

RESOLUTION NO. 2017-3626

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING GENERAL PLAN AMENDMENT NO. 2016-01 FOR A CHANGE OF LAND USE DESIGNATION FROM GENERAL COMMERCIAL (C-2), HIGH AND VERY HIGH DENSITY RESIDENTIAL (H AND VH) TO VERY HIGH RESIDENTIAL DENSITY (VH) AND FLOODWAY, ON 40.53 ACRES ON THE SOUTH SIDE OF LOS ANGELES AVENUE, WEST OF LETA YANCY ROAD, ON THE APPLICATION OF PACIFIC COMMUNITIES BUILDER, INC.

WHEREAS, on April 15, 2016, applications for General Plan Amendment No. 2016-01, Zone Change No. 2016-01, Residential Planned Development Permit No. 2016-01, Vesting Tentative Tract Map No. 5882, and Development Agreement No. 2016-01 were filed by Pacific Communities Builder, Inc. for a proposed residential development consisting of 153 single-family homes and 131 detached condominiums on 38.73 acres on the South side of Los Angeles Avenue, west of Leta Yancy Road, with an additional 0.16 acres of street dedication on Leta Yancy Road and 1.64 acres to be conveyed to the City for a separate affordable housing project, for a total of 40.53 acres; and

WHEREAS, on August 22, 2017, the Planning Commission adopted Resolution No. PC-2017-620, recommending that the City Council adopt a Mitigated Negative Declaration and approve General Plan Amendment No. 2016-01, to amend the General Plan land-use designation from General Commercial (C-2), High and Very High Density Residential (H and VH) to Very High Residential Density (VH) and Floodway, on 40.53 acres on the south side of Los Angeles Avenue, west of Leta Yancy Road, on the application of Pacific Communities Builder, Inc.; and

WHEREAS, at a duly noticed public hearing on September 20, 2017, the City Council considered the agenda report for General Plan Amendment No. 2016-01 and any supplements thereto and written public comments; opened the public hearing and took and considered public testimony both for and against the proposal and reached a decision on this matter; and

WHEREAS, the City Council has read, reviewed, and considered the proposed Mitigated Negative Declaration prepared for the project referenced above together with any comments received during the public review process and determined that, with the incorporation of changes to the project or conditions of approval to mitigate potentially significant impacts with respect to biology, hazardous materials, hydrology, noise, and traffic issues, there is no substantial evidence that the project or any of its aspects may

cause a significant effect on the environment and a Proposed Mitigated Negative Declaration has been prepared for this project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. ENVIRONMENTAL FINDINGS: The City Council finds and declares as follows:

A. The Mitigated Negative Declaration and Initial Study prepared for the project are complete and have been prepared in compliance with CEQA, and City CEQA Procedures.

B. The Mitigation Measures have been incorporated into the project conditions of the accompanying Vesting Tentative Tract Map and Residential Planned Development.

C. With the incorporation of the Mitigation Measures into the project conditions, the City Council finds on the basis of the whole record before it that there is no substantial evidence that the proposed 284-home development project on the south side of Los Angeles Avenue west of Leta Yancy Road, which includes General Plan Amendment No. 2016-01; Zone Change No. 2016-01; Residential Planned Development No. 2016-01, Vesting Tentative Tract Map No. 5882; and Development Agreement No. 2016-0, will have a significant effect on the environment.

D. The Mitigated Negative Declaration reflects the independent judgment of the City Council.

SECTION 2. ADOPTION OF MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM: The Mitigated Negative Declaration prepared for the proposed 284-home development project on the south side of Los Angeles Avenue west of Leta Yancy Road, which includes General Plan Amendment No. 2016-01; Zone Change No. 2016-01; Residential Planned Development No. 2016-01, Vesting Tentative Tract Map No. 5882; and Development Agreement No. 2016-01, along with the Mitigation Monitoring and Reporting Program, all attached as Exhibit "A" and incorporated herein, is hereby adopted.

SECTION 3. APPROVAL OF GENERAL PLAN AMENDMENT: General Plan Amendment 2016-01 is approved, amending the General Plan Land Use Map as proposed in Exhibit "B" attached hereto and incorporated herein.

SECTION 4. The effective date of General Plan Amendment No. 2016-01 shall be concurrent with the effective date of the Ordinance for Zone Change No. 2016-01 and the Ordinance for Development Agreement No. 2016-01, whichever occurs last.

SECTION 5. CERTIFICATION OF ADOPTION: The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

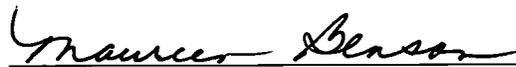
SECTION 6. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 20th day of September, 2017.



Janice S. Parvin, Mayor

ATTEST:



Maureen Benson, City Clerk



Exhibit "A": Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

Exhibit "B": General Plan Amendment Map

**EXHIBIT A
INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION**

Project Title: Pacific Arroyo	Case No.: GPA 2016-01, ZC 2016-01, RPD 2016-01, TTM 5882, DA 2016-01
Contact Person and Phone No.: Corinna Ocampo (949) 660-8988 x 172	
Name of Applicant: Pacific Communities Builder, Inc.	
Address and Phone No.: 1000 Dove Street #300 Newport Beach, CA 92660	

Project Location: South side of Los Angeles Avenue, west of Leta Yancy Road

General Designation:	Plan General Commercial (C-2) and High Density Residential (H)	Zoning: Commercial Planned Development (CPD) and Residential Planned Development (RPD 7 & RPD 7.5)
-----------------------------	---	---

Project Description:
A request for a proposed gated residential development consisting of 153 single-family homes and 131 detached condominiums on 38.73 acres. The applicant proposes changes in the General Plan Designations on the site from General Commercial (C-2) and High Density Residential (H) to Very High Residential Density (VH); From High Density Residential (H) and Very High Residential Density (VH) to Floodway. The applicant also proposes changes in Zoning on the site from Commercial Planned Development (CPD) and Residential Planned Development (RPD 7 & RPD 7.5) to Residential Planned Development (RPD-9 & RPD 20) and Open Space (OS). This project involves the re-platting of a similar previously-approved project of 284 homes on the same site for which grading had begun in 2000.

Surrounding Land Uses and Setting:

North:	Los Angeles Avenue/Mission Bell Plaza
South:	Arroyo Simi
East:	Service Station/Leta Yancy Road/ Villa Campesina Single Family Homes
West:	Large Lot Single Family Homes

Responsible and Trustee Agencies: Ventura County, California Dept. of Trans.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less Than Significant With Mitigation," as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agricultural and Forestry Resources	<input type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input checked="" type="checkbox"/> Hazards and Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality
<input type="checkbox"/> Land Use/Planning	<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise
<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance
<input type="checkbox"/> None		

DETERMINATION: On the basis of this initial evaluation, I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. Mitigation measures described on the attached Exhibit 1 have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

Prepared by: _____ **Reviewed by:** _____

Date: _____

Date: _____

INITIAL STUDY EXHIBIT 1:

**MITIGATED NEGATIVE DECLARATION
MITIGATION MEASURES AND
MONITORING AND REPORTING PROGRAM**

1. A sound wall, at least eight (8) feet in height, shall be constructed along the Los Angeles Avenue and Leta Yancy Road Frontage.

Units facing Los Angeles Avenue in the first row of homes nearest the roadway in VTT 5882 (West) will require upgraded windows, as follows:

- a. For all first row units, **first floor windows** will require STC rating greater than or equal to 26.
- b. For all first row units with a building setback greater than 15 feet from property line wall, **second floor windows** will require STC rating greater than or equal to 33
- c. For all first row units with a building setback of 15 feet or less from property line wall, **second floor windows** will require an STC rating greater than or equal to 34

Units facing Los Angeles Avenue in VTT 5882 (East) will require upgraded windows, as follows:

- a. Corner lots 1 and 51 will require **second floor windows** facing Los Angeles Avenue to have STC rating greater than or equal to 33.
- b. For all other first row units facing Los Angeles Avenue, **second floor windows** will require STC rating greater than or equal to 32.
- c. For all 3-story second row units facing Los Angeles, **third floor windows** will require STC rating greater than or equal to 32.
- d. For all 3-story third row units facing Los Angeles, third floor windows will require STC rating greater than or equal to 30.

The mechanical ventilation system shall be capable of providing two (2) air changes per hour in habitable rooms with a minimum of 15 cubic feet per minute of outside air, per occupant. The fresh air inlet duct shall be of sound attenuating construction and shall consist of a minimum of ten (10) feet of straight or curved duct or six (6) feet plus one (1) sharp 90 degree bend. Attic vents facing adjacent roadways, if applicable, should include an acoustical baffle, or the attic floor (including the access panel) should be fully insulated to prevent vehicle noise intrusion.

Monitoring Action:

Plan Check and Physical Inspection

Timing:

Prior to issuance of Building Permit and Prior to Occupancy of Units

Responsibility: Community Development Department

2. The project shall comply with Chapter 15.24 (Floodplain Management) of the Moorpark Municipal Code. The applicant shall make necessary improvements to the site and/or the Arroyo Simi channel so that the site will no longer be a flood hazard. Drainage and flood control devices shall be provided in compliance with City and National Pollutant Discharge Elimination System (NPDES) requirements. The applicant shall apply for and receive a CLOMR (Conditional Letter of Map Revision) from FEMA prior to any grading activity in the 100 year floodplain. The applicant shall comply with all of the requirements of the CLOMR.

Monitoring Action: Inspect drainage and flood control improvements to the Arroyo Simi and/or the site as recommended by the hydrology study and for compliance with NPDES.

Timing: During grading and prior to dwelling construction.

Responsibility: Public Works Department, Community Development Department, Federal Emergency Management Agency

3. A pre-construction survey must be prepared 30 days prior to the start of grading activities. If burrowing owls are identified during the pre-construction survey, the California Department of Fish and Wildlife must be contacted to discuss mitigations.

The California Department of Fish and provided comments and recommendations to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources (attached). This site has been significantly disturbed in the past and based on the current surveys conducted by RCA Associates, LLC on September 5, 2017. No burrowing owls or populations of migratory nesting birds currently occur on the site and are unlikely to inhabit the site in the future. A biological monitor will be present during ground disturbance activities, if deemed necessary following discussions with CDFW.

Monitoring Action: Community Development Director to review pre-construction survey

Timing: At least thirty days prior to issuance of zoning clearance for grading permit

Responsibility: Community Development Department

4. If warranted, the Project will be responsible for the installation of a traffic signal at the intersection of Los Angeles Avenue (SR118) and Shasta Avenue/Project entrance. The Project will pay Los Angeles Avenue Area of Contribution Fees in effect at the time to fund core improvements to the Los Angeles Avenue corridor. This fee has already been paid for 87 homes. In addition, project will contribute \$2,000,000.00 for improvements that have been made to Los Angeles Avenue along the frontage of the project that were the responsibility of the project. The Project will pay a Citywide Traffic Mitigation Fee of Twelve Thousand Five Hundred Dollars (\$12,500.00) per residential unit, adjusted annually commencing January 1, 2019 in order to fund street improvements to mitigate its cumulative contribution to traffic throughout Moorpark. In addition, project will be subject to the County Traffic Impact Mitigation Fee Agreement.

Monitoring Action: Community Development Director to collect mitigation fees. City Engineer/Public Works Director to evaluate road improvements.

Timing: Prior to issuance of Building Permits

Responsibility: Community Development Department. Public Works Department

5. Pursuant to Title 27, Section 21190(c), "all proposed post closure land uses, other than non-irrigated open space, on sites implementing closure or on closed sites shall be submitted to the EA, Regional Water Quality Control Board, local air district and focal land use authority. The EA shall review and approve proposed post closure land uses if the project involves structures within 1000 feet of the disposal area, structures on top of waste, modification of the low permeability layer, or irrigation over waste." In addition to EA approval, Title 27 section 21190 (e)(1-g) details structural and monitoring requirements for post closure landfills.

The owners of the subject parcels may also propose a "clean closure" of their respective area, which refers to the complete removal of all waste and waste residuals, including contaminated soils.

Prior to development on these parcels, the applicant is required to submit the proposed land use along with a plan to comply with the post closure requirements and conditions specified in Title 27, or submit a plan to "clean close" the site or portion thereof.

Monitoring Action: Community Development Director monitor applicant's submittal of the proposed land use along with a plan to comply with the post closure requirements and conditions specified in Title 27, or submit a plan to "clean close" the site or portion thereof.

Timing: Prior to issuance of Grading Permits

Responsibility: Community Development Department. Ventura County Environmental Health Division

6. The Ventura County Watershed Protection District provided comments related to the mitigation of the potential impacts of the proposed project on the hydrology and hydraulics of Arroyo Simi and the replacement and transfer of ownership of the aging Moorpark Storm Drain #2 through the property.

Compensatory volume as result of proposed fill in the floodplain shall be mitigated by preparing an engineer report signed and stamped by a Registered Professional Engineer in the State of California. The report shall propose either compensatory volume within the proposed developed area, or by widening the Arroyo Simi channel to its ultimate design configuration. Should mitigation be proposed in the adjacent channel, a watercourse permit that is compliant with District WP-2 Ordinance is required prior to recordation of the Map. All proposed mitigation including the channel widening project shall meet District Design Standards and be reviewed and approved by the Watershed Protection District prior to watercourse permit issuance.

Moorpark Drain No.2 storm drain system inside the Tract shall be replaced in a manner that conforms to City of Moorpark, and District Standards – The rebuilt drainage system shall be owned and operated by the TTM 5882 future HOA, or dedicated to the City of Moorpark. A Design report and construction plans for replacement of Moorpark Drain No.2 shall be approved by the City of Moorpark and Watershed Protection District prior to recordation of the map. The future owner of the rebuilt drainage shall secure a watercourse permit that is compliant with District WP-2 Ordinance prior to construction of all drainage improvements.

Project shall dedicate in fee Lots H and I of TTM 5882 at recordation of Final Map consistent with District resolution for right of way reservation along the Arroyo Simi.

Project shall also enter into negotiations to exchange existing District APN 506003019 property south of Lot F and lots 123, 106 and 89 and portions of project land areas starting at the southerly western end of the project to include the westerly basin and lots 94 through 107 to secure sufficient land area to provide a minimum of 200 linear feet of channel right of way.

Due to the proximity to the Arroyo Simi, a District facility, the proposed detention basins in Lots E and F shall be conditioned to be designed as per District Standards and their proposed berms adjacent to the Arroyo Simi shall be above the FEMA Based Flood Elevation to ensure their performance. All proposed storm drain connections into the Arroyo Simi shall be maintained by the HOA and require a permit as per Ordinance WP-2.

<i>Monitoring Action:</i>	Community Development Director monitor applicant's submittal of the proposed Final Map, along with a plan to comply with the requirements of the Ventura County Watershed Protection District.
<i>Timing:</i>	Prior to recordation of Final Map
<i>Responsibility:</i>	Community Development Department. Public Works/City Engineer. Ventura County Watershed Protection District.

**AGREEMENT TO PROPOSED MITIGATION MEASURES AND
MONITORING AND REPORTING PROGRAM**

In accordance with the CEQA Guidelines Section 15070 (California Code of Regulations Title 14, Chapter 3, Article 6), this agreement must be signed prior to release of the Mitigated Negative Declaration for public review.

I, THE UNDERSIGNED PROJECT APPLICANT, HEREBY AGREE TO MODIFY THE PROJECT DESIGN, CONSTRUCTION OR OPERATION AS NECESSARY TO INCLUDE ALL OF THE ABOVE-LISTED MITIGATION MEASURES IN THE PROJECT.

Signature of Project Applicant

Date

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
A. AESTHETICS – Would the project:				
1) Have a substantial adverse effect on a scenic vista?	_____	_____	<u> X </u>	_____
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	_____	_____	<u> X </u>	_____
3) Substantially degrade the existing visual character or quality of the site and its surroundings?	_____	_____	<u> X </u>	_____
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	_____	_____	<u> X </u>	_____

Response: The Site is not located within an identified scenic corridor and there are no scenic resources on site. Normal street lighting and residential light sources will not have a significant impact on vistas and will be evaluated and be consistent with the City's lighting ordinance.

Architecture and landscaping will be evaluated for consistency with City standards.

Sources: Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; General Plan Land Use Element (1992).

Mitigation: None

B. AGRICULTURE RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources agency, to non-agricultural use?	_____	_____	_____	<u> X </u>
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	_____	_____	_____	<u> X </u>
3) Involve other changes in the existing environment	_____	_____	_____	<u> X </u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

Response: This is an infill project, is in an urban setting and does not affect agricultural resources. Historically, this site was used for agricultural purposes, however it has not been in production in recent years. Grading for a similar housing development had already begun in 2000. The Ventura County Important Farmland Map classifies the site as "Urban and Built-Up land."

Sources: Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; California Dep't of Conservation: Ventura County Important Farmland Map (2000)

Mitigation: None required.

C. AIR QUALITY – Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

1) Conflict with or obstruct implementation of the applicable air quality plan?	_____	_____	_____ X _____	_____
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	_____	_____	_____ X _____	_____
3) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	_____	_____	_____ X _____	_____
4) Expose sensitive receptors to substantial pollutant concentrations?	_____	_____	_____ X _____	_____
5) Create objectionable odors affecting a substantial number of people?	_____	_____	_____ X _____	_____

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Response:</u>	The project is estimated to result in approximately 19.08 pounds of Nitrogen Oxides (NOx) per day and 20.21 pounds per day of Reactive Organic Gases in its first year, mostly from vehicle trip emissions. The level for NOx does not exceed suggested thresholds of the Ventura County Air Pollution Control District of 25 lbs. per day. A Standard Condition of Approval has been added as part of the project for the developer to pay a contribution to the City's Transportation System Management fund, reducing this impact to a less than significant level. These funds are used for pedestrian and bicycle improvements which encourage the reduction of automobile travel. No additional mitigation is needed.			
<u>Sources:</u>	Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; Ventura County Air Pollution Control District: Ventura County Air Quality Assessment Guidelines (2000), URBEMIS 2001			
<u>Mitigation:</u>	None required.			

D. BIOLOGICAL RESOURCES – Would the project:

1) Have a substantial adverse effect, either directly or through habitat modifications, on 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?	_____	<u> x </u>	_____	_____
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	_____	_____	_____	<u> x </u>
3) 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?	_____	_____	_____	<u> x </u>
4) 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?	_____	_____	_____	<u> x </u>
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	_____	_____	_____	<u> x </u>
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	_____	_____	_____	<u> x </u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Response:	<p>Due to the highly disturbed urban setting of the site, there are minimal adverse affects to biological resources. A variety of common grass species and a few shrubs would be the only vegetation lost during grubbing/clearing activities.</p> <p>Development of the site is not expected to have a significant cumulative impact on the general biological resources on the site or in the surrounding region.</p> <p>The site is not expected to support any sensitive wildlife species, according to a March 2012 biological survey report submitted with the application. However, the survey found numerous suitable potential occupiable burrows for burrowing owls on the site, though no burrowing owls were observed on the property.</p> <p>The California Department of Fish and provided comments and recommendations to assist the City in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. This site has been significantly disturbed in the past and based on the current surveys conducted by RCA Associates, LLC on September 5, 2017. No burrowing owls or populations of migratory nesting birds currently occur on the site and are unlikely to inhabit the site in the future. A biological monitor will be present during ground disturbance activities, if deemed necessary following discussions with CDFW. No further mitigation measures are required.</p>			
Sources:	<p>Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; California Department of Fish and Game: Natural Diversity Data Base-Moorpark and Simi Valley Quad Sheets (1993)</p>			
Mitigation:	<p>A pre-construction survey must be prepared 30 days prior to the start of grading activities. If burrowing owls are identified during the pre-construction survey, the California Department of Fish and Wildlife must be contacted to discuss mitigations.</p>			

E. CULTURAL RESOURCES – Would the project:

1) Cause a substantial adverse change in the significance of a historic resource as defined in §15064.5?	_____	_____	_____	<u> X </u>
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	_____	_____	_____	<u> X </u>
3) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	_____	_____	_____	<u> X </u>
4) Disturb any human remains, including those interred outside of formal cemeteries?	_____	_____	_____	<u> X </u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Response:	Due to the highly disturbed urban setting of the site, there are minimal adverse affects to cultural resources. A 2003 archaeological survey concluded that there are no known or expected cultural resources on the project site.			
Sources:	Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; Archaeological Survey/Project Application (3/14/03)			
Mitigation:	None required.			

F. GEOLOGY AND SOILS – Would the project:

1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death Involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	_____	_____	X	_____
ii) Strong seismic ground shaking?	_____	_____	X	_____
iii) Seismic-related ground failure, including liquefaction?	_____	_____	X	_____
iv) Landslides?	_____	_____	X	_____
2) Result in substantial soil erosion or the loss of topsoil?	_____	_____	X	_____
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	_____	_____	X	_____
4) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	_____	_____	X	_____
5) Have 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?	_____	_____	X	_____

Response:	Grading for a similar housing development had already begun in 2000. This project will be built subject to compliance with building codes and compliance with all project conditions of approval. All plans will be subject to the review and approval of the City prior to issuance of building permits. The site is not located in an earthquake fault zone. The site is, however, located in a liquefaction hazard zone; therefore, geotechnical measures will be incorporated into the project design as required by the Seismic Hazards Mapping Act.
------------------	---

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Sources:</u> Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; Alquist-Priolo Earthquake Fault Zone Map (Simi Valley West, 1999), Seismic Hazard Zone Map (Simi Valley, 1997) General Plan Safety Element (2001)				
<u>Mitigation:</u> None required.				

G. GREENHOUSE GAS EMISSIONS – Would the project:

1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	_____	_____	<u> X </u>	_____
2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				<u> X </u>

<u>Response:</u> The project will generate 4.59 metric tons of carbon dioxide equivalents per service population per year. The Ventura County Air Pollution Control District has not yet adopted any approach to setting a threshold of significance for land use development projects in the area of project greenhouse gas emission. The project will generate less than significant impacts to regional and local air quality and the project will be subject to a conditions approval to ensure that all project construction and operations shall be conducted in compliance with all APCD Rules and Regulation. Furthermore, the amount of greenhouse gases anticipated from the project will be a small fraction of the levels being considered by the APCD for greenhouse gas significant thresholds and below those adopted to date by any air district in the state, typically 4.6 metric tons of carbon dioxide equivalents per service population per year. Therefore, the project specific and cumulative impacts to greenhouse gases are less than significant.
<u>Sources:</u> Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; Ventura County Air Pollution Control District: Ventura County Air Quality Assessment Guidelines (2003)
<u>Mitigation:</u> None Required.

H. HAZARDS AND HAZARDOUS MATERIALS – Would the project:

1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	_____	_____	_____	<u> X </u>
2) 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?	_____	<u> X </u>	_____	_____

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3) Emit hazardous emission or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	_____	_____	_____	<u> X </u>
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	_____	_____	_____	<u> X </u>
5) 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 result in a safety hazard for people residing or working in the project area?	_____	_____	_____	_____
6) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	_____	_____	_____	<u> X </u>
7) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	_____	_____	_____	<u> X </u>
8) 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?	_____	_____	_____	<u> X </u>

Response: The Ventura County Environmental Health Division (Division) is the Local Enforcement Agency (EA) for solid waste sites in the County and is responsible for ensuring compliance with California Code of Regulations Title 27 (Title 27). The property is designated as a closed, pre-regulation solid waste disposal site, known as S.K. Egg City, SWIS Site ID 56-CR-0040.

Sources: Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; General Plan Safety Element (2001)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--	---	---	---	----------------------

Mitigation: Pursuant to Title 27, Section 21190(c), "all proposed post closure land uses, other than non-irrigated open space, on sites implementing closure or on closed sites shall be submitted to the EA, Regional Water Quality Control Board, local air district and focal land use authority. The EA shall review and approve proposed post closure land uses if the project involves structures within 1000 feet of the disposal area, structures on top of waste, modification of the low permeability layer, or irrigation over waste." In addition to EA approval, Title 27 section 21190 (e)(1-g) details structural and monitoring requirements for post closure landfills.

The owners of the subject parcels may also propose a "clean closure" of their respective area, which refers to the complete removal of all waste and waste residuals, including contaminated soils.

Prior to development on these parcels, the applicant is required to submit the proposed land use along with a plan to comply with the post closure requirements and conditions specified in Title 27, or submit a plan to "clean close" the site or portion thereof.

I. HYDROLOGY AND WATER QUALITY – Would the project:

1) Violate any water quality standards or waste discharge requirements?	_____	_____	_____ X _____	_____
2) 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)?	_____	_____	_____	_____ X _____
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	_____	_____	_____ X _____	_____
4) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	_____	_____	_____ X _____	_____
5) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	_____	_____	_____ X _____	_____
6) Otherwise substantially degrade water quality?	_____	_____	_____	_____ X _____
7) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map?	_____	_____ X _____	_____	_____

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact X	No Impact
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	_____	_____	_____	_____
9) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	_____	X	_____	_____
10) Inundation by seiche, tsunami, or mudflow?	_____	_____	_____	X

Response: The site is within a within a FEMA identified 100-year flood hazard area. On site grading and improvements may affect existing drainage patterns.

The Ventura County Watershed Protection District provided comments related to the mitigation of the potential impacts of the proposed project on the hydrology and hydraulics of Arroyo Simi and the replacement and transfer of ownership of the aging Moorpark Storm Drain #2 through the property.

Sources: Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; Grade Drainage Study/Preliminary Geologic and Geotechnical Engineering Study; General Plan Safety Element (2001), Moorpark Municipal Code

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------------	--	------------------------------------	--------------

Mitigation: The project shall comply with Chapter 15.24 (Floodplain Management) of the Moorpark Municipal Code. The applicant shall make necessary improvements to the site and/or the Arroyo Simi channel so that the site will no longer be a flood hazard. Drainage and flood control devices shall be provided in compliance with City and National Pollutant Discharge Elimination System (NPDES) requirements. The applicant shall apply for and receive a CLOMR (Conditional Letter of Map Revision) from FEMA prior to any grading activity in the 100 year floodplain. The applicant shall comply with all of the requirements of the CLOMR.

Compensatory volume as result of proposed fill in the floodplain shall be mitigated by preparing an engineer report signed and stamped by a Registered Professional Engineer in the State of California. The report shall propose either compensatory volume within the proposed developed area, or by widening the Arroyo Simi channel to its ultimate design configuration. Should mitigation be proposed in the adjacent channel, a watercourse permit that is compliant with District WP-2 Ordinance is required prior to recordation of the Map. All proposed mitigation including the channel widening project shall meet District Design Standards and be reviewed and approved by the Watershed Protection District prior to watercourse permit issuance.

2. Moorpark Drain No.2 storm drain system inside the Tract shall be replaced in a manner that conforms to City of Moorpark, and District Standards – The rebuilt drainage system shall be owned and operated by the TTM 5882 future HOA, or dedicated to the City of Moorpark. A Design report and construction plans for replacement of Moorpark Drain No.2 shall be approved by the City of Moorpark and Watershed Protection District prior to recordation of the map. The future owner of the rebuilt drainage shall secure a watercourse permit that is compliant with District WP-2 Ordinance prior to construction of all drainage improvements.

3. Project shall dedicate in fee Lots H and I of TTM 5882 at recordation of Final Map consistent with District resolution for right of way reservation along the Arroyo Simi.

4. Project shall also enter into negotiations to exchange existing District APN 506003019 property south of Lot F and lots 123, 106 and 89 and portions of project land areas starting at the southerly western end of the project to include the westerly basin and lots 94 through 107 to secure sufficient land area to provide a minimum of 200 linear feet of channel right of way.

5. Due to the proximity to the Arroyo Simi, a District facility, the proposed detention basins in Lots E and F shall conditioned to be designed as per District Standards and their proposed berms adjacent to the Arroyo Simi shall be above the FEMA Based Flood Elevation to ensure their performance. All proposed storm drain connections into the Arroyo Simi shall be maintained by the HOA and require a permit as per Ordinance WP-2.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------------	--	------------------------------------	--------------

J. LAND USE AND PLANNING – Would the project:

- | | | | | |
|---|-------|-------|-------|----------------|
| 1) Physically divide an established community? | _____ | _____ | _____ | _____ <u>X</u> |
| 2) Conflict 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? | _____ | _____ | _____ | _____ <u>X</u> |
| 3) Conflict with any applicable habitat conservation plan or natural community conservation plan? | _____ | _____ | _____ | _____ <u>X</u> |

Response: The Tentative Tract Map and Residential Planned Development Application were filed concurrently with a General Plan Amendment and Zone Change. The applications and plans are internally consistent and, if approved, will not conflict with any other plans. The project is consistent with the goals and policies of the General Plan. Grading for a similar housing development had already begun in 2000.

Sources: Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; General Plan Land Use Element (1992)

Mitigation: None required.

K. MINERAL RESOURCES – Would the project:

- | | | | | |
|---|-------|-------|-------|----------------|
| 1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | _____ | _____ | _____ | _____ <u>X</u> |
| 2) Result in 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? | _____ | _____ | _____ | _____ <u>X</u> |

Response: There are no known mineral resources on site.

Sources: Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; General Plan Open Space, Conservation, and Recreation Element (1986)

Mitigation: None required.

L. NOISE – Would the project result in:

- | | | | | |
|---|-------|----------------|-------|----------------|
| 1) 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? | _____ | _____ <u>X</u> | _____ | _____ |
| 2) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | _____ | _____ | _____ | _____ <u>X</u> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	_____	_____	X	_____
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	_____	_____	X	_____
5) 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?	_____	_____	_____	X
6) 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?	_____	_____	_____	X

Response: There will be a temporary increase in noise during grading and construction. Noise generators will be required to comply with the City's Noise Ordinance and allowed hours of construction. Future residents on site may be subject to excessive noise levels from traffic on Los Angeles Avenue.

Sources: Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; General Plan Noise Element (1998)

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	------------------------------------	--------------

Mitigation: A sound wall, at least eight (8) feet in height, shall be constructed along the Los Angeles Avenue and Leta Yancy Road Frontage.

Units facing Los Angeles Avenue in the first row of homes nearest the roadway in VTT 5882 (West) will require upgraded windows, as follows:

- d. For all first row units, **first floor windows** will require STC rating greater than or equal to 26.
- e. For all first row units with a building setback greater than 15 feet from property line wall, **second floor windows** will require STC rating greater than or equal to 33
- f. For all first row units with a building setback of 15 feet or less from property line wall, **second floor windows** will require an STC rating greater than or equal to 34

Units facing Los Angeles Avenue in VTT 5882 (East) will require upgraded windows, as follows:

- a. Corner lots 1 and 51 will require **second floor windows** facing Los Angeles Avenue to have STC rating greater than or equal to 33.
- b. For all other first row units facing Los Angeles Avenue, **second floor windows** will require STC rating greater than or equal to 32.
- c. For all 3-story second row units facing Los Angeles, **third floor windows** will require STC rating greater than or equal to 32.
- d. For all 3-story third row units facing Los Angeles, third floor windows will require STC rating greater than or equal to 30.

The mechanical ventilation system shall be capable of providing two (2) air changes per hour in habitable rooms with a minimum of 15 cubic feet per minute of outside air, per occupant. The fresh air inlet duct shall be of sound attenuating construction and shall consist of a minimum of ten (10) feet of straight or curved duct or six (6) feet plus one (1) sharp 90 degree bend. Attic vents facing adjacent roadways, if applicable, should include an acoustical baffle, or the attic floor (including the access panel) should be fully insulated to prevent vehicle noise intrusion.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	--	------------------------------	-----------

M. POPULATION AND HOUSING – Would the project:

1) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	_____	_____	<u> X </u>	_____
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	_____	_____	_____	<u> X </u>
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	_____	_____	_____	<u> X </u>

Response: This project will have a beneficial impact of helping to achieve housing goals in support of the Housing Element of the General Plan. There will be no negative impacts related to population growth or housing.

Sources: Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306

Mitigation: None required.

N. PUBLIC SERVICES

1) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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 times or other performance objectives for any of the public services:

Fire protection?	_____	_____	<u> X </u>	_____
Police protection?	_____	_____	<u> X </u>	_____
Schools?	_____	_____	<u> X </u>	_____
Parks?	_____	_____	<u> X </u>	_____
Other public facilities?	_____	_____	<u> X </u>	_____

Response: While some incremental impact on public services is to be expected, the impacts are not significant. Development fees and increased property taxes will be paid to fund required public services.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Sources:</u> Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; General Plan Safety Element (2001), General Plan Open Space, Conservation, and Recreation Element (1986)				
<u>Mitigation:</u> None required.				

O. RECREATION

1) Would the project increase 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?	_____	_____	<u> x </u>	_____
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	_____	_____	<u> x </u>	_____

<u>Response:</u> On site recreational facilities are proposed. Park and recreation fees will be paid.
<u>Sources:</u> Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; General Plan Open Space, Conservation, and Recreation Element (1986)
<u>Mitigation:</u> None required.

P. TRANSPORTATION/TRAFFIC – Would the project:

1) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	_____	_____	<u> x </u>	_____
2) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	_____	<u> x </u>	_____	_____
3) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	_____	_____	_____	<u> x </u>
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	_____	_____	_____	<u> x </u>
5) Result in inadequate emergency access?	_____	_____	_____	<u> x </u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
6) Result in inadequate parking capacity?	_____	_____	_____	<u> X </u>
7) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	_____	_____	_____	<u> X </u>

Response: The proposed project will reduce the level of service (LOS) of intersections in the area, as identified in the Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306. Access to the site will be provided from the Los Angeles Avenue and Leta Yancy Road. An emergency exit to Los Angeles Avenue will be provided on the western boundary of the site. Adequate parking will be provided on site, including within garages, driveways and on public and private streets. Mitigation has been identified to reduce traffic impacts to a less-than significant level.

Sources: Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; General Plan Circulation Element (1992)

Mitigation: If warranted, the Project will be responsible for the installation of a traffic signal at the intersection of Los Angeles Avenue (SR118) and Shasta Avenue/Project entrance. The Project will pay Los Angeles Avenue Area of Contribution Fees in effect at the time to fund core improvements to the Los Angeles Avenue corridor. This fee has already been paid for 87 homes. In addition, project will contribute \$2,000,000.00 for improvements that have been made to Los Angeles Avenue along the frontage of the project that were the responsibility of the project. The Project will pay a Citywide Traffic Mitigation Fee of Twelve Thousand Five Hundred Dollars (\$12,500.00) per residential unit, adjusted annually commencing January 1, 2019 in order to fund street improvements to mitigate its cumulative contribution to traffic throughout Moorpark. In addition, project will be subject to the County Traffic Impact Mitigation Fee Agreement.

Q. UTILITIES AND SERVICE SYSTEMS – Would the project:

1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	_____	_____	<u> X </u>	_____
2) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	_____	_____	<u> X </u>	_____
3) 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?	_____	_____	<u> X </u>	_____
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	_____	_____	<u> X </u>	_____
5) Result in a determination by the wastewater treatment	_____	_____	<u> X </u>	_____

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
6) Be served by the landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	_____	_____	_____ x _____	_____
7) Comply with federal, state, and local statutes and regulations related to solid waste?	_____	_____	_____ x _____	_____

Response: Utilities and service systems within the area are adequate to serve the project. Development fees will be paid to fund required utilities and service systems, or they will be provided by the developer.

Sources: Project Application and Exhibits - April 15, 2016; Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306; Ventura County Watershed Protection District: Technical Guidance Manual for Stormwater Quality Control Measures (2002)

Mitigation: None required.

R. MANDATORY FINDINGS OF SIGNIFICANCE

1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history of prehistory?	_____	_____	_____	_____ x _____
2) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effect of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and effects of probable future projects)?	_____	_____	_____	_____ x _____
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	_____	_____	_____	_____ x _____

Response: This is an infill project on a substantially disturbed site within an urban setting and is the re-platting of a previously approved project of similar scale for which grading had already begun in 2000.

Sources: See below.

Earlier Environmental Documents Used in the Preparation of this Initial Study

Final Environmental Impact Report for Westland Company April 1991 – State Clearinghouse Number 90010306

Additional Project References Used to Prepare This Initial Study

One or more of the following references were incorporated into the Initial Study by reference, and are available for review in the Community Development Office, City Hall, 799 Moorpark Avenue, Moorpark, CA 93021. Items used are referred to by number in the Response Section of the Initial Study Checklist.

1. Environmental Information Form application and materials submitted on April 15, 2016.
2. Comments received from (departments) in response to the Community Development Department's request for comments.
3. The City of Moorpark's General Plan, as amended.
4. The Moorpark Municipal Code, as amended.
5. The City of Moorpark Procedures for the Implementation of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines adopted by Resolution No. 2004-2224
6. Public Resources Code Section 21000 et. seq. and California Code of Regulations, Title 14 Section 15000 et. seq.
7. Ventura County Air Quality Assessment Guidelines, October 31, 200

COMMENTS



VENTURA COUNTY WATERSHED PROTECTION DISTRICT
WATERSHED PLANNING AND PERMITS DIVISION
800 South Victoria Avenue, Ventura, California 93009
Zia Hosseinipour, Manager of Advanced Planning – (805) 654-2454

MEMORANDUM

DATE: March 9, 2017
TO: Joseph Fiss, Economic Development and Planning Manager
FROM: Zia Hosseinipour, Manager of Advanced Planning *Zia Hosseinipour*
SUBJECT: Vesting Tentative Tract No. 5882: Residential Planned Development No. 2016-01
APN: 506-0-030-240,-250,-200,-180, 506-0-050-510, 38.73 Acres
South Side of Los Angeles Avenue & West of Leta Yancy Road, City of Moorpark, CA
Arroyo Simi, Calleguas Creek Watershed
Watershed Protection District Project No. WC2017-0024

Pursuant to your request dated February 23, 2017 this office has reviewed the submittal of a Project Review for Vesting Tentative Tract No. 5882: Residential Planned Development No. 2016-01, and provides the following comments.

PROJECT LOCATION:

The Project is located at South side of Los Angeles Avenue, west of Leta Yancy Road in the City of Moorpark, California.

PROJECT DESCRIPTION:

The Project Proponent is proposing a gated residential development consisting of 153 single family residential units and 130 detached condominium units on 38.7 acres.

WATERSHED PROTECTION DISTRICT COMMENTS:

1. The Project Site (38.73 acres) is located immediately north and adjacent to the Arroyo Simi which is a Ventura County Watershed Protection District (District) jurisdictional redline channel which is regulated under Watershed Protection District Ordinance WP-2 enacted October 13, 2013. "Moorpark Storm Drain #2" traverses the central area of the Site and is also a District jurisdictional channel. The proposed development will generate a significant amount of impervious surface area (35 acres approximately) as well as drainage connections to the Arroyo Simi and Moorpark Storm Drain #2.

The Project Proponent is hereby informed that in accordance with District Ordinance WP-2, it is the District's standard that a Project can not impair,

March 9, 2017

Vesting Tentative Tract No. 5882: Residential Planned Development No. 2016-01

Page 2 of 4

divert, impede or alter the characteristics of the flow of water running in any jurisdictional redline channel or facility. To the extent that development impacts District channels and facilities, compliance with District criteria is required. In such cases engineering studies should verify compliance with District hydrology data and flood studies. In addressing peak attenuation, stormwater runoff after development must be mitigated so as not to exceed the peak flow under existing conditions for any frequency of storm event (10-, 25-, 50-, and 100-year).

Therefore, the Project Proponent is required at this time to submit to the District for its review and approval a drainage report documenting how the Project complies with District requirements for mitigation for both the Arroyo Simi and Moorpark Storm Drain #2. The drainage report documenting how mitigation will be provided shall follow the VCWPD *GUIDE FOR HYDROLOGIC AND HYDRAULIC STUDY REPORTS* found at:

http://pwportal.ventura.org/WPD/dept/WPD/divisions/planning_regulatory/docs/Guide%20for%20Hydra.pdf

The District's methods for calculating the design hydrology for the Project are contained in the 2010 Design Hydrology Manual. It can be found at:

<http://vcwatershed.net/hydrology/>

2. The Moorpark Storm Drain #2 has two pipe systems: a 54" RCP (with 1000D, $fc=3,000$ psi concrete strength, and steel strength $fs=20,000$ psi) system, and a 48" CMP system. Both systems were constructed in 1970 (47 year old storm drainage system). Presently, the District has a 17-ft. wide easement across the Site, between Los Angeles Ave. and the Arroyo Simi channel. The easement is identified as Instrument 10104.003E, ID 1777, Deed Ref. 3711/365, and Date: August 26, 1970. Both systems are close to the end of their design life and were not designed or intended for vehicle crossing. In 1998, the 48" CMP pipe had metal corrosion issues. Please identify these two pipe systems on the Vesting Tentative Tract No. 5882.

The District suggests that the Project Proponent be required to either replace the 48" CMP system and the 54" RCP (with 1350D, $fc=4,000$ psi concrete strength, and steel strength $fy=60,000$ psi); or provide a 30-ft. minimum width strip of flow easement to the District and change the portion of the vehicle crossing sections by 54" RCP with 1350D and $fc=4,000$ psi concrete strength. The 48" CMP system should also be changed in a similar way.

3. According to the Federal Emergency Management Agency (FEMA), approximately 66% of the proposed Project area appears to be within the 1% annual chance (100-year) floodplain. During the 100-year flood, about 65% of the project area (26 acre) could be under 2 feet to 3 feet of water. The District has identified the Arroyo Simi Channel in the Project area

March 9, 2017

Vesting Tentative Tract No. 5882: Residential Planned Development No. 2016-01

Page 3 of 4

as being deficient and having major flooding problems. The following recommendations are made to meet flood mitigation requirements and future enhancements to improve flood conveyance.

- a. The Project will occupy about 65 acre-feet of the Arroyo Simi Channel volume during a 1% flooding. Please prepare and submit a mitigation plan for handling the 65 acre-feet volume loss in the Arroyo Simi Channel during a 1% flooding period.
 - b. Development will increase the flood flows by the increasing the impervious areas. Provide an onsite detention system to detain any increase in peak flows as a result of development. The District's standard is "No increase in peak flows for all storm frequencies" (-10, -25, -50, 100-year).
 - c. A Hydraulic & Hydrologic Study Report for the Project area shall be conducted and the flood control mitigation alternatives for Arroyo Simi channel considered. The Report shall include discussions of how the additional volume of water due to development will be mitigated (displaced volume) due to grading and fill in the floodplain. Also, discuss mitigation measures to protect the development from flood flow velocity in the project area (bank stabilization, etc.).
 - d. A CLOMR shall be performed and implemented to ensure that there will be no impact, including erosion, to the proposed adjacent properties.
4. Two flood control detention basins are planned in the Vesting Tentative Tract No. 5882 drawing to mitigate the extra runoff due to increased impervious areas. Please provide design details of these detention basins in the H&H report.
 5. There is a 2002 Agreement between the City of Moorpark and the District stating that the District shall have a minimum of 202-ft. width of Arroyo Simi Channel at the development reach. Please follow the previous Agreements in the design to the Project. The District requests that the Project Proponent provide a Flood Control Fee Easement to the District for lands adjacent to the Arroyo Simi channel. The District's suggested Flood Control Fee Easement is presented below.

The District has easements and contiguous fee properties located upstream and downstream of the site. The purpose of District ownership is to ensure that the District can provide ongoing and long term management for flood and erosion control, ecological restoration, and habitat protection along a continuously accessible Arroyo Simi corridor. District ownership safeguards the District's right to prohibit structures and other obstructions to flows within the channel, including the establishment of impervious surfaces and the placement of fill within the bed, banks, and overflow areas of the channel.

March 9, 2017

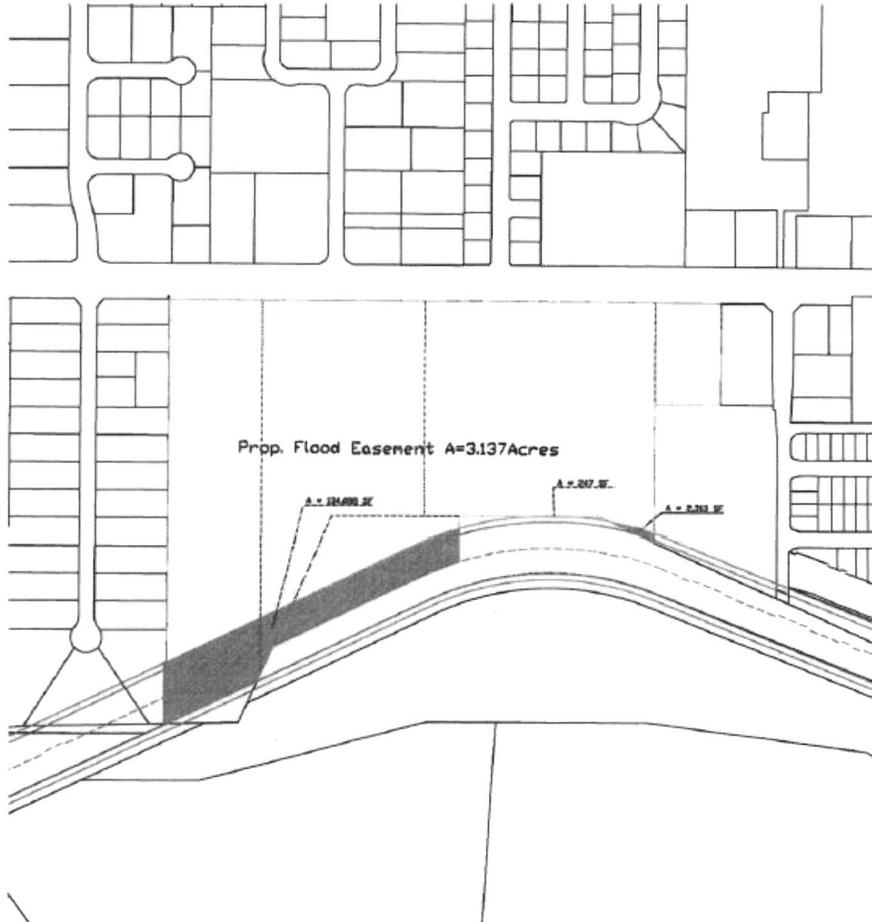
Vesting Tentative Tract No. 5882: Residential Planned Development No. 2016-01

Page 4 of 4

Since the District currently owns adjacent easements, we request dedication of a fee easement on the site for flood control purposes with restriction for any structures within the easement. The requested 3.137 acres Easement is described as follows: (see drawing, below.)

- a. 134,088 square feet easement located at south-west of the Project.
 - b. 247 square feet easement located at south of the Project.
 - c. 2,313 square feet easement located at south-east of the Project.
6. There is a proposed detention basin outlet structure located at south-west corner of the Project Site. In accordance with District Ordinance WP-2, it is the District's standard that a Project can not impair, divert, impede or alter the characteristics of the flow of water running in any jurisdictional red line channel or facility, including the Arroyo Simi, and that any additional flow must be contained on the Site. Further, any development activity including drainage connections and site grading that is proposed in, on, under, or across any jurisdictional redline channel or facility including the bed, banks, and overflow areas will require a Permit from the District.
7. The proposed basin located south of Lot 154 has no outlet structure. Is the Project Proponent intending that this will be a retention basin or a detention basin?

END OF TEXT



Proposed Flood Fee Easement for Residential Plan No. 2016-01 - WC2017-0024



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



August 30, 2017

Joseph Fiss, Economic Development and Planning Manager
City of Moorpark Community Development Department
799 Moorpark Avenue
Moorpark, CA 93021
jfiss@moorparkca.gov

Subject: Comments on the Mitigated Negative Declaration for Residential Planned Development No. 2016-01 Project within the City of Moorpark, Ventura County, SCH 2017081002

Dear Mr. Fiss:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Mitigated Negative Declaration (MND) for the Residential Planned Development Project No. 2016-01 (Project) within the City of Moorpark, Ventura County, pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ The Project is located on the south side of Los Angeles Avenue, west of Leta Yancy Road, and north of Arroyo Simi.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Joseph Fiss, Economic Development and Planning Manager
City of Moorpark Community Development Department
August 30, 2017
Page 2 of 6

may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

PROJECT DESCRIPTION SUMMARY

The Applicant requests approval of a proposed gated residential development consisting of 153 single-family homes and 131 detached condominiums on 38.73 acres. The Project involves the re-platting of a similar, previously approved project of 284 homes on the same site for which grading had begun in 2000.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

Comment #1:

The MND includes a mitigation measure to survey for burrowing owl (*Athene cunicularia*), a California Species of Special Concern (SSC), 30 days prior to construction. Least Bell's vireo (*Vireo bellii pusillus*) is a federal and state listed endangered species; southwestern pond turtle (*Emys marmorata*) and two-striped gartersnake (*Thamnophis hammondi*) are California Species of Special Concern. These species are known to use similar habitats as those on the project site (burrowing owl habitat) and within the Arroyo Simi located adjacent to the Project site.

Issue: CDFW concurs with the need for burrowing owl surveys. However, the use of surveys or protocols for other SSC with the potential to exist on the Project site is not described in the MND.

Specific impact: Potential impacts to SSC on or adjacent to the Project site.

Why impact would occur: Direct impact caused by Project implementation and/or indirect impacts caused by noise, light, dust, and increased predation.

Evidence impact would be significant: Previous developments in the Moorpark City environs have impacted habitats that support the above listed special status species. This project could directly impact and/or indirectly impact individuals of these species which will cause cumulative impacts on the local populations of these species.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends completing surveys for these species to better inform the Project's potential impacts prior to MND approval. The results of the surveys may influence the mitigation measures ultimately adopted within the final CEQA document. Survey protocol and guidelines for least Bell's vireo and burrowing owl can be found at: <https://www.wildlife.ca.gov/Conservation/Survey-Protocols>. If Project drainage structures are proposed and have the potential to impact riparian habitats in the Arroyo Simi, CDFW recommends

Joseph Fiss, Economic Development and Planning Manager
City of Moorpark Community Development Department
August 30, 2017
Page 3 of 6

focused surveys for southwestern pond turtle and two-striped gartersnake. Protocol surveys for least Bell's vireo should be conducted in suitable habitat within the Arroyo Simi because the Project could cause indirect impacts to nesting from increased noise, light intensity, predator attraction, and dust. Also, as noted in the MND, potential burrowing owl habitat occurs on the Project site. CDFW recommends conducting protocol level surveys for burrowing owl as outlined in the 2012 CDFW Staff Report on Burrowing Owl Mitigation 2012 (found at the above web-link) prior to Project implementation. If burrowing owls are detected, CDFW recommends that the City consult with CDFW to develop a plan of action to minimize impacts.

Mitigation Measure #2: CDFW considers adverse impacts to a species protected by CESA, for the purposes of CEQA, to be significant without mitigation. The Arroyo Simi is located adjacent to the Project site and provides potential habitat to the least Bell's vireo. The Project could cause indirect impacts to least Bell's vireo. As to CESA, take of any endangered, threatened, candidate species, or state-listed rare plant species that results from the Project is prohibited, except as authorized by state law (Fish and Game Code, §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project.

Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and Game Code §§ 2080.1, 2081, subds. (b),(c)). Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.

Comment #2:

Issue: Nesting birds may use the 38-acre project site and the adjacent Arroyo Simi habitats for nesting and foraging.

Specific impact: Native birds may be unsuccessful during nesting, which therefore reduces the total recruitment of individuals into their population.

Why impact would occur: The Project could either directly impact nesting birds by equipment grading over ground-nesting birds on the Project site, or indirectly by way of increased noise, light, dust, or increased predators caused by Project implementation.

Evidence impact would be significant: Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Title 50, § 10.13, Code of Federal Regulations). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).

Joseph Fiss, Economic Development and Planning Manager
City of Moorpark Community Development Department
August 30, 2017
Page 4 of 6

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: Proposed Project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season, which generally runs from February 1st through September 1st (as early as January 1st for some raptors) to avoid take of birds or their eggs. If avoidance of the avian breeding season is not feasible, CDFW recommends surveys by a qualified biologist with experience in conducting breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed, and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

Comment #3:

Issue: The Arroyo Simi, adjacent to the Project area supports aquatic, riparian, and wetland habitats.

Specific Impact: Removal of native riparian vegetation and increase in sedimentation into the Arroyo Simi.

Why impact would occur: If Project drain structures are constructed and native vegetation is removed the soil will be exposed and could be eroded into the Arroyo Simi during winter precipitation.

Evidence impact would be significant: Previous developments in the Moorpark City environs have impacted native habitats in the Arroyo Simi. The Project could directly impact and/or indirectly impact individuals of special status species which will cause cumulative impacts on the local populations of these species and/or increase sedimentation to the Arroyo Simi which will impact aquatic biological resources.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: If Project drainage structures are proposed and have the potential to impact riparian habitats in the Arroyo Simi, CDFW recommends the applicant notify CDFW for a Streambed Alteration Agreement. As a Responsible Agency under CEQA Guidelines section 15381, CDFW has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream, or use material from a streambed. For any such activities, the project applicant (or "entity") must provide written notification to the Department pursuant to section 1600 *et seq.* of the Fish and Game Code. To minimize additional requirements by the Department pursuant to section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA ².

²A notification package for a LSA may be obtained by accessing the Department's web site at www.wildlife.ca.gov/habcon/1600.

Joseph Fiss, Economic Development and Planning Manager
City of Moorpark Community Development Department
August 30, 2017
Page 5 of 6

Mitigation Measure #2: A preliminary jurisdictional delineation of the streams and their associated riparian habitats should be included in the MND if drainage features from the Project have a potential to cause impact to the Arroyo Simi. The delineation should be conducted pursuant to the U. S. Fish and Wildlife Service wetland definition adopted by CDFW. Some wetland and riparian habitats subject to CDFW authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers' Section 404 permit and Regional Water Quality Control Board Section 401 Certification.

Mitigation Measure #3: In Project areas which may support ephemeral streams, herbaceous vegetation, woody vegetation, and woodlands also serve to protect the integrity of ephemeral channels and help maintain natural sedimentation processes; therefore, CDFW recommends effective setbacks be established to maintain appropriately-sized vegetated buffer areas adjoining ephemeral drainages.

Comment #4:

Issue: The proposed Project will grade a previously graded site and may construct drainage features into the Arroyo Simi and these areas support species of indigenous wildlife such as western fence lizard (*Sceloporus occidentalis*), side-blotched lizard (*Uta stansburiana*), and silvery legless lizard (*Anniella pulchra pulchra*).

Specific impact: Special status species and other wildlife of low mobility could be injured or killed by grubbing or other Project-related construction activities.

Why impact would occur: During Project implementation, indigenous wildlife have a high likelihood of being graded over and/or excavated with heavy equipment.

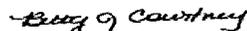
Evidence impact would be significant: Previous developments in the Moorpark City environs have impacted habitats that support the above listed special status species and other indigenous wildlife. This project could directly impact and/or indirectly impact individuals of these species which will cause cumulative impacts on the local populations of these species.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: To avoid direct mortality, CDFW recommends a qualified biological monitor approved by CDFW be on site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility. It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting project impacts associated with habitat loss.

Thank you again for the opportunity to comment on this MND. Questions regarding this letter and further coordination on these issues should be directed to Dan Blankenship, Senior Environmental Scientist (Specialist) at (661) 259-3750 or Daniel.Blankenship@wildlife.ca.gov.

Sincerely,



Betty J. Courtney
Environmental Program Manager I
South Coast Region



15555 Main Street, #D4-235
Hesperia, California 92345
(760) 956-9212 fax (760) 244-0791
rca123@aol.com
www.rcaassociatesinc.com

September 7, 2017

Mr. Joseph Fiss
Economic Development and Planning Manager
City of Moorpark Community Development Department
799 Moorpark Avenue
Moorpark, CA 93021

RE: Response to CDFW comments on the Mitigated Negative Declaration for
Residential Planned Development No. 2016-01 Project within the City of Moorpark,
Ventura County, SCH 2017081002

Dear Mr. Fiss:

I have reviewed the letter (dated August 30, 2017) from California Department of Fish & Wildlife (CDFW) regarding the MND for the Residential Planned Development No. 2016-01 Project within the City of Moorpark, Ventura County, SCH 2017081002, and I have the following comments.

1. The burrowing owl surveys and migratory nesting bird surveys requested by CDFW are normally required and can be conducted 30-days prior to the start of ground disturbance activities on the project site. Based on the current surveys conducted by RCA Associates, LLC on September 5, 2017, no burrowing owls or populations of migratory nesting birds currently occur on the site and are unlikely to inhabit the site in the future.
2. The site, as well as adjacent areas, do not support any suitable habitat for the Least Bell's Vireo based on biological surveys conducted on September 6, 2017 by RCA Associates, LLC. This species is dependent upon riparian habitat and no such habitat is present on the site or along the Arroyo Simi Channel which borders the southern boundary of the site. It is the opinion of RCA Associates, LLC that protocol surveys for the Least Bell's Vireo are not necessary. In addition, the site does not support suitable habitat for the southwestern pond turtle or the two-striped gartersnake. Both species require aquatic habitats (e.g., ponds, streams) which are absent from the site. Therefore, it is the opinion of RCA Associates, LLC that protocol surveys for the pond turtle and the two-striped gartersnake are also unnecessary.

Mr. Joseph Fiss
Economic Development and Planning Manager
City of Moorpark Community Development Department
Page 2

3. There are no stream channels which occur on the site, nor will the project, as proposed, impact any stream channels or any other areas which may be considered "Waters of the State" and/or "Waters of the U.S." Therefore, no jurisdictional delineation or a Streambed Alteration Agreement are deemed necessary.
4. The project, as proposed, will not have any impacts to the Arroyo Simi Channel and species such as the western fence lizard, side-blotched lizard, and silvery legless lizard are not expected to be impacted.
5. A biological monitor will be present during ground disturbance activities, if deemed necessary following discussions with CDFW. However, at the present time, it is the opinion of RCA Associates, LLC that a biological monitor may not be necessary based on the existing disturbed habitat present on the site and the minimal impacts which are expected to occur to biological resources.

If you have any questions, please contact me at (760) 596-0017 or (760) 956-9212.

Sincerely,

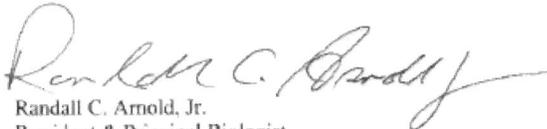
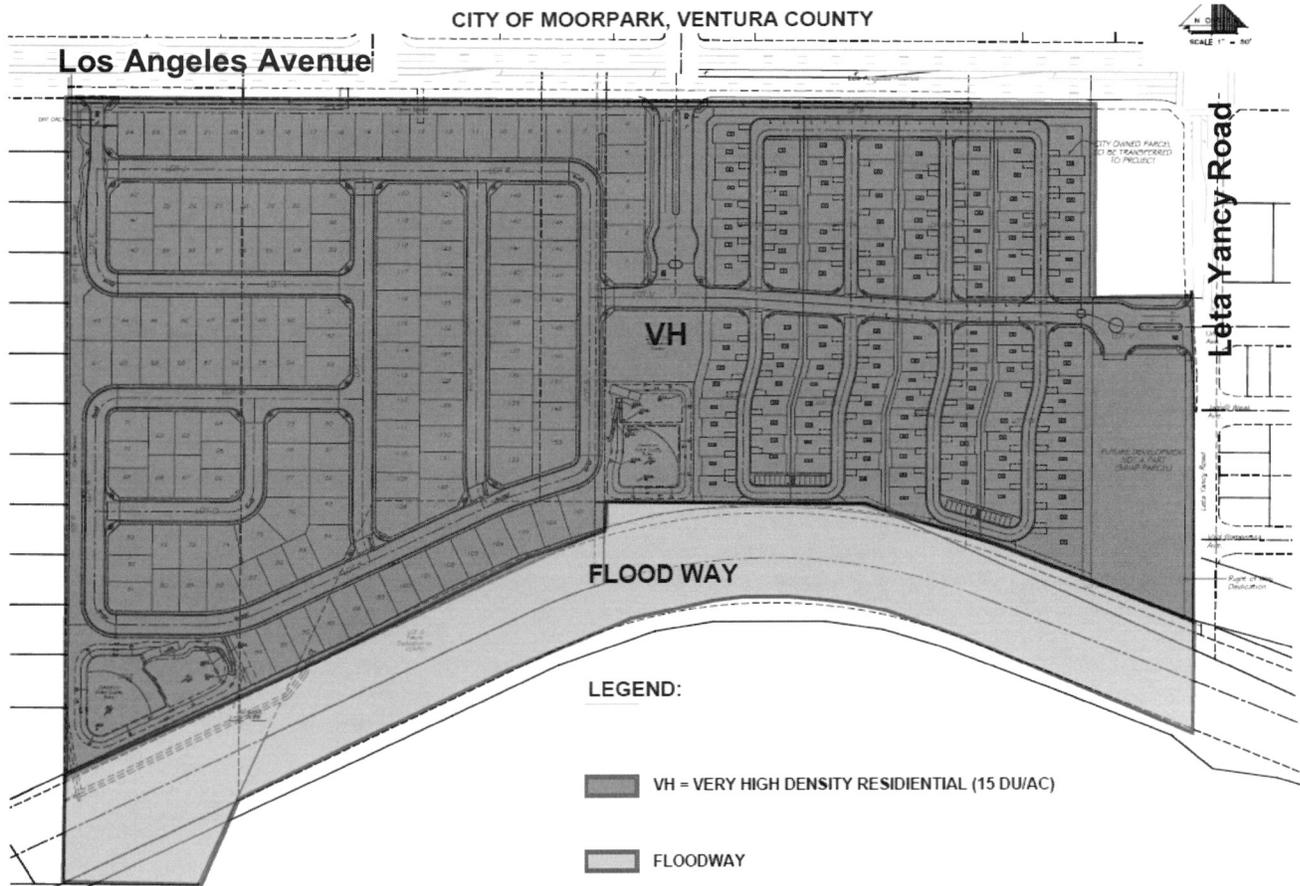

Randall C. Arnold, Jr.
President & Principal Biologist

EXHIBIT B GENERAL PLAN AMENDMENT MAP GENERAL PLAN AMENDMENT 2016-01



STATE OF CALIFORNIA)
COUNTY OF VENTURA) ss.
CITY OF MOORPARK)

I, Maureen Benson, City Clerk of the City of Moorpark, California, do hereby certify under penalty of perjury that the foregoing Resolution No. 2017-3626 was adopted by the City Council of the City of Moorpark at a regular meeting held on the 20th day of September, 2017, and that the same was adopted by the following vote:

AYES: Councilmembers Mikos, Pollock, Simons, Van Dam, and Mayor Parvin
NOES: None
ABSENT: None
ABSTAIN: None

WITNESS my hand and the official seal of said City this 1st day of November, 2017.



Maureen Benson, City Clerk
(seal)

