

## 1.0 INTRODUCTION

This document is a Draft Environmental Impact Report (EIR) that evaluates the proposed Conejo Creek Specific Plan located in the City of Camarillo, 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 Conejo Creek Specific Plan requires the discretionary approval of the City of Camarillo. Therefore, it is subject to the requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines*, the purpose of this EIR is to serve as an informational document that:

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

This document is a Program EIR. Section 15168(a) of the *CEQA Guidelines* outlines the Program EIR process as follows:

- "(A) *General. A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:*
- (1) Geographically;*
  - (2) As logical parts in a chain of contemplated actions;*
  - (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or*
  - (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*
- (B) *Advantages. Use of a program EIR can provide the following advantages. The program EIR can:*
- (1) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action,*
  - (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis,*
  - (3) Avoid duplicative reconsideration of basic policy considerations,*
  - (4) Allow the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts, and*
  - (5) Allow reduction in paperwork.*
- (C) *Use with Later Activities. Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.*



- (1) 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.*
- (2) If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.*
- (3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.*
- (4) Where the subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.*
- (5) A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required."*

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

## **1.2 EIR SCOPE AND CONTENT**

In accordance with the *CEQA Guidelines*, a Notice of Preparation (NOP) was distributed to affected agencies and the public for the required 30-day period on November 5, 2009. Meetings with selected agencies, including County departments, the Air Pollution Control District, the Camrosa Water District and the California Department of Fish and Game, were held during the scoping period to discuss agency concerns and potential project impacts. In addition, a public scoping meeting was held in Camarillo on November 16, 2009, to receive comments on the scope of the EIR for the proposed Specific Plan. The intent of the scoping meeting was to provide interested individuals, groups, public agencies and others a forum to provide input to the City verbally in an effort to assist in further refining the intended scope and focus of the EIR.

Table 1-1 summarizes the issues relevant to the EIR that were identified in the NOP comments received (approximately 21 letters, in addition to oral comments at the scoping meeting) and the EIR sections where the issues are addressed. The NOP and NOP comment letters received are included in the EIR in Appendix A.



**Table 1-1 NOP Comment Issues**

<b>Issue</b>	<b>EIR Section</b>
Scope of air quality analysis, including need for a screening health risk assessment; agricultural air quality and microclimates	4.3, Air Quality
Impacts to flora and fauna within and adjacent to the proposed Specific Plan; regional wildlife corridor connecting; riparian habitats along Calleguas Creek and Conejo Creek; impacts to federally listed or candidate species, native plants and native predators; introduction of non-native predators	4.4, Biological Resources
Identification of farmland soil types on the Specific Plan site; Potential of encountering groundwater during excavation	4.6, Geology and Soils
Agricultural water quantity and quality; stormwater quality impacts; flood control, erosion and drainage impacts; lands south of Howard road (FEMA) floodplain management in zones "AE" and "AO"	4.9, Hydrology/Water Quality
Impacts to historical and archeological resources (NAHC)	4.5, Cultural Resources
Potential for chemicals in the soil to enter Calleguas Creek and Conejo Creek during soil removal/transportation and creek improvements.	4.8, Hazards and Hazardous Materials
Land use incompatibility with adjacent agriculture; water maintenance to prevent mosquito breeding; annexation of land outside city boundaries; open space requirements and buffer zones; removal of Midnight Sun Inc. property from Specific Plan area	4.10, Land Use
Impacts to regional jobs/housing balance	4.12, Population/Housing, Land Use
Impacts to the maintenance of public streets; including street lights, sweeping etc.	4.13, Public Services
Police Service staffing levels	4.13, Public Services
44-acre parcel under Land Conservation Act contract	4.2, Agriculture
Local and regional traffic and transportation impacts	4.15, Transportation and Circulation
Water supply; water and sewer transmission/pipelines	4.16, Utilities/Service Systems

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

- *Air Quality*
- *Biological Resources*
- *Cultural Resources*
- *Geology and Soils*
- *Greenhouse Gases*
- *Hazards and Hazardous Materials*
- *Hydrology and Water Quality*
- *Land Use and Planning*
- *Noise*
- *Public Services*
- *Recreation*
- *Transportation/Circulation*
- *Utilities and Service Systems*



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

The impact analyses contained in Section 4.0 of the EIR include a description of the physical and regulatory setting within each issue area, the methodologies used, followed by an analysis of the Specific Plan'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 reduce 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, if any, 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 Specific Plan while feasibly attaining most of the Specific Plan's basic objectives. Alternatives evaluated include the CEQA-required "No Project" scenario and three alternative development scenarios for the site, including a reduced development alternative, U.S. 101 hook ramp alternative, and a clustered development alternative. 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.*

For the proposed Specific Plan, the EIR will serve as a Program EIR. 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 of Camarillo (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.

In practice, this Program EIR could be utilized as a first tier of environmental review for subsequent activities that include site-specific environmental review of new development projects



in accordance with the Specific Plan. However, if new effects could occur due to Specific Plan discrepancies when compared to the program, or due to a change in baseline conditions, an EIR or a Negative Declaration may be required for the specific future project. Prior to the issuance of any entitlements for future development in the Specific Plan area, the City must determine either that the Program EIR analysis is sufficiently specific and comprehensive to cover future projects, or require additional environmental review and documentation.

### 1.3 LEAD, RESPONSIBLE AND TRUSTEE AGENCIES

The *CEQA Guidelines* require the identification of “lead,” “responsible,” and “trustee” agencies. The City of Camarillo is the “lead agency” for the Specific Plan because it has the principal responsibility for approving the Specific Plan.

A “responsible agency” is a public agency other than the “lead agency” that has discretionary approval authority over certain components of a project (the *CEQA Guidelines* define a public agency as a state or local agency, but specifically exclude federal agencies from the definition).

Responsible Agencies for the Conejo Creek Specific Plan include:

- Ventura Local Agency Formation Commission (LAFCO) - approval of annexation
- Ventura County Watershed Protection Agency - permitting for proposed by-pass channel

A “trustee agency” refers to a state agency having jurisdiction by law over natural resources affected by a project. The Los Angeles Regional Water Quality Control Board (RWQCB), U.S. Army Corps of Engineers (USACE), and California Department of Fish and Game are trustee and/or responsible agencies for the proposed Specific Plan, depending on the extent of permits required from these agencies for such project components as those that would effect Conejo or Calleguas creeks.

### 1.4 ENVIRONMENTAL REVIEW PROCESS

The major steps in the environmental review process, as required under CEQA, are outlined below and illustrated on Figure 1-1. The steps are presented in sequential order.

1. **Notice of Preparation (NOP)/Initial Study.** 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 Specific Plan 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



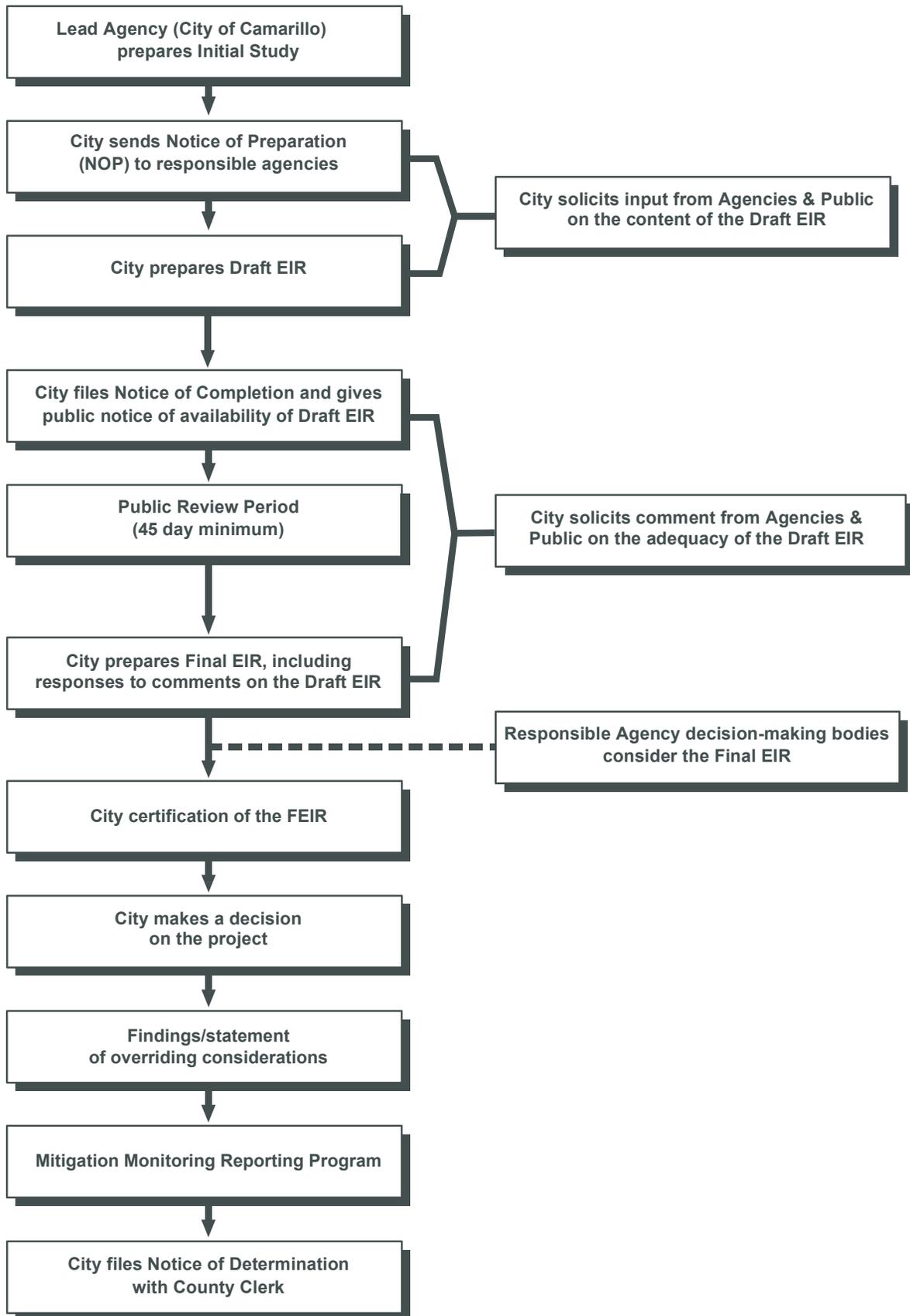
- measures; and h) discussion of irreversible changes.
3. **Notice of Completion.** A lead agency must file a Notice of Completion with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the Notice in the County 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).
  4. **Public Review Period.** 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).
  5. **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. **City of Camarillo 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)].





CEQA Environmental Review Process

Figure 1-1  
City of Camarillo

