural communities. The proposed alternative would also be more likely to affect protected trees as 211 more units would be facilitated under this alternative as compared to the proposed project. Development would be required to adhere to Chapter 11 of the Ojai

Municipal Code, Preservation, Cutting, and Removal of Oak, Sycamore, Heritage and Other Designated Mature Trees, along with Conservation Element policies and programs to protect both individual trees and locally significant stands of oak and sycamore trees. These regulations, policies and programs provide adequate protection for the native trees in Ojai, and required compliance with them would avoid significant impacts to native trees that could result from new development facilitated by this alaternative. Although potential impacts to biological resources would be greater overall under this alternative, as with the proposed project, impacts would be less than significant with the implementation of the abovementioned mitigation measures and adherence to the City's Municipal Code and Conservation Element policies and pograms.

e. Cultural Resources. Development facilitated under the proposed More Reliance on New Construction alternative would be subject to the same General Plan policies and programs and City procedures as the proposed project to avoid impacts to cultural resources. As such, this alternative does not have the potential to directly or indirectly disturb as-yet undetected areas of prehistoric and historic significance, result in the removal or alteration of potentially historic buildings, or uncover human remains. As with the proposed project, impacts would be less than significant under this alternative, although slightly greater.

f. Geology. This alternative could result in the construction of up to 211 more units than the proposed project (412 rather than 201). As such, more housing units and people would be subject to potential risks from seismic activity resulting from any of several active faults in the region, surface fault rupture, liquefaction, soil settlement, landslides, and erosion hazards. New housing units would be required to comply with standard engineering techniques as required by the UBC and CBC. Impacts would be greater than those associated with the proposed project; however, as with the proposed project, impacts would be less than significant under this alternative with adherence to UBC and CBC requirements and implementation of mitigation measures outlined in Section 4.6, *Geology*.

g. Hazards and Hazardous Materials. This alternative would result in an additional 211 units potentially being constructed than the proposed project (412 rather than 201). As with the proposed project, new development could be built in proximity to land uses that use or store hazardous materials and which could result in the exposure of people to deleterious health effects. Therefore, impacts to housing accommodated under this alternative would be potentially significant. All mitigation measures identified for the proposed project would apply to this alternative. Implementation of this alternative would generate greater population growth than the proposed project and therefore would place more people at risk of exposure in the event of an accident during the transportation of hazardous materials along Ojai's major corridors, SR 33 and SR 150. Continued implementation of the County's SEMS Plan would ensure that impacts associated with transportation-related hazardous material incidents would be less than significant. As with the proposed project, impacts would be less than significant, although slightly increased, under this alternative.

h. Hydrology and Water Quality. New construction under this alternative would comply with General Plan actions and Municipal Code requirements thereby reducing impacts related to flood hazards to less than significant. As this alternative would facilitate construction of 211 more housing units than the proposed project (412 rather than 201), it would increase the amount of impervious surfaces throughout the City more than would the

proposed project. Such an increase in impervious surfaces would increase surface runoff in the City more than the proposed project. The generation of pollutants in the City including toxins from plastic products, gasoline, paint, and solid waste would also increase which would add to the amount of pollutants traveling to nearby waterways. This alternative would be required to adhere to the same General Plan policies and actions and existing regulations outlined in Section 4.8, *Hydrology and Water Quality* as the proposed project. As with the proposed project, impacts would be less than significant under this alternative, although they would be potentially greater.

i. Land Use and Planning. This alternative would comply with the policies and programs of the seven elements of the City of Ojai General Plan outlined in Section, 4.9 *Land Use and Planning*. Therefore, this alternative would not conflict with any local regulatory planning documents.

This alternative would be consistent with the SCAG framework for decision-making with respect to regional growth and changes that can be anticipated within the next 20 years. SCAG's Regional Comprehensive Plan (RCP) provides a general view of regional plans that will affect local governments, responses to significant issues facing southern California, and a summary of how the region will meet certain federal and state requirements with respect to Transportation, Growth Management, Air Quality, Housing, Hazardous Waste Management, and Water Quality Management. Analysis of how the proposed alternative would meet these requirements follows below.

Transportation policies encourage efficient use of the transportation system and maximizing mobility, accessibility, and reliability. Overall traffic volumes would increase more under this alternative than under the proposed Housing Element as this alternative would construct an additional 211 housing units. Like the proposed Housing Element, this alternative generally promotes infill development rather than expansion. Additionally, this alternative encourages transit-oriented, mixed use development, for example by encouraging additional residential units in the VMU Zone District, and aims to minimize commute traffic. Therefore, although this alternative would increase housing more than the proposed Housing Element, it could be found to be consistent with applicable transportation policies.

Compass Growth Visioning policies are aimed at a variety of topics, including fostering mobility, livability, prosperity, and sustainability. Like the proposed Housing Element, this alternative would, by design, encourage interconnected, walkable neighborhoods that improve over time, primarily through the focus on infill development. The additional residential units accommodated under this alternative likewise would provide a variety of housing types in different economic ranges and diversity of designs and would be consistent with applicable Growth Management and Housing policies. Therefore, this alternative would be consistent with Growth Management and Housing policies.

Housing accommodated under this alternative would include infill development and redevelopment that would be located in existing urban areas of the City, which would support the use of existing water facilities and infrastructure and therefore would not require the construction of new facilities. Like the proposed Housing Element, as discussed in Section 4.4, *Biological Resources*, impacts to wetlands would be less than significant with the proposed mitigation requiring creek setbacks. Housing accommodated under this alternative would be

required to comply with Municipal Code and General Plan requirements related to surface runoff and water consumption, as discussed in Section 4.8, *Hydrology and Water Quality*. In addition, future development would be required to implement improvements such as infiltration swales, biofilters, pervious pavements, and stormwater detention facilities. Projects would be required to control runoff in a manner that would reduce post-project runoff at or below existing conditions. Therefore, like the proposed Housing Element, this alternative would accommodate 'water wise' and Low Impact Development. As discussed in Section 4.8, *Hydrology and Water Quality*, development accommodated under this alternative would be required to comply with General Plan requirements related to flooding. This alternative would not accommodate development in flood hazard areas without adequate protection. Therefore, the proposed alternative would be consistent with Water Quality Management policies.

The proposed alternative would generate the construction of 211 more housing units than the proposed Housing Element. However, this alternative would be consistent with Air Quality policies as developers of projects that generate emissions exceeding VCAPCD significance thresholds would be required to pay air quality impact fees that would be used to offset project emissions through implementation of regional air quality programs. Additionally, the alternative would be required to be consistent with State air quality plans and would comply with new air quality standards for $PM_{2.5}$ and Ozone. As such, this alternative would be consistent with Air Quality policies.

The proposed alternative would increase Ojai's density and therefore would be consistent with the goals of SB 375. Land use and planning impacts would be less than significant, as with the proposed project.

j. Mineral Resources. Tentative locations for new units proposed under this alternative would not be developed in an area designated as MRZ-1 or within an area identified in the City of Ojai Initial Study Assessment Guidelines (2002) as an area containing significant materials. Development of new housing units would be facilitated in generally the same areas of the City as for the proposed project. This alternative would not interfere with any locations within the City that could potentially contain mineral resources. As with the proposed project, impacts would be less than significant.

k. Noise. This alternative would result in the construction of 211 more housing units than the proposed project (412 rather than 201), which would result in an increase in construction noise. This alternative would result in more vehicle trips than the proposed project as it would increase the City's population by 498 more residents (972 minus 474) than the proposed project. Therefore, traffic-generated noise on City roadways would be greater than the proposed project and sensitive receptors would have a greater risk of being affected. As illustrated in Table 4.11-5, *Comparison of Existing and Future Noise Levels on Key Project Area Roadways*, for the proposed Housing Element, the increase in noise on the five studied roadway segments would range from 0.1 to 0.6 dB if all potentially facilitated units were built. This alternative would roughly double new vehicle trips as compared to the proposed Housing Element. As such, increases in dB along these roadway segments are anticipated to incrementally increase but noise levels along these roadways would be expected to remain below the significance thresholds as indicated in Table 4.11-2, *Exterior Noise Standards*. All future permitted City development would be subject to the City's construction Noise

Ordinance requirements. As with the proposed project, impacts would be less than significant, although they would be greater.

l. Population and Housing. Growth in the City under the senior and demonstration housing sites identified in Section 2.0, *Project Description* would primarily be located on either vacant parcels or underutilized parcels in the City, collectively containing only a limited amount of existing housing. Consequently, displacement of substantial numbers of housing units in this area would be unlikely, and new units would far outnumber any removed. Population could increase by as many as 972 people (2.36 residents X 412 units) under this alternative. This increase would exceed SCAG regional growth forecasts shown on Table 4.12-5, in Section 4.12, *Population and Housing*, by 107 people. Therefore, impacts would be potentially significant under this alternative, and thus greater than those associated with the proposed project.

m. Public Services. This alternative would increase the City's population by 498 more people (from 474 to 972) than the proposed project. As population increase would be greater than under the proposed project, this alternative would create additional demand on fire protection services, police protection services, and school facilities. Per unit fees for police protection services, fire services, and school impact fees would be required to be paid for all new units constructed. As with the proposed project, impacts would be less than significant with payment of per unit fees. Impacts would be similar to those associated with the proposed 2006-2014 Housing Element.

n. Recreation. This alternative would increase the City's population by 498 more people (from 474 to 972) than the proposed project. As population increase would be greater than the proposed project, this alternative would create additional demands on parks or recreation facilities. Developers would be required to pay a per-unit City fee pursuant to Chapter 1 Article 5 of the Ojai Municipal Code, Park and Recreational Tax. Therefore, new funds would be made available under this alternative to aid the City in its goal of reaching its target of four units of parkland per 1,000 residents. As with the proposed project, impacts would be less than significant, although the persons to parkland ratio would be further decreased compared to the proposed project and impacts would be greater.

o. Traffic and Circulation. This alternative would increase the City's population by 498 more people (from 474 to 972) than the proposed project. Therefore, more new traffic trips would be would be associated with implementation of this alternative than with the proposed project. Table 4.15-8 of Section 4.15, *Traffic and Circulation*, indicates under cumulative plus the proposed project conditions, roadway segments would continue to operate in the LOS C – E range with the addition of the project traffic based on the County's LOS data. Using the trip generation rates from the ATE 2009 Traffic Impact Analysis, this alternative would generate an estimated 2,715 average daily trips (ADT).[2] As this alternative would produce more net trips than the proposed project, implementation of this alternative may result in roadway segments in exceedance of the City's LOS C – E range. Development facilitated under this alternative would generate traffic on SR 33 through Casitas Springs within the County of Ventura's regional roadway network. Since the development of new housing would add more than one

[2] Trip Generation rate for Multi-Family Housing 6.59/dwelling unit. The trip generation rate for Multi-Family housing was used to provide for a conservative trip estimate.

peak hour trip to the Casitas Springs segment of SR 33 during A.M. and P.M. peak hour periods, it would have a significant impact based on the County's General Plan policies, similar to the proposed project. Implementation of this alternative could result in the exceedance of LOS standards or result in significant cumulative traffic impacts, and would have greater overall traffic impacts than the proposed project.

p. Utilities. This alternative would facilitate the construction of up to 211 more units than the proposed project (412 rather than 201). This would result in additional demand on the water supplies provided to the City and the City's water infrastructure system. Based on a demand factor of 157 gallons per person per day (proposed 2006-2014 Housing Element), 412 units would generate a net water demand increase of 152,604 gallons per day, or approximately 171 acre-feet per year (AFY). As discussed in Section 4.16, *Utilities and Service Systems*, planned water supplies for the Ojai System in 2015 include 2,196 AF of groundwater. Planned supplies in 2035 include 2,564 AF of groundwater. It is assumed that additional surface water from the CMWD would not be available to meet the increased demand generated by growth facilitated by the proposed Housing Element. Therefore, the 171 AFY of additional demand that would be generated by the More Reliance on New Construction Alternative would increase 2015 groundwater use to an estimated 2,367 AFY (2,196 + 171) and would increase 2035 groundwater use to an estimated 2,735 AFY (2,564 + 171).

The 2010 UWMP estimates the safe yield from the Ojai Groundwater Basin at 6,000 AFY. The UWMP does not include a specific estimate of overall 2015 groundwater use, but estimates overall 2035 groundwater use from the Ojai Groundwater Basin at 5,870 AF. Adding the 171 additional AF of demand associated with the More Reliance on New Construction Alternative to this total would bring overall groundwater use to 6,041, which would exceed the 6,000 AFY estimated safe yield for the Basin. Therefore, impacts under the More Reliance on New Construction Alternative would be substantially greater than those associated with the proposed project and would be significant. Water conservation measures would be recommended, as they are for the proposed project.

Implementation of this alternative would also increase wastewater generation more than the proposed project. The Treatment Plant receives approximately 2.17 MGD and has a designed capacity of 3 MGD, presently leaving approximately 1 MGD of available capacity (Ronald Sheets, May 2009). Using the wastewater generation estimate of 58.1 gallons per person per day (2006-2014 Ojai Housing Element), potential maximum residential growth attributed to the Housing Element would be 56,492 gallons of effluent each day. The post-project flow of the Treatment Plant would total an estimated 2,226,492 gallons per day, with a remaining capacity of approximately 773,508 gallons per day. The increase in wastewater flow from 412 new residential units would not exceed the Sanitary District's daily capacity and existing facilities could support project generated flows. This alternative would generate more wastewater than the proposed Housing Element. However, like the proposed Housing Element, impacts related to wastewater generation would be less than significant.

This alternative would also result in the generation of additional solid waste beyond the proposed project. Based on the current per capita rate (4 pounds solid waste X 972 persons), the proposed alternative would generate 3,888 pounds (1.95 tons) of solid waste per day. Assuming that the current 55% diversion rate is maintained, 45% of this total (about 0.87 tons) would be sent to Toland Road landfill. This is within the 100-ton currently available capacity at

the Toland Road landfill. Although this alternative would produce nearly twice the amount of solid waste as the proposed alternative, like the proposed project, impacts from solid waste generation would be less than significant.

6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires the identification of the environmentally superior alternative among the options studied. When the "No Project" alternative is determined to be environmentally superior, CEQA also requires identification of the environmentally superior alternative among the development options. It is also noted that a lead agency is not required to adopt the environmentally superior alternative if it identifies economic, legal, social, technological, or other considerations that render it or other project alternatives identified in the Final EIR infeasible. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, and jurisdictional boundaries, among others.

The fundamental goal of the proposed project is to comply with Housing Element law. As simple as this may seem, compliance (particularly in respect to RHNA accommodation) can be asserted with varying degrees of confidence. While HCD is not the final authority on determining statutory conformance, State certification provides a number of benefits: (i) it carries considerable weight with the Court in any action to challenge the validity of the Element; (ii) it enables communities access to various grant and loan programs that might not otherwise be available; and (iii) protects jurisdictions against punitive action that could actually increase housing production requirements in the future.

Without HCD certification, jurisdictions may choose to self-certify based on factual findings, supported by substantial evidence, that their Housing Elements conform to all statutory parameters. However, this option carries additional risk insofar as it places much more burden on communities to prove compliance in the event of a court challenge. Failing to prove compliance could result in a number of potential outcomes, including the loss of local land use control. Finally, communities may place exclusive priority on environmental protection regardless of whether a Housing Element meets the rigors of statutory compliance. This latter action is largely untested and could potentially invite litigation.

Depending on the risk tolerance of decision makers and which objectives they place priority on, the preferred alternative may not be same as the one that is environmentally superior. In summary, The No Project – No Housing Element Alternative would avoid all of the project's impacts. Consequently, the No Project – No Housing Element alternative is considered environmentally superior. However, the No Project – No Housing Element alternative would not fulfill the basic project objectives stated in Section 2.0, *Project Description*. Instead, it is concluded that the Existing Units Alternative could accomplish this in the most environmentally protective fashion compared to the other alternatives. However, the scope and prioritization objectives may influence a different outcome; such decisions are rightfully reserved onto the City Council.

Table 6-1
Comparison of Environmental Impacts of Alternatives

Issue	Proposed Project	No Project Alternative	No Project – Existing Housing Element Alternative	Existing Units Alternative	More Reliance on New Construction Alternative
Aesthetics	n/a	=/+	=/+	=/+	=/-
Agricultural Resources	n/a	=	=	=	=
Air Quality	n/a	=/+	=/+	=/+	-
Biological Resources	n/a	=/+	=/+	=/+	=/-
Cultural Resources	n/a	=	=	=/+	=/-
Geology	n/a	=/+	=/+	+	=/-
Hazards & Hazardous Materials	n/a	+	=/+	+	=/-
Hydrology & Water Quality	n/a	=/+	=/+	=/+	=/-
Land Use & Planning	n/a	=	=	=	=
Mineral Resources	n/a	=	=	=	=
Noise	n/a	=/+	=/+	=/+	=/-
Population & Housing	n/a	-	=	=	-
Public Services	n/a	=/+	=	=	=
Recreation	n/a	=/+	=	=	=
Traffic & Circulation	**n/a**	+	**=/+**	+	-
Utilities	**n/a**	+	**=/+**	+	-

+ Superior to the proposed project

=/+ Slightly superior to the proposed project in one or more aspects, but not significantly superior

=/- Slightly inferior to the proposed project in one or more aspects, but not significantly inferior

- Inferior to the proposed project

= Similar impact to the proposed project

Bold typeface indicates a significant and unavoidable (Class I) impact.

7.0 REFERENCES and PREPARERS

7.1 REFERENCES and BIBLIOGRAPHY

Association of Environmental Professionals (AEP). June 29, 2007. Alternative Approaches to Analyzing Greenhouse Gas Emissions and Global Climate Change in CEQA Documents.

Brick, Timothy F. Chairman of MWD. Testimony to U.S. Senate Energy and Natural Resources Committee, Subcommittee on Water and Power, Re Impacts of Climate Change on Water Supply in the U.S., June 6, 2007.

Bolt, Barnek and Newman. Noise From Construction Equipment and Operations, Building Equipment, and Home Appliances. U.S. Environmental Protection Agency Office of Noise Abatement and Control, 1971.

Caltrans, Officially Designated State Scenic Highways, http://www.dot.ca.gov/hq/LandArch/scenic/schwy.htm, accessed online May 5, 2009.

California Air Pollution Control Officers Association (CAPCOA), January 2008. *CEQA and Climate Change.*

California Air Pollution Control Officers Association (CAPCOA), *Model Policies for Greenhouse Gases in General Plans*, June 2009.

California Air Resources Board, April 2005. *Air Quality and Land Use Handbook: A Community Health Perspective.*

California Air Resources Board, *Staff Report: Initial Statement Of Reasons For Proposed Rulemaking - Adoption Of The Proposed Regulation For In-Use Off-Road Diesel Vehicles*, April 2007a.

California Air Resources Board, *Technical Support Document - Proposed Regulation For In-Use Off-Road Diesel Vehicles*, April 2007b.

California Climate Action Registry, March 2007. *California Climate Action Registry General Reporting Protocol: Reporting Entity-Wide Greenhouse Gas Emissions*. Version 2.2

California Department of Fish and Game (CDFG). 2009. California Natural Diversity Database search of RareFind3. The Resource Agency, State of California, Sacramento, California

California Energy Commission. *Inventory of California Greenhouse Gas Emissions and Sinks: 1990-2004.* Staff Final Report. CEC-600-2006-013-SF.

California Energy Commission, February 2006. *Scenarios of Climate Change in California: An Overview*. CEC-500-2005-186-SF

California Energy Commission. *Climate Action Team Biennial Report*, March 2009.

California Environmental Protection Agency, March 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature.*

California Department of Finance, "*County Population and Housing Estimates,*" 2009.

California Department of Conservation. Accessed online in 2009. http://www.conservation.ca.gov/Index/Pages/Index.aspx.

California Integrated Waste Management Board Solid, http://www.ciwmb.ca.gov/WasteChar/WasteGenRates/Commercial.htm, accessed online in 2009.

California Geologic Survey. Accessed online in 2009. http://www.conservation.ca.gov/CGS/Pages/Index.aspx.

City of Ojai, Final EIR, General Plan Land Use, Housing, Seismic Safety, Noise and Circulation Elements

City of Ojai, Initial Study Assessment Guidelines, 2002.

City of Ojai Municipal Code, accessed 2009.

City of Ojai Master Environmental Assessment, 1988

City of Ojai, Urban Water Management Plan, 2005.

County of Ventura, General Plan, Hazards, Resources, Land Use, and Public Facilities and Services Appendix. Accessed online in 2009. http://www.ventura.org/rma/planning/General_Plan/general_plan.html.

County of Ventura, 2005 General Plan Update EIR. Accessed online in 2009. http://www.ventura.org/rma/planning/General_Plan/general_plan.html.

Diblee. Hazards Maps. 1987.

Energy Information Administration, Department of Energy. 2007 US Average Monthly Bill by Sector, Census Div., and State, www.eia.doe.gov, 2009.

Flood Emergency Management Agency. Accessed online in 2009. http://www.fema.gov/.

Institute of Transportation Engineers (ITE), Trip Generation 7th Edition, 2003

Intergovernmental Panel on Climate Change, November 2007. *Climate Change 2007: Synthesis Report; Summary for Policymakers*

Los Angeles Regional Water Quality Control Board. Accessed online in 2009. http://www.swrcb.ca.gov/rwqcb4/.

Mayer, K.E.; Laudenslayer, W.F., Jr. 1988. *A Guide to Wildlife Habitats of California.* Sacramento, CA: California Department of Forestry and Fire Protection.

Ojai Basin Groundwater Management Agency, Annual Report 2008.

Santa Barbara County, Montecito Community Plan Update, September 15, 1992 (text updated through December 1995).

Santa Barbara County, Montecito Community Plan Update Environmental Impact Report, 92-EIR-03, June 1992.

South Central Coastal Information Center (SCCIC), California State University, Fullerton, Records Search, June 23, 2009.

Southern California Association of Governments, Regional Transportation Plan, April 2004.

Southern California Association of Governments. Growth Forecasting. City Projection Accessed 2009 http://www.scag.ca.gov/forecast/index.htm

Southern California Earthquake Data Center, accessed online 2009. http://www.data.scec.org/.

Udall, Brad. "Recent Research on the Effects of Climate Change on the Colorado River," in Intermountain West Climate Summary (May 2007) [Appendix O, Exhibit 7] (citing N. Christensen and D.P. Lettenamair, "A Multimodel Ensemble Approach to Assessment of Climate Change Impacts on the Hydrology and Water Resources of the Colorado River Basin," Hydrology and Earth System Sciences Discussion 3:1-44 (2006).

U.S. Department of Agriculture. 1970. Accessed online in 2009. http://www.usda.gov/wps/portal/usdahome.

U.S. Environmental Protection Agency (USEPA). *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2006.* April 15, 2008 Final.

U.S. Geological Survey. Accessed 2009. http://www.usgs.gov/.

Ventura County Air Pollution Control District, *Air Quality Assessment Guidelines*, accessed 2009.

Ventura County Watershed Protection District. Accessed online in 2009. http://portal.countyofventura.org/portal/page?_pageid=876,1324092&_dad=portal&_schema=PORTAL.

7.2 PERSONS CONTACTED

Attendance Office, Topa Topa Elementary School, May 2009.

Coleman, Sally, Ventura Regional Sanitation District, May 2009.
Colmes, Adrian, P.E., Golden State Water Company, August, 2009.

Correa, John, Ojai Valley Sanitary District, May 22, 2009.

Dennis, Amy, Office Manager, San Antonio Elementary School, May 2009.

Foster, Sue, Office Administrator, Meiners Oaks Elementary, June 2009.

Herbruck, Shari, City of Ojai, May 2009.

Michaels, Bob, Records Manager, Ventura County Fire Department, May 2009.

Musick, Dan, Principal, Nordhoff High School, May 2009.

Pendleton, Andrea, Ojai Unified School District, May 2009.

Schweller, John, co-Principal, Matilija Junior High School, May 2009.

Sheets, Ronald, Ojai Valley Sanitary District, Operations Superintendent, January 2007, and May 27, 2009.

Smith, Marilyn, Principal, Summit Elementary School, May 2009.

Snow, Stacie, Ventura County Sheriff's Department, Crime Analysis Unit, May 2009.

White, Kathy, Principal, Mira Monte School, June 2009.

7.3 LIST OF PREPARERS

This EIR was prepared by Rincon Consultants, Inc. under contract to the City of Ojai. Persons and firms involved in data gathering, analysis, project management, and quality control include:

Rincon Consultants, Inc.

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John Stark, Environmental Planner
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Kathy Babcock, Graphics Technician
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Associated Transportation Engineers

Scott Schell, AICP, PTP, Principal
Darryl F. Nelson, PTP

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8.0 RESPONSES to COMMENTS on the DRAFT EIR

CEQA Guidelines Section 15088 requires that the lead agency evaluate public comments on environmental issues included in a Draft EIR and prepare written responses to those comments. Pursuant to *CEQA Guidelines* Section 15088(b), "The written responses shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections)." This section includes comments received during the circulation of the Draft EIR for the City of Ojai 2006-2014 Housing Element Update; responses to the comments on the Draft EIR; and changes to the Draft EIR, where warranted, based on information provided by commenters relative to the proposed project and its environmental effects. Deletions are noted by ~~strikeout~~ and insertions by <u>underline</u>.

The Draft EIR was circulated for a 45-day public review period that began on November 18, 2009 and concluded on January 20, 2010. The City of Ojai received 16 comment letters on the Draft EIR. The comment letters that the City received are listed below, and the letters and responses follow.

	Commenter	Page
1.	Scott Morgan, Acting Director, State of California, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit	2
2.	Edmund J. Pert, Regional Manager, California Natural Resources Agency, Department of Fish and Game	6
3.	Katy Sanchez, Program Analyst, California Native American Heritage Commission	16
4.	Alicia Stratton, Ventura County Air Pollution Control District	21
5.	Tricia Maier, Manager, Program Administration Section, Resource Management Agency County of Ventura	24
6.	Melinda Talent, Environmental Health Division, County of Ventura	26
7.	Behnam Emami, Engineering Manager II, Ventura County Public Works Agency Transportation Department	29
8.	Paul Tantet, Ventura County Watershed Protection District, Water & Environmental Resources Division, Water Quality Section	33
9.	Robin Jester, Permit Section Manager, Ventura County Watershed Protection District, Planning and Regulatory Division	35
10.	Cathy Brudnicki, Executive Director, Ventura County Homeless and Housing Coalition	42
11.	Craig K. Beam	45
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STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

Memorandum

Letter 1

PLANNING DEPT
DEC 14 '09
RECEIVED CITY OF OJAI

Date: December 8, 2009

To: All Reviewing Agencies

From: Scott Morgan, Acting Director

Re: SCH # 2009051106
City of Ojai 2006-2014 General Plan Housing Element Update

Pursuant to the attached letter, the Lead Agency has extended the review period for the above referenced project to January 19, 2010 to accommodate the review process. All other project information remains the same.

cc: Katrina Rice Schmidt
City of Ojai
401 South Ventura Street
Ojai, CA 93023

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

2009051106

RECEIVED
DEC 3 2009
STATE CLEARING HOUSE

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF OJAI 2006-2014 GENERAL PLAN HOUSING ELEMENT UPDATE

PUBLIC REVIEW TIME EXTENSION

You previously received a notice from the City of Ojai regarding the availability of a Draft Environmental Impact Report for the City of Ojai 2006-2014 General Plan Housing Element Update ("Housing Element"). Since that notice was distributed, the City has received a request for an extension of the public review period. The Community Development Director has reviewed the process as currently noticed and advertised, and in response to the request has **extended the public review process to January 18, 2010, 5:30 p.m.** This will provide additional time after the holidays to prepare comments to the City. Depending on the number and content of the comments received, it is likely that the Planning Commission and City Council public hearings for the Project will be in February and/or March of 2010.

Project Description: The proposed project involves an update to the Housing Element of the City of Ojai's General Plan. The proposed Housing Element establishes programs, policies and actions to further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014, which has been determined to be 427 housing units.

As the Lead Agency overseeing the Housing Element's environmental review, the City of Ojai has initiated the preparation of a Program Environmental Impact Report (EIR) to determine the nature and extent of the project's potential impact on the environment. The EIR focuses on the proposed Housing Plan of the 2006-2014 Housing Element, and in particular two primary components of the Housing Plan: 1) address housing needs through the existing housing stock; and 2) identify sites sufficient to accommodate housing needs for the balance of goals not achieved through existing housing. These programs are the focus of the EIR analysis because they have the potential to result in impacts to the environment. Potentially significant environmental impacts have been identified in the following issue areas: Biological Resources, Geology/Soils, Hazards/Hazardous Materials, and Traffic/Circulation.

Public Comment Period: The public comment period for the Draft Environmental Impact Report has been extended, and will end on January ~~18~~ 19, 2009. Comments must be received by the City no later than 5:30 p.m. on January ~~18~~ 19, 2009. Please send your comments to Katrina Rice Schmidt, City Planner, City of Ojai, 401 South Ventura Street, P.O. Box 1570, Ojai, California 93024, or via fax (805) 640-1136 or email schmidt@ci.ojai.ca.us.

The document is available for review at the Community Development Department, City Hall, 401 South Ventura Street, Ojai and the Ojai Public Library. Further information about this project is available from the Community Development Department, 401 South Ventura Street, Mondays through Thursdays, from 8:00 a.m. to 5:30 p.m., or by calling (805) 640-2555.

Jere A. Kersnar
City Manager and Community Development Director

December 1, 2009

Notice of Completion & Environmental Document Transmittal

Appendix C

For U.S. Mail: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # 2009051098

2009051106

Project Title:
City of Ojai 2006-2014 General Plan Housing Element Update

Lead Agency: City of Ojai — Contact Person: Katrina Rice Schmidt, City Planner
Street Address: 401 South Ventura Street — Phone: 805-640-2555
City: Ojai — Zip: 93023 — County: Ventura

Project Location:
County: Ventura — City/Nearest Community: Ojai
Cross Streets: Citywide Program — Zip code: 93023
Assessor's Parcel No. Citywide — Section: — Twp: — Range: — Base:
Within 2 miles: State Hwy#: 150, 33 — Waterways: San Antonio Creek, Thatcher Creek, Stewart Cyn Creek
Airports: — Railways: — Schools: Ojai Valley, Nordhoff, Ojai USD etc

RECEIVED
NOV 17 2009
STATE CLEARING HOUSE

Document Type:

CEQA:		NEPA:	Other:
☐ NOP	☒ Draft EIR	☐ NOI	☐ Joint Document
☐ Early Cons	☐ Supplement to EIR	☐ EA	☐ Final Document
☐ Neg Dec	☐ Subsequent EIR	☐ Draft EIS	☐ Other:
☐ Mit Neg Dec	☐ Other:	☐ FONSI	

Local Action Type:
☒ General Plan Update ☐ Master Plan ☐ Use Permit ☐ Coastal Permit

Development Type:
Total Acres: (approx.)
☒ Other: Program. Could facilitate up to 281 new res. units

Project Issues That May Have A Significant Or Potentially Significant Impact:

☐ Aesthetic/Visual	☐ Economic/Jobs	☐ Public Services/Facilities	☒ Traffic/Circulation
☐ Agricultural Land	☐ Fiscal	☐ Recreation/Parks	☐ Vegetation
☐ Air Quality	☐ Flood Plain/Flooding	☐ Schools/Universities	☐ Water Quality
☐ Archeological/Historical	☐ Forest Land/Fire Hazard	☐ Septic Systems	☐ Water Supply/Groundwater
☒ Biological Resources	☒ Geologic/Seismic	☐ Sewer Capacity	☐ Wetland/Riparian
☐ Coastal Zone	☐ Minerals	☐ Soil Erosion/Compaction/Grading	☐ Growth Inducement
☐ Drainage/Absorption	☐ Noise	☐ Solid Waste	☐ Land Use
	☐ Population/Housing Balance	☒ Toxic/Hazardous	☐ Cumulative Effects
			☐ Other:

Present Land Use/Zoning/General Plan Designation: All

Project Description: *(please use a separate page if necessary)*
The proposed project involves an update to the Housing Element of the City of Ojai's General Plan. The proposed Housing Element establishes programs, policies and actions to further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014.
The EIR focuses on the proposed Housing Plan of the 2006-2014 Housing Element, and in particular two primary components of the Housing Plan: 1) address housing needs through the existing housing stock; and 2) identify sites sufficient to accommodate housing needs for the balance of goals not achieved through existing housing. Through these approaches the City plans to meet the City's Regional Housing Needs Assessment target of 427 housing units. These programs are the focus of the EIR analysis because they have the potential to result in impacts to the environment.

State Clearinghouse Contact: (916) 445-0613 SL

State Review Began: 11-17-2009

SCH COMPLIANCE: ~~12-31~~ 1-19-2010 - 2009

extended

Please note State Clearinghouse Number (SCH#) on all Comments
SCH#: 2009051106
Please forward late comments directly to the Lead Agency

AQMD/APCD 39
(Resources: 11/21)

Project Sent to the following State Agencies

X Resources		State/Consumer Svcs
Boating & Waterways		General Services
Coastal Comm		Cal EPA
Colorado Rvr Bd		ARB – Airport Projects
Conservation		ARB – Transportation Projects
X Fish & Game #		ARB – Major Industrial Projects
Delta Protection Comm		Integrated Waste Mgmt Bd
Cal Fire		SWRCB: Div. Financial Assist.
Historic Preservation		SWRCB: Wtr Quality
X Parks & Rec		SWRCB: Wtr Rights
Central Valley Flood Prot.		X Reg. WQCB # 4
Bay Cons & Dev Comm		Toxic Sub Ctrl-CTC
X DWR		Yth/Adlt Corrections
OES (Emergency Svcs)		Corrections
Bus Transp Hous		Independent Comm
Aeronautics		Energy Commission
X CHP	7	X NAHC
X Caltrans #		Public Utilities Comm
Trans Planning		State Lands Comm
X Housing & Com Dev		Tahoe Rgl Plan Agency
Food & Agriculture		
Health Services		Conservancy
		Other:

Letter 1

COMMENTER: Scott Morgan, Acting Director, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit

DATE: December 14, 2009

Response

The letter from the State Clearinghouse indicates those agencies that received copies of the Draft EIR for review and comment. It acknowledges that the Lead Agency extended the review period to January 19, 2010 to provide additional time for the public and interested agencies to review the Draft EIR and submit comments. No response is necessary.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
South Coast Region
4949 Viewridge Avenue
(858) 467-4201
www.dfg.ca.gov

ARNOLD SCHWARZENEGGER, Governor

Letter 2

January 12, 2010

Katrina Rice Schmidt
P.O. Box 1570
Ojai, CA 93024
Fax No.: (805) 640-1136

Subject: Draft Environmental Impact Report for the City of Ojai 2006-2014 General Plan Housing Element Update Project, SCH #2009051106

Dear Ms. Schmidt,

The Department of Fish and Game (Department), has reviewed the Draft Environmental Impact Report (DEIR) for impacts to biological resources. The proposed project involves an update to the Housing Element (HE) of the City of Ojai's (City) General Plan; specifically to provide evidence of the City's ability to meet its regional fair share of housing needs through the year 2014. Based upon the programs being proposed in the Housing Plan, implementation of the proposed 2006-2014 Housing Element would potentially facilitate the construction of 281 new housing units on 22 Candidate Housing Sites throughout the City.

Habitat types with the potential to be impacted by the project include coastal scrub, coast live oak woodland, riparian, and annual grassland. Wildlife with the potential to be impacted by the project include the Federal and State Endangered least Bell'qs vireo (*Vireo bellii pusillus*), the Federal Endangered southern steelhead (*Oncorhynchus mykiss*), the Federal Threatened and State Special Concern Species California red-legged frog (*Rana aurora draytonii*), several State Special Concern Species, and several California Native Plant Society List 1B plant species. A

Measures proposed to mitigate impacts include a tree and riparian protection and replacement plan, and pre-construction surveys in biologically sensitive areas.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Guidelines §15386(a)) and pursuant to our authority as a Responsible Agency (CEQA Guidelines §15381) over those aspects of the proposed project that come under the purview of the Fish and Game Code Section 1600 et seq. As trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species.

California Wildlife Action Plan

The California Wildlife Action Plan, a Department guidance document, identified the following stressors affecting wildlife and habitats within the project area: 1) growth and development; 2) water management conflicts and degradation of aquatic ecosystems; 3) invasive species; 4) altered fire regimes; and 5) recreational pressures. The Department looks forward to working with the City of Ojai to minimize impacts to fish and wildlife resources with a focus on these stressors. B

01/13/2010 12:01 FAX 18584874299 DFG R5 Southcoast Region 002/008

Impacts to Nesting Birds

All migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. §10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory nongame birds as listed under the MBTA. Proposed mitigation measure BIO-1-1 (to be added to the City's Conservation Element) states:

> "When tree removal or pruning of over 20% of a tree's crown is proposed, impacts to breeding or nesting birds shall be reduced by scheduling such activities outside of the bird nesting season, namely to the time period from September 1st through March 1st."

Impacts to active bird nests may occur with any level of tree pruning and could result in a violation of the Fish and Game Code, if take occurs. The implied allowance that pruning involving less than 20% of the tree's crown is concerning. The Department is also concerned that BIO-1-1 allows for tree pruning to occur in February. Many bird species, including most raptor species, begin nesting in February (Waian, 1973) thus, tree pruning and other construction activities in February have potential for take. The Department therefore recommends the following wording replace the current proposed mitigation measure BIO-1-1 quoted above: C

> "All tree removal, pruning or other project activities with potential for disturbance to nesting birds shall take place outside of the breeding bird season (February 1- August 31) to avoid take. This includes disturbances (such as noise) which would cause abandonment of active nests containing eggs and/or young."

The Department concurs with the remaining measures in BIO-1-1 regarding performance of pre-construction bird nesting surveys if construction must take place during nesting season. The Department recommends a minimum 500 foot buffer for all active raptor nests.

Impacts to Jurisdictional Drainages

The Department requires a Lake or Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant prior to any direct or indirect impact to a lake or stream bed, bank or channel or associated riparian resources. The law requires any person, state or local governmental agency, or public utility to notify the Department before beginning an activity that could substantially modify a river, stream, or lake. The proposed project has potential for housing construction impacts to streambeds within Department jurisdiction, particularly Candidate Housing Sites 9, 10, and 18.

Proposed mitigation measure BIO-1-2 (to be added to the City's Conservation Element) states: D

> "No new grading or development shall be allowed within 25 feet of the edge of riparian vegetation or top of bank, whichever is further, as delineated by a qualified, City-approved biologist,..."

The Department is concerned a 25 foot setback would be insufficient to provide adequate protection for riparian resources. Housing development occurring within 25 feet of top of bank also would have potential for significant negative indirect impacts to biological resources by negatively affecting hydrologic functions and water quality. Two aquatic special status species listed in the DEIR in Table 4.3-1 rely on upland habitats adjacent to wetlands for parts of their life cycles. These are the California red-legged frog (*Rana aurora draytonii)* and southwestern pond turtle (*Clemmys marmorata pallida*). The California red-legged frog may use uplands for dispersal and aestivation during dry

01/13/2010 12:02 FAX 18584874299 DFG R5 Southcoast Region 003/008

conditions up to 1,000 feet from pond habitat (U.S. Fish and Wildlife Service, 2002). The southwestern pond turtle overwinters in uplands up to 500 meters from water, and may lay eggs up to 400 meters from water (Holland, 1994). These species therefore potentially would be impacted by housing development occurring greater than 25 feet from the top of bank.

Greater setback distances from streams generally result in a reduction of negative impacts to biological resources, and serve to minimize the amount of light, noise, pesticides, herbicides, and other stressors which may impact the wildlife corridor. Several jurisdictions in the vicinity of the City have policies pertaining to their discretionary permitting processes requiring setback distances greater than 25 feet. The Counties of Ventura and Santa Barbara and the City of Goleta, for example, require a setback of 100 feet from riparian zones, with allowances for reduced setbacks in some cases (50 feet in urban areas, for example). The semi-rural character of the City would therefore indicate a more appropriate minimum setback to be somewhere between 50 and 100 feet from top of bank or the edge of riparian vegetation, whichever is greater; with allowances for greater or lesser distances according to specific conditions. D

The proposed measure BIO-1-2 also appears inconsistent with existing City Conservation Element policy regarding consultation with the Department:

> "The City will prepare a riparian preservation and management plan to identify/ delineate the extent of existing habitat and provide specific guidelines to preserve as permanent open space. Preparation of the plan should include consultation with DFG...to determine additional protective actions, such as: Setbacks and edge screening of adjacent development to allow continued use of entire habitat available by wildlife... "

There was no consultation with the Department mentioned in the DEIR in developing the proposed BIO-1-2 mitigation measure. Consultation with the Department would have resulted in a recommendation of a minimum setback greater than 25 feet; the Department would generally find a setback distance of 25 feet insufficient to reduce significant impacts to riparian resources to a level of less than significance under CEQA.

Oak Woodland Impacts and Fuel Clearance

The Department is concerned with the loss of oak woodland which may occur as a result of direct and indirect effects associated with the proposed project, specifically housing development in Candidate Housing Sites 9, 10, and 18. For example, Ventura County-required fuel modification zones may result in substantial adverse effects both within the project site and potentially extending onto offsite property. Fuel modifications typically result in substantial degradation of wildlife habitat values associated with oak woodland, coastal sage and native grasslands, even if individual oak trees or specific shrubs are retained. Loss of understory vegetation, removal of downed woody debris and litter, limbing and removal of dead limbs/trees, removal of native shrubs and grasses, and pruning of shrubs, all contribute to substantial reductions in the wildlife habitat value of the remaining area. E
Therefore, the Department recommends structures be placed in a manner which ensures no fuel clearance would occur in oak woodland, and placed where no fuel clearance (likely to be a minimum of 100 feet from structures) would occur in offsite lands outside the project boundary.

In addition, the Department considers oak woodland to have biological value beyond the individual trees. Mitigation measures proposed under BIO-3 for tree removal should therefore include a discussion on oak woodland replacement to include understory species and oak trees planted in appropriate soils and spaced appropriately in an area large enough to mitigate the loss.

01/13/2010 12:02 FAX 18584874299 DFG R5 Southcoast Region 004/008

Impacts to Sensitive Biological Resources

California red-legged frog (*Rana aurora draytonii*) - The California red-legged frog (CRLF) is listed as Threatened by the U.S. Fish and Wildlife Service (USFWS). CLRF have potential to be found within the City. The proposed project therefore has potential for take of a listed species. The Department therefore recommends the following mitigation measure to be included in any housing development with potential to impact CRLF: F

> Two weeks prior to any activities, a Department approved biologist shall survey the work site(s) for California red-legged frog (CRLF) according to USFWS protocols. If CRLF adults, tadpoles, or eggs are found, the approved biologist shall contact the Department. Only approved biologists are authorized to capture, handle, and monitor CRLF.

Least Bell's vireo (*Vireo bellii pusillus*) –The least Bell's vireo (LBV) is listed as Endangered by the USFWS and the State of California. LBV have potential to occur in the City and are susceptible to noise and vibration disturbance leading to nest abandonment up to 500 feet from the source of the noise (Hein, 1997). The proposed project therefore has potential for take of a listed species, if housing construction occurs during the recognized LBV nesting season April 10 to July 31. Pre-construction nesting bird surveys proposed in mitigation measure BIO-1-1 therefore should include protocol level surveys for LBV, according to current U.S. Fish and Wildlife Service Guidelines for 2009.

A California Endangered Species Act (CESA) incidental take permit is required, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project, pursuant to Fish and Game Code Section 2050 et seq. CESA permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Any housing construction conducted during the LBV nesting season, where protocol surveys indicate presence of LBV, has potential for take of a State listed endangered animal, and therefore a CESA permit would be required. The procedure for obtaining a CESA permit may be found at the Department's website at http://www.dfg.ca.gov/hcpb/ceqacesa/cesa/cesa.shtml. G

Thank you for this opportunity to provide comment. Questions regarding this letter and further coordination on these issues should be directed to Mr. Martin Potter, Environmental Scientist, at (805) 640-3677

Sincerely,

for Edmund J. Pert
Regional Manager

01/13/2010 12:02 FAX 18584874299 DFG R5 Southcoast Region 005/008

References

Hein, E. 1997. The Impact of Noise on Federally-Listed Species and the Subsequent Mandates for Mitigation. U.S. Fish and Wildlife Service.

Holland, Dan C. 1994. The Western Pond Turtle: Habitat and History. Final Report. Portland, OR: U.S. Department of Energy, Bonneville Power Administration.

U.S. Fish and Wildlife Service. 2002. Recovery Plan for the California Red-legged Frog (*Rana aurora draytonii*). U.S. Fish and Wildlife Service, Portland, Oregon. viii + 173 pp.

Waian, Lee. 1973. The Behavioral Ecology of the North American White-tailed Kite (*Elanus leucurus majusculus*) of the Santa Barbara Coastal Plain. PhD. Dissertation, Department of Biological Sciences, U.C. Santa Barbara.

cc: Betty Courtney,
Department of Fish and Game
Santa Clarita, California

Helen Birss
Department of Fish and Game
Los Alamitos, California

Mr Scott Morgan
State Clearinghouse
Sacramento, California

01/13/2010 12:02 FAX 18584874299 DFG R5 Southcoast Region 008/008

Letter 2

COMMENTER: Edmund Pert, Regional Manager, South Coast Region, California Department of Fish and Game

DATE: January 12, 2010

Response 2A

The commenter summarizes selected contents of the Draft EIR and notes the California Department of Fish and Game's (CDFG's) jurisdiction over the conservation, management and protection of wildlife and plants in California. This information serves as an introduction to the Department's comments on the Draft EIR. The comment does not pertain to the adequacy of the EIR; therefore, no response is necessary.

Response 2B

The commenter identifies stressors that the CDFG has identified as affecting the wildlife and habitats within the project area, and states that CDFG looks forward to working with the City of Ojai to minimize impacts to fish and wildlife resources with a focus on these stressors. The comment does not pertain to the adequacy of the EIR; therefore, no response is necessary.

Response 2C

The commenter recommends changing the first suggested new Conservation Element policy under Mitigation Measure BIO-1 to reflect a longer bird breeding season and to broaden the scope of activities to be avoided during the season, in order to better protect nesting birds. The commenter also suggests a minimum 500-foot construction buffer for all active raptor nests.

The seasonal timing for nesting birds varies by species and annual weather conditions, and the timing provided in the Draft EIR is consistent with the vast majority of birds breeding activities. Nonetheless, a longer time constraint would be more protective. The commenter's suggestion for a minimum 500-foot buffer from all active raptor nests is noted; however, the majority of project activities that would be facilitated under the Housing Element would occur in areas that are already developed. As activities would occur in or adjacent to an urban environment, any raptors utilizing such an area would be habituated to that urban or semi-urban setting. Use of an arbitrary 500-foot buffer in this setting could mean limiting project activities when the raptor nest of concern is more directly and immediately affected by closer human activities associated with urban uses. A more appropriate buffer would be facilitated through consultation with CDFG, if needed, as described in Mitigation Measure BIO-1. The Final EIR accordingly includes the following changes to Measure BIO-1:

> Mitigation Measures. Mitigation is required to ensure that special status species are protected during development outside of "regionally significant" areas already addressed by existing Conservation Element policies.
>
> **BIO-1 New Conservation Element Tree and Riparian Habitat Programs.** The following programs shall be adopted and added to the City's

Conservation Element, under the policy that states "*It shall be the policy of the City of Ojai to allow no net loss of existing resource value for rare, endangered and unique species habitat, except to provide for the maintenance of flood control facilities:*"

1) ~~When tree~~Tree removal~~ or~~, pruning, or similar actions that may result in the loss of ~~over 20% of a tree's crown is proposed, impacts to breeding or nesting birds~~active bird nests shall ~~be reduced by scheduling such activities~~occur outside of the ~~bird~~ breeding/nesting bird season~~, namely to the time period from September 1st through March 1st.~~ (February 1 – August 31) to avoid accidental take. If such removal or pruning must occur during the breeding/nesting season, a qualified, City-approved biologist shall survey all breeding/nesting habitat within the project site and adjacent to the project site for breeding/nesting non-game native birds.

   If an active bird and/or raptor nest is located, the nest site shall be fenced at a distance commensurate with the particular species (and in consultation with CDFG, if necessary) until juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the sensitivity of the area.

Response 2D

The commenter discusses CDFG's jurisdiction and permitting authority for lakes and streambeds, and goes on to express concern that the 25-foot creek buffer proposed in the second suggested new Conservation Element policy under Mitigation Measure BIO-1 would be insufficient to provide adequate protection for riparian resources to bring impacts below a level of significance. The commenter suggests that a more appropriate setback would be between 50 and 100 feet from the top of the bank or the edge of riparian vegetation, whichever is greater; with allowances for adjustment to greater or lesser distances according to specific conditions. Finally, the commenter states an opinion that the mitigation measure's proposed new policy would conflict with adopted Conservation Element language encouraging consultation with CDFG before City preparation of a "preservation and management plan" for existing habitat and preservation of permanent open space.

As previously stated, the majority of development activities that may be encouraged by the updated Housing Element would occur within a semi-urban to urban area where substantial numbers of residential and commercial structures are already located within 25 feet of the top of bank of drainages that may be within CDFG jurisdiction. Given the smaller lot sizes in a City as compared to County jurisdictions, the imposition of a 50-100 foot setback could potentially prevent any viable use of a lot. In addition, the species mentioned as the rationale for this setback would not be anticipated to be located in this type of setting. Furthermore, those locations where specific development actions are to occur would be subject to additional

environmental review by the City at the time that such development actions are proposed. In the event that biological resources, such as the California red-legged frog or the southwestern pond turtle, may be present and could be affected by a specific development proposal, impacts to those species will be appropriately addressed through the CEQA process at that time.

The proposed project concerns changes to the Housing Element. It is not a "riparian preservation and management plan" as discussed in the Conservation Element and the proposed measure is not inconsistent with the Conservation Element.

The following revisions were made to Mitigation Measure BIO-1, provision number 2, in the Final EIR to address the commenter's suggestions.

> 2) No new grading or development shall be allowed within 25 feet of the edge of riparian vegetation or top of bank, whichever is further, as delineated by a qualified, City-approved biologist, of a watercourse shown on Master Environmental Assessment Map CONS-1. <u>Additional site-specific setbacks up to 100 feet may be recommended depending on the value of the habitat and the nature and type of riparian-related biological resources present, with higher value habitat receiving a greater setback than lower value habitat.</u> Where existing buildings and improvements, conforming as to use but nonconforming as to the minimum creek setback established herein are damaged or destroyed by fire, earthquake or other natural disaster, such buildings and improvements may be reconstructed to the same or lesser size and in the same general footprint location, provided that reconstruction shall be inaugurated by the submittal of a complete construction application within 24 months of the time of damage and be diligently carried to completion.

<u>Response 2E</u>

The commenter expresses concern regarding the potential loss of oak woodland habitat associated with possible future senior and demonstration housing in specific candidate housing sites discussed in the draft Housing Element update. The commenter recommends that structures be placed in a manner which ensures that no fuel clearance would occur in oak woodland and be placed where no fuel clearance (a minimum of 100 feet from structures) would occur in offsite lands outside the project boundary. Additionally, the commenter opines that mitigation is required for impact BIO-3, and that such mitigation should include a discussion on oak woodland replacement that provides for understory species and oak trees planted in appropriate soils and spaced appropriately in an area large enough to mitigate loss.

The commenter's concern is noted; however, as stated in the Draft EIR under Impact BIO-3, Chapter 11 of the Ojai Municipal Code, Preservation, Cutting, and Removal of Oak, Sycamore, Heritage and Other Designated Mature Trees, requires that a permit be obtained by any person who proposes to remove, cut down, destroy or relocate an oak, sycamore, or heritage tree; prune live limbs over four inches in diameter of an oak, sycamore, or heritage tree; or trench, grade, fill, compact or place construction material of any type in the drip line of an oak, sycamore, or heritage tree. An arborist's report must be submitted with an application for such a permit, and specific tree protection, replacement and protection measures are listed in the

regulations. In addition, the Conservation Element contains policies and programs to protect both individual trees and locally significant stands of oak and sycamore trees (see policies listed under Impact BIO-1). Further, the Ojai Oak Tree Ordinance requires trees be replaced in kind, as follows:

> *"(i) The tree(s) to be removed shall be replaced with trees of suitable type, size and number. Oaks and sycamores shall generally be required to be replaced with like species; other mature trees shall be replaced with trees from the approved replacement tree list."*

Finally, those locations where specific development actions are to occur would be subject to additional environmental review at the time that such development actions are proposed. In the event that oak woodland habitat is present at a site, the effects of any development on that oak woodland would be addressed under that subsequent environmental review and appropriate mitigation measures would be adopted, consistent with Conservation Element policies and programs that protect both individual trees and locally significant stands of oak and sycamore trees.

Response 2F

The commenter recommends that the following mitigation measure be required for any housing development with potential to affect the California red-legged frog (CRLF):

> "Two weeks prior to any activities, a Department approved biologist shall survey the work site(s) for CRLF according to the USFWS protocols. If CRLF adults, tadpoles or eggs are found, the approved biologist shall contact the Department. Only approved biologists are authorized to capture, handle, and monitor the CRLF."

This recommendation is noted; however, as provided in the Draft EIR, project activities would be facilitated in areas already developed and within an urbanized City limit. As required by Mitigation Measure BIO-1 (2), development and/or grading activities must be set back from the edge of riparian habitat or from the top of bank of a watercourse, whichever is greater. The restriction of project activities away from riparian corridors and development within altered or previously developed/disturbed sites reduces the potential for this species to occur within project development areas. In addition, site-specific biological conditions will be assessed during the application and review process of individual projects, at which time the need for protocol surveys would be determined. The combination of these measures adequately minimizes the potential for impacts to this species. It is further noted that designated critical habitat for the CRLF does not occur within the Ojai city limits (see Figure 4.4-1 in Section 4.4, *Biological Resources*).

Response 2G

The commenter states an opinion that the proposed project has the potential to result in take of the Least Bell's vireo (LBV), an endangered species listed by the USFWS and the State of California, if housing construction occurs during the recognized LBV nesting season of April 10 through July 31. The commenter suggests that the policy calling for pre-construction nesting bird surveys proposed in Mitigation Measure BIO-1 should include protocol-level surveys for

LBV, according to current USFWS Guidelines for 2009. In addition, the commenter states that a California Endangered Species Act incidental take permit is required if housing construction occurs during the LBV nesting season where protocol surveys indicates the presence of LBV.

Please refer to Response 2F. Similarly to CRLF, the restriction of project activities away from riparian corridors as required in Mitigation Measure BIO-1 (2) and development within altered or previously developed/disturbed sites reduces the potential for this species to occur within project development areas. In addition, site-specific biological conditions will be assessed during the application and review process of individual projects, at which time the need for protocol surveys would be determined. The combination of these measures adequately minimizes the potential for impacts to this species. It is further noted that designated critical habitat for the LBV does not occur within City limits, nor is there any record of LBV within City limits within the California Natural Diversity Database (see Figure 4.4-1 in Section 4.4, *Biological Resources*).

STATE OF CALIFORNIA Arnold Schwarzenegger, *Governor*

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

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November 30, 2009

Letter 3

Katrina Rice Schmidt
City of Ojai
401 South Ventura Street
Ojai, CA 93023

RE: SCH#2009051106 City of Ojai 2006-2014 General Plan Housing Element Update; Ventura County.

Dear Ms. Rice Schmidt:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
  - A Sacred Lands File Check. **USGS 7.5 minute quadrangle name, township, range and section required.**
  - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached.**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
  - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst
(916) 653-4040

CC: State Clearinghouse

Native American Contact
Ventura County
November 30, 2009

Charles Cooke
32835 Santiago Road
Acton , CA 93510

(661) 733-1812 - cell
suscol@intox.net

Chumash
Fernandeno
Tataviam
Kitanemuk

Julie Lynn Tumamait
365 North Poli Ave
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jtumamait@sbcglobal.net
(805) 646-6214

Chumash

Beverly Salazar Folkes
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Chumash
Tataviam
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Chumash

Owl Clan
Dr. Kote & Lin A-Lul'Koy Lotah
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Chumash

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Chief Mark Steven Vigil
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Grover Beach CA 93433
cheifmvigil@fix.net

(805) 481-2461
(805) 474-4729 - Fax

Chumash

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
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varmenta@santaynezchumash.

(805) 688-7997
(805) 686-9578 Fax

Chumash

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(805) 835-2382 - CELL

Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2009051106 City of Ojai 2006-2014 General Plan Housing Element Update; Ventura County.

Native American Contact
Ventura County
November 30, 2009

Stephen William Miller
189 Cartagena
Camarillo , CA 93010
(805) 484-2439
Chumash

Charles S. Parra
P.O. Box 6612
Oxnard , CA 93031
(805) 340-3134 (Cell)
(805) 488-0481 (Home)
Chumash

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX
Chumash

Richard Angulo
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Chumash

Randy Guzman - Folkes
655 Los Angeles Avenue, Unit E
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ndnRandy@gmail.com
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Chumash
Fernandeño
Tataviam
Shoshone Paiute
Yaqui

Santa Ynez Band of Mission Indians
Sam Cohen, Tribal Administrator
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(805) 686-9578 Fax
Chumash

Coastal Band of the Chumash Nation
Janet Garcia,Chairperson
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Chumash

Carol A. Pulido
165 Mountainview Street
Oak View , CA 93022
805-649-2743 (Home)
Chumash

This list is current only as of the date of this document.

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2009051106 City of Ojai 2006-2014 General Plan Housing Element Update; Ventura County.

Native American Contact
Ventura County
November 30, 2009

Melissa M. Para-Hernandez
119 North Balsam Street
Oxnard , CA 93030
805-988-9171

Chumash

Frank Arredondo
PO Box 161
Santa Barbara Ca 93102
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ksen_sku_mu@yahoo.com

Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2009051106 City of Ojai 2006-2014 General Plan Housing Element Update; Ventura County.

Letter 3

COMMENTER: Katy Sanchez, Program Analyst, California Native American Heritage Commission

DATE: December 7, 2009

Response

The commenter recommends the following actions to assess and mitigate potential project-specific impacts to cultural resources:

- *Contact the appropriate regional archaeological information center for a record search.*
- *If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.*
- *Contact the Native American Heritage Commission for a Sacred Lands File Check and a list of appropriate Native American contacts for consultation.*
- *Lack of surface evidence of archaeological resources does not preclude subsurface existence. A mitigation plan should include provisions for accidently discovered resources, consultation for uncovered cultural resources with Native Americans, and provisions for the discovery of Native American human remains.*

The EIR is a program-level document; it is therefore assumed that this comment relates primarily to review of future projects that could be built pursuant to the proposed Housing Plan and policies. This comment is noted. The City's procedures for evaluating the potential for presence of, and potential impacts to, archaeological resources when a project is proposed generally follows these recommendations. In addition, as noted in Section 4.5 Cultural resources, the following Conservation Element policies and programs are in place to help ensure protection of archaeological resources:

Policy: ***The City shall develop programs to identify and analyze known cultural resources, attempt to discover potential resources and plan for their appropriate examination and disposition.***

Program: An updated record/literature search and an on-foot archaeological survey (where warranted) will be conducted in conjunction with the preparation of any development proposal provided that an adequate survey has not been conducted previously.

Program: A limited test-level investigation will be conducted for all cultural resource sites that have not previously undergone adequate testing prior to the approval of any development proposals with the immediate area.

Program: Within any development proposal area, a mitigation program for cultural resources will be formulated and implemented prior to the issuance of any grading or demolition permit.

Program: Archaeological monitoring during grading will be required in areas where significant cultural resources have been identified or are expected to occur.

Letter 4

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Katrina Rice Schmidt, City Planner
City of Ojai

DATE: December 30, 2009

FROM: Alicia Stratton AS

SUBJECT: Request for Review of Draft Environmental Impact Report (DEIR) for the 2006-2014 General Plan Housing Element Update/Case #GPA 07-02

Air Pollution Control District staff has reviewed the subject project, which is a proposed update to the Housing element of the City of Ojai's General Plan. The proposed Housing element establishes programs, policies and actions to further the goal of meeting the existing and project housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014. Implementation of the project anticipates the construction of 281 new housing units. Of these, approximately one-half (136 units) consist of single and multiple family units that are already programmed by operation of the City's Growth Management Ordinance. The balance (145) would be accomplished through two groups of programs: Focused Development (114 units in Senior Housing and Demonstration Projects) and Scattered Development (31 units constructed by individual property owners). The project location is throughout the City of Ojai.

Chapter 4.3 of the DEIR addresses air quality issues pertaining to the project. We concur with the findings of this discussion, although we note that the Impact Analysis (Section 4.3.2) examines the project as part of the Ojai Planning Area, with its five lbs/day significance threshold for ROG and NOx in terms of potential future development. This discussion states that the five lbs/day threshold for these pollutants is not used in the development potential analysis since the Housing Element involves a series of potential individual actions/development projects, and the VCAPCD's quantitative thresholds are designed to provide a gauge for analysis of individual projects proposed for construction. A

We concur with this assumption, yet wish to remind the Lead Agency that all future development resulting from this project should undergo environmental review at the time of proposed development. If such projects cause exceedences of the thresholds, project mitigation should be addressed at that time. Table 4.3-4, *Project Size That Will Exceed VCAPCD Significance Thresholds for Ozone Precursors (ROC and NOx) in 2015*,

addresses this issue. The DEIR's Urbemis computer model report indicates that complete buildout of the project would result in emissions of 14.04 lbs/day and 12.81 lbs/day NOx. Despite this report, we request an analysis of individual projects at the time of project buildout to accurately represent project air emissions. A

Impact AQ-3 describes temporary emissions of air pollutants during project construction. We concur also with this discussion, and recommend the following condition be added to the project to provide additional measures to minimize fugitive dust and particulate matter that may result from any future site preparation and construction activities on the sites: B

All project construction and site preparation operations shall be conducted in compliance with all applicable VCAPCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10, (Permits Required).

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

Letter 4

COMMENTER: Alicia Stratton, Ventura County Air Pollution Control District

DATE: December 30, 2009

Response 4A

The commenter concurs with the findings of the air quality discussion, and states that all future development resulting from the proposed project should undergo environmental review at the time of proposed development. This comment is noted.

Response 4B

The commenter recommends that the following requirement be added as mitigation for Impact AQ-3:

> "All project construction and site preparation operations shall be conducted in compliance with all applicable VCAPCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10 (Permits Required).

As Impact AQ-3 relating to construction effects would be less than significant without mitigation, such an addition is not required. Nevertheless, the suggested regulatory references have been added to the discussion under Impact AQ-3 in the Final EIR, as follows:

> Finally, projects would be required to comply with all applicable VCAPCD Rules and Regulations, including Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10 (Permits Required).

RESOURCE MANAGEMENT AGENCY
county of ventura

Planning Division
Kimberly L. Rodriguez
Director

January 18, 2010

Letter 5

City of Ojai
Community Development Dept.
401 South Ventura Street
P.O. Box 1570
Ojai, CA 93024
Attn.: Katrina Rice Schmidt

E-mail: schmidt@ci.ojai.ca.us

Subject: Comments on DEIR for the Proposed 2006-2014 General Plan Housing Element Update

Dear Ms. Schmidt:

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

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Laura Hocking, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Laura Hocking at (805) 654-2443.

Sincerely,

Tricia Maier, Manager
Program Administration Section

Attachment

County RMA Reference Number 09-030-1

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

Printed on Recycled Paper

Letter 5

COMMENTER: Tricia Maier, Manager, Program Administration Section, County of Ventura Resource Management Agency

DATE: January 18, 2010

Response

The commenter states that comments from intra-county review of the EIR are attached to the comment letter and that additional comments from other County agencies may be sent directly. The commenter further requests that responses to the comments from each County agency be sent directly to the commenter from that agency, with a copy to Laura Hocking of the Ventura County Planning Division. These comments are noted. No response is necessary.

RESOURCE MANAGEMENT AGENCY
county of ventura

Environmental Health Division
Robert Gallagher
Director

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CITY OF OJAI

December 10, 2009

Letter 6

Katrina Rice Schmidt, City Planner
City of Ojai
401 South Ventura Street
P. O. Box 1570
Ojai, CA 93024

DRAFT ENVIRONMENTAL IMPACT REPORT FOR 2006-2014 GENERAL PLAN HOUSING ELEMENT UPDATE, GPA 07-02

The Environmental Health Division (EHD) staff reviewed the information submitted for the subject project. EHD comments that mitigation measures HAZ-1(a), (b), and (c) incorrectly identifies the Ventura County Fire Department as a regulatory agency responsible for site assessment and remediation activities by a local agency. Any leaking underground fuel tank (LUFT) sites or voluntary clean up sites, as applicable, would be under the local authority of EHD for necessary remediation on any of the proposed subject properties. Please contact Erin O'Connell at 662-6511 for more information on the LUFT cases or the voluntary clean up program.

Please contact me at 805/654-2811 if you have any questions regarding this correspondence.

Melinda Talent

MELINDA TALENT
LAND USE SECTION
ENVIRONMENTAL HEALTH DIVISION

c: Erin O'Connell, EHD

F:\Admin\TechServ Folder\Finaled Ltrs\Land Use\Ojai GPA 07-02 12 10 09.doc

800 South Victoria Avenue, Ventura, CA 93009-1730 (805) 654-2813 FAX (805) 654-2480
Internet Web Site Address: www.ventura.org/rma/envhealth

Letter 6

COMMENTER: Melinda Talent, Land Use Section, County of Ventura, Environmental Health Division

DATE: December 14, 2009

Response

The commenter states that mitigation measures HAZ-1(a), (b), and (c) incorrectly identify the Ventura County Fire Department as a regulatory agency responsible for site assessment and remediation activities by a local agency, and that any leaking underground fuel tank (LUFT) sites or voluntary cleanup sites, as applicable, would be under the local authority of the County of Ventura Environmental Health Division for necessary remediation on any of the proposed subject properties. The Final EIR accordingly includes the following changes:

> Mitigation Measures. The following mitigation measures are required to reduce impacts associated with hazardous materials.
>
> **HAZ-1(a)** **Phase I Environmental Site Assessment for commercial and industrial zoned parcels.** Prior to approval of a land use permit for grading and/or site preparation on a site that was previously zoned for commercial or industrial use and would accommodate residences under the proposed Housing Element, a Phase I Environmental Site Assessment shall be conducted to assess potential soil and/or groundwater contamination. If indications of potential or recognized environmental conditions are discovered, a site assessment work plan shall be prepared and submitted to the appropriate regulatory agency, which may be the County of Ventura Environmental Health Division (VCEHD), Ventura County Fire Department (VCFD), Los Angeles Regional Water Quality Control Board (RWQCB), or the State of California Environmental Protection Agency Department of Toxic Substances Control (DTSC) for approval. The agency should review the work plan and either sign off on the plan or determine if any additional investigation activities are deemed necessary.
>
> Prior to approval of building permits, the applicant shall submit the site assessment or, if necessary, remediation results to the appropriate regulatory agency for approval. The appropriate regulatory agency shall verify that appropriate sampling and if required, remediation, has been completed. Following verification of regulatory compliance, the appropriate regulatory agency shall complete a permit compliance inspection of the site.
>
> **HAZ-1(b)** **Soil Sampling.** If environmental conditions are identified by the Phase I Environmental Site Assessment that would be completed on sites that were previously zoned for commercial or industrial use and would accommodate housing under the Housing Element, soil sampling for contaminants shall be conducted by a qualified professional. The

results of the soil sampling shall be forwarded to the appropriate regulatory agency (VCEHD, VCFD, RWQCB, or DTSC). The agency should review the data and either sign off on the property or determine if any additional investigation or remedial activities are deemed necessary. If concentrations of contaminants warrant site remediation, contaminated materials shall be remediated either prior to construction of structures or concurrent with construction. The contaminated materials shall be remediated under the supervision of an environmental consultant licensed to oversee such remediation. The remediation program shall also be approved by a regulatory agency. All proper waste handling and disposal procedures shall be followed. Upon completion of the remediation, the environmental consultant shall prepare a report summarizing the project, the remediation approach implemented, and the analytical results after completion of the remediation, including all waste disposal or treatment manifests.

Prior to approval of building permits, the applicant shall submit the site assessment or, if necessary, remediation results to the appropriate regulatory agency for approval. The appropriate regulatory agency shall verify that appropriate sampling and, if required, remediation has been completed. Following verification of regulatory compliance, the regulatory agency shall complete a permit compliance inspection of the site.

HAZ-1(c) **Groundwater Sampling and Remediation.** If, during the soil sampling, groundwater contamination is suspected, or if soil contamination is detected at depths at or greater than 30 feet below grade, then the applicant shall perform a groundwater sampling assessment. If contaminants are detected in groundwater at levels that exceed maximum contaminant levels for those constituents in drinking water, or if the contaminants exceed health risk standards, one in one million cancer risk, or a health risk index above 1, then the results of the groundwater sampling shall be forwarded to the appropriate regulatory agency (the VCEHD, VCFD, RWQCB, or DTSC). The agency shall review the data and sign off on the property or determine if any additional investigation or remedial activities are deemed necessary.

Prior to approval of building permits, the applicant shall submit the site assessment or, if necessary, remediation results to the appropriate regulatory agency for approval. The agency shall verify with that appropriate sampling and, if required, remediation has been completed. Following verification of regulatory compliance, the agency shall complete a permit compliance inspection of the site.

The above changes do not affect the conclusions of the Draft EIR.

Letter 7

PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division

M E M O R A N D U M

DATE: December 18, 2009

TO: RMA – Planning Division
Attention: Laura Hocking

FROM: Behnam Emami, Engineering Manager II

SUBJECT: REVIEW OF DOCUMENT 09-030
Notice of Availability (NOA) of a Draft Environmental Impact Report (DEIR) for the proposed **2006-2014 General Plan Housing Element Update** for the City of Ojai. The project is located citywide. (city)
Lead Agency: **City of Ojai**

Pursuant to your request, the Public Works Agency -- Transportation Department has reviewed the NOA of a DEIR for the City of Ojai Proposed 2006-2014 General Plan Housing Element Update (GPA-07-02). The proposed project involves of an update to Housing Element of the City of Ojai's General Plan, which establishes programs, policies and actions to further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014. The DEIR focuses on the proposed Housing Plan's two primary components: 1) address housing needs through the existing housing stock; and 2) identify sites sufficient to accommodate housing needs for the balance of goals not achieved through existing housing. Through these, the City plans to meet the City's Regional Housing Needs Assessment target of 427 housing units. These programs will be the focus of the DEIR analysis because they have the potential to result in impacts to the environment. Implementation anticipates the construction of 281 new housing units. Approximately one-half (136 units) consist of single and multiple family units that are already programmed by operation of the City's Growth Management Ordinance. The balance (145 of the 281 units) would be accomplished through two groups of programs: Focused Development (114 units developed with direct City involvement in Senior Housing and Demonstration Projects) and Scattered Development (31 units constructed primarily by individual property owners. These units could be developed on suitable parcels throughout the City's residential, VMU and Commercial districts). The project would apply throughout the City of Ojai. A

Our comments are as follows:

1. Page 4.15-11 of the DEIR mentions that development facilitated by the proposed Housing Element would have significant traffic impact on State Route 33 south of the City of Ojai. Furthermore, DEIR does not offer any mitigation measures. Ventura County General Plan (GP) Policy 4.2.2-5 states that if any project in the Ojai Area Plan that would cumulatively or individually cause any of the impacts identified in GP Policy 4.2.2-4 shall be prohibited unless;

- The Board of Supervisors adopts a Statement of Overriding Considerations,
- Feasible mitigation are adopted that would ensure that the impacts does not occur,
- A project completion date schedule and full funding commitment for road improvements are adopted which would ensure that the impact will be eliminated within a reasonable period of time.

A

2. Page 4.15-9 of the DEIR provides that development facilitated by the proposed project would generate additional traffic trips to the cumulative traffic projections, and concludes that it would be a less than significant impact. The above finding contradicts with the statement on page 4.15.5 which mentions that if a project would add one or more A.M. southbound or P.M. northbound PHT to State Route 33 between the northerly end of the Ojai Freeway and the City of Ojai limits, a significant adverse cumulative traffic impact is assumed to occur. The project would add 29 southbound A.M. peak hour trips and 33 northbound P.M. peak hour trips to above mentioned section of SR 33 (page 4.5-11). The DEIR should resolve this inconsistency.

B

3. To address the cumulative adverse impacts of traffic on the County Regional Road Network, the appropriate Traffic Impact Mitigation fees (TIMF) should be paid to the County when development occurs. With payment of the TIMF, the level of service and safety of the existing roads would remain consistent with the County's General Plan.

C

4. Page 4.15-3, Table 4.15-2, Existing Roadway Levels of Service (LOS) indicates the roadway segment, SR-33 s/o SR-150, is operating at LOS E. This contradicts with the County GP Update EIR (Final Subsequent Environmental Impact Report for Focused General Plan Update, dated June 22, 2005) which indicates that this segment of SR-33 is operating at LOS F.

D

5. Please provide us a copy of the Final EIR for our review and comments, when it becomes available.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

Please contact me at 654-2087 if you have questions.

E

F:\transpor\LanDev\Non-County\09-030-1.doc

Letter 7

COMMENTER: Behnam Emami, Engineering Manager II, Ventura County Public Works Agency, Transportation Department, Traffic, Advance Planning & Permits Division

DATE: December 18, 2009

Response 7A

The commenter notes that the Draft EIR identifies a significant impact on State Route 33 south of Ojai, but does not include mitigation measures for the impact. The commenter goes on to quote County of Ventura policy language related to County approval of projects with traffic impacts in the Ojai Area. To clarify the area of impact, the Final EIR includes the following revision to Impact TC-2:

> **Impact TC-2 Development facilitated by the proposed Housing Element would add trips to the Ventura County regional roadway network. The additional trips would result in a significant traffic impact on State Route 33 ~~south of the City of Ojai~~ through the Casitas Springs area. As no feasible mitigation is available to reduce this impact below thresholds of significance, it would be Class I, *significant and unavoidable.***

Following the conclusion in the Draft EIR that the impact to State Route 33 would be significant and unavoidable is Mitigation Measure T-1, which includes Transportation Demand Management strategies that would be included as part of the conditions of approval for all multi-unit developments and senior housing projects developed under the Housing Plan. These TDM strategies would reduce the impact to State Route 33 through the Casitas Springs area to the degree feasible, but cannot assure that impacts would be reduced to below a level of significance.

The City of Ojai recognizes the regional impacts associated with the Housing Element. However, as lead agency, the City has final approval authority over the Housing Element, not the Ventura County Board of Supervisors, as implied in the comment.

Response 7B

The commenter states an opinion that the conclusion of Impact T-1 that the trips associated with implementation of the project would not result in the exceedance of adopted County or City LOS standards is inconsistent with the significance thresholds quoted earlier in the traffic section. The typographic error in the Impact T-1 statement that led to this comment has been revised in the Final EIR as follows:

> **Impact TC-1 Development facilitated by the proposed project would add traffic trips in addition to the cumulative traffic projections. However, the trips associated with implementation of the project would not result in the exceedance of adopted ~~County or~~**

City LOS standards at the studied roadway segments within Ojai. Impacts would be Class III, *less than significant*.

Response 7C

The commenter states the Traffic Impact Mitigation fees should be paid to the County when development occurs, and that with payment of these fees, the level of service and safety of the existing roads would be consistent with the County's General Plan. This comment is noted; fees would be required consistent with standard City procedures.

Response 7D

The commenter states that the Draft EIR shows the existing roadway Level of Service (LOS) for the State Route 33 south of State Route 150 segment as E. The commenter suggests that this contradicts the County General Plan Update EIR, which indicates that this segment is operating at LOS F.

The most current average daily traffic (ADT) volumes reported by Caltrans for State Route 33 south of the State Route 150 are within the adopted Ventura County LOS E range of 27,000 ADT for a two-lane Class I roadway. No change to the EIR is warranted.

Response 7E

The commenter requests a copy of the Final EIR for review and comment when it becomes available. This request is noted. As required by CEQA, responses to agency comments will be provided to commenting agencies prior to Final EIR certification.

Letter 8

Ventura County
Watershed Protection District
Water & Environmental Resources Division
Water Quality Section

MEMORANDUM

DATE: November 23, 2009

TO: Laura Hocking, RMA- Planning Division

FROM: Paul Tantet

SUBJECT: RMA 09-030-1 – 2006-2014 General Plan Housing Element Update, City of Ojai

I have reviewed the provided materials for the above referenced project, and would like to add the following comment in the countywide response letter:

On May 7, 2009, the Los Angeles Regional Water Quality Control Board adopted Order No. 09-0057, a new Ventura Countywide Municipal Separate Storm Sewer NPDES Permit ("Permit"), which became active on August 7, 2009. Within the provisions of this Permit, are numerous changes to the regulatory framework governing the review and approval process of assessing new development projects for surface water quality concerns under CEQA.

Page 74, Section V. 1. of the Permit, requires additional procedures necessary for considering potential stormwater quality impacts and providing for appropriate mitigation when preparing and reviewing CEQA documents. These procedures include consideration of the following:

(A) Potential impact of project construction on storm water runoff.
(B) Potential impact of project post-construction activity on storm water runoff.
(C) Potential for discharge of storm water from areas from material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.
(D) Potential for discharge of storm water to impair the beneficial uses of the receiving waters.
(E) Potential for the discharge of storm water to cause significant harm on the biological integrity of the waterways and waterbodies.
(F) Potential for significant changes in the flow velocity or volume of storm water runoff to cause harm to or impair the beneficial uses of natural drainage systems.
(G) Potential for significant increases in erosion at the project site or surrounding areas.

As such, it is highly recommended that while preparing any General Plan updates or CEQA related documents, these new requirements are kept in mind.

Letter 8

COMMENTER: Paul Tantet, Ventura County Watershed Protection District, Water & Environmental Resources Division, Water Quality Section

DATE: November 23, 2009

Response

The commenter states that the Los Angeles Regional Water Quality Control Board adopted Order number 09-0057, a new Ventura Countywide Municipal Separate Storm Sewer NPDES Permit, which became active on August 7, 2009. The commenter lists the following additional procedures and recommends that they be considered when considering potential stormwater quality impacts and providing for appropriate mitigation in CEQA documents:

- *Potential impact of project construction on stormwater runoff*
- *Potential impact of project post-construction activity on storm water runoff*
- *Potential for discharge of stormwater from areas from material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.*
- *Potential for discharge of stormwater to impair the beneficial uses of the receiving waters.*
- *Potential for the discharge of stormwater to cause significant harm on the biological integrity of the waterways and water bodies*
- *Potential for significant changes in the flow velocity or volume of stormwater runoff to cause harm to or impair the beneficial uses of natural drainage systems*
- *Potential for significant increases in erosion at the project site or surrounding areas*

This comment is noted. As discussed in the responses to Letter 11, below, references to required compliance with the most recent NPDES regulations has been added to Section 4.8 *Hydrology and Water Quality* in the Final EIR.

Letter 9

VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009
Robin Jester – Permit Manager – (805) 654-3986

M E M O R A N D U M

Date: December 29, 2009

TO: Laura Hocking – Case Planner
Resource Management Agency, Planning Division

FROM: Robin Jester, P.E.
Manager – Permit Section

SUBJECT: **RMA 09-030-1, Draft Program Environmental Impact Report (PEIR) for the City of Ojai 2006 – 2014 General Plan Housing Element Update (GPA 07-02)**

Pursuant to your request, the Watershed Projection District (District) has reviewed the submittal of the subject application and has determined the following:

PROJECT DESCRIPTION:

The proposed project involves an update to the Housing Element of the City of Ojai's (City) General Plan. The proposed Housing Element establishes programs, policies and actions to further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014. The PEIR focuses on the proposed Housing Plan of the 2006-2014 Housing Element, and in particular two primary components: addressing needs through existing stock and identifying sites sufficient to accommodate the balance of the needs. Implementation of the proposed 2006-2014 Housing Element anticipates the construction of 281 new housing units.

Program EIR's are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. Use of a PEIR provides the City with the opportunity to consider broad policy alternatives and program-wide mitigation measures and provides greater flexibility to address environmental issues and/or cumulative impacts on a comprehensive basis. By its nature, a PEIR considers the "macro" effects associated with implementing a program and does not, and is not intended to, examine the specific environmental effects associated with specific projects that may be implemented. It should be noted that as a "macro" level environmental document, the Housing Element PEIR uses macro level thresholds as compared to the project-level thresholds that might be used for an EIR on a specific development project. It should not be assumed that impacts determined not to be significant at a macro level would not be significant at a project level. A

COMMENTS:

The District has reviewed the Draft PEIR for the above project as it pertains to the Watershed Protection District Facilities and finds the PEIR does not address the concerns outlined in our letter

dated July 1, 2009. Section 4.8 - Hydrology and Water Quality of the Draft PEIR focuses the attention on the flood hazards and water quality aspects and not on impacts to any District flood control facilities or jurisdictional channels. The following are the District's recommendations to address the macro aspects of the District's concerns:

1. In Section 2.0, Project Description, on Figure 2-4 – Candidate Housing Sites – please correctly show, label, and define all the District's red-line channels on this map to include Stewart Canyon, Fox Canyon, San Antonio Creek, and East Ojai Drain. This will provide clarity on which potential housing sites will most directly impact District facilities and provide guidance for directing future specific projects. A

2. In Section 4.8.1.a. – Hydrology – the Ventura River and San Antonio Creek are mentioned as being under the regulatory jurisdiction of the District. The District's July 2009 letter also mentioned numerous other streams that are more directly impacted by the proposed housing sites. These additional channels stated in our earlier letter should be incorporated into this section. B

3. Section 4.8.1.d. discusses the regulatory and permitting framework for development in the City. The first paragraph states that the District is a responsible agency for the protection of watersheds, floodplains, and water quality. Please add that the District also has regulatory and permitting authority as it relates to surface waters and red-line channels, which can also correspond to Waters of the U.S. and adjacent wetlands. A separate figure showing the District's red-line channels may be added to this section, or a reference made to a figure elsewhere in the PEIR as per our recommendations on the "Candidate Housing Site" and "Trails Locations" figures. C

4. Section 4.8.2 – Impact Analysis under subheading a.) Methodology and Significance Thresholds references three impacts that are directly related to the District's purview. These are the third, fourth, and fifth bullet points that refer to altering drainage patterns and contributing runoff to existing or planned storm drains. However, in the three impacts contained under subheading b.) Project Impacts and Mitigation Measures, these impacts were not clearly delineated and addressed. Some minor discussion is contained at the top of Page 4.8-8, but the discussion is under Impact HYD-2, which is referencing compliance with stormwater quality goals and policies. Impacts to storm drains and other facilities are a separate issue and should be addressed in a separate impact statement. The District recommends that the statements regarding stormwater collection lines be moved under a separate impact statement, add language that the major channels that serve the City are under the regulatory and permitting authority of the District. We also recommend language that states that specific projects may require coordination with the District that would include upgrading of existing facilities and possible additional rights-of-way. D

5. In Section 4.14, Recreation, on Figure 4.14-3 – Trails Locations – please correctly show and label the District's red-line channels on this map to include the creeks named above as well as adding Thacher Creek and McNell Creek. New primary and secondary trails are proposed as well as primary and secondary bicycle access and it appears there could be joint use of District facilities and jurisdictional channels. Providing the requested information on this figure will provide clarification for use once specific projects are proposed. E

6. While storm drainage systems are generally discussed in the section for utilities and service systems, in this Draft PEIR Section 4.16 – Utilities and Service Systems – specifically states in the first paragraph that "Impacts related to storm drains are discussed in 4.8, *Hydrology and Water Quality.*" F

The addition of the recommended information as stated above will address the concerns the District first stated in our July 1, 2009 letter of comment for the NOP.

End of Text

Letter 9

COMMENTER: Robin Jester, Permit Section Manager, Ventura County, Watershed Protection District, Planning and Regulatory Division

DATE: December 29, 2009

Response 9A

The commenter requests that the Ventura County Watershed Protection District (VCWPD) red-line channels be added graphically to Figure 2-4 in Section 2.0, *Project Description,* to include Stewart Canyon, Fox Canyon, San Antonio Creek, and East Ojai Drain. Figure 2-4 is intended to show only the location of candidate housing sites identified in the draft Housing Element update, and not other resources or features within the City. Please also see Response 9C below.

Response 9B

The commenter states that the Draft EIR, in Section 4.8, *Hydrology and Water Quality,* does not incorporate the streams under VCWPD jurisdiction other than the Ventura River and San Antonio Creek, as requested in the VCWPD's scoping letter of July 2009. The VCWPD requests that these be incorporated into the Final EIR. The additional streams have been listed in the Final EIR as part of language added in Response to Comment 9C below.

Response 9C

The commenter requests that language be added to subsection 4.8.1.d explaining that the VCWPD has regulatory and permitting authority as it relates to surface waters and red-line channels, which can also correspond to Waters of the U.S. and adjacent wetlands. The commenter further requests that a separate figure showing the VCWPD's red-line channels be added to this section, or a reference made to a figure elsewhere in the EIR. The cited subsection has been revised as follows in the Final EIR:

> **d. Regulatory Framework.** Development in the City of Ojai is subject to various local, state, and federal regulations and permits regarding the use of water resources. The Ventura County Watershed Protection District (VCWPD), the California Department of Water Resources, and the Los Angeles Regional Water Quality Control Board are the primary agencies responsible for the protection of watersheds, floodplains, and water quality. The Ventura County Department of Health is the primary agency responsible for establishing design standards and permitting septic tanks and wells. The State Water Resources Control Board (SWRCB) and the Los Angeles Regional Water Quality Control Board (RWQCB) regulates discharges into surface waters. Section 404 of the Clean Water Act prohibits the discharge of dredged or fill materials into Waters of the United States or adjacent wetlands without a permit from the U.S. Army Corps of Engineers. The VCWPD also has regulatory and permitting authority as it relates to surface waters and red-line channels (Figure 4.8-1), which can also correspond to Waters of the U.S. and adjacent wetlands. The District claims permitting authority for any changes in, on, over, under and across the channels

> and overbank areas and for any acts that impair, divert, impede, or alter the channel or change the quantity or quality of the water reaching a District jurisdictional channel. Channels under the VCWPD's jurisdiction include San Antonio Creek, Stewart Canyon, Fox Canyon, Thacher Creek, McNell Creek, and East Ojai Drain.

In addition, a new figure, Figure 4.8-1 (see the following page), has been added showing the red-line channels. Consistent with the request in Comment 9A, the general locations of candidate housing sites are also shown on this figure.

Response 9D

The commenter requests that impacts to storm drains and other facilities be addressed under a separate impact statement in Section 4.8, and that a discussion of the major channels that serve the City under regulatory and permitting authority of the VCWPD should be included. The commenter also recommends inclusion of a discussion regarding how specific projects may require coordination with the VCWPD, and how development may need to include upgrading of existing facilities and additions of right-of-way.

The document is a program EIR analyzing a plan, rather than a specific development. As summarized by the commenter, a program EIR "considers the 'macro' effects associated with implementing a program and does not, and is not intended to, examine the specific environmental effects associated with specific projects that may be implemented." Therefore, a discussion of the precise impacts to storm drain infrastructure associated with future projects that are not defined in scale, exact location or project detail is not included. Pursuant to the *CEQA Guidelines,* Section 15168, regarding program EIRs, "[s]ubsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared…If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration."

A new, separate impact statement is not necessary in order to include a program-level discussion of impacts to citywide drainage facilities, which are already discussed under Impact HYD-2 in Section 4.8, *Hydrology and Water Quality*. Nevertheless, additional text has been added to that discussion in the Final EIR, based on language suggested by the commenter, as follows:

> As shown on Figure 4.8-1, several potential candidate housing sites are in proximity to existing drainage facilities within the jurisdiction of the VCWPD. The VCWPD has constructed facilities in areas on these channels and has property rights in a number of areas as well. According to VCWPD staff, construction of some of the facilities dates back 30 to 40 years or more, and some of the facilities are deficient as to capacity or are nearing the end of their useful life and could require repair or replacement. The VCWPD is engaged in planning efforts to identify and quantify deficiencies in its infrastructure (Robin Jester, VCWPD, July 2009). Permits are required from the VCWPD for anything in, on, over, under and across a jurisdictional channel. Specific projects may require coordination with the VCWPD that would include upgrading of existing facilities and possible additional rights-of-way. The potential impacts of such

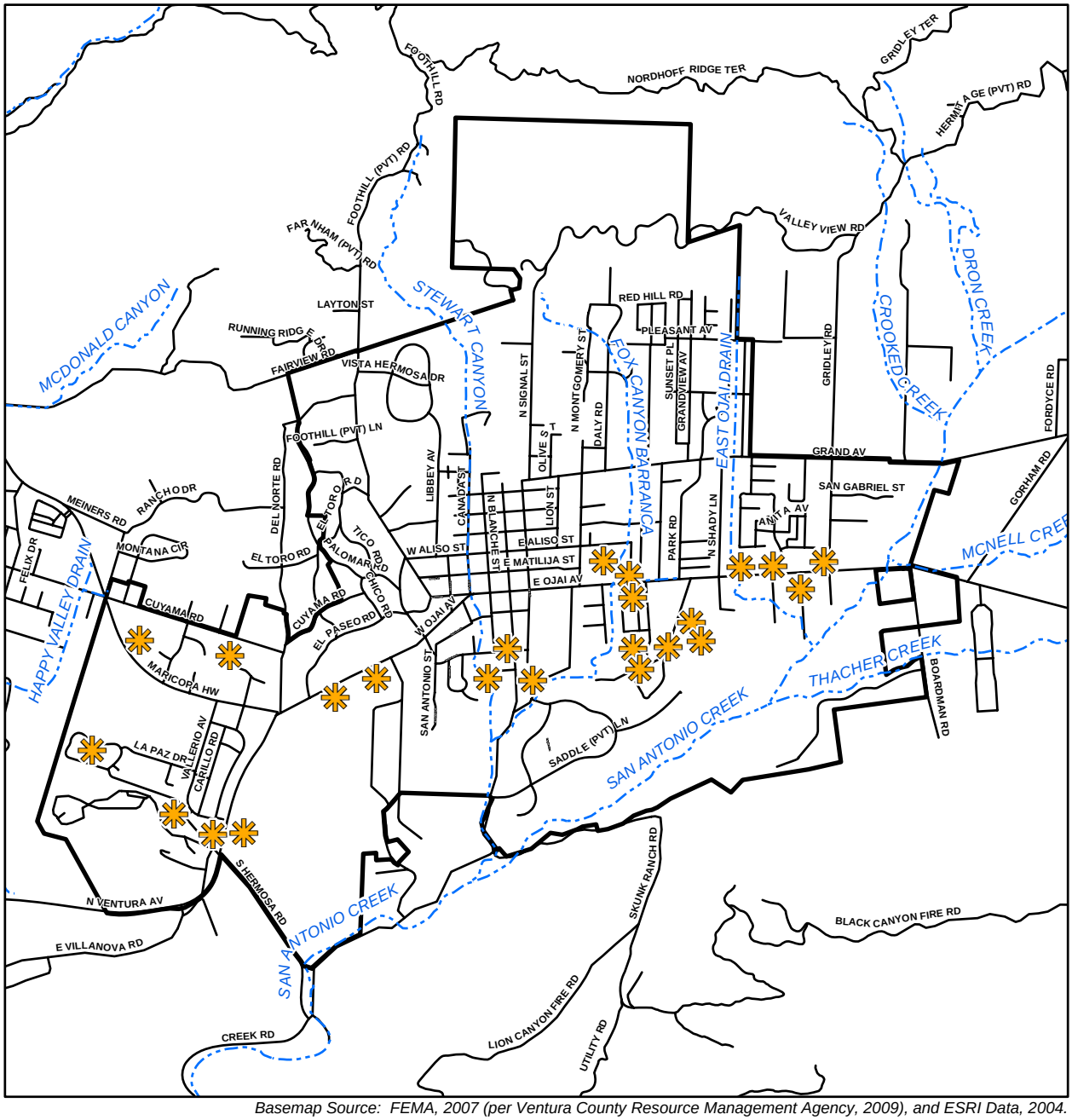
> upgrades would be studied at the time the projects are proposed, if such upgrades are determined to be required.

Response 9E

The commenter requests inclusion of the WPD's red-line channels on Figure 4.14-3, Trail Locations, along with Thacher Creek and McNell Creek. As the Housing Element does not include new trails or policies concerning existing or proposed trails, such an addition to the figure is not necessary. The purpose of the figure is simply to show existing and proposed trails as identified in the City's Initial Study Assessment Guidelines (2002). Also, see Response 9C above.

Response 9F

The commenter states that storm drainage systems are usually discussed in the Utilities and Services sections of EIRs, but that they are addressed in the Hydrology and Water Quality section. This comment is noted, but does not pertain to the adequacy of the EIR analysis.



Basemap Source: FEMA, 2007 (per Ventura County Resource Management Agency, 2009), and ESRI Data, 2004.

General Locations of Candidate Housing Sites

Ventura County Jurisdictional Channels

City Boundary

N

0 1,000 2,000 4,000 Feet

Watershed Protection District
Red-Line Channels

Figure 4.8-1

Letter 10

Ventura County Homeless and Housing Coalition
www.vchhc.org
1317 Del Norte Road, Camarillo, CA 93010
805-485-6288 x 273
Tax ID #: 77-0399522

November 30, 2009

Katrina Rice Schmidt
City Planner
City of Ojai
401 South Ventura Street
PO Box 1570
Ojai, CA 93024

Dear Ms Schmidt,

The Ventura County Homeless & Housing Coalition has the following comments regarding the DRAFT Housing Element update proposed by the City of Ojai:

1. Regarding homeless persons, VCHHC has documented that there are more than 27 homeless persons at any given time in your city.

In January 2007, 82 persons were documented in Ojai during the County-wide homeless enumeration. In January 2009, 60 persons were counted within city limits.

Besides counting persons in the locale where they are present at the time of the enumeration, adults are asked two additional questions: "Where did you sleep last night?" and "What city do you call home?" Only answers that specify a Ventura County location are included in the published data. These 2 additional questions give us a better sense of whether the homeless population is stable. Here is the data for Ojai:

Comparison 3 data charts from homeless counts 2007 and 2009

	2007	2009	2007	2009	2007	2009
City/Community	**Total**		**Where slept**		**Call Home**	
Ojai	82	**60**	56	**67**	59	**57**

There were 6 children enumerated in 2009 and 3 counted in 2007 who are not be included in the "where slept" or "call home" chart. With that in mind, we are able to document that the number of homeless persons in Ojai is 60 on any given day.

The method you have used in the Housing Element to derive an estimate of the number of homeless persons in your city is not borne out by our data. The homeless counts produced by VCHHC are required by and submitted to HUD and are utilized by each of the other ten jurisdictions in Ventura County in writing their Housing Element updates to the General Plan.

2. Regarding the Emergency Shelter Overlay Zone which the City of Ojai proposes to meet the requirements of SB2, VCHHC strongly objects to this plan. While the overlay zone itself could be acceptable, the fact that it is tied to an incorrect estimate of the number of persons in need of shelter makes it unacceptable. Specifying that the overlay zone will sunset before meeting the need for emergency in your city prevents VCHHC from supporting it. You are required to specify a zone in which emergency shelter and transitional housing may be located by right. We expect you will comply with the law.

3. Finally, VCHHC takes exception to the language in the DRAFT document on page 75 concerning homeless persons: *"This computation is for planning purposes only and does not presuppose that this population segment resides in Ojai or requires housing services."*

   In the January 2009 homeless count, 10% of Ojai's homeless were children, 7% were seniors, and 9% were unaccompanied youth. If these vulnerable populations – over a quarter of your homeless population- do not require housing, what is the purpose of this document? The quoted language is offensive and should be removed.

4. The solution to homelessness is housing. On page 8 you describe that 69% of your population consists of extremely low, very low and low income households. Throughout the DRAFT document you refer more than once the lack of affordable housing in your city. Yet, when you specify the units you are planning to develop on page 29, only 38% of the housing units are for those who constitute 69% of your population. VCHHC believes this shows a lack of foresight in meeting the housing needs of Ojai residents.

Thank you for the opportunity to comment. Please add VCHHC to your notification list concerning the housing element process for both this cycle and future cycles.

Sincerely,

Cathy Brudnicki, Executive Director
Ventura County Homeless & Housing Coalition

CC: Cathy Creswell, HCD
Steve Bennett, Ventura County Supervisor District 1
Neva Williams, President, Ojai CATCH

B

Letter 10

COMMENTER: Cathy Brudnicki, Executive Director, Ventura County Homeless and Housing Coalition

DATE: November 30, 2009

Response 10

The commenter provides comments regarding the estimated number of homeless persons in Ojai, as well as comments regarding the merits of the proposed emergency shelter overlay zone and other language and policies in the draft Housing Element update. The issues raised by the commenter are matters of policy and programming, outside the realm of environmental review. They do not pertain to the environmental analysis contained in the Draft EIR; therefore. no response is required. The comments will be made available to the City Council for consideration in conjunction with the Housing Element adoption process.

Craig K. Beam, 204 West Oak Street, Ojai, California 93023-2553

Letter 11

January 19, 2010

VIA EMAIL AND U.S. MAIL

Ms. Katrina Rice Schmidt
City Planner
c/o City of Ojai
401 South Ventura Street
P.O. Box 1570
Ojai, California 93024

Re: Comments on the "City of Ojai 2006-2014 Housing Element Update EIR" SCH No. 2009051106, Dated November 2009

Dear Ms. Schmidt:

My comments on the adequacy of the DEIR referenced above are set forth below. In addition to comments with respect to the impact analyses associated with storm water, potable water availability and traffic, I have some general comments which I request the City taken in consideration with respect to this environmental document.

The Notice of Availability of a Draft in Environmental Impact Report ("DEIR") in its "Project Description" addresses both the City's Housing Element plan to meet the City's Regional Housing Need Assessment ("RHNA") target of 427 housing units, and specifically focuses upon the development of 145 units proposed as part of the "Seniors Housing" and "Demonstration Projects". A

This DEIR fails to consider the impacts on a site specific basis of the Seniors Housing and Development Demonstration Projects, although the approximate size and precise locations of these projects have already been identified. The failure of the DEIR to consider the impact of these developments at this time in a general fashion merely defers the analysis that CEQA throughout encourages be taken at the earliest possible time.

There are of course clearly potential environmental effects of either project that may only be studied with respect to site specific proposals received by the City in response to any Request for Proposals (RFP) at some time in the future. But, deferral of an EIR's "Impact Analyses" or deferral of the formulation of "Mitigation Measures" where reasonably possible is at odds with the purpose and intent of CEQA. The EIR generally ignores the local impacts of the Demonstration Projects even though their impact on local roads, utilities, water supplies and related infrastructure is readily apparent, even if the precise design of the two projects is not yet known.

Unfortunately earlier Redevelopment Agency Staff Reports, analyses, comments and the Five Year Implementation Plans of the Redevelopment Agency, suggest that the City anticipates the need to "Commit Funds" to these projects very soon or lose control of a part of its mandatory 20 percent Low and Moderate Income Housing Funds.

These budgetary assumptions in the RDA's Implementation Plans raise the issue of whether the City runs the risk of violating the "pre-commitment" guidance the California Supreme Court provided as to when environmental review must be undertaken set forth in the Save Terra vs. City of West Hollywood Case No. S151402 (which has been Certified for Publication). The Redevelopment Agency of the City of Ojai should be aware of "Save Tara" in its future actions with respect to the "Demonstration Projects"and any related actions it may take regarding commitment of funds. B

A related issue, unaddressed in this DEIR is the lack of certainty of what the City's General Plan may have to include, when the City is required to participate in implementation of the a Senate Bill 375 "Sustainable Community Strategy" as required by the Southern California Association of Governments (SCAG), the Metropolitan Planning Organization for this region, no later than the Fall of 2012. The requirements of a Sustainable Community Strategy will require the City adopt tactics to reduce the Vehicle Miles Traveled (VMT) from cars and light trucks as a means of reducing their production of "greenhouse gases" from the consumption of gasoline.

Such strategies often rely on "mixed use" projects that bring jobs and housing together, an approach not part of the draft Housing Element, but which might be in the future. The City under Senate Bill 375 has the alternative of adoption of a Housing Element on the same schedule as the Regional Transportation Plan ("RTP") if it extends the lifespan of the Housing Element until only 2012 versus the 2014 date proposed. While the preparation of revised Housing Element two years earlier than proposed is undoubtedly burdensome on the City, discussion of an alternate date for that Housing Element's revision in light of the City's obligations to participate in County wide Sustainable Community Strategy, pursuant to SB 375 should at least be discussed. C

In addition to these general comments, it appears that this DEIR for other reasons fails meets the requirements of CEQA as it relates to the analysis of the draft Housing Element:

First, the EIR wholly fails to acknowledge the standards of the Ventura County Municipal Storm Water National Pollutant Discharge Elimination System (NPDES) Permit (Board Order No. R4-2009-0057);NPDES Permit No. CAS004002), which is applicable to development projects. D

The City of Ojai is and has been a "Co-Permittee" under this Storm Water Permit (commonly known as the "MS-4 Permit") since May of 2009. The requirements of the Permit included a highly specialized pallet of Low Impact Development (LID) and Best Management Practices (BMPs) that are applicable to the City.

Section V, Section 1(a) of the Permit provides: "Each Permittee shall incorporate into its CEQA process no later than November 7, 2009 the additional procedures necessary for consideration of potential storm water quality impact and provide appropriate mitigation when preparing and reviewing CEQA documents . . ." There is no showing that this DEIR reflects and amendment to the City's CEQA process or is their inclusion is reflected in this DEIR. D cont'd

Section 2(a) of the Permit also "THE GENERAL PLAN UPDATE" equally provides "Each Permittee shall amend, revise or update its General Plan to include watershed and storm water quality and quantity management considerations and policies when any of the following General Plan Elements are updated or amended: . . .(2) Housing."

These requirements are not satisfied by the pending DEIR with respect to the housing element generally or with respect to the "Focused Development." It fails to recognize the applicable MS-4 Permit. There is no reference in the DEIR to applicable storm water quality, watershed or water quantity considerations under the applicable MS-4. E

The acknowledgment of the requirements of the MS-4 Permit and its specialized requirements that have been applicable to the City since May of 2009 is essential not only from the standpoint of CEQA, but also from the standpoint of the Housing Element's discussion of "Constraints" on the City's ability to meet its Regional Housing Need Assessment (RHNA) of 427 housing units. In short, the MS-4 LID requirements may have a direct effect on the City's realization of the number of units contemplated in Sites #9-11 assumed as part of its RHNA strategy. F

In the case of the "Focused Development", it should be noted that the location of the development and drainages from Sites #9, 10 and 11 is towards a creek, which is tributary to the Ventura River Watershed, and thus, a special concern.

For purposes of these requirements, your attention is directed to Section 4.8.1(a) "Hydrology" and the impact analysis contained in Section 4.8.2. While there is a section in the DEIR on the "Regulatory Framework" contained on page 4.8.-2 and a reference to the "Ventura County Storm Water Quality Urban Impact Mitigation Plan" ("SQUIMP"). The reference does not appear to reflect or recites the <u>current regulatory requirements</u> of the State Water Resource Control Board for the Los Angeles Region. The DEIR to the extent that the Demonstration Projects are to be covered in this DEIR impact analysis, should reflect the requirements of the MS-4 Permit as "mitigation measures." G

The DEIR also fails in its assessment of "Water Availability". Section 4.16 "Utilities and Service Systems" discusses the availability of water but only to the effect of pointing out what may be inconsistencies in the database and methodologies used to determine the availability of water. This analysis does not reflect the requirements of an adequate water availability assessment under CEQA. H

The impact analysis appears flawed for several reasons. First, it notes that past actual population growth and with them potable water supply demand, has exceeded the growth projections experienced within the City service area over the last 20 years. Yet all the DEIR's recommendations and analyses in the EIR still appear to be based upon "population-based projections". (See page 4.1816-8.) H contd

In addition, the DEIR relies on what is clearly an out of date 2005 Urban Water Management Plan ("UWMP") prepared in accordance with Water Code Section 10610, et seq., It was not circulated with or incorporated by reference with the DEIR. Where a UWMP may be used to provide useful information, it must contain the currently required UWMP information or provide information which would bring supplement or bring the preexisting UWMP current with the Water Code's statutory requirements. This has not been done apparently since the 2005 UWMP is out of date and likely scheduled to be revised in accordance with state law. I

The "Projected Impacts and Mitigation Measures" conclusion found on page 4.16-13 that, "Development facilitated by the Housing Element would generated a net increase in water demand. However, forecast water use would remain within the capabilities of GSWC and the safe estimated annual yield of the Ojai Ground Water Basin. Therefore, water supply impacts would be Class III, *less than significant* is unsupported by the analysis required by CEQA." The EIR it does not provide a good faith effort to reconcile conflicting analysis or data inc coming to this conclusion. Nor does the DEIR as CEQA and state legislation suggests, consider both sustained periods of wet weather and dry years in determining the adequacy of Ojai's water supplies. J

Finally, the conclusion with respect to transportation impacts under Impact T under "Impact TT-1" that the trips associated with implementation the project would not result in exceed adopted County or City LOS standards at the studied roadway segments within Ojai.

The conclusion that transportation Impacts would be Class III, *less than significant* is appears unsupportable in light of the substantially degraded Levels of Service that may be anticpated throughout the Ojai community. Section XV(a), of Appendix "G" the CEQA Guideline's Environmental Checklist Form suggests a contrary conclusion. K

In addition, the Traffic Study's area of analysis appears to be too limited to consider the traffic impacts of the proposed Housing Element Demonstration Projects, that may clearly impact local streets and addition facilities such as Creek Road and other local roads

Thank you for an opportunity to comment on this draft Environmental Impact Report.

I remain,

Very truly yours,

Craig K. Beam

Craig K. Beam

Letter 11

COMMENTER: Craig K. Beam

DATE: January 19, 2010

Response 11A

The commenter states an opinion that Draft EIR fails to consider the impacts of the Senior Housing and Development Demonstration projects on a site-specific basis, particularly impacts related to local roads, utilities, water supply and related infrastructure. The commenter further opines that this "deferral" of analysis is at odds with the intent of CEQA.

As noted in Section 2.0 *Project Description* of the Draft EIR, although potential sites have been identified for the Senior Housing and Demonstration Projects, the potential density, design and layout of senior and demonstration projects are yet unspecified. Therefore, the City recognizes that these projects would require discretionary review by the City, including environmental review pursuant to CEQA, when sites are finalized and project proposals are ready to be brought forward. Thus, the Draft EIR analyzes impacts of potential new residential units that could be facilitated by adoption of the Housing Element update in a citywide growth context rather than as site-specific development. Impacts of potential citywide growth on roads, utilities, water supply and related infrastructure are discussed at a program level in sections 4.15, *Traffic and Circulation*, 4.16, *Utilities and Service Systems*, and 4.8, *Hydrology and Water Quality*, respectively. As a program EIR, the document need not analyze all site-specific impacts of individual potential housing projects, particularly those that are expected to require environmental review pursuant to CEQA if and when they are proposed and brought forward for review.

Response 11B

The commenter states an opinion that because the City may need to commit funds to senior and/or demonstration projects in the future, it risks "violating the 'pre-commitment' guidance the California Supreme Court provided…[in]…Save Terra [sic] vs. City of West Hollywood." In that case, *Save Tara v. City of West Hollywood,* 2008, 45 Cal. 4th 116, the city had actually entered into a development agreement and had expended funds in furtherance of the project on the condition that CEQA would be complied with prior to final approval of the project. The Court held that the actual project had essentially been approved and that a financial commitment had been made.

The Court distinguished its position in *Save Tara* from the position taken in *Stand Tall on Principles v. Shasta Union High Sch. Dist., supra, 235 Cal.App.3d 772.* In that case, the Court found that the purchase of property for a new high school did not trigger the requirement for an EIR and that the purchase contract could include a contingency requiring CEQA compliance. The Court found that selecting a site and acknowledging the intent to construct a high school was not a commitment to a specific project and that preparation of an EIR need not be done prior to site selection. In determining the point at which CEQA compliance is required, the Court accepted the position of the League of California cities, noting:

> "we take the League's point that requiring agencies to engage in the often lengthy and expensive process of EIR preparation before reaching even preliminary agreements with developers could unnecessarily burden public and private planning. CEQA review was not intended to be only an afterthought to project approval, but neither was it intended to place unneeded obstacles in the path of project formulation and development."

In the present situation, no commitment to any specific project or any private developer has yet occurred. There is no development agreement in place and no funding expended on a specific project. The action that is being taken is the beginning of a planning process and an implementation plan for affordable housing Section 33490(b) of the California Health and Safety Code (i.e., Redevelopment Law) expressly provides that:

> "Adoption of an implementation plan shall not constitute an approval of any specific program, project, or expenditure and shall not change the need to obtain any required approval of a specific program, project, or expenditure from the agency or community."

Section 33490(b) further stipulates that the inclusion of a specific program, potential project or expenditure in the implementation plan does not, in and of itself, trigger the requirement for environmental review under CEQA. Rather, the Implementation Plan is simply an expression of intent and does not bind the RDA to a specific course of action nor does the Plan constitute an appropriation of funds. Please see also response 11A, above, regarding the scope of the program EIR as it relates to this issue.

<u>Response 11C</u>

The commenter suggests that the Draft EIR and proposed Housing Element Update should include consideration of strategies needed to be consistent with potential future implementation of SB 375, particularly regarding greenhouse gas reduction. The commenter goes on to suggest that the City could shorten the lifespan of the Housing Element to 2012 rather than 2014 in order to be on the same schedule as the Regional Transportation Plan and promote mixed-use projects in the spirit of SB 375.

As the commenter points out, there is still much uncertainty as to how the requirements of SB 375 will ultimately affect Housing Elements. Among other things, the law links the regional housing needs assessment process with transportation planning. At present, the Southern California Association of Governments (SCAG) has targeted April 2010 for adoption of the next RTP. SB 375 requires that jurisdictions within the SCAG region update their Housing Elements within 18 months following adoption of the RTP. This timeline corresponds roughly to the time horizon of the Housing Element Update that is the subject of the EIR. Until the City adopts the present Update, it will remain out of compliance with State law. Furthermore, until the RTP is adopted, it would be speculative to anticipate the type and breadth of actions that might be required in the next Housing Element Update. Thus, limiting the time horizon to 2012 would again make the City non-compliant. The comment is noted, and will be forwarded to the City Council for their consideration, but does not warrant changes to the EIR.

Response 11D

The commenter states that the Draft EIR fails to acknowledge the standards of the Ventura County Municipal Storm Water National Pollution Discharge Elimination System (aka MS-4) Permit which is applicable to development projects. The commenter notes that the City of Ojai is also a "co-permittee" under the MS-4 permit, which requires Low Impact Development (LID) and Best Management Practices (BMPs). The commenter cites provisions of the Permit which indicate that CEQA documents must address storm water quality impacts.

The NPDES permit is discussed in Section 4.8, *Hydrology and Water Quality*, on page 4.8-2. Permit requirements and associated requirements of the Ventura County Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) are also discussed under Impact HYD-3, beginning on page 4.8-8. The City considers storm water quality impacts in CEQA documents, as evidenced by the fact that water quality is specifically addressed in the Draft EIR for the proposed Housing Element. Potential impacts to biological resources are also addressed in the Draft EIR (see Section 4.4, *Biological Resources*).

The following language has been added to Subsection 4.8.1.d, Regulatory Framework, in Section 4.8, *Hydrology and Water Quality*, to address the commenter's suggestion that the EIR include more detail on LID and BMPs:

> In addition, the most recent NPDES permit issued to Ventura County and the 10 cities within Ventura County, including Ojai, requires Low Impact Development (LID) and Best Management Practices (BMPs) that would be applicable to new development and redevelopment projects accommodated under the Housing Element.
>
> LID includes design strategies with the goal of maintaining or replicating the pre-development hydrologic regime through the use of design techniques to create a functionally equivalent hydrologic site design. Hydrologic functions of storage, infiltration and ground water recharge, as well as the volume and frequency of discharges are maintained through the use of integrated and distributed micro-scale storm water retention and detention areas, reduction of impervious surfaces, and the lengthening of runoff flow paths and flow time.
>
> Other strategies include the preservation/protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable (mature) trees, flood plains, woodlands, and highly permeable soils.
>
> BMPs include methods, measures, or practices designed and selected to reduce or eliminate the discharge of pollutants to surface waters from point and nonpoint source discharges including storm water. BMPs include structural and nonstructural controls, and operation and maintenance procedures, which can be applied before, during, and/or after pollution producing activities.

The following language has been added to the Impact HYD-3 discussion in Subsection 4.8.2.b, Project Impacts and Mitigation Measures, in Section 4.8, *Hydrology and Water Quality,* to address the commenter's suggestion that the EIR address new requirements of the Permit:

> Pursuant to the 2009 NPDES Permit, the City of Ojai would be required to implement a Planning and Land Development Program pursuant to part 5.E. for all new development and redevelopment projects to:
>
> a) *Lessen the water quality impacts of development by using smart growth practices such as compact development, directing development towards existing communities via infill or redevelopment, safeguarding of environmentally sensitive areas, mixing of land uses (e.g., homes, offices, and shops), transit accessibility, and better pedestrian and bicycle amenities.*
> b) *Minimize the adverse impacts from storm water runoff on the biological integrity of Natural Drainage Systems and the beneficial uses of water bodies in accordance with requirements under CEQA (Cal. Pub. Resources Code § 21100).*
> c) *Minimize the percentage of effective impervious surfaces on land developments to mimic predevelopment water balance through infiltration, evapotranspiration and reuse.*
> d) *Minimize pollutant loadings from impervious surfaces such as roof-tops, parking lots, and roadways through the use of properly designed, technically appropriate BMPs (including Source Control BMPs such as good housekeeping practices), Low Impact Development Strategies, and Treatment Control BMPs.*
> e) *Properly select, design and maintain Treatment Control BMPs and Hydromodification Control BMPs to address pollutants that are likely to be generated, assure long-term function, and to avoid the breeding of vectors.*
> f) *Prioritize the selection of BMPs suites to remove storm water pollutants, reduce storm water runoff volume, and beneficially reuse storm water to support an integrated approach to protecting water quality and managing water resources in the following order of preference:*
> 1. *Infiltration BMPs*
> 2. *BMPs that store and reuse storm water runoff.*
> 3. *BMPs that incorporate vegetation to promote pollutant removal and runoff volume reduction and integrate multiple uses*
> 4. *BMPs which percolate runoff through engineered soil and allow it to discharge downstream slowly*
> 5. *Approved modular/ proprietary treatment control BMPs that are based on LID concepts and that meet pollution removal goals*

These changes serve to add updated information about the current regulatory setting for stormwater runoff. However, the updated information changes neither the conclusions or impact levels. No further change or response is necessary.

Response 11E

The commenter cites provisions of the MS-4 Permit that indicate that the proposed Housing Element update itself must address new requirements of the Permit. Although this comment does not pertain to the analysis or conclusions of the EIR and as such no further response is

required, it should be noted that the City does plan to address the updated MS-4 permit in the final draft of the 2006-2014 Housing Element.

Response 11F

The commenter states an opinion that the newer MS-4 requirements could constrain the number of units potentially buildable on sites 9 through 11 identified in the Housing Plan, and notes that those sites are near a creek to which project drainage might be directed. This opinion is noted, though it should be recognized that NPDES requirements would not restrict housing development. They merely provide standards with which individual projects would have to comply. Though housing on sites 9 through 11 could direct runoff toward a drainage, compliance with applicable NPDES requirements would reduce any potential impacts to below a level of significance under CEQA.

Response 11G

The commenter reiterates that the EIR should address the new MS-4 Permit requirements. Please see Response 11D above.

Response 11H

The commenter states an opinion that the water availability analysis does not reflect the requirements of an adequate availability assessment under CEQA as it relies on inconsistent data and methodologies, and questions the Draft EIR's reliance on population-based projections for water demand. As noted in Section 4.16, all of the analysis contained in the Draft EIR water supply analysis is based on population-based water demand projections; therefore, although different data sets are available, the analysis relies on a single consistent approach. As discussed on page 4.16-8, population-based demand projections have consistently been higher than historical trends; therefore, using population-based projections of future demand would likely provide a conservative estimate of future demand.

Response 11I

The commenter states an opinion that the 2005 Urban Water Management Plan (UWMP) cited in the Draft EIR is "out of date." The commenter also appears to suggest that the 2005 UWMP must be included or incorporated by reference in the EIR. As the 2005 UWMP is the current UWMP for Golden State Water Company, which supplies potable water within Ojai, it is not considered to be out of date. The UWMP is incorporated by reference and may be viewed at Ojai City Hall, 401 S. Ventura Street in Ojai.

Response 11J

The commenter states an opinion that the Draft EIR does not provide a "good faith effort" to reconcile conflicting analysis or data regarding the conclusion under Impact U-1 that water supply impacts would be less than significant. The commenter further opines that CEQA and state legislation suggest that the analysis must consider both sustained periods of wet weather and dry years in determining the adequacy of Ojai's water supplies, and that the Draft EIR fails to do this.

The opinion regarding the analysis is noted, though it is not clear why the commenter does not believe a "good faith effort" has been made. The analysis in Section 4.16, *Utilities*, considers information from the Golden State Water Company and the Casitas Municipal Water District, the two major water providers in the area. Table 4.16-4 shows projected water supplies for the Golden State Water Company under normal conditions, single dry year conditions, and multiple dry year conditions, consistent with what must be reported in urban water management plans under state law. On page 4.16-4, the analysis acknowledges that a response to the Notice of Preparation (NOP) of a Draft EIR suggested that the Golden State Water Company's projections of water supply are overly optimistic; however, that NOP response did not provide any data to support this contention. As such, in the absence of conflicting data, the Draft EIR analysis properly relies on the available data from the local water providers.

Response 11K

The commenter states an opinion that the Draft EIR determination that traffic impacts within Ojai would be less than significant "appears unsupportable in light of the substantially degraded Levels of Service that may be anticipated throughout the Ojai community…[and that] …Section XV(a), of Appendix 'G' the CEQA Guideline's Environmental Checklist Form suggests a contrary conclusion." Finally, the commenter suggests that the traffic study boundaries is too limited to consider the traffic impacts of the potential senior and demonstration housing projects on local streets and roads such as Creek Road.

The commenter does not provide information or data questioning the traffic analysis, therefore a specific response is not possible. The study-area facilities selected for the traffic analysis represent the backbone circulation system for the City of Ojai. The distribution of the proposed housing sites throughout the City of Ojai would not focus the estimated 1,977 average daily trips to any one specific location. The trips that could be generated by future housing units built pursuant to the proposed Housing Plan would be dispersed throughout the City's circulation system. It should be noted that the proposed Housing Element update is a planning document and the traffic analysis was for the maximum possible buildout under the plan, assuming full development of the potentially facilitated housing units. (It should be noted that future socioeconomic conditions could result in fewer housing units actually being constructed.) As each housing project is proposed, those requiring discretionary approvals would be evaluated further, in addition to being subject to the payment of Ventura County traffic impact fees to be used to alleviate traffic congestion.

Letter 12

From: John Broesamle [mailto:johnbroesamle@sbcglobal.net]
Sent: Sunday, January 17, 2010 11:32 AM
To: Katrina Rice Schmidt
Cc: Jere Kersnar
Subject: Response to draft EIR on housing element

Dear Ms. Rice Schmidt,

Following are my comments on the draft environmental impact report for the general plan housing element update. They are quite brief.

Essentially, I believe that while the draft EIR is grounded on a good deal of flawed and obsolete data, notably regarding the availability of water, it arrives nonetheless at the proper conclusion. In recommending Alternative 3: Existing Units Only, it clearly points in the right direction.

While numerous shortcomings on the matter of water are apparent even to a layperson such as myself, I defer to the expertise of Jim Ruch to evaluate that portion of the EIR. His remarks will be crucial, given that water is the Achilles heel of the City and the valley at large.

Very truly yours,
John Broesamle

Letter 12

COMMENTER: John Broesamle

DATE: January 17, 2010

Response 12

The commenter opines that the Draft EIR is based on flawed and obsolete data, in particular the discussion and analysis of water supplies. As no specific data are provided, a meaningful response is not possible. Please see the responses to Letter 11 above and letters 14 and 15 below regarding water supply. The commenter also states a preference for Alternative 3, Existing Units Only. This preference is noted.

Letter 13

January 3 2010

Comments on the Draft Environmental Impact Report for the 2006-2014 Housing Element Update

A

I read this document with close interest and commend in particular Policy H-8 and H-9 referred to on Page 2-13.

I support the change of the City's Zoning Ordinance for Programs 14, 15 and 16, but am concerned that a cap of 27 emergency shelter beds has been suggested. Use of the winter warming shelter in Ojai suggests a figure of 60 would be more appropriate. B

Throughout the document, the impact of potential development of 281 new housing units has been described as Class III or less than significant, with one major exception, traffic on Highway 33 through Casitas Springs. I suggest that planners should revise traffic density predictions based on the fact that gasoline prices are inevitably rising as resources become scarcer, and this fact will have more effect on reducing car trips than restricting new housing in the future. C

I hope that this document will serve as a reminder to the community that the provision of limited, controlled affordable housing in Ojai will not lead to pollution, congestion and the destruction of Ojai's character and culture. On the contrary, the provision of safe, affordable housing for low-income people will add balance and stability to the community, while fulfilling our state and humanitarian obligations. D

Susan Broidy, Commissioner

Ventura County Area Housing Agency

Letter 13

COMMENTER: Susan, Broidy, Ventura County Area Housing Agency

DATE: January 3, 2010

Response 13A

The commenter states support for proposed Housing Element policies H-8 and H-9. The comment relates to the merits of the proposed project, rather than the analysis or conclusions of the Draft EIR. The comment will be made available to the City Council for consideration in conjunction with the Housing Element adoption process.

Response 13B

The commenter states support for programs 14, 15, and 16, but is concerned with a cap of 27 emergency shelter beds. She suggests a winter warming shelter that would fit 60 beds. The comment relates to the merits of the proposed project, rather than the analysis or conclusions of the Draft EIR. The comment will be made available to the City Council for consideration in conjunction with the Housing Element adoption process.

Response 13C

The commenter suggests that the traffic density predictions be reduced as gasoline prices are rising, which would have the effect of reducing car trips in the future. This comment is noted; however, such an adjustment would be speculative. The project trip generation estimate may be considered to be conservative.

Response 13D

The commenter would like the document to serve as a reminder to the community of the limited provision of controlled affordable housing. The comment relates to City policy considerations, rather than the analysis or conclusions of the Draft EIR. The comment will be made available to the City Council for consideration in conjunction with the Housing Element adoption process.

Letter 14

From: wdmiley@aol.com [mailto:wdmiley@aol.com]
Sent: Tuesday, January 19, 2010 3:30 PM
To: Shari Herbruck
Subject: EIR COMMENTS SCH 2009051106

1/19/10

TO: OJAI CITY PLANNING DEPARTMENT

FROM: BILL MILEY, 919 NO. SIGNAL STREET, OJAI CA 93023

SUBJECT; COMMENTARY AND CRITIQUE OF THE DRAFT EIR FOR THE HOUSING ELEMENT # SCH-2009051106

My first comment relates to the two policy statements printed below.

(p 4.8-8)
The 1987 General Plan Conservation Element includes the following actions aimed at minimizing impacts to the local storm drain system and surface and groundwater quality.
Policy: The City shall ensure that adequate supplies of water be available to all City residents and uses requiring water.

(p4.8-9)
City of Ojai 2006-2014 Housing Element Update EIR
Section 4.8 Hydrology and Water Quality
City of Ojai
(4.8-9)
Policy: The City shall identify the sources and availability of water, flood potential, and sources of potential damage to the City's water supply and quality in order to maintain the optimum quality of water in the City and its watershed.

CONCLUSION:
I do not believe the Draft EIR adequately details the guaranteed sources of water "to ensure that adequate supplies of water..." for the current city population and business/industry section as stated in the above policy, and the proposed Housing Element additions. A

For three reasons:

(1) the GSWC 2005 URBAN WATER MANAGEMENT PLAN - OJAI uses rainfall data to 2004.

As far as I know the city council never officially received and approved this document as they have a right to do. The Document uses rainfall data up through 2004. In 2006 we had 7.5 inches and in 2007 we had 4.5 inches of water. The lowest rainfall ever recorded. Relying on a Water Management Plan that uses rainfall from 2004 backwards is not smart or best practices. The city council should request Golden State Water Company to update their 2005 URBAN WATER MANAGEMENT PLAN, adding the most recent years to the data. In 2008 I spoke with David Todd, who reviews the Urban Water Plans at the State Dept. of Water Resources and he made it clear that the state review was just that... not an approval of what was said. The only review the state does is "does it meet the state laws and regulations" for urban water plans.

The city has the right and probably obligation to make sure the water supply prediction is based on the

latest rainfalls, climate changes and trend lines.

CONCLUSION
THIS WATER MANAGEMENT PLAN MUST BE UPDATED USING RAINFALL DATA AT LEAST THROUGH 2008 TO BE ABLE TO JUDGE WATER SUPPLY AVAILABILITY FOR THE FUTURE. A

(2) "Continued efforts by the OBGMA and GSWC to manage groundwater resources within the Ojai Basin would help maintain the reliability of the water supply." This statement is taken from page 4.16-7.

The efforts to do this are currently ongoing as I understand it but are incomplete. The Council has been told more that several times that the OBGMA does not have a complete picture of the number of wells in the Ojai Basin along with the amount of water pumped annually. I have been present at Housing Element meetings when representatives from the OBGMA explained the increased fee (pumping) which was voted in by members to obtain sufficient funds to employ personnel for such a study which would take at least a year. B

from pages 4.6-6 and 7
"The Ojai Basin Groundwater Management Agency (OBGMA) manages groundwater in the Ojai Basin. For 2009, OBGMA estimates the Ojai Basin is capable of supporting extraction up to 6,000 acre feet provided the watershed experiences an average water year. **This assumption is in question based on rainfall levels through January 2009 (proposed 2006-2014 Housing Element)."**

I have made bold this last sentence as it brings into question Can this basin really support annual extraction up to 6000 acre feet. The evidence in the EIR does not prove that. C
CONCLUSION
No reliable prediction of water supply can be made without having this study completed and factored into the water plan. All the wells draw from the same basin, including the brand new one at the corner of Grand and Park streets.

(**3**) Based on my review of the Utilities and Services section 4.16. no commentary or data was presented on the housing element plans from the County of Ventura's for the Ojai Basin. I believe the county has identified two land sections for RHNA housing. D

CONCLUSION
The absence of the information from the county government is the third reason why this EIR is not adequate.

IN SUMMARY:
The evidence in the EIR does not prove that an adequate supply of water will be available for this planned Housing Element The DRAFT EIR NEEDS:

1. An updated URBAN WATER MANAGEMENT PLAN; E

2. The OBGMA needs to complete and report its ongoing study,

3. Data from the County of Ventura's Housing Element for the Ojai Valley is needed and has to be factored into the basin usage.

Letter 14

COMMENTER: Bill Miley

DATE: January 19, 2010

Response 14A

The commenter quotes adopted City policies regarding adequate water supply and states an opinion that the EIR does not adequately detail the adequate supply of water for existing uses and the proposed Housing Element additions. The commenter further opines that the City should not accept the information in the 2005 Urban Water Management Plan, which should be updated using data through 2008, particularly rainfall data.

The opinions regarding City policies and the adequacy of the 2005 Urban Water Management Plan are noted. The City is concerned about water supplies issues. However, the Draft EIR can only rely on information that is available at the time of its preparation. At this point, the 2005 Urban Water Management Plan (UWMP) is the most recent version of the plan, which is required to be updated every five years. Presumably, the Golden State Water Company will update the UWMP in 2010.

With respect to rainfall data, the Ojai Basin Groundwater Management Agency's 2008 Annual Report provides the following yearly rainfall totals as reported by the Ventura County Watershed Protection District:

2003 – 20.35 inches
2004 – 13.06 inches
2005 – 43.84 inches
2006 – 23.87 inches
2007 – 7.43 inches
2008 – 20.59 inches

Response 14B

The commenter states that the Ojai Basin Groundwater Management Agency does not yet have a complete accounting of the number of wells and the production in the basin, and that a study to determine this information could be complete in approximately one year if and when funding becomes available.

The EIR preparers agree that studies currently underway will provide additional valuable data regarding long-term water supplies in the Ojai Basin. However, given that these studies have not yet been completed, the Draft EIR appropriate relies on the most current information available – namely the Golden State Water Company's Urban Water Management Plan and information from the Casitas Municipal Water District. Based on this available information, there is no evidence to suggest that water supplies would not be adequate to meet demands associated with residential development facilitated by the proposed Housing Element. Also,

It should be recognized that adoption of the Housing Element would not in itself increase water demand in Ojai. Increased water demand would result from future residential developments that could be facilitated by the Housing Element. To address potential water supply issues associated with future residential development, the Housing Element includes the following requirements:

a. *An initial study and requisite environmental documentation shall be prepared to determine the availability of sufficient water resources and roadway capacity to accommodate the project within safe yields and acceptable levels of service.*

b. *In the absence of conclusive evidence that adequate water resources and road capacity are available to accommodate the project, a Water and Traffic Management Plan shall be required for each such project that fully mitigates the impacts upon water and roadway capacity.*

c. *Where resource impacts cannot be mitigated through reasonable and feasible measures, the resulting impact shall be deemed to be significant and unavoidable. In such cases, the project shall either be denied or the City may override the impact, at its discretion, with overriding considerations.*

Implementation of these requirements on new residential development would address water supply impacts associated with future development. Moreover, adoption of the proposed Housing Element (and these requirements) would actually add to the reporting and analysis requirements for water supply impacts as compared to the current Housing Element.

Response 14C

The commenter questions how much extraction the groundwater basin can support, stating an opinion that no reliable prediction of water supply can be made without having a study completed such as the one referenced in Comment 14B. Please see Response 14B. Also, estimates of extraction capabilities for the Ojai Basin are discussed in Section 4.16, *Utilities and Service Systems*, and in Response 15C.

Response 14D

The commenter states an opinion that the absence of relevant comments or information from the County of Ventura renders the Draft EIR inadequate, presumably as it relates to the evaluation of the adequacy of the water supply. The Draft EIR was provided to the County. However, the City cannot compel a County agency or department to comment on the document, nor does the failure of any particular agency or department to comment render the EIR inadequate under CEQA.

Response 14E

The commenter summarizes the preceding comments. Please see the responses to comments 14A through 14D.

Letter 15

Comments on the Draft EIR for the Ojai Housing Element Update

Jim Ruch, 900 Boardman Rd. Ojai, 93023, 646-7796

Thank you for the opportunity to comment on the draft housing element EIR. I agree with the conclusion of the report that, *"Alternative 3, Existing Units Only, is deemed superior overall, since no new development would be facilitated and the significant impacts associated with the proposed project would not occur."* A

As the report points out the significant, unmitigatable, impacts from traffic alone constitute a resource constraint that should dictate only a careful and limited revision to the housing element. B

The report recognizes the potential significance of the impact of new housing development on the limited water resources of the Ojai Valley. However, the report is inadequate in its analysis of the resource constraint posed by that limited water resource, and assumes mitigating measures which do not exist and which would be insufficient in any case. The report should be revised accordingly which would further strengthen the case for selecting "Alternative 3, Existing Units Only."

The water resource analysis is inadequate because it failed to obtain information from the Ojai Basin Groundwater Agency which is responsible for the management and use of Ojai basin groundwater on which the City of Ojai depends, or from any of the mutual water companies who also depend upon that groundwater. The report should be revised to include those contacts and information obtained from them. C

Such a review will reveal two important facts. First, the outdated Golden State Water Urban Water Management Plan on which the report depends is flawed because it assumes no significant future increase in groundwater use by the majority of pumpers. The numbers of new wells and the increased costs of Casitas water show this to be incorrect. Second, studies and projects currently underway in the Ojai Basin are essential for an adequate understanding of the limits on the water that the basin can supply sustainably. Until these efforts are complete and the water resource constraint is clearly defined it is simply inaccurate to conclude that new development is not a significant, unmitigatable impact. D

There are only two sources of water for the city of Ojai. One is the Ojai Groundwater Basin, the other is the Casitas Municipal Water District which has historically provided from 20 to 25 % of the water delivered by Golden State Water Company to Ojai, and on which GSW depends as backup in the event of regularly recurring drought periods. The evaluation in the draft EIR confirms that, contrary to the GSW outdated Urban Water Management Plan, Casitas cannot assure the availability of that water.

The extensive discussion in the report relating to the past situation with the development of Casitas serves to point up the present real uncertainty about the future water supply in the Ventura river watershed. The report's conclusion that the water supply impact of new development is significant, but mitigable, is not borne out by the facts in the report. The report implies that there is some source of imported water to make up the shortfall in the event of overuse or a prolonged drought; however it does not say where that water would come from or what the cost might be. In fact it is questionable that any imported water could be made physically available in the Ojai Valley, and the cost would be unaffordable. E

The report is seriously inadequate in its characterization of a potential mitigating measure for the significant impact caused by new development on water supply. In the first place the mitigating measure is said to apply only to new development under this plan, whereas the conservation measures would have to be applied to all Ojai water users for them to have any significant effect on extending the water supply. Furthermore, such measures are only effective if they are in place and enforceable. Ojai has no ordinance establishing limits on water use, nor does it have the capability in place to enforce such rules. Golden State Water does not have enforceable drought responsive water use restrictions on its customers. The report should be revised to reflect this, and should state that the limited water supply is an unmitigated significant resource constraint until such measures are actually in place and working. F

Again, I appreciate the opportunity to comment, encourage you to make the corrections and additions I have suggested, and hope that the City Council will concur with the report's recommendation of Alternative 3 as "Superior overall".

Letter 15

COMMENTER: Jim Ruch

DATE: Date Unknown

Response 15A

The commenter concurs with the Draft EIR's identification of Alternative 3, Existing Units Only, as the environmentally superior alternative per CEQA. This comment is noted, and will be made available to the City Council for consideration in conjunction with the Housing Element adoption process.

Response 15B

The commenter states an opinion that the identified impacts to traffic and circulation indicate a "resource constraint that should dictate only a careful and limited revision to the housing element." This comment relates to the City Council's future decision on the proposed project, rather than the analysis or conclusions of the Draft EIR. The comment will be made available to the City Council for consideration in conjunction with the Housing Element adoption process.

Response 15C

The commenter states an opinion that the Draft EIR inadequately assesses the resource constraint on new development posed by the available water supply. The commenter further suggests that the water resources discussion in the Draft EIR is inadequate because relevant information from the Ojai Basin Groundwater Management Agency (OBGMA) was not included. The commenter goes on to opine that such information would reveal that the 2005 Golden State Water Urban Water Management Plan, upon which much of the Draft EIR water supply analysis is based, is flawed because it assumes no significant future increase in groundwater use by the majority of pumpers, while the commenter asserts that the number of new wells and the increased costs of Casitas water show this to be incorrect.

Information from the OBGMA is discussed on pages 4.16-4 and 4.16-6 of Section 4.16, *Utilities and Service Systems*. As indicated in Section 4.16, the OBGMA estimates that the Ojai Basin is capable of supporting extraction up to 6,000 acre-feet of water in an average year. However, the discussion also acknowledges that this assumption is in question based on rainfall levels through January 2009.

Based on the Golden State Water Company's 2005 Urban Water Management Plan, the Draft EIR analysis assumes that the current 5,000 acre-feet per year extraction from the Ojai Basin will grow to 5,730 acre-feet by 2030 (see Table 4.16-9). This represents a 14.6% increase. In addition, the analysis conservatively adds all water demand associated with new residential development facilitated by the proposed Housing Element to the 2030 total, bringing the overall demand estimate to 5,847 acre-feet per year, a 16.9% increase over current demand (adding Housing Element demand to the future 2030 demand estimate is conservative because, in reality, the 2030 estimate accounts for housing growth in Ojai). Because even this

conservatively high estimate of future demand remains within the 6,000 acre-foot estimate of extraction capability, impacts were found not to be significant.

It should also be noted that the water demand calculated in the Draft EIR assumes full buildout of the residences facilitated by the proposed Housing Element. In reality, all of the units may not be built and whatever units are built would be added over a period of time, possibly stretching to many years. Also, please see Response 14B for programs included in the proposed Housing Element to address future water supply concerns.

Response 15D

The commenter states an opinion that groundwater and water extraction studies and projects currently underway in the Ojai Basin must be completed before the Draft EIR can reflect "an adequate understanding of the limits on the water that the basin can supply sustainably." The EIR preparers agree that studies currently underway will provide additional valuable data regarding long-term water supplies in the Ojai Basin. However, given that these studies have not yet been completed, the Draft EIR appropriate relies on the most current information available – namely the Golden State Water Company's Urban Water Management Plan and information from the Casitas Municipal Water District. Based on this available information, there is no evidence to suggest that water supplies would not be adequate to meet demands associated with residential development facilitated by the proposed Housing Element. Also, please see Response 14B for a discussion of Housing Element programs intended to address future water supply concerns as individual residential projects are proposed.

Response 15E

The commenter suggests that the Draft EIR identifies water supply impacts as "significant but mitigable" and that the water supply analysis "implies that there is some source of imported water to make up the shortfall in the event of overuse or a prolonged drought." In actuality, the Draft EIR does not identify water supply impacts as significant. As such, Measure U-1 is recommended to minimize water demand associated with new residential development, but is not required to mitigate an impact of the project to below a level of significance. It is not clear how the commenter believes the analysis implies that imported water will be available to make up for future water shortfalls. The conclusion that water supply impacts would not be significant is based on local water supplies, as reported by the Golden State Water Company.

Response 15F

The commenter questions the effectiveness of Mitigation Measure U-1, which calls for the City to adopt a Water Conservation Plan that outlines approaches to minimize water demand for new housing. The commenter questions this measure's potential effectiveness on the grounds that 1) the measure would apply only to new development, and 2) such measures are only effective if they are in place and enforceable, and Ojai has no ordinance establishing limits on water use or the capability in place to enforce such rules.

Because significant impacts to water supply have not been identified, Measure U-1 is not required to address a significant impact of the proposed Housing Element. Nevertheless, if the measure is adopted as part of the EIR, it would become a requirement for new residential

development approved under the guise of the Housing Element. Although forecast water supply impacts are not significant, implementation of Measure U-1 would further reduce water demand associated with new residential development in the City. As the commenter notes, retrofit of existing residences with the features prescribed in Measure U-1 would further reduce citywide water demand. It is not, however, the purpose of the EIR to address existing conditions. Rather, the purpose is to address the impacts of the proposed project – in this case, new residential development facilitated by the proposed Housing Element. That said, City decisionmakers may consider adopting a retrofit program that would apply to existing residences.

Letter 16

pg 1 of 2

PLANNING DEPT
JAN 19 '10
RECEIVED CITY OF OJAI

to: City of Ojai planning
From: Stan Greene
806 N. Montgomery St Ojai Ca.

Subject Response to Draft EIR on the General plan Housing element.

- AT ISSUE is the availability of water to support the increase in housing's impact on the water supply for the City.

- the EIR seems to conclude that there is no significant impact on the water resources of the Community. the this conclusion may be based upon outdated or erroneous assumptions in available reports. A

The Golden state water Co. Report considers that the information on availability from OBGMA was overly optimistic as a high rainfall period was used and projected erroneously into the future. this old report is presently being updated.

the GSW Co Report also bases its projected supply on the assumption that any supply shortfall will be made up by water from the Casitas. water district supply. there is no evidence that Casitas has the water to do that nor is there any committment by Casitas to supply such water. B

the EIR also admits there is no evidence of sufficient water supply to mitigate the impacts of projected growth I suggests that programs or plans be implemented C

to mitigate impacts on both water and traffic in the Future when projects are proposed and if such future plans cannot mitigate the impacts then the option of the City to write overriding Considerations is a possible way forward. the other option is to deny the project which might violate the General plan. C contd

putting off mitigation to some future plan and not in the present Element EIR is a violation of CEQA. Overriding consideration in lieu of mitigation would violate the Housing Element which is based upon mitigation in the Future. A General plan amendment would be needed and State approval of the revised element would be required. D

Conclusions reached on water impacts are based upon outdated reports, unsupported assumptions about supply, no consideration about use in the region ie Unincorporated areas of the valley, projected changes in diversions and on long range effects of Global warming. E

Stan Greene

Letter 16

COMMENTER: Stan Greene

DATE: Date Unknown (Received January 19, 2010)

Response 16A

The commenter states an opinion that the Draft EIR's conclusions regarding the impact to water supply is based on outdated or erroneous assumptions. The commenter further opines that the updated information would be preferable as water supply estimates were based on projections using high-rainfall years. Please refer to the responses to Letter 14, above.

Response 16B

The commenter states an opinion that there is no evidence that the Casitas Water District can make up for supply shortfalls, and that there is no commitment from the District to do so. Please see the relevant responses to letters 11, 14 and 15 above.

Response 16C

The commenter suggests that programs or plans be implemented to mitigate water and traffic impacts related to future growth, and if such plans cannot mitigate these impacts, then the City could adopt a statement of overriding considerations. The commenter further states an opinion that the proposed project could be denied, which "might violate the General Plan." These comments are noted, and will be forwarded to the City Council for their consideration, but do not warrant changes to the EIR.

Response 16D

The commenter states an opinion that putting off mitigation to a future plan and not including it in the EIR is a violation of CEQA; that adopting overriding considerations in lieu of mitigation would violate the Housing Element; and that a General Plan amendment and state approval of a revised Housing Element would be required. These comments are noted, and will be forwarded to the City Council for their consideration, but as no specific information pertinent to the environmental analysis is provided, do not warrant changes to the EIR. It should be noted that mitigation for the less-than-significant impacts to water supply is included in Section 4.16 *Utilities and Service Systems*, and mitigation measures for the significant and unavoidable impacts to traffic are included in Section 4.15 *Traffic and Circulation*.

Response 16E

The commenter reiterates the opinion that the Draft EIR's conclusions regarding the impact to water supply is based on outdated reports, and further opines that future water use and projects in the Ojai Valley as well as global warming impacts on water supply were not considered. Please see the relevant responses to letters 11, 14 and 15 above. Regarding the effects of global warming on water supply, please refer to Page 5-5 of the Draft EIR, which includes a discussion of the potential impact of global climate change on water supply. As

noted in that discussion, uncertainty remains with respect to the overall impact of global climate change on future water supplies in California. Studies have found that, "considerable uncertainty about precise impacts of climate change on California hydrology and water resources will remain, until we have more precise and consistent information about how precipitation patterns, timing, and intensity will change" (Climate Change and California Water Resources). For example, some studies identify little change in total annual precipitation in projections for California (California Climate Change Center [CCCC], 2006). Other studies show significantly more precipitation (Climate Change and California Water Resources [(DWR 2006)]). Thus any conclusions regarding the potential effect on water supply in the EIR would be speculative. The water supply analysis is primarily based on the 2005 UWMP, which is the most recent version of the plan, which is required to be updated every five years. Presumably, the Golden State Water Company will update the UWMP in 2010; if so, this update may consider new information related to global climate change and its effect on water supply.

Appendix A

Notice of Preparation (NOP) and Responses to the NOP

City of Ojai
Community Development Department
401 South Ventura Street
P.O. Box 1570
Ojai, CA 93024
T: 805.640-2555
F: 805.640-1136

www.ci.ojai.ca.us

Notice of Preparation

TO: State Clearinghouse, Responsible Agencies & Interested Parties

SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT for the **PROPOSED 2006-2014 GENERAL PLAN HOUSING ELEMENT UPDATE**

NOTICE IS HEREBY GIVEN that the City of Ojai will be the Lead Agency and will prepare an environmental impact report for the project described below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. An Initial Study will not be prepared as part of the scoping process or the EIR, as the EIR will address all of the environmental issue areas listed in the City's Initial Study Checklist.

The proposed 2006-2014 Housing Element may be reviewed at Ojai City Hall, 401 South Ventura Street in Ojai, or a copy can be requested by contacting the Community Development Department at (805) 640-2555.

Your response must be sent at the earliest possible date, but not later than the close of the 30-day Notice or Preparation comment period on June 26, 2009. Please send your response to Katrina Rice Schmidt, AICP, City Planner, at the address shown above. We will need the name of a contact person in your agency.

Project Title/File No.: 2006-2014 General Plan Housing Element Update / Case # GPA 07-02

Project Location: Citywide. Ojai is located in the Ojai Valley in northwest Ventura County, approximately 12 miles north of the City of San Buenaventura. Ojai is accessible from Highway 33, which extends north from Highway 101 in Ventura, and Highway 150, which connects to the west with Highway 101 and to the east with Highway 126.

Project Sponsor: City of Ojai, 401 South Ventura Street (P.O. Box 1570), Ojai, CA 93024

Project Description: The proposed project involves an update to Housing Element of the City of Ojai's General Plan. The proposed Housing Element establishes programs, policies and actions to generally further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014.

The EIR will focus on the proposed Housing Plan of the 2006-2014 Housing Element, and in particular two primary components of the Housing Plan: 1) address housing needs through the existing housing stock; and 2) identify sites sufficient to accommodate housing needs for the balance of goals not achieved through existing housing. Through these approaches the City plans to meet the City's Regional Housing Needs Assessment target of 427 housing units. These programs will be the focus of the EIR analysis because they have the potential to result in impacts to the environment.

Implementation of the proposed 2006-2014 Housing Element anticipates the construction of 281 new housing units. Of these, approximately one-half (136 units) consist of single and multiple family units that are already programmed by operation of the City's Growth Management Ordinance. The balance (145 of the 281 units) would be accomplished through two groups of programs:

- Focused Development. 114 units would be developed with direct City involvement in Senior Housing and Demonstration Projects. Potential sites have been identified for the Senior Housing and Demonstration Projects; these projects would require discretionary review by the City, including environmental review pursuant to

CEQA, when sites are finalized and project proposals are ready to be brought forward.

- Scattered Development. 31 units would be constructed primarily by individual property owners. These would be largely facilitated by adjustments in ordinance requirements; various exemptions from growth management regulations and other regulatory requirements; and incentive programs and other strategies contained in the Housing Plan as described above. These units could be developed on suitable parcels throughout the City's residential, VMU and Commercial zone districts.

Scoping Meeting: The City of Ojai, in its role as Lead Agency, will hold a public scoping meeting to allow an opportunity for the public and representatives of public agencies to provide input on the scope of the Environmental Impact Report. **The Scoping Meeting is scheduled for 2:00 p.m. on June 8th, 2009 at City Council Chambers, Ojai City Hall, 401 South Ventura Street in Ojai.**

Consulting firm retained to prepare draft EIR (if applicable):

Firm Name: Rincon Consultants, Inc.

Address: 790 East Santa Clara Street, Ventura CA 93001

Contact: Abe Leider, AICP

Date: 5/27/2009 **Signature:** Katrina Rice Schmidt

Katrina Rice Schmidt, AICP

Title: City Planner

Phone: (805) 640-2555

State Clearinghouse Reviewing Agencies Checklist:

____	Air Resources Board
____	Boating & Waterways, Department of
____	California Highway Patrol
X	Caltrans District #7
____	Caltrans Division of Aeronautics
____	Caltrans Planning (Headquarters)
____	Coachella Valley Mountains Conservancy
____	Coastal Commission
____	Colorado River Board
____	Conservation, Department of
____	Corrections, Department of
____	Delta Protection Commission
____	Education, Department of
____	Energy Commission
____	Fish & Game Region # ____
____	Food & Agriculture, Department of
____	Forestry & Fire Protection
____	General Services, Department of
____	Health Services, Department of
X	Housing & Community Development
____	Integrated Waste Management Board
X	Native American Heritage Commission
____	Office of Emergency Services
X	Office of Historic Preservation
____	Office of Public School Construction
____	Parks & Recreation
____	Pesticide Regulation, Department of
____	Public Utilities Commission
____	Reclamation Board
____	Regional WQCB # ____
____	Resources Agency
____	S.F. Bay Conservation & Development Commission
____	San Gabriel & Lower L.A. Rivers and Mtns Conservancy
____	San Joaquin River Conservancy
____	Santa Monica Mountains Conservancy
____	State Lands Commission
____	SWRCB: Clean Water Grants
____	SWRCB: Water Quality
____	SWRCB: Water Rights
____	Tahoe Regional Planning Agency
____	Toxic Substances Control, Department of
X	Water Resources, Department of
____	Other ____
____	Other ____

STATE OF CALIFORNIA Arnold Schwarzenegger, *Governor*

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax

June 4, 2009

PLANNING DEPT
JUN 0 9 '09
RECEIVED
CITY OF OJAI

Katrina Rice Schmidt
City of Ojai
401 S. Ventura Street
P.O. Box 1570
Ojai, CA 93024

RE: SCH#2009051106 2006-2014 General Plan Housing Element Update: Ventura County.

Dear Ms. Rice Schmidt:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
  - A Sacred Lands File Check. **USGS 7.5 minute quadrangle name, township, range and section required.**
  - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached.**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
  - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez

Katy Sanchez
Program Analyst
(916) 653-4040

CC: State Clearinghouse

Native American Contact
Ventura County
June 4, 2009

Charles Cooke
32835 Santiago Road
Acton , CA 93510

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suscol@intox.net

Chumash
Fernandeno
Tataviam
Kitanemuk

Stephen William Miller
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Chumash

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Chumash
Tataviam
Fe†rnandeño

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Fernandeño
Tataviam
Shoshone Paiute
Yaqui

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Chumash

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Chumash

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(805) 216-1253 Cell

Chumash

Richard Angulo
P.O. Box 182
Salome , AZ 85348

Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2009051106 2006-2014 General Plan Housing Element Update; Ventura County.

Native American Contact
Ventura County
June 4, 2009

Carol A. Pulido
165 Mountainview Street
Oak View , CA 93022
805-649-2743 (Home)
Chumash

Owl Clan
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Chumash

Melissa M. Para-Hernandez
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Oxnard , CA 93030
805-988-9171
Chumash

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(805) 835-2382 - CELL
Chumash

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Chumash

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
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varmenta@santaynezchumash.org
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(805) 686-9578 Fax
Chumash

Coastal Band of the Chumash Nation
Janet Garcia,Chairperson
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Santa Barbara , CA 93140
805-964-3447
Chumash

Santa Ynez Band of Mission Indians
Sam Cohen, Tribal Administrator
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Santa Ynez , CA 93460
(805) 688-7997
(805) 686-9578 Fax
Chumash

This list is current only as of the date of this document.

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2009051106 2006-2014 General Plan Housing Element Update; Ventura County.

Native American Contact
Ventura County
June 4, 2009

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365 Chumash
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2009051106 2006-2014 General Plan Housing Element Update; Ventura County.

SOUTHERN CALIFORNIA

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Energy & Environment
Keith Hanks, Azusa

Transportation
Mike Ten, South Pasadena

June 11, 2009

Ms. Katrina Rice Schmidt
City Planner
City of Ojai
Community Development Department
401 South Ventura Street
P.O. Box 1570
Ojai, CA 93024
schmidt@ci.ojai.ca.us

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Proposed 2006-2014 General Plan Housing Element Update [SCAG No. I20090366]

Dear Ms. Schmidt,

Thank you for submitting the **Notice of Preparation of a Draft Environmental Impact Report for the Proposed 2006-2014 General Plan Housing Element Update [SCAG No. I20090366]** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impact Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project is an update to the Housing Element of the City of Ojai's General Plan. The proposed Housing Element establishes programs, polices and actions to generally further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014.

Policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Visioning (CGV) that may be applicable to your project are outlined in the attachment. The RTP, CGV, and table of policies can be found on the SCAG web site at: http://scag.ca.gov/igr. For ease of review, we would encourage you to use a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format (example attached).

The attached policies are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. **Please provide a minimum of 45 days for SCAG to review the Draft EIR and associated plans when these documents are available.** If you have any questions regarding the attached comments, please contact Bernard Lee at (213) 236-1800 or leeb@scag.ca.gov. Thank you.

Sincerely,

Jacob Lieb, Manager
Assessment, Housing & EIR

DOCS# 152126

COMMENTS ON THE NOTICE OF PREPARTION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED 2006-2014 GENERAL PLAN HOUSING ELEMENT UPDATE – SCAG NO. I20090366

PROJECT LOCATION

The project is located citywide. Ojai is located in the Ojai Valley in northwest Ventura County, approximately 12 miles north of the City of San Buenaventura. Ojai is accessible from Highway 33, which extends north from Highway 101 in Ventura, and Highway 150, which connects to the west with Highway 101 and to the east with Highway 126.

PROJECT DESCRIPTION

The proposed project is an update to the Housing Element of the City of Ojai's General Plan. The proposed Housing Element establishes programs, polices and actions to generally further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014.

The EIR will focus on the proposed Housing Plan of the 2006-2014 Housing Element, and in particular two primary components of the Housing Plan: 1) address housing needs through the existing housing stock; and 2) identify sites sufficient to accommodate housing needs for the balance of goals not achieved through existing housing. Through these approaches the City plans to meet the City's Regional Housing Needs Assessment target of 427 housing units. These programs will be the focus of the EIR analysis because they have the potential to result in impacts to the environment.

Implementation of the proposed 2006-2014 Housing Element anticipates the construction of 281 new housing units. Of these, approximately one-half (136 units) consist of single and multiple family units that are already programmed by operation of the City's Growth Management Ordinance. The balance (145 of the 281 units) would be accomplished through two groups of programs:

- Focused Development. One hundred fourteen units would be developed with direct City involvement in Senior Housing and Demonstration Projects. Potential sites have been identified for the Senior Housing and Demonstration Projects; these projects would require discretionary review by the City, including environmental review pursuant to CEQA, when sites are finalized and project proposals are ready to be brought forward.
- Scattered Development. Thirty-one units would be constructed primarily by individual property owners. These would be largely facilitated by adjustments in ordinance requirements; various exemptions from growth management regulations and other regulatory requirements; and incentive programs and other strategies contained in the Housing Plan as described above. These units could be developed on suitable parcels throughout the City's residential, VMU and Commercial zone districts.

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The DEIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and city are as follows:

Adopted SCAG Regionwide Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted VCOG Subregion Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	860,606	900,355	937,372	968,698	996,106	1,013,756
Households	275,117	290,996	302,949	312,925	321,782	330,189
Employment	373,444	395,936	416,936	434,937	449,937	463,227

Adopted City of Ojai Forecasts[1]

	2010	2015	2020	2025	2030	2035
Population	8,660	9,108	9,584	9,987	10,339	10,566
Households	3,408	3,667	3,881	4,059	4,218	4,368
Employment	6,677	7,139	7,560	7,920	8,220	8,486

1. The 2008 RTP growth forecast at the regional, subregional, and city level was adopted by the Regional Council in May 2008. City totals are the sum of small area data and should be used for advisory purposes only.

The **2008 Regional Transportation Plan (RTP)** also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

RTP G1 *Maximize mobility and accessibility for all people and goods in the region.*
RTP G2 *Ensure travel safety and reliability for all people and goods in the region.*
RTP G3 *Preserve and ensure a sustainable regional transportation system.*
RTP G4 *Maximize the productivity of our transportation system.*
RTP G5 *Protect the environment, improve air quality and promote energy efficiency.*
RTP G6 *Encourage land use and growth patterns that complement our transportation investments.*
RTP G7 *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies intended to achieve this goal.

Principle 1: Improve mobility for all residents.

GV P1.1 *Encourage transportation investments and land use decisions that are mutually supportive.*
GV P1.2 *Locate new housing near existing jobs and new jobs near existing housing.*
GV P1.3 *Encourage transit-oriented development.*
GV P1.4 *Promote a variety of travel choices*

Principle 2: Foster livability in all communities.

GV P2.1 *Promote infill development and redevelopment to revitalize existing communities.*
GV P2.2 *Promote developments, which provide a mix of uses.*
GV P2.3 *Promote "people scaled," walkable communities.*
GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

Principle 3: Enable prosperity for all people.

GV P3.1 *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
GV P3.2 *Support educational opportunities that promote balanced growth.*
GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
GV P3.5 *Encourage civic engagement.*

Principle 4: Promote sustainability for future generations.

GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
GV P4.2 *Focus development in urban centers and existing cities.*
GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
GV P4.4 *Utilize "green" development techniques*

CONCLUSION

As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. Refer to the SCAG List of Mitigation Measures for additional guidance.
The list can be found at: http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

SUGGESTED SIDE BY SIDE FORMAT - COMPARISON TABLE OF SCAG POLICIES

For ease of review, we would encourage the use of a side-by-side comparison of all SCAG policies with a discussion of the consistency, non-consistency or not applicable of the policy and supportive analysis in a table format. All policies and goals must be evaluated as to impacts. Suggested format is as follows:

The complete table can be found at: http://www.scag.ca.gov/igr/

- Click on ***"Demonstrating Your Project's Consistency With SCAG Policies"***
- Scroll down to ***"Table of SCAG Policies for IGR"***

SCAG Regional Transportation Plan Goals and Compass Growth Visioning Principles		
Regional Transportation Plan Goals		
Goal/ Principle Number	**Policy Text**	**Statement of Consistency, Non-Consistency, or Not Applicable**
RTP G1	Maximize mobility and accessibility for all people and goods in the region.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
RTP G2	Ensure travel safety and reliability for all people and goods in the region.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
RTP G3	Preserve and ensure a sustainable regional transportation system.	***Consistent:*** *Statement as to why* ***Not-Consistent:*** *Statement as to why* *or* ***Not Applicable:*** *Statement as to why*
Etc.	Etc.	Etc.

RESOURCE MANAGEMENT AGENCY

county of ventura

Planning Division
Kimberly L. Rodriguez
Director

June 26, 2009

City of Ojai
Community Development Dept.
401 South Ventura Street
P.O. Box 1570
Ojai, CA 93024
Attn.: Katrina Rice Schmidt

E-mail: schmidt@ci.ojai.ca.us

Subject: Comments on NOP of a DEIR for the Proposed 2006-2014 General Plan Housing Element Update

Dear Ms. Schmidt:

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

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Laura Hocking, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Laura Hocking at (805) 654-2443.

Sincerely,

Tricia Maier, Manager
Program Administration Section

Attachment

County RMA Reference Number 09-030

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

Printed on Recycled Paper

PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division

M E M O R A N D U M

DATE: June 16, 2009

TO: RMA – Planning Division
Attention: Laura Hocking

FROM: Nazir Lalani, Deputy Director

SUBJECT: REVIEW OF DOCUMENT 09-030
Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the proposed 2006-2014 General Plan Housing Element Update for the City of Ojai.
The project is located citywide. (city)
Lead Agency: **City of Ojai**

Pursuant to your request, the Public Works Agency -- Transportation Department has reviewed the NOP of a Draft EIR for the City of Ojai Proposed 2006-2014 General Plan Housing Element Update. The proposed project involves of an update to Housing Element of the City of Ojai's General Plan. The proposed Housing Element establishes programs, policies and actions to generally further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014. The EIR will focus in particular on two primary components of the Plan: 1) address housing needs through the existing housing stock; and 2) identify sites sufficient to accommodate housing needs for the balance of goals not achieved through existing housing. Through these approaches the City plans to meet the City's Regional Housing Needs Assessment target of 427 housing units. These programs will be the focus of the EIR analysis because they have the potential to result in impacts to the environment. Implementation anticipates the construction of 281 new housing units. Of these, approximately one-half (136 units) consist of single and multiple family units that are already programmed by operation of the City's Growth Management Ordinance. The balance (145 of the 281 units) would be accomplished through two groups of programs: Focused Development (114 units developed with direct City involvement in Senior Housing) and Scattered Development (31 units constructed primarily by individual property owners). The project is located citywide.

Our comments are as follows:

1. We generally concur with the comments in the NOP of a Draft EIR for those areas under the purview of the Transportation Department.

2. The NOP indicates that this project would generate additional traffic. Therefore, the EIR shall evaluate the potential traffic impacts of future specific housing developments on SR 33. According to adopted County policies, if a project adds one or more AM southbound or PM

northbound peak-hour traffic to SR 33 between the northerly end of the Ojai freeway and the City of Ojai limits, the project is considered as contributing a significant cumulative impact on SR 33, which is inconsistent with the County's General Plan and Ojai Valley Area Plan transportation policies.

3. Any future specific housing development shall have mitigation measures for the cumulative impact of traffic on Ventura County Road Network. If the cumulative impact of the project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County is potentially significant, a condition for paying the County Traffic Impact Mitigation Fee to the County shall be included.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

Please contact me at 654-2080 if you have questions.

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RESOURCE MANAGEMENT AGENCY

county of ventura

Planning Division
Kimberly L. Rodriguez
Director

July 8, 2009

City of Ojai
Community Development Dept.
401 South Ventura Street
P.O. Box 1570
Ojai, CA 93024
Attn.: Katrina Rice Schmidt

E-mail: schmidt@ci.ojai.ca.us

Subject: Comments on NOP of a DEIR for the Proposed 2006-2014 General Plan Housing Element Update

Dear Ms. Schmidt:

Recently I addressed a letter to your attention that included comments from Ventura County agencies in regard to the above project and environmental document. Please accept this late, additional agency comment. We apologize for any inconvenience.

As stated in our previous letter, your proposed responses to these comments should be sent directly to the commenter, with a copy to Laura Hocking, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Laura Hocking at (805) 654-2443.

Sincerely,

Tricia Maier, Manager
Program Administration Section

Attachment

County RMA Reference Number 09-030

VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009
Larry Tanouye – Permit Manager – (805) 654-2061

DATE: July 1, 2009

TO: Laura Hocking – Case Planner

FROM: Robin Jester for Larry Tanouye

SUBJECT: RMA 09-030, NOP OF A DRAFT EIR FOR THE PROPOSED CITY OF OJAI 2006 – 2014 GENERAL PLAN HOUSING ELEMENT UPDATE (CASE NO.GPA 07-02)

The Watershed Protection District (District) has reviewed the Notice of Preparation (NOP) of a Draft Environmental Environmental Impact Report (EIR) for the proposed 2006-2014 General Plan Housing Element Update and our comments are as follows:

PLANNING AND REGULATORY

The District has regulatory jurisdiction on a number of channels within the current city boundary for the City of Ojai including San Antonio Creek, Stewart Canyon, Fox Canyon, Thacher Creek, McNell Creek, and East Ojai Drain. The District's regulatory jurisdiction through FC-18 as amended provides the District with permitting authority for any changes in, on, over, under and across the channels and overbank areas and for any acts that impair, divert, impede, or alter the channel or change the quantity or quality of the water reaching a District jurisdictional channel. In addition, the District has constructed facilities in many areas on the above mentioned channels and has property rights in a number of areas as well. It should also be noted that construction of some of the facilities dates back 30 to 40 years or more and that some of the facilities are deficient as to capacity or are nearing the end of their useful life and could require repair or replacement. The District is engaged in planning efforts to identify and quantify deficiencies in it's infrastructure.

The EIR should include a discussion of the various areas that are being identified as possible areas of growth and include mapping that shows the District's red-line channels and their proximity to the proposed development. If the development is not directly adjacent to the District's facilities, the EIR should still illustrate and describe the existing City infrastructure and include a discussion on whether the existing infrastructure is sufficient to support the expected growth. The discussion should include the age and condition of any existing facilities, both District and City, and discuss if upgrades, repair or replacement of facilities is required. The discussion and exhibits should also show the locations and types of facilities and pipelines along with the paths of any proposed

additional facilities as well as showing the current property rights. It should be pointed out that the District's red-line channels and facilities are closely linked to flood plains as well as water quality standards and NPDES. Permits are required from the District for anything in, on, over, under and across a jurisdictional channel. Other areas of concern for the District include addressing the sufficiency of existing District rights-of-way versus proposed infrastructure, addressing any proposed joint use of District facilities for recreational purposes and insuring sufficient rights-of-way, and addressing site specific and cumulative drainage issues that could impact District red-line channels. The District will be able to provide more directed comments once the Draft EIR is circulated for review and comment.

End of Text

PLANNING
DEPT

JUN 0 2 '09

RECEIVED
CITY OF OJAI

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Katrina Rice Schmidt, AICP, City of Ojai DATE: June 2, 2009

FROM: Alicia Stratton AS

SUBJECT: Request for Review of Notice of Preparation for an Environmental Impact Report for the Proposed 2006-2014 General Plan Housing Element Update, (City of Ojai)

Air Pollution Control District staff has reviewed the subject notice of preparation of an environmental impact report (EIR), to address a proposal for an update to the Housing Element of the city of Ojai's General Plan. The proposed Housing element establishes programs, policies and actions to generally further the goal of meeting the existing and projected housing needs of all family income levels of the community, and specifically to provide evidence of the City's ability to meet the City's regional fair share of housing needs through the year 2014.

We recommend the EIR be prepared in accordance with the 2003 *Ventura County Air Quality Assessment Guidelines* (2003 Guidelines). Specifically, the air quality assessment should consider reactive organic compound and nitrogen oxide emissions from all project-related motor vehicles and construction equipment related to any future project build-out resulting from the Housing Element requirements. We realize impacts would be determined on a project-by-project basis as future development applications are submitted. The EIR should also address Project consistency with the Ventura County Air Quality Management Plan and should also contain a discussion of the project's potential contribution to global climate change.

If project-related air quality impacts are deemed significant, appropriate mitigation measures should be identified and included in the environmental impact report.

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

From: James Ruch [mailto:jimruch1@gmail.com]
Sent: Tuesday, June 23, 2009 3:27 PM
To: Katrina Rice Schmidt
Subject: Housing Element EIR Scoping comment

Hi, here is a copy of my e-mail official response e-mail to Jere Kersnar regarding the housing element EIR

Jere,

Thanks for the opportunity to make a presentation to the scoping meeting for the EIR on the proposed housing element, and particularly thanks for deciding to make it a full environmental impact report rather than a shortcut process. Both your EIR contractor and Tom Figg expressed strong support for that decision on the part of the City Council and yourself, pointing out that it was a clear recognition of the special values and limited resources of the Ojai Valley and the significance of the potential impacts on those values and resources.

I believe that your EIR contractor and his staff took full note of my comments regarding the potential water resource limitations in the Ojai Valley and the Ventura River watershed. I understand that this EIR will not initiate any new studies related to water supply and demand and will rely on the compilation of existing information. However I must reiterate the importance of carefully checking and confirming the validity of information gathered in this way. I am particularly concerned about accepting as valid the statements that have been made by the Golden State Water Company implying that they will supply water to however many homes or customers are built in Ojai. GSW has implied that Casitas will make available to them any additional water they need in the future. This is inconsistent with statements made by Casitas and by Ventura County. The figures that GSW has used in the past have been based on the false assumption that they will increase the amount of water pumped in the future from the Ojai Basin, but that other user and agricultural demand will not grow. This is not accurate. Any assertion that they will be able to supply additional water must include precise information on where that water will come from and how much it will cost.

The EIR should reflect the current progress in planning for the Ventura River watershed, and the present level of uncertainty about the future water supply, as well as the impacts of such things as the Matilija Dam removal, increasing flows for steelhead, the recently issued Ventura County stormwater management permit, and a variety of water quality studies including the VCIALG program and algae TMDL studies in the Ventura River.

Hopefully, as a result of your efforts, we will be better able to judge the impact of proposed measures in response to the RHNA process to significantly accelerate growth in Ojai.

And, speaking of which, I understand that the City has received a response from HCD on the proposed housing element. I would be very interested in seeing a copy. How soon will it be available?

And, finally, please give me a more precise date for the release of the Draft EIR for public review. At the meeting we were told, sometime this summer, which is not very helpful for planning purposes.

Jim Ruch

From: John Broesamle [mailto:johnbroesamle@sbcglobal.net]
Sent: Wednesday, June 24, 2009 10:04 AM
To: Katrina Rice Schmidt
Subject: Re: Queries re the RHNA EIR process

Hello, Katrina,

Many thanks for responding to my questions and clarifying the points raised in my earlier email.

I am providing below a written restatement of and elaboration on points I made verbally at the scoping meeting of June 8. This will constitute my formal written submission. With a single exception, I leave the issue of water and water management to more informed respondents, in particular Jim Ruch.

The exception is this. The June 8 preview stresssed that "hydrology and water quality" would be taken under review. I would hope this broad category also includes the critical element of availability.

On the eighth I addressed the issue of traffic, emphasizing that it is a historic problem in the Ojai Valley and that--the valley being a cul-de-sac--absent jobs here new residents will be driving in and out each day. What evidence is at hand as to job availability in Ojai going forward?

I further stressed air quality, likewise already a problem. I argued for evaluation according to CEQA-mandated worst case scenario/most health-protective standard for toxic emissions standards.

i stressed that many of the issues the EIR will take up, notably traffic and air quality, interface. (I believe there is a CEQA category for this, implying magnification of impacts through their combination.)

Finally, I spoke to the necessity of examining the social and cultural impacts of the RHNA mandate--that Ojai is a small town in a small valley, with a village atmosphere and a historic nature that are unique and that must be protected.

Again, I trust that the concerns I raise above will be fully addressed in the EIR process.

I would appreciate, since this is a formal submission, your acknowledgment that it has been received.

With thanks in advance,
John

Appendix B

Greenhouse Gas Emissions Data

9/7/2012 8:58:35 AM

Area Source Unmitigated Detail Report:

AREA SOURCE EMISSION ESTIMATES Annual Tons Per Year, Unmitigated

Source	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
Natural Gas	0.02	0.28	0.12	0.00	0.00	0.00	353.16
Hearth	1.24	0.09	4.90	0.01	0.78	0.75	123.86
Landscape	0.02	0.00	0.28	0.00	0.00	0.00	0.51
Consumer Products	1.79						
Architectural Coatings	0.25						
TOTALS (tons/year, unmitigated)	3.32	0.37	5.30	0.01	0.78	0.75	477.53

Area Source Changes to Defaults

Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Annual Tons Per Year, Unmitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Apartments low rise	1.36	1.45	14.83	0.02	2.79	0.53	1,529.70
Congregate care (Assisted Living) Facility	0.25	0.24	2.48	0.00	0.47	0.09	255.46
TOTALS (tons/year, unmitigated)	1.61	1.69	17.31	0.02	3.26	0.62	1,785.16

Operational Settings:

Does not include correction for passby trips

Does not include double counting adjustment for internal trips

9/7/2012 8:58:35 AM

Analysis Year: 2014 Season: Annual

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Apartments low rise	9.44	6.90	dwelling units	151.00	1,041.90	8,907.93
Congregate care (Assisted Living) Facility	3.12	3.48	dwelling units	50.00	174.00	1,487.65
					1,215.90	10,395.58

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	46.1	0.4	99.4	0.2
Light Truck < 3750 lbs	8.6	1.2	95.3	3.5
Light Truck 3751-5750 lbs	23.9	0.4	99.6	0.0
Med Truck 5751-8500 lbs	11.7	0.9	99.1	0.0
Lite-Heavy Truck 8501-10,000 lbs	1.9	0.0	78.9	21.1
Lite-Heavy Truck 10,001-14,000 lbs	0.6	0.0	50.0	50.0
Med-Heavy Truck 14,001-33,000 lbs	0.8	0.0	25.0	75.0
Heavy-Heavy Truck 33,001-60,000 lbs	0.2	0.0	0.0	100.0
Other Bus	0.0	0.0	0.0	0.0
Urban Bus	0.0	0.0	0.0	0.0
Motorcycle	4.6	52.2	47.8	0.0
School Bus	0.1	0.0	0.0	100.0
Motor Home	1.5	0.0	86.7	13.3

Greenhouse Gas Emission Worksheet

Operational Emissions 2006-2014 Ojai Housing Element Update

Electricity Generation *	(kWH)		Project units	Project Usage
Commercial consumption	16,750	per KSF	0	0
Residential Consumption	6,960	per unit	201	1,398,960
			Total	**1,398,960**

* Generation Factor Source: EIA, DOE, US Average Monthly Bill by Sector, Census Div., and State, 2009.

Total Project Annual KWh:	**1,398,960**	kWH/year
Project Annual MWh:	**1,399**	MWH/year

Emission Factors:

CO2 *	804.54	lbs/MWh/year
CH4 **	0.0067	lbs/MWh/year
N2O **	0.0037	lbs/MWh/year

Total Annual Operational Emissions (metric tons) =
(Electricity Use (kWh) x EF)/2,204.62 lbs/metric ton

Conversion to Carbon Dioxide Equivalency (CO2e) Units based on Global Warming Potential (GWP)

CH4	21	GWP
N2O	310	GWP
1 ton (short, US) =	0.90718474	metric ton

Annual Operational Emissions:

	Total Emissions		Total CO2e Units	
CO2 emissions, electricity:	562.8	tons	**510.5**	metric tons CO2e
CO2 emissions***:	477.5	tons	**433.2**	metric tons CO2e
CH4 emissions:	0.0043	metric tons	0.1	metric tons CO2e
N2O emissions:	0.0023	metric tons	**0.7**	metric tons CO2e
		Project Total	***944.6***	***metric tons CO2e***

References

* Table C.1: EPA eGRID CO2 Electricity Emission Factors by Subregion (Year 2000)
** Table C.2: Methane and Nitrous Oxide Electricity Emission Factors by State and Region (Average years 2001-1003)
*** URBEMIS Annual Emissions output for Area Source emissions; includes natural gas combustion for heating.

Sources: California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.1, January 2009.
Third Assessment Report, 2001, U.S. Environmental Protection Agency, U.S. Greeenhouse Gas Emissions and Sinks, 1990-2000 (April 2002).

Greenhouse Gas Emission Worksheet

Mobile Emissions 2006-2014 Ojai Housing Element Update

From URBEMIS 2007 Vehicle Fleet Mix Output:

Daily Vehicle Miles Traveled (VMT): 10,396 (Net: Proposed - Existing)

Annual VMT: 3,794,540

Vehicle Type	Percent Type	CH4 Emission Factor (g/mile)*	CH4 Emission (g/mile)	N2O Emission Factor (g/mile)*	N2O Emission (g/mile)
Light Auto	51.3%	0.04	0.02052	0.04	0.02052
Light Truck < 3750 lbs	7.3%	0.05	0.00365	0.06	0.00438
Light Truck 3751-5750 lbs	23.1%	0.05	0.01155	0.06	0.01386
Med Truck 5751-8500 lbs	10.7%	0.12	0.01284	0.2	0.0214
Lite-Heavy Truck 8501-10,000 lbs	1.6%	0.12	0.00192	0.2	0.0032
Lite-Heavy Truck 10,001-14,000 lbs	0.5%	0.09	0.00045	0.125	0.000625
Med-Heavy Truck 14,001-33,000 lbs	0.9%	0.06	0.00054	0.05	0.00045
Heavy-Heavy Truck 33,001-60,000 lbs	0.6%	0.06	0.00036	0.05	0.0003
Other Bus	0.1%	0.06	0.00006	0.05	0.00005
Urban Bus	0.1%	0.06	0.00006	0.05	0.00005
Motorcycle	2.8%	0.09	0.00252	0.01	0.00028
School Bus	0.1%	0.06	0.00006	0.05	0.00005
Motor Home	0.8%	0.09	0.00072	0.125	0.001
Total			0.05525		**0.066165**

* from Table C.4: Methane and Nitrous Oxide Emission Factors for Mobile Sources by Vehicle and Fuel Type (g/mile).
Assume Model year 2000-present, gasoline fueled.
Source: California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.1, January 2009.

Total Emissions (metric tons) =
Emission Factor by Vehicle Mix (g/mi) x Annual VMT(mi) x 0.000001 metric tons/g

Conversion to Carbon Dioxide Equivalency (CO2e) Units based on Global Warming Potential (GWP)

CH4	21	GWP
N2O	310	GWP
1 ton (short, US) =	0.90718474	metric ton

Annual Mobile Emissions:

	Total Emissions		Total CO2e units	
CO2 Emissions* :	1,785.2	tons CO2	**1,619.5**	metric tons CO2e
CH4 Emissions:	0.2096	metric tons CH4	4.4	metric tons CO2e
N20 Emissions:	0.2511	metric tons N2O	**77.8**	metric tons CO2e
		Project Total:	***1,701.7***	***metric tons CO2e***

* From URBEMIS 2007 results for mobile sources

Appendix C

Noise Modeling Results

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-33 n/o SR-150 - Cumulative + Project

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 956.0
Average automobile speed (mph): 35.0
Medium truck volume (v/h): 15.0
Average medium truck speed (mph): 30.0
Heavy truck volume (v/h): 29.0
Average heavy truck speed (mph): 30.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 65.7

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-33 n/o SR-150 - Cumulative

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 946.0
Average automobile speed (mph): 35.0
Medium truck volume (v/h): 15.0
Average medium truck speed (mph): 30.0
Heavy truck volume (v/h): 29.0
Average heavy truck speed (mph): 30.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 65.7

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-33 n/o SR-150 - Existing

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 937.0
Average automobile speed (mph): 35.0
Medium truck volume (v/h): 15.0
Average medium truck speed (mph): 30.0
Heavy truck volume (v/h): 28.0
Average heavy truck speed (mph): 30.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 65.6

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-33 s/o SR-150 - Cumulative + Project

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 2577.0
Average automobile speed (mph): 45.0
Medium truck volume (v/h): 45.0
Average medium truck speed (mph): 40.0
Heavy truck volume (v/h): 37.0
Average heavy truck speed (mph): 40.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 72.3

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-33 s/o SR-150 - Cumulative

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 2519.0
Average automobile speed (mph): 45.0
Medium truck volume (v/h): 44.0
Average medium truck speed (mph): 40.0
Heavy truck volume (v/h): 36.0
Average heavy truck speed (mph): 40.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 72.2

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-33 s/o SR-150 - Existing

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 2471.0
Average automobile speed (mph): 45.0
Medium truck volume (v/h): 43.0
Average medium truck speed (mph): 40.0
Heavy truck volume (v/h): 36.0
Average heavy truck speed (mph): 40.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 72.1

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-150 w/o SR-33 - Cumulative + Project

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 1030.0
Average automobile speed (mph): 45.0
Medium truck volume (v/h): 7.0
Average medium truck speed (mph): 40.0
Heavy truck volume (v/h): 13.0
Average heavy truck speed (mph): 40.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 68.1

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-150 w/o SR-33 - Cumulative

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 1010.0
Average automobile speed (mph): 45.0
Medium truck volume (v/h): 7.0
Average medium truck speed (mph): 40.0
Heavy truck volume (v/h): 12.0
Average heavy truck speed (mph): 40.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 68.0

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-150 w/o SR-33 - Existing

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 991.0
Average automobile speed (mph): 45.0
Medium truck volume (v/h): 7.0
Average medium truck speed (mph): 40.0
Heavy truck volume (v/h): 12.0
Average heavy truck speed (mph): 40.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 67.9

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-150 e/o SR-33 - Cumulative + Project

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 2521.0
Average automobile speed (mph): 35.0
Medium truck volume (v/h): 39.0
Average medium truck speed (mph): 30.0
Heavy truck volume (v/h): 39.0
Average heavy truck speed (mph): 30.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 69.2

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-150 e/o SR-33 - Cumulative

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 2425.0
Average automobile speed (mph): 35.0
Medium truck volume (v/h): 38.0
Average medium truck speed (mph): 30.0
Heavy truck volume (v/h): 38.0
Average heavy truck speed (mph): 30.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 69.1

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-150 e/o SR-33 - Existing

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 2299.0
Average automobile speed (mph): 35.0
Medium truck volume (v/h): 36.0
Average medium truck speed (mph): 30.0
Heavy truck volume (v/h): 36.0
Average heavy truck speed (mph): 30.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 68.8

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-150 w/o Gridley Road - Cumulative + Project

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 1319.0
Average automobile speed (mph): 25.0
Medium truck volume (v/h): 20.0
Average medium truck speed (mph): 20.0
Heavy truck volume (v/h): 25.0
Average heavy truck speed (mph): 20.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 64.0

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-150 w/o Gridley Road - Cumulative

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 1261.0
Average automobile speed (mph): 25.0
Medium truck volume (v/h): 20.0
Average medium truck speed (mph): 20.0
Heavy truck volume (v/h): 20.0
Average heavy truck speed (mph): 20.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 63.6

* * * * CASE INFORMATION * * * *

* * * * Results calculated with TNM Version 2.5 * * * *

SR-150 w/o Gridley Road - Existing

* * * * TRAFFIC VOLUME/SPEED INFORMATION * * * *

Automobile volume (v/h): 1212.0
Average automobile speed (mph): 25.0
Medium truck volume (v/h): 19.0
Average medium truck speed (mph): 20.0
Heavy truck volume (v/h): 19.0
Average heavy truck speed (mph): 20.0
Bus volume (v/h): 0.0
Average bus speed (mph): 0.0
Motorcycle volume (v/h): 0.0
Average Motorcycle speed (mph): 0.0

* * * * TERRAIN SURFACE INFORMATION * * * *

Terrain surface: hard

* * * * RECEIVER INFORMATION * * * *

DESCRIPTION OF RECEIVER # 1

Default Receptor

Distance from center of 12-ft wide, single lane roadway (ft): 50.0
A-weighted Hourly Equivalent Sound Level without Barrier (dBA): 63.4

Appendix D

Traffic Study

OJAI HOUSING ELEMENT UPDATE
OJAI, CALIFORNIA

TRAFFIC IMPACT ANALYSIS

August 6, 2009

ATE Project #9031

Prepared For:
Rincon Consultants
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TRAFFIC AND CIRCULATION

The following report prepared by Associated Transportation Engineers (ATE), analyzes the potential traffic and circulation impacts associated with the Ojai Housing Element Update. The proposed project is an update to the existing Housing Element of the General Plan for the City of Ojai. The project will establish programs, policies and actions to further the goal of meeting the existing and future housing needs for all household income levels within the City. The project will also provide evidence of the City's ability to meet its mandated regional share of the housing needs through the year 2014. The estimated Regional Housing Needs Allocation (RHNA) goal for the City of Ojai is 427 housing units. In order for the City to meet the RHNA goal, an estimated 281 new housing units will need to be provided.

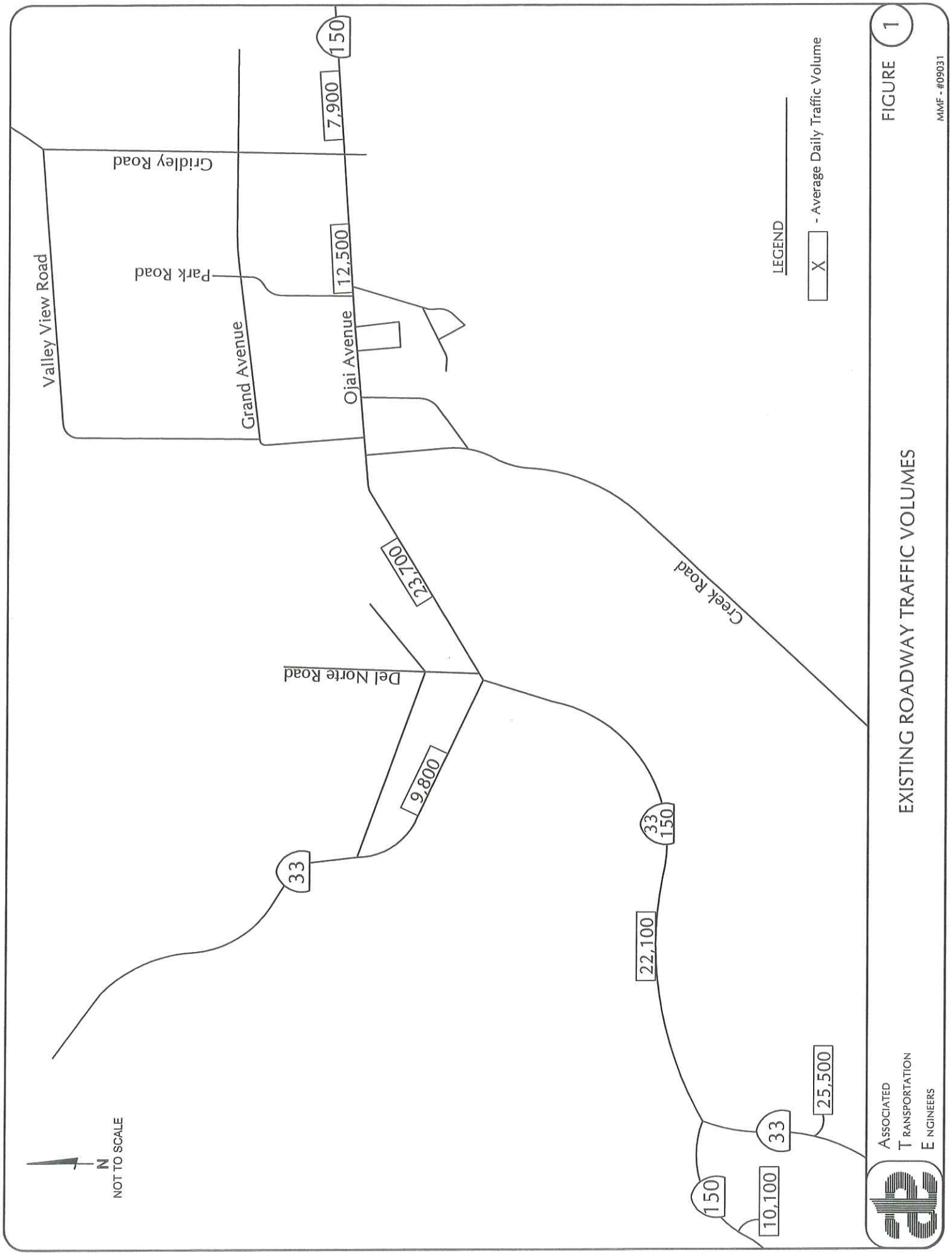
SETTING

a. Existing Street Network. The project study-area is served by a circulation system comprised of highways, arterial streets and collector streets. The major roadways serving the project are discussed in the following text.

State Route 33 is a 2 to 4-lane highway that extends between U.S. Highway 101 in Ventura County to State Route 166 in San Luis Obispo County. State Route 33 extends north from U.S. Highway 101 as a 4-lane freeway section, then transitions to a conventional 2-lane highway as it travels through the community of Casitas Springs and the City of Ojai. State Route 33 (Ventura Avenue) is a principal north-south arterial through the City of Ojai. The 2-lane section of State Route 33 through Casitas Springs has been identified as an impacted roadway section on the Ventura County's Regional Road network.

State Route 150 is a 2-lane conventional highway that connects U.S. Highway 101 in Santa Barbara County to State Route 126 in Ventura County, linking the cities of Carpinteria, Ojai and Santa Paula. State Route 150 (Ojai Avenue) is a principal east-west arterial through the City of Ojai.

b. Roadway Operations. Existing average daily traffic (ADT) volumes for the study-area roadway segments are illustrated on Figure 1. The traffic volumes were collected by Caltrans and are presented in the 2007 Traffic Volumes on California State Highways. In determining the operational characteristics of these roadway segments, "Levels of Service (LOS) A through F are applied, with LOS A indicating very good operations and LOS F indicating poor operations" (more complete definitions of levels of service are contained in the Technical Appendix). The Circulation Element of the City of Ojai General Plan identifies Level of Service (LOS) E as minimum acceptable LOS for State Route 150 east of State Route 33 through Ojai.


Valley View Road
Gridley Road
Park Road
Grand Avenue
Ojai Avenue
Del Norte Road
Creek Road
150
7,900
12,500
23,700
9,800
33
33
150
22,100
33
25,500
150
10,100
LEGEND
X - Average Daily Traffic Volume
N
NOT TO SCALE
FIGURE 1
EXISTING ROADWAY TRAFFIC VOLUMES
MMF - #09031
Associated Transportation Engineers

Levels of Service for the study-area roadway segments were determined based on Ventura County roadway engineering design capacities, which are attached. The results are presented in Table 1.

Table 1
Existing Roadway Levels of Service

Roadway Segment	Existing Geometry	Roadway Classification	Existing ADT	LOS D/E Capacity	LOS
State Route 33 n/o State Route 150	2-lane	Class I	9,800	16,000	LOS C
State Route 33 s/o State Route 150[a]	2-lane	Class I	25,500	27,000	LOS E
State Route 150 w/o State Route 33	2-lane	Class I	10, 100	16,000	LOS C
State Route 150 e/o State Route 33[a]	2-lane	Class I	23,700	27,000	LOS E
State Route 150 w/o Gridley Road	2-lane	Class I	12,500	16,000	LOS D

Note: [a] City of Ojai Circulation Element has established LOS E for these roadway segments.

The data presented in Table 1 indicates that the roadway segments currently operate in the LOS C - E range based on the County's level of service criteria. As discussed in the following section, LOS E is the minimum threshold established in the City's Circulation Element for State Route 150 (Ojai Avenue) and State Route 33 through the City of Ojai.

IMPACT ANALYSIS

a. **Methodology and Thresholds of Significance.** The following section presents the impact thresholds which have been established by the City of Ojai and Ventura County.

City of Ojai Traffic Impact Thresholds

Changes in Levels of Service

Intersections. A significant adverse traffic impact is assumed to occur at any intersection if the project will change the V/C ratio or add peak hour trips to impacted intersections that exceed the thresholds listed in Table 2.

Table 2
Thresholds of Significance for Changes in Levels of Service at Intersections

Intersection LOS (Existing)	Increase in V/C or Trips Greater Than
LOS A	V/C 0.20
LOS B	V/C 0.15
LOS C	V/C 0.10
LOS D	15 Trips*
LOS E	10 Trips*
LOS F	5 Trips*

* To Critical Movements

Roadways. A significant adverse traffic impact is assumed to occur at any roadway segment if a project is projected to add average daily or peak hour volumes to a roadway segment that would cause it to exceed the roadway performance standards noted in Table 3.

Table 3
Allowable Project-Related Traffic Increases Where Roadway Performance Standards Are or Will Be Exceeded

Existing or Future Link/Intersection LOS	Volume to Capacity (V/C) Ratio	Maximum Peak Hour V/C Increase
C	0.71 - 0.80	0.010
D	0.81 - 0.90	0.0060
E	0.91 - 1.00	0.0030
F	> 1.01	0.0030

Circulation Element policy CIR-1

> *Provide for the efficient movement of vehicles by designing, constructing, and maintaining a roadway circulation network which will function at an acceptable level of service (LOS). The City will strive to achieve and maintain LOS C, where it is economically and environmentally feasible to achieve that objective in a manner consistent with community character and the non-transportation provisions of the General Plan, but will accept lower levels of service where necessary to:*

- *Protect Ojai's unique community character or the quality of the area natural environment;*
- *provide for the safety of pedestrians and bicyclists and to avoid gaps in the City's trails system;*

- *Conduct major community events that are important to the City's cultural, community and economic health.*

The minimum acceptable LOS along State Routes 33 and 150 would be LOS D, except for any segments or intersections operating below LOS D as of the date of adoption of this Circulation Element (May 13, 1997), in which case, LOS E is considered acceptable.

The 1997 Circulation Element EIR indicated that 3 segments of Ojai Avenue would operate in the LOS F range with General Plan Buildout. The 1997 Circulation Element EIR also indicated that the remaining sections of Ojai Avenue would operate at LOS E or better.

Circulation Element policy allows for the discretionary exemption from the traffic impact thresholds according to policy CIR-2 which states the following:

Circulation Element policy CIR-2

"Limit the intensity of future development to that which can be accommodated on area roadways through the creation of a mix of land uses that realistically balances (1) community growth potential, (2) community character, envir9onmental and neighborhood protection needs and (3) the desire for improving the performance of the City's roadway system."

"Where (1) existing or (2) projected traffic volumes at General Plan Buildout prevent a project from complying with this policy, limit development to the maximum peak hour volume-to-capacity (V/C) ratio increases delineated in Table A, unless a greater increase is required to accommodate the following:

- *Construction of a single family dwelling on an existing lot of record.*
- *An affordable housing project needed to achieve the City's Housing Element objectives for the production of low and moderate income housing.*
- *A project or event that is important to the City's cultural, community and economic health."*

County of Ventura Traffic Impact Thresholds

The County of Ventura's traffic impact thresholds for the Ojai area focus on the segment of State Route 33 in the community of Casitas Springs, located south of the City of Ojai. The threshold states that a project would contribute to significant cumulative impacts if it adds one or more southbound trips during the A.M. peak period or adds one or more northbound trips during the P.M. peak period to State Route 33 through Casitas Springs.

Table 4
Minimum Acceptable Level of Service For Roadway Segments

County of Ventura - Minimum Acceptable Level of Service (LOS)		
Case	**Minimum LOS**	**Description**
a.	LOS D	All County thoroughfares and state highways within the unincorporated area of the County, except as provided in case b.
b.	LOS E	State Route 33 between the end of the freeway and the City of Ojai.
c.	LOS C	All County maintained local roads.
d.	Varies	The LOS prescribed by the applicable city for all state highways, city thoroughfares, and city maintained local roads located within that city, if the city has formally adopted General Plan policies, ordinances, or reciprocal agreement with the County, pertaining to highways, county thoroughfares and county-maintained local roads in the unincorporated area of the County.
e.		County LOS standards are applicable for any City that has not adopted its own standards.
At any intersection between two roads, each of which has a prescribed minimum acceptable LOS, the less stringent LOS of the two shall be the minimum acceptable LOS of that intersection.		

Project-Specific Impacts - A significant adverse project specific traffic impact is assumed to occur on any road segment if any one of the following results from the project:

a. If the project will add 10 or more PHT to a road segment that is currently operating at an acceptable LOS as defined in Table 4, but would cause the LOS to fall to an unacceptable level as defined in Table 4.

b. If the project will add one or more PHT to a roadway segment that is currently operating at less-than-acceptable LOS as defined in Table 4.

c. If the project will add 10 or more ADT or 1% or more of the total projected ADT, whichever is greater to a roadway that currently operating at less-than-acceptable LOS as defined in Table 4.

Cumulative Impacts - A significant adverse cumulative traffic impact is assumed to occur on any road segment if any one of the following results from the project:

a. If the project will add one or more ADT to a roadway segment that is part of the regional road network and is projected to fail to a less-than-acceptable LOS as defined in Table 7 by the year 2020. However, if the project will increase the projected 2020

V/C ratio by less than 0.01 and the County's Traffic Impact fees are paid, the project's contribution to an otherwise significant cumulative impact is considered mitigated.

b. If the project will add one or more ADT to a roadway segment which is part of the regional road network projected to operate at an acceptable LOS by the year 2020, but when considered with other approved proposed and reasonably foreseeable future projects, will cause the road segment to fall to a less-than-acceptable LOS as defined in Table 4.

c. If the project will add one or more A.M. southbound or P.M. northbound PHT to State Route 33 between the northerly end of the Ojai Freeway and the City of Ojai limits, the project is considered as contributing a significant cumulative impact on State Route 33.

b. Project Trip Generation. Average daily, A.M., and P.M. peak hour trip generation estimates were calculated for the new housing units that could be facilitated by adoption of the proposed Housing Element Update using the rates presented in the Institute of Transportation Engineers (ITE), Trip Generation, 8th Edition for Single Family Housing (Land Use Code 210), Low Rise Apartment (Land Use Code 221), and Senior Housing Attached (Land Use Code 252). This is a standard reference used by jurisdictions throughout the United States and is based on actual trip generation studies performed at numerous locations in areas of various populations. Table 5 shows the trip generation calculations developed for the housing element project.

Table 5
Ojai Housing Element Update Trip Generation

Land Use	Size	ADT		A.M. PHT		P.M. PHT	
		Rate	Trips	Rate	Trips	Rate	Trips
Single Family Residential	94 d.u.'s	9.57	900	0.75	71	1.01	95
Multi-Family Residential	137 d.u.'s	6.59	903	0.46	63	0.58	79
Senior Housing	50 d.u.'s	3.48	174	0.13	7	0.16	8
Total Trip Generation:			1,977		141		182

ADT = Average Daily Trips Traffic Generation
A.M PHT= AM Peak Hour Trips
P.M PHT = PM Peak Hour Trips

The new housing proposed in the Housing Element would generate an estimated 1,977 new average daily trips (ADT), 141 new A.M. peak hour trips and 182 new P.M. peak hour trips.

c. Project Trip Distribution and Assignment. Local and regional trip distribution patterns were developed for the project based on Journey-to-Work data published as part of the 2000 Census. The distribution analysis is presented below.

2000 Census Data. Data presented in the 2000 Census Journey-to-Work database was reviewed to understand peak hour commute patterns for area residents. The data includes travel times for commute trips. ATE researched the Journey-to-Work data for the City of Ojai which encompasses the project. The Journey-to-Work data show that 9% of residents work at home, 41% commute 14 minutes or less within the local Ojai area. The remaining 50% communte more than 14 minutes. Table 6 summarizes the Journey-to-Work distribution pattern for the commute trips made from the census tract encompassing the project site.

Table 6
Census Data for the Ojai Area

Travel Distance	City of Ojai Census
Work At Home	9%
Less Than 10 Minutes Travel Time to Work	31%
10 to 14 Minutes Travel Time to Work	10%
Greater Than 14 Minutes Travel Time to Work	50%
Total	**100%**

Table 6 summarizes the trip distribution pattern developed for the traffic generated by the project. Figure 2 illustrates the project trip distribution. The distribution pattern developed for the project based on the 2000 Census Journey-to-Work data for the City of Ojai.

The distribution analysis accounts for local traffic commuting within the Ojai area. The analysis assumes that 50% of project traffic would be oriented to the local area. This assumption is based on the 2000 Census data that shows 50% of commute trips are less than or equal to 14 minutes in travel time.

The remaining 50% of the project-generated traffic would be allocated as follows:

10% would be oriented to/from State Route 150 west of Rice Road towards Carpinteria and Santa Barbara (this represents 20% of the 50% regional trips);

5% would be oriented to/from State Route 150 east of Gorham Road towards Santa Paula and Fillmore (this represents 10% of the 50% regional trips);

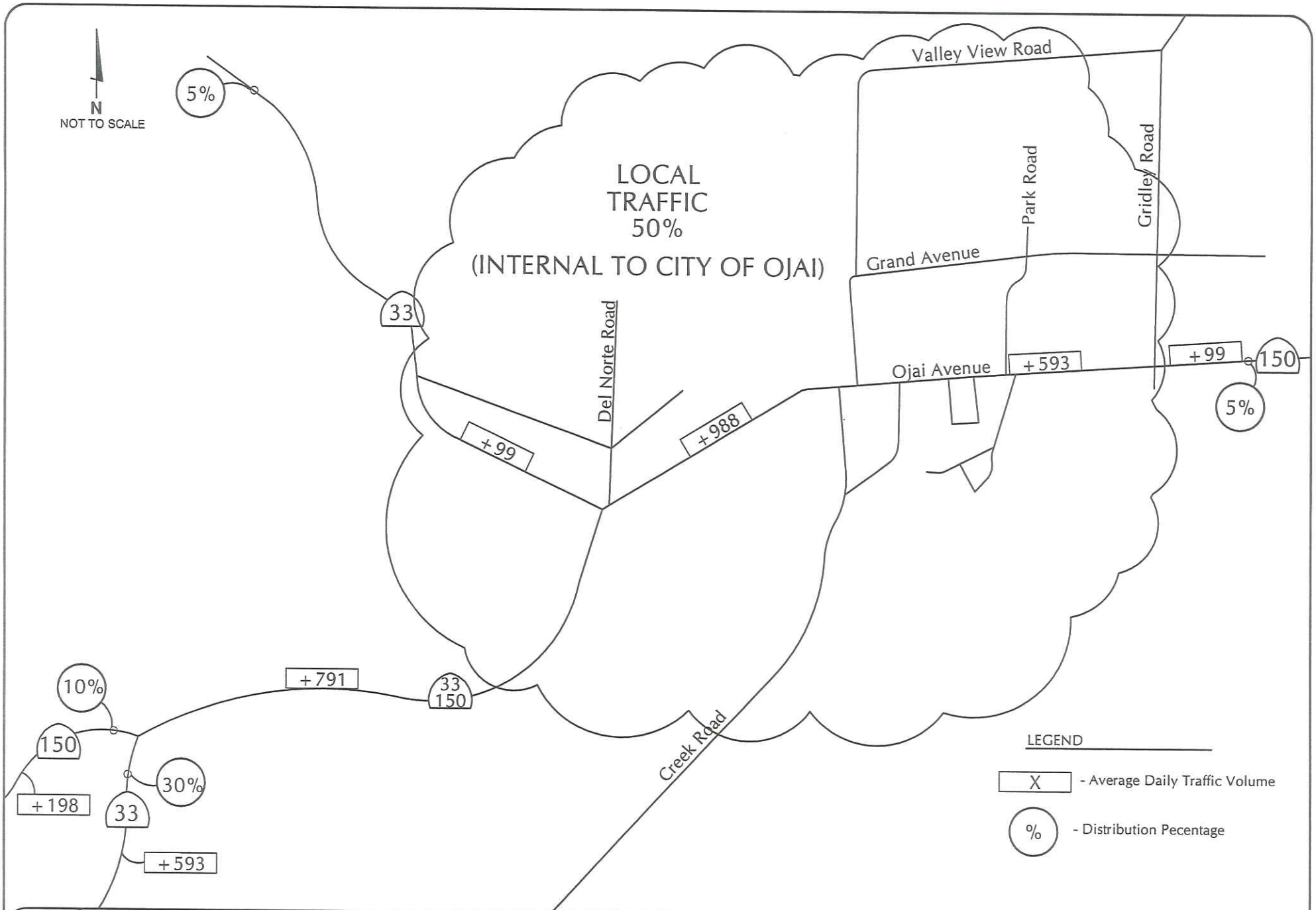
30% would be oriented to/from State Route 33 south of State Route 150 towards the Casitas Springs and Ventura areas (this represents 60% of the 50% regional trips); and

5% would be oriented to/from State Route 33 north of State Route 150 towards the Santa Barbara County area (this represents 10% of the 50% regional trips)

Table 7
Project Trip Distribution Percentages

Route	Destination	Percentage
Local Street System	Internal	50%
State Route 33 to/from North (Ojai - Santa Barbara County)	North	5%
State Route 33 to/from South (Casitas Springs - Ventura)	South	30%
State Route 150 to/from West (Carpinteria - Santa Barbara)	West	10%
State Route 150 to/from East (Fillmore - Moorpark)	East	5%
	Total:	**100%**

The trips generated by the project were distributed to the study-area roadways according to the percentages shown in Table 7. Figure 2 illustrates the assignment of project traffic on the area roadway network.



Associated
Transportation
Engineers

PROJECT TRIP DISTRIBUTION AND ASSIGNMENT

FIGURE 2

MMF - #09031

d. Cumulative Impacts. The following section presents the traffic forecasting completed for the cumulative and cumulative + project scenarios.

Cumulative Traffic Volumes. Cumulative traffic conditions for the local and regional street network analyzed in this traffic study were assessed assuming the completion of a list of projects within the City of Ojai. Additional future growth outside of the City was determined by utilizing a growth factor for the State Route 33 and State Route 150 based on Caltrans historical traffic count data. The Fulton Street extension, the Pearl Street extension and planned Bryant Street improvements are expected to enhance the local circulation system as buildout of the community occurs over time.

Table 8
Ojai Cumulative Developments Trip Generation

Project Applicant	Land Use	Size	ADT	A.M. PHT	P.M. PHT
Loomis	Residential	3 d.u.'s	29	2	3
Smigel	Residential	4 d.u.'s	25	3	4
Hromadik	Residential	1 d.u.	10	1	1
Manninen	Residential	1 d.u.	10	1	1
Meyerstein	Commercial	22,410 s.f.	993	30	61
Exon	Residential	4 d.u.'s	38	3	4
Wizman and Deluca	Light Industrial	53,908 s.f.	376	50	52
Colla	Residential	2 d.u.'s	19	2	2
Mann	Residential Light Industrial	5 d.u.'s 9,821 s.f.	34 68	3 9	3 10
Kenton	Commercial	803 s.f.	36	1	2
		Cumulative Projects Trip Generation:	1,638	105	143

ADT = Average Daily Trips Traffic Generation
A.M. PHT = AM Peak Hour Trips
P.M. PHT = PM Peak Hour Trips

The data presented in Table 8 indicates that the approved/pending project would generate a total of 1,638 average daily trips, 105 A.M. peak hour trips and 143 P.M. peak hour trips. The approved/pending projects were distributed and assigned to the study-area roadways based on existing travel pattern as well as a general knowledge of the population, employment and commercial centers in the Ojai community.

Cumulative Roadway Operations. Cumulative average daily traffic (ADT) volumes for the study-area roadway segments are illustrated on Figure 3. Levels of Service for the study-area roadway segments were determined based on Ventura County roadway engineering design capacities, which are attached. The results are presented in Table 9.

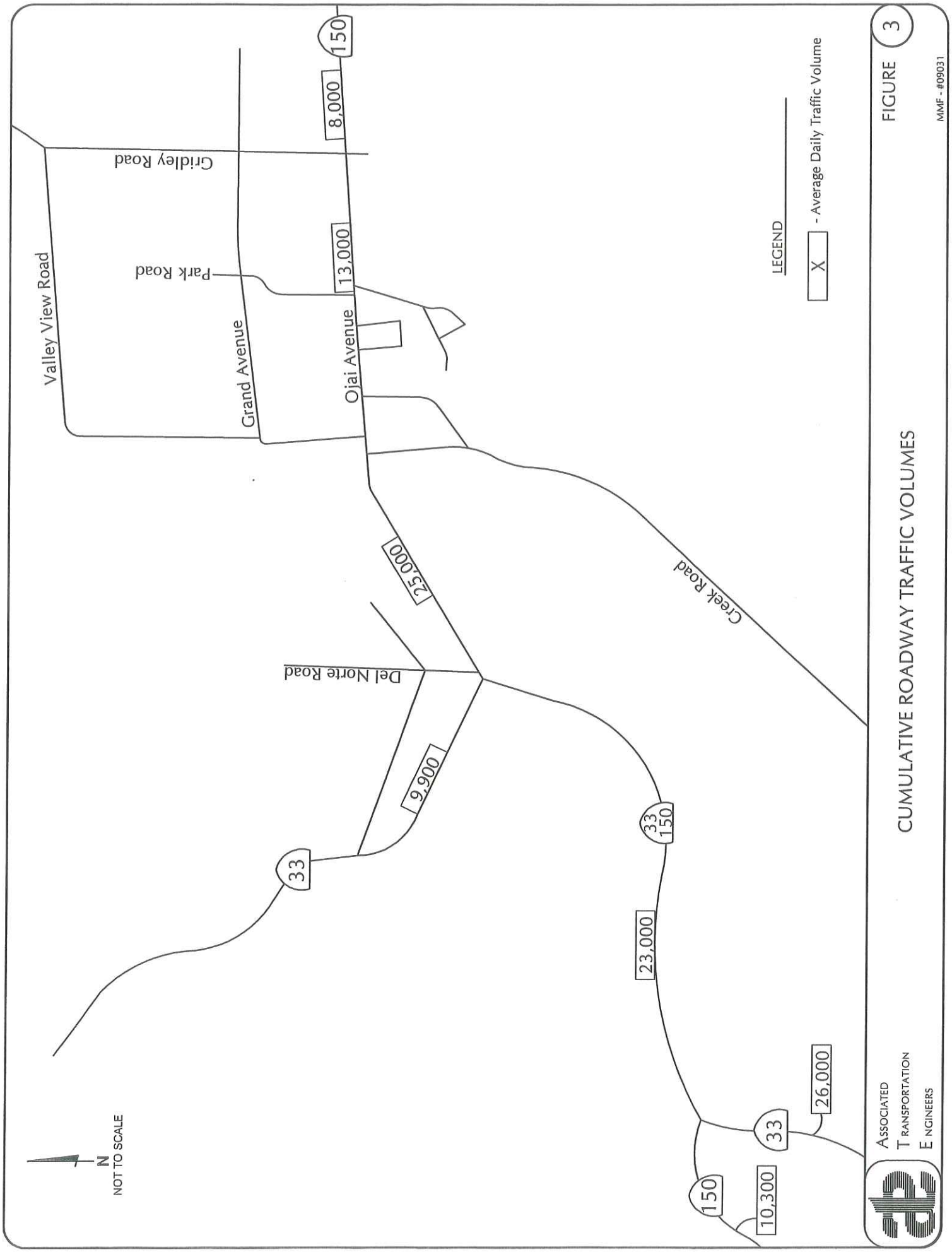
Table 9
Cumulative Roadway Levels of Service

Roadway Segment	Future Geometry	Roadway Classification	Cumulative ADT	LOS D/E Capacity	LOS
State Route 33 n/o State Route 150	2-lane	Class I	9,900	16,000	LOS C
State Route 33 s/o State Route 150[a]	2-lane	Class I	26,000	27,000	LOS E
State Route 150 w/o State Route 33	2-lane	Class I	10,300	16,000	LOS D
State Route 150 e/o State Route 33[a]	2-lane	Class I	25,000	27,000	LOS E
State Route 150 w/o Gridley Road	2-lane	Class I	13,000	16,000	LOS D

Note: [a] City of Ojai Circulation Element has established LOS E for these roadway segments.

The data presented in Table 9 indicates that under cumulative conditions the roadway segments would operate in the LOS C - E range based on the County's level of service criteria. As noted previously, LOS E is the threshold established in the City's Circulation Element for State Route 150 (Ojai Avenue) through the City of Ojai. The key segments of Ojai Avenue would continue to meet the City's minimum LOS standard and the project would not result in a significant cumulative impact based on the City's CEQA threshold and Circulation Element policies.

Cumulative + Project Roadway Operations. Cumulative + Project average daily traffic (ADT) volumes for the study-area roadway segments are illustrated on Figure 4. Levels of Service for the study-area roadway segments were determined based on Ventura County roadway engineering design capacities, which are attached. The results are presented in Table 10.


Valley View Road
Gridley Road
Park Road
Grand Avenue
Ojai Avenue
Del Norte Road
Creek Road
150
8,000
13,000
25,000
9,900
33
33
150
23,000
26,000
33
150
10,300
LEGEND
X - Average Daily Traffic Volume
N
NOT TO SCALE
FIGURE 3
CUMULATIVE ROADWAY TRAFFIC VOLUMES
MMF - #09031
Associated Transportation Engineers

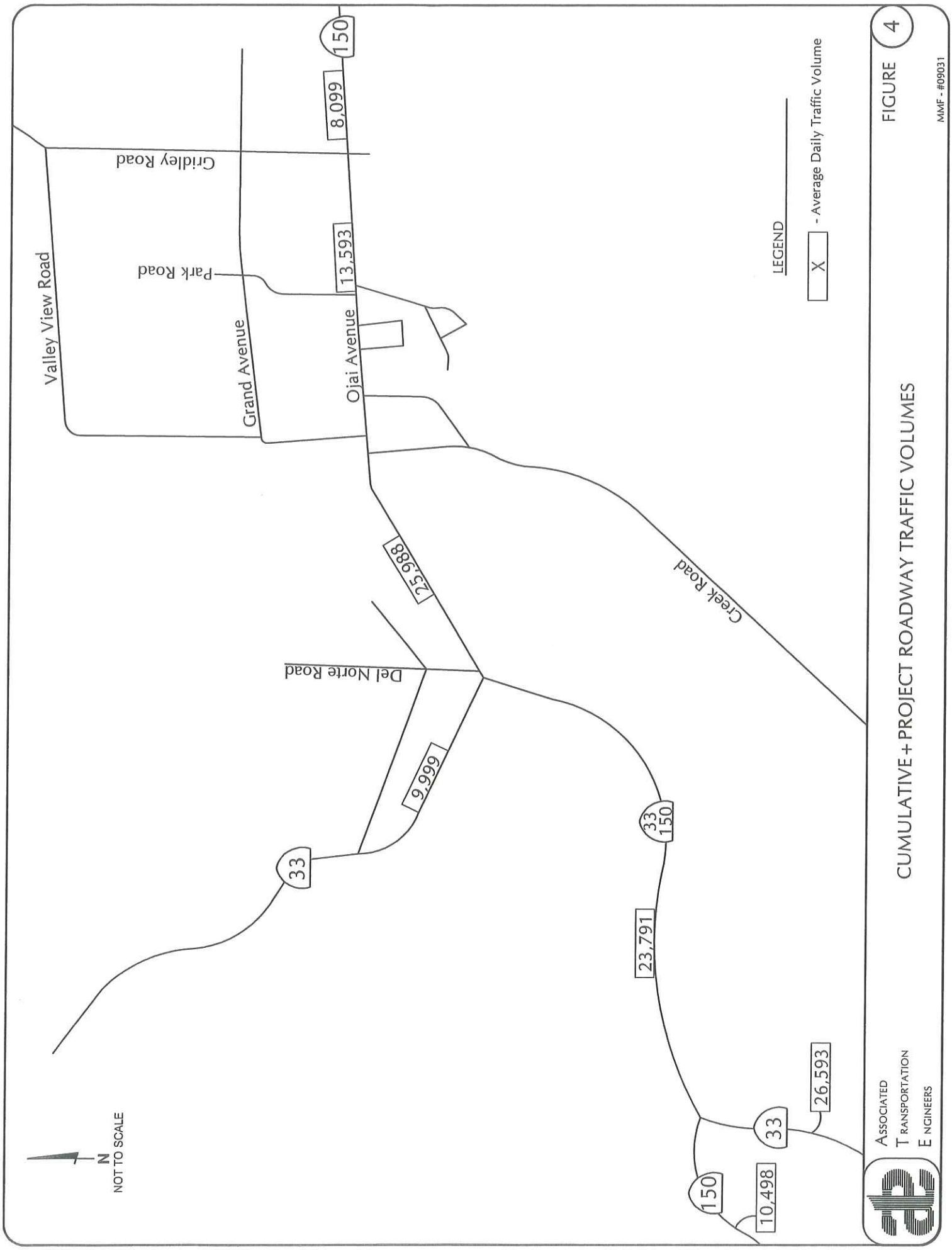


FIGURE 4
CUMULATIVE + PROJECT ROADWAY TRAFFIC VOLUMES
LEGEND
X - Average Daily Traffic Volume
Valley View Road
Gridley Road
Park Road
Grand Avenue
Ojai Avenue
Del Norte Road
Creek Road
150
8,099
13,593
25,988
9,999
33
33
150
23,791
26,593
33
150
10,498
N
NOT TO SCALE
Associated Transportation Engineers
MMF - #09031

Table 10
Cumulative + Project Roadway Levels of Service

Roadway Segment	Future Geometry	Roadway Classification	Cumulative ADT	LOS D/E Capacity	LOS
State Route 33 n/o State Route 150	2-lane	Class I	9,999	16,000	LOS C
State Route 33 s/o State Route 150[a]	2-lane	Class I	26,593	27,000	LOS E
State Route 150 w/o State Route 33	2-lane	Class I	10,498	16,000	LOS D
State Route 150 e/o State Route 33[a]	2-lane	Class I	25,988	27,000	LOS E
State Route 150 w/o Gridley Road	2-lane	Class I	13,593	16,000	LOS D

Note: [a] City of Ojai Circulation Element has established LOS E for these roadway segments.

The data presented in Table 10 indicates that the under cumulative + project conditions roadway segments would continue to operate in the LOS C - E range with the addition of project traffic based on the County's level of service criteria. As noted previously, LOS E is the threshold established in the City's Circulation Element for State Route 150 and State Route 33 through the City of Ojai. The key segments of Ojai Avenue would continue to meet the City's minimum LOS standard and the project would not result in a significant cumulative impact based on the City's CEQA threshold and Circulation Element policies.

e. Regional Traffic Impacts. The following section reviews the potential for regional project traffic impacts.

Ventura County Impacts. The Ojai Housing Element Update would generate traffic that would impact the Ventura County regional roadway network located in Casitas Springs. Based on the distribution model developed for the project, the new housing would add 29 southbound A.M. peak hour trips and 33 northbound P.M. peak hour trips to the segment of State Route 33 located south of the site in the Casitas Springs area. Since the development of new housing would add more than one peak hour trip to the impacted segment of State Route 33 during the A.M. and P.M. peak hours periods, it would have a significant traffic impact based on the County's General Plan policies.

Ventura County has established a county-wide traffic mitigation fee program for 14 zones, including Ojai (Zone 11). The purpose of the traffic mitigation fee program is to collect funds needed to construct required circulation improvements for the County Regional Roadway network. The proposed new housing (in addition to new non-residential developments) will be subject to the County's regional road network traffic mitigation fees for its traffic contribution.

■ ■ ■

REFERENCES AND PERSONS CONTACTED

Associated Transportation Engineers

Scott A. Schell, AICP, PTP, Principal Planner
Darryl F. Nelson, PTP, Senior Transportation Planner
Matthew Farrington, Transportation Planner

References

Highway Capacity Manual, Transportation Research Special Report 209, National Research Council, Third Edition, 2000.

Trip Generation, Institute of Transportation Engineers, Eighth Edition, Washington, D.C., 2008.

Persons Contacted

Abe Leider, Rincon Consultants

Shari Herbruck, City of Ojai

TECHNICAL APPENDIX

CONTENTS:

ROADWAY DESIGN CAPACITIES

LEVEL OF SERVICE DEFINITIONS/DISCUSSION

CUMULATIVE LAND-USE DATA

ROADWAY DESIGN CAPACITIES

FIGURE 4.2.2

AVERAGE DAILY TRAFFIC (ADT) LEVEL OF SERVICE (LOS) THRESHOLDS COUNTY ROADS AND CONVENTIONAL STATE HIGHWAYS					
	CLASS I			CLASS II	CLASS III
LOS	2 LANES	4 LANES	6 LANES	2 LANES	2 LANES
A	2,400	19,000	29,000	1,500	350
B	5,600	28,000	42,000	3,900	2,000
C	10,000	38,000	57,000	7,000	3,300
D	16,000	47,000	70,000	11,000	5,900
E	27,000	58,000	87,000	21,000	16,000

ADT/LOS THRESHOLDS FREEWAYS				
LOS	4 LANES	6 LANES	8 LANES	10 LANES
A	31,000	46,000	62,000	77,000
B	48,000	71,000	95,000	119,000
C	68,000	102,000	136,000	169,000
D	82,000	123,000	164,000	205,000
E	88,000	132,000	176,000	220,000

SOURCE: VENTURA COUNTY PUBLIC WORKS AGENCY 9/94

LEVEL OF SERVICE DEFINITIONS/DISCUSSION

LEVEL OF SERVICE DEFINITIONS

"Levels of Service" (LOS) A through F are used to rate roadway and intersection operating conditions, with LOS A indicating very good operations and LOS F indicating poor operations. More complete level of service definitions are:

LOS	Definition
A	Low volumes; primarily free flow operations. Density is low and vehicles can freely maneuver within traffic stream. Drivers can maintain their desired speeds with little or no delay.
B	Stable flow with potential for some restriction of operating speeds due to traffic conditions. Maneuvering is only slightly restricted. Stopped delays are not bothersome and drivers are not subject to appreciable tension.
C	Stable operations, however the ability to maneuver is more restricted by the increase in traffic volumes. Relatively satisfactory operating speeds prevail but adverse signal coordination or longer queues cause delays.
D	Approaching unstable traffic flow where small increases in volume could cause substantial delays. Most drivers are restricted in their ability to maneuver and their selection of travel speeds. Comfort and convenience are low but tolerable.
E	Operations characterized by significant approach delays and average travel speeds of one-half to one-third of free flow speed. Flow is unstable and potential for stoppages of brief duration. High signal density, extensive queuing, or signal progression/timing are the typical causes of delays.
F	Forced flow operations with high approach delays at critical signalized intersections. Speeds are reduced substantially and stoppages may occur for short or long periods of time because of downstream congestion.

CUMULATIVE LAND-USE DATA

Community Development Department
In-house Work Load Status Report
June 17, 2009

DIRECTOR'S EXEMPTIONS

Submittal Date Trust Fund	Project	Address Assessor Parcel No. Zoning Designation	Applicant	Status & Comments
04-21-09 TF 6497	Wells Fargo– 7 new light poles and 3 canopy soffit lights	202 E. Matilija St APN: 021-0-113-200	Wells Fargo	☑ 05-05-09 submitted corrected lighting plan ☑ 06-02-09 submitted 2nd correction-**Under Review**

DISCRETIONARY PROJECTS

Submittal Date Trust Fund	Project	Address Assessor Parcel No. Zoning Designation	Applicant	Status & Comments
04-28-09 TF 6437	MISC 09-14 Time Extension for DRP 08-01, CUP 08-04, T 08-07 0.51 acre / 1,751sf bldg	110 W. Ojai Avenue APN: 021-0-106-100	Meyerstein 818-999-5888	☑ **06-17-09 PC** mtg. scheduled–**continue**
05-28-08 TF 6429	LLA 08-03 adjust 3 lots 7500 sf ,7500 sf, 4,256 sf	207 S. Blanche St. APN: 023-0-062-210, 220	Scott Loomis 377-6986	☑ 05-06-09 PC mtg. denied 05-07-09 appealed ☑ **06-23-09 CC** mtg. findings/conditions approval
06-09-09 TF 6538	S 09-13 Permanent Signage for Chase Bank monument	1215 Maricopa Hwy APN: 017-0-302-100 Zone: C-1	State Permits Inc Bill Hellmann 6083192096x106	☑ **Under review**
06-04-09 TF 6548	DRP 09-04 Skate Park 0.17 acres	414 E. Ojai Avenue APN: 021-0-120-010 Zone: P-L	City of Ojai Dale Sumersille	☑ 06-11-09 sent to Hawks for review ☑ **07-01-09 PC** mtg tentative
06-01-09 TF 6546	DRP 09-03 VONS Remodel 4.2 acres / 22,257 sf bldg.	1127 Maricopa Hwy APN: 017-0-304-140 Zone: C-1	VONS Jim Thury 562-628-8082	☑ **07-01-09 PC** mtg ☑ 06-11-09 Kanika e-mailed ATE plan to Dean
07-15-08 TF 6275	TM 05-01 Final Tract map Cottages Among Flowers See below for details	312 W. Aliso Street APN: 020-0-201-210	Richard Colla 310-589-9512	☑ Abe preparing staff report ☑ **07-28-09 CC** mtg. scheduled–Consent Item

Submittal Date Trust Fund	Project	Address Assessor Parcel No. Zoning Designation	Applicant	Status & Comments
05-18-09 TF 6526	DRP 09-02 Libbey Bowl 7.46 acres /addition & reconstruction of the bowl Monte #010.1105.0147.252 Glenn#010.1601.0804.012	205 E. Ojai Avenue APN: 023-0-100-210 Zone: P-L	City of Ojai Mike Culver David Bury Sean Wazlaw	☑ 05-18-09 Sent to Rincon, Hawks, Fire ☑ 06-08-09 received Hawks 2nd comment ☑ 05-22-09 NOP review period 05-22-09 thru 06-22-09 ☑ 05-19-09 mailed legal notice include Bowl users
11-16-06 TF 6302	DRP 06-16 TTM 06-02 T 06-3325 New Res. Condo's Tentative Tract Map 3.58 acres / 25 existing units, 18 to be removed / 7 to be rehab'd and 18 new condos	412 Mallory Way APN:020-0-071-370 Zone: R-2	Jeff Becker 653-6794 Matilija Invstmnt	Public Art estimated @ $55,000 ☑ Circulation dates 10-01-08 thru 11-03-08 ☑ 11-24-08 admin draft – **Monte**
08-11-08 TF 6505	MISC 08-45 Glacier Water vending machine	Locations: Vons, Starr & Joe's	Jerry Richmond Glacier Water 818-502-4171	☑ 09-03-08 PC discussed ☑ 11-19-08 PC discussed amendment to formula business ordinance & vending machines ☑ **Revise Formula Business Ord – Monte**
06-24-08 TF 6491	DRP 08-07 2nd story add of 3,602 sf a 934 sf garage add, 727 sf deck add to an existing 2,728 sf SFR, & T 08-26 tree report	407 Foothill Road APN: 020-0-110-110 Zone: R-O-1	Jeff Meyer 818-913-1497 Whitman 6-8485	☑ 07-16-08 Incomplete letter mailed ☑ 05-18-09 submit new design/sent Hawks & Fire ☑ 06-11-09 Incomplete letter mailed ☑ **Waiting**
04-01-09 TF 6453	PM 07-02 Final Parcel Map of 37,535 sf lot to 4 lots of 10,243, 9,823, 8,719, 8,740	310, 312 a,b,c & 316 E. Matilija St. 207 N. Montgomery St. APN:021-0-113-140 Zone: VMU	Jim Exon 646-5882 320-1771	☑ 05-12-09 Hawks & Monte comments to Exon ☑ **Waiting** ☑ 07-28-09 CC mtg–Consent Item ☑ No legal notice required
~~07-21-08~~ 03-04-09 TF 6496	DRP 08-09 Exterior/Interior remodel of existing restaurant 2,178 sf & add of 1,182 sf, 700 sf patio on a 0.55 acre lot	531, 533, 535 E. Ojai Ave APN:023-0-141-340 Zone: C-1	Sea Fresh- Mayra & Gus 207-3783	☑ 09-17-08 PC discussed CR ☑ 04-02-09 incomplete letter mailed ☑ **Waiting** for resubmittal
05-28-08 TF 6471	MISC 08-27 Modify Conditions of Approval to terminate CC&R's & Termination of assoc/lndscape	Bryant Circle Zone: M-1 (11 parcels)	OV Business Park Michael Perrett 646-4644	☑ 08-25-08, 02-12-09 Monte, Perrett, Dieter mtg. ☐ **Waiting** for application to modify CofA&CRR's maintenance agreement-stormdrain issue
04-17-07 TF 6432	Minor CUP 07-02 Outdoor Dining MISC 07-18 Landscape/extend sidewalk	802 E. Ojai Ave APN: 022-0-152-010 Zone: C-1	David West Westridge Market 798-3865	☑ 05-17-07 mailed incomplete letter (EXPIRED) ☑ outdoor display pending CC action 05-26-09 ☑ next week take guidelines – deliver flyer

APPROVED DISCRETIONARY PROJECTS – BUILDING PERMIT STATUS

Project	Address	Applicant	Status & Comments
DRP 06-14 TPM 06-02 T 06-32 demo 2 SFR's add 4 mixed-use condos on a 21,842-sf lot TF 6365	201 S. Montgomery St. APN:023-0-100-100 Zone: VMU	Lance Smigel 487-8798 Whitman	☑ 05-26-09 City Council approved ☑ 06-04-09 issued demo permit ☐ **Waiting** for building plans to be submitted
DRP 09-01 CUP 09-01 T 09-03 TF 6529 518-sf add expansion of existing front porch to 207 sf, and construction of new 2-car garage construction of 640-sf guest house with 107-sf porch & attached 403-sf single-car garage lot size 8,101sf	206 Bald Street APN: 023-0-142-060 Zone: VMU	Randy Hromadik 646-8644 443-7815	☑ 05-20-09 Planning Commission approved ☐ **Waiting** for building plans to be submitted
DE 09-03 TF 6539 0.35 acres, existing 1,350 sf	214 Grand Avenue APN:022-0-022-070 Zone: R-2	Jane Carroll 525-8088	☑ 03-12-09 Director approved ☑ 03-24-09 in plan check ☑ 04-28-09 corrections back to Jane **Waiting** for corrections

Project	Address	Applicant	Status & Comments
DRP 08-03 SFR & 2nd Unit T 08-17 TF 6482 Demo 1 SFR / add a 2,304-sf SFR & 640-sf 2nd unit on 8,957-sf lot	309 S. Montgomery St APN: 023-0-100-140 Zone: VMU	Hank Manninen 808-280-2918	☑ 12-17-08 Planning Commission approved ☐ **Waiting** for building plans to be submitted
DRP 07-07, TTM 07-01, T07-54 11exisitng units convert to airspace condos TF 6435	408 Bryant Circle APN:024-0-120-285, 265 Zone: M-1	Steven Bernston Ojai Valley Business Park 563-9400,448-8081	☑ 12-09-08 City Council approved ☐ **Waiting** - final map & associated documents He has pulled various building permits to make the necessary upgrades
DRP 08-01 CUP 08-04 T 08-07 TF 6437 Convert gas station to gen commercial on 22,410 sf lot 0.51 acres	110 W. Ojai Avenue APN: 021-0-106-100 Zone: C-1	Meyerstein 818-999-5888	☑ 05-07-08 Planning Commission approved, not subject to Public Art ☐ **Waiting** for building plans to be submitted (expires 05-07-09) ☑ 04-28-09 Received extension request, schedule for **PC 06-17-09**
TPM 07-02 Create 4 parcels out 1 TF 6453 37,535 sf lot to 4 lots of 10,243, 9,823, 8,719, 8,740	310, 312 a,b,c & 316 E. Matilija St. 207 N. Montgomery St. APN:021-0-113-140 Zone: VMU	Jim Exon 646-5882 320-1771	☑ 06-24-08 City Council approved (expires 06-24-11) ☐ **Waiting** – once final documents are received, schedule for CC
DRP 07-14 TPM 07-01 for 4 parcels TF 6436 divide an existing 62,109-square foot vacant parcel into 4 parcels, 2 would be 13,392-sf & 2 would be 13,562-sf	325 Bryant Street APN: 023-0-173-010 Zone: M-1	Denise Wizman 646-4847 Joe Deluca 719-539-1675	☑ 03-11-08 City Council approved (expires 03-11-11) ☑ sewer & water installed – **DO NOT issue meter clearance** ☐ **Waiting** - final map, underground & improvement plan, Engineers cost estimate, reciprocal easement agreement, SWPCP

Project	Address	Applicant	Status & Comments
DRP 05-01 & T 07-22 TF 6275 restoration & expansion of 7 existing structures 8 dwelling units, and add 2 new dwelling units in a duplex format on 1.55 acre lot	312 W. Aliso Street Cottages Among Flowers APN: 020-0-201-210	Richard Colla 310-589-9512	☑ 11-27-07 City Council approved ☑ 11-19-08 Planning Commission approved phasing plan ☑ 05-26-09 take to City Council to approve final map ☐ **Waiting** for building plans to be submitted
DRP 07-15 Block Wall, Gate Landscape Plan TF 6455	710 E. Ojai Ave APN:022-0-151-010,370 Zone: C-1	Ajaz Khan Home 649-9619	☑ 02-06-08 Planning Commission approved ☐ **Waiting** for submittal of plans & Final Landscape showing irrigation ☑ 03-06-08 Demo permit issued ☑ 06-02-09 sent copy of approved plan to landscaper to start planting
DRP 05-09 GPA 03-03, ZC 03-03 TF 6201 Demo industrial to add 5 mixed-use & 3 comm units on 2 lots @ 0.34 & 0.46 acres	611 Pearl Street APN:023-0-141-390, 400 Zone: VMU	Len Mann Mike 813-3066	☑ 12-13-05 City Council approved ☑ 07-01-08 Building permit **issued-utilities under construction** ☐ **Waiting** for **Public Art** submittal @ $29,142 & lease/rental agreement ☑ 06-01-09 Len faxed letter to give status update
DRP 07-21 Herb Garden family pool TF 6113-234 182.91 acres	905 Country Club Rd. Ojai Valley Inn & Spa APN:024-0-010-110 Zone: I-R-3	Ojai Valley Inn Brian Skaggs 640-2020 798-5400	☑ 12-05-07 Planning Commission approved ☑ 05-27-08 Building permit **issued – under construction** ☑ 12-03-08 Planning Commission approved modification to pool area ☑ 02-12-09 Revised permit **issued – under construction-**DO NOT FINAL! ☐ **Waiting** for **Public Art** submittal @ $27,000
DRP 08-05 TF 6486 Remodel of existing 21 units of 25,397 sf on 1.96 acre lot	508-514 N. Montgomery APN: 021-0-052-060 Zone: R-2	Theresa Dolotta Montgomery Oaks 659-3791 x168	☑ 07-02-08 Planning Commission approved ☑ 05-12-09 Building permit **issued** ☑ 06-01-09 Phase 3 & grading **ready to issue**

Project	Address	Applicant	Status & Comments
DRP 08-12 TF 6523 add 24-sf to existing 2,671-sf and 578-sf garage on 10,908 sf lot	309 Park Road APN: 022-0-152-200 Zone: R-1	Mark &Jane Weil 646-7221 Pat Nolan 0-0830	☑ 12-03-08 Planning Commission approved ☑ 02-26-09 Building permit **issued – under construction**
DRP 07-02 T 07-07 Demo 1 SFR, add 803- sf comm. unit & a 2,513-sf SFR w/ a 434- sf garage on a 7,500-sf lot	404 Willow Street APN: 023-0-110-280	Jack Kenton 646-2733	☑ 06-06-07 Planning Commission approved 04-01-08 Building permit **issued– Under construction**/outstanding traffic fees to be collected
DRP 07-09 TF 6447 6,251- sf add, 391- sf garage, add 2,609-sf deck to an existing 3,934-sf SFR on 3.8 acre lot	561 Saddle Lane APN: 024-0-131-035	Alvarado 310-837-1028	☑ 09-05-07 Planning Commission approved ☑ 12-31-07 Building Permit **issued–Under construction**

SPECIAL PROJECTS

Project	Staff	Status & Comments
Historic Inventory Project	Kanika	☑ 03-09-09 Presentation to HPC ☑ 05-26-09 received Final Historic Context Statement
Housing Element Update GPA 07-02	Jere, Katrina, Kathy Tom Figg, Abe Leider, Julie Biggs	☑ 10-25-07 Joint PC & CC Public Workshop ☑ 11-28-07 PC recommended approval ☑ 12-11-07, 01-08-08, 03-11-08, 05-13-08, 12-02-08, 01-27-09 City Council review ☑ 03-24-09 CC approved Draft Option 4 to send to HCD ☑ 04-xx-09 mailed to HCD ☑ 06-01-09 received response ☑ 06-08-09 Scoping meeting @ 2:00

Project	Staff	Status & Comments
RDA Plan Amendment	Jere Kathy Susan Cola	☑ 10-15-08 PC Discussion – Special Counsel: Susan Cola ☑ 11-18-08 CC Review ☑ 01-27-09 Joint CC / RDA review ☑ 05-13-09 Phone Conference ☐ 03-24-09 2nd reading – continue to **07-28-09 CC mtg**
Zoning Code Revisions	Katrina	
Text Amendment for RGMO	Katrina	Need to remove quarterly requirement for SF allocations
Animal Ord add back in	Katrina	☑
14 Arcade Benches MISC 08-55	Katrina	☑ 03-21-09 assembly and installation day at the Poppy Fountain @ 10:00 a.m. ☑ 04-07-09 Katrina ordered plaques
Sustainability Action Plan TA 07-04 / 010.1401.0147.366	Katrina	☑ 10-04-07 Workshop held @ 6:00 p.m., City Council Chambers ☑ 03-12-08 PC presentation 05-13-08 Presented Roadmap to CC
Community Forest Master Plan	Katrina	☑ Katrina meeting with sub-committee Mondays
Form Based Code Neighborhood Plan/ Demonstration Project MISC 08-56	Jere Katrina	☑ 11-18-08 Consent to CC & RDA / Consultant: Dan Parolek ☑ 02-19-09 Workshop/Presentation by Dan Parolek ☑ Kathy to apply for planning grant
Bicycle and Ped Master Plan	Mike Culver Katrina	☑ 03-11-08 Received draft from Public Works Dept ☑ 03-17-08 Katrina commented on draft and sent back to PW
Ojai Valley Inn & Spa housing	Monte Jere	☑ 07-26-2007 Deadline to submit application for the housing project ☑ 07-26-2010 Deadline to complete the development of the housing project ☑ 06-03-09 meeting with Steve Perlman
Increase Traffic Mitigation Fee	Monte Katrina	☑ 12-08-08 Request to update fees given to Monte ☑ 03-16-09 Request to update fees given to Monte
Edward Cheverie 408 & 410 N. Montgomery St 401 & 401'A' Franklin Dr	Monte Brian	☑ 01-14-09 Start foreclosure process in 6 months (July 14, 2009)