

**FINAL
MITIGATED NEGATIVE DECLARATION
AND
INITIAL STUDY**

for the

**CALIFORNIA RIVER PARKWAYS
TRAILHEAD PROJECT**

A Component of the Matilija Dam Ecosystem Restoration Project

Funded by: Proposition 50
California River Parkways Grant Program
Grant Agreement No. R81782-0

Prepared for the:

**VENTURA COUNTY
WATERSHED PROTECTION DISTRICT**



Prepared by:

**Aspen Environmental Group
30423 Canwood Street, Suite 215
Agoura Hills, California**

JUNE 2010

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Ventura County Watershed Protection District California River Parkways Trailhead Project

1. INTRODUCTION

The proposed project would enhance and expand recreational resources and opportunities in the Ojai Valley area of unincorporated Ventura County. Objectives of the proposed project are described below.

- Provide a new trailhead to the existing Ojai Valley Land Conservancy (OVLC) trails network. In addition, recreationists who use the new parking area may access the Ojai Valley Trail, located roughly 0.6 mile to the east, with 0.2 mile on Old Baldwin Road (no designated bicycle lane) and 0.4 mile on Baldwin Road (State Route 150), where an existing bicycle lane is provided along the shoulder.
- Contribute to the Recreation Plan goals of the Matilija Dam Ecosystem Restoration Project (MDERP) through implementation of new trailhead parking areas, trail enhancement, and public outreach.
- Meet the statutory requirements of Proposition 50 grant funding through the provision and enhancement of recreational opportunities along the Ventura River.
- Contribute to the Integrated Regional Water Management Plan (IRWMP) goal to provide compatible watershed-related recreational, public access, and educational opportunities.
- Achieve the identified need in the Ventura County 2005 Consolidated Plan and FY 2005-2006 Annual Plan to provide at least one project per year that is compatible with the Americans with Disabilities (ADA) Act through the provision of a trailhead with ADA parking and connection to approximately 1,500 linear feet of ADA-accessible trail.

The primary recipients of project benefits include the residents of the cities of Ventura and Ojai, as well as unincorporated areas of Ventura County in the Ojai Valley. People who live outside of Ventura County would also benefit from use of the project components, including the new parking areas, trailhead, and trail improvements (see Section A.7.4 below for details) for hiking, bird watching, and equestrian activities.

2. PROJECT LOCATION

At a regional scale, the California River Parkways Trailhead Project (herein referenced as the “proposed project” or “project”) is located in the Ventura River watershed, within the Ojai Valley of unincorporated Ventura County, California. The Ojai Valley is approximately 12 miles north (inland) of the City of Ventura, and is accessed via State Routes 33 and 150. Locally, the proposed project site is situated west of the intersection of Old Baldwin Road and Baldwin Road (State Route 150), with part of the project located on Ventura County lands (APN 032-0-070-070), and part located on private lands owned and managed by the Ojai Valley Lands Conservancy (APN 011-0-070-060).

The proposed project area is accessible via State Route 150, which connects to State Route 33 approximately one mile to the east. Per the California Scenic Highway Mapping System, State Route 33 is an Officially Designated State Scenic Highway from approximately 6.5 miles north of State Route 150 and the proposed project site, continuing northwest to the Santa Barbara County line (Caltrans, 2009). In the immediate vicinity of the proposed project site (including the new parking areas and improved trails), State Route 33 and State Route 150 are Eligible State Scenic Highways, but not officially designated (Caltrans, 2009). Ventura County bus stops (lines 16 and 30X) are located within two miles of the proposed project. A bike lane on State Route 150 connects the existing Ojai Valley Trail to the new trailhead included under the proposed project (VCWPD, 2009). Figure A.4-1 provides a map of the proposed project area.

3. PROJECT DESCRIPTION

The proposed project would provide a new trailhead to an existing trails network maintained by the OVLC. Primary components of the proposed project, as shown in Figures A.7-1a, A.7-1b, and A.7-2, are described below.

- **Parking Areas and Trailhead.** The proposed project includes construction of a new approximately 0.86-acre “rustic” parking area to accommodate the following four (4) different types of parking needs: equestrian trailers, buses, 23 passenger vehicles, and two (2) ADA-compatible parking spaces. These parking areas would be located at the western terminus of Old Baldwin Road, roughly 0.25 mile southwest of its intersection with Baldwin Road (State Route 150). Old Baldwin Road is maintained by the County of Ventura Public Works Agency Transportation Department. Traffic along the full length of Old Baldwin Road is presently characterized by traffic between Baldwin Road and Ojai Valley Organics Recycling Center (OVORC). Daily truck trips associated with the OVORC are approximately 5 to 10 during the fall and winter, and 20 to 30 in the spring and summer, in addition to approximately 3 to 4 daily vehicle trips made by employees accessing the OVORC (VCWPD, 2010). Access to the OVORC would be maintained during project construction, operation, and maintenance.

Anticipated average daily use of the new parking areas on weekends would be approximately 5 equestrian trailers or buses and 12 to 15 vehicles, while weekday average usage would be approximately 2 to 3 equestrian trailers or buses and 10 passenger vehicles. The VCWPD shall post signs at the parking area and trailhead requesting users to keep noise levels to a minimum. These signs would also explicitly state that smoking and camp fires are prohibited. Additional description of the parking needs provided by the new parking areas are provided below. The parking areas and trailhead are shown in Figures A.7-1a and A.7-1b (Proposed Parking Areas and Trailhead Site Plan – South and North).

- *ADA-Compatible Parking.* Wood post and rail fencing would be constructed on either side of Old Baldwin Road, heading into the new parking areas. The two (2) new ADA-compatible parking spaces would be located on the north side of Old Baldwin Road, adjacent to the east of the new Connector Trail (see description below). The two ADA parking spaces would be paved, with recycled plastic wheel-stops. A paved ADA-accessible trail (see description below) would connect directly to the parking spaces, running adjacent to the Connector Trail. A trash box, dog waste bag dispenser, and informational kiosk (see description below) would be located next to the ADA parking spaces.
- *Passenger Vehicle Parking.* Continuing along Old Baldwin Road to the west of the ADA parking

spaces, head-in parking spaces for 23 passenger vehicles would be situated on both sides of the road, approximately 9 spaces to the south and 14 spaces to the north. All parking spaces would be separated from the road by a 5-foot-wide shoulder that would also be improved with aggregate material base. Improved shoulders would connect all parking areas to the trailhead so that pedestrians can walk safely on the shoulder from their vehicle to the trailhead. West of the passenger vehicle parking spaces on both sides of the road, decorative boulders would be placed along the shoulder.

- **Equestrian/Bus Parking.** The equestrian/bus parking and staging area would be situated west of the passenger vehicle parking spaces on the south side of Old Baldwin Road. An approximate 60-foot outside turning radius would be provided to accommodate large equestrian trucks/trailers entering this area. Primary access to this parking area would be provided via one-way concreted ingress and egress aprons, the entry located at the far western end of the project area on Old Baldwin Road, and the exit located adjacent and west of the passenger vehicle spaces. Equestrian entry and exit signs would be provided. An Equestrian Ahead Sign (W11-7) and Arrow (W16-7p), or equivalent, would be installed at the proposed equestrian crossing on Old Baldwin Road. An “equestrian crossing” sign would be provided on Old Baldwin Road.

This parking area is intended to be “rustic” in nature and would be surfaced with a 4-inch base of aggregate material and not paved. Metal pipe fencing would be used to mark the northern border of the equestrian/bus parking area, with decorative boulders to the west, existing fencing to the southwest, boulders to the south, and wood post and rail fencing to the east. Four (4) sections of metal pipe tie rails would be provided within the equestrian/bus parking area for horse hitching. Signage in the equestrian parking/staging area would include guidance that equestrian recreationists remove horse manure from the parking/staging area and dispose of it in the waste bins provided.

A Connector Trail (see description below) would provide access for equestrian use and recreationists on-foot from the western portion of the equestrian/bus parking area, around vehicle parking spaces on the south side of Old Baldwin Road, across the road, past the ADA parking spaces and informational kiosk, connecting with the existing OVSD unpaved maintenance road, which will not be improved under this project, and will provide access to new and improved trails in the OVLC trails network.

- **Interpretive Kiosk.** An interpretive kiosk would be located between the Connector Trail (see below) and the ADA parking spaces, northeast of Old Baldwin Road and the Connector Trail. Information about the trails, trail safety, cultural resources, and natural resources would be displayed at the kiosk. Trail guides with maps and wildlife identification would also be available. The interpretive kiosk would include a dog waste bag dispenser and a wooden trash/recycling bin that would be emptied weekly by OVLC, with solid waste transported to Del Norte in Oxnard for sorting and then to the Simi Valley Landfill for disposal by Consolidated Disposal (VCWPD, 2010).
- **Trail Improvements.** Trail improvements and expansion under the proposed project include the construction of a connector trail between the parking areas and an existing unimproved OVSD maintenance road, construction of an ADA-compatible trail adjacent to the existing unimproved OVSD maintenance road, and improvements to existing sections of OVLC trails. Each of these components is described in further detail below.
 - **Connector Trail.** A connector trail would be installed to provide access between the parking areas and the existing OVSD maintenance road, which would remain unimproved under the proposed project. The connector trail would be approximately 341 feet long, including the following: 210 feet of a 6-foot-wide earthen trail from the parking areas to the south side of Old Baldwin Road; 21 feet of 6-foot-wide concrete driveway approach (crosswalk) across Old Baldwin Road; and 110 feet of 6-foot-wide earthen trail from the north side of Old Baldwin Road to the existing, unimproved OVSD maintenance road. An equestrian step-over would be installed on each side of Old Baldwin Road and

an Equestrian Ahead Sign (W11-7) and Arrow (W16-7p), or equivalent, would be installed on Old Baldwin Road at the equestrian crossing. Signage along this connector trail includes an “Equestrian Area Rules of Use” sign at the exit to the parking areas, and a trail marker near the exit to the parking areas, near the ADA-compatible parking spaces north of Old Baldwin Road (see below), and at the connection with the existing OVSD unimproved maintenance road, which would provide access for non-ADA recreationists along approximately 900 feet of existing road (to remain unimproved), connecting with existing OVLC trails (which would be improved as part of the project, as described below).

- *ADA-Compatible Trail.* A wheelchair-accessible sidewalk would be constructed between the ADA parking spaces and the existing OVSD maintenance road, and adjacent to the south of the OVSD road to provide approximately 1,500 feet of 4-foot-wide ADA-accessible trail. A 5-foot by 5-foot (25 square feet) landing would be included approximately every 200 feet along the ADA trail, providing wheelchair recreationists seven areas to turn around, as needed.
- *OVLC Trail Improvements.* Approximately 2.38 miles of existing informal trails within the OVLC trails network would be improved through widening, adding signage, and trimming of vegetation. The maximum trail width would be five feet, to accommodate multiple uses, including hiking, bicycling, and equestrian recreation. New sections of trail would be constructed on the existing natural surface, with no use of artificial materials and with minimal

4. PROJECT PROPONENT

The Ventura County Watershed Protection District (VCWPD) is the CEQA Lead Agency for the proposed project.

Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, California 93009-1610

Contact: Pam Lindsey, Watershed Ecologist
Phone: (805) 654-2036

For implementation of the proposed project, the VCWPD would partner with the Ojai Valley Land Conservancy (OVLC) and the Ventura County Resource Conservation District (VCRCDD).

Ventura County Resource Conservation District
P.O. Box 147
Somis, CA 93066

The Ojai Valley Land Conservancy
P. O. Box 1092
Ojai, CA 93024

The VCWPD would finalize the design and construct the proposed parking lot and trailhead. The OVLC would assist with trail design and construction, conduct long-term maintenance, design and distribute trail guides, guide tours, and develop and host public education programs. The VCRCDD would develop, coordinate, and distribute public outreach materials, assist with printing and distributing trail guides, assist with preparing newspaper/radio ads and interviews, brochures, web site postings, and conduct public meetings. Provided below is the contact information for the lead and participating agencies.

5. AVAILABILITY OF DOCUMENTS

Copies of the proposed project's Final Mitigated Negative Declaration and Initial Study are on file and available for review at the following location:

Ventura County Watershed Protection District
 800 South Victoria Avenue, 1st Floor
 Ventura, California 93009
 (805) 654-2001

Copies of the Final Mitigated Negative Declaration and Initial Study are also available for review at the following locations:

Ojai Public Library
 111 E. Ojai Ave.
 Ojai, California 93023
 (805) 646-1639

~~H.P. Wright Public Library
 57 Day Road
 Ventura, California 93003
 (805) 642-0337~~

Avenue Public Library
 606 North Ventura Avenue
 Ventura, California 93001
 (805) 643-6393

Meiners Oaks Public Library
 114 North Padres Juan
 Meiners Oaks, California 93023
 (805) 646-4804

Santa Paula Public Library
 119 North 8th Street
 Santa Paula, California 93060
 (805) 525-3615

E.P. Foster Library
 651 East Main Street
 Ventura, CA 93001
 (805) 648-2716

The Final Mitigated Negative Declaration and Initial Study can also be accessed via the internet at:

<http://vcwatershed.org>

6. ENVIRONMENTAL DETERMINATION

This Final Mitigated Negative Declaration and Initial Study has been prepared to: (1) identify potential effects on the environment due to implementation of the proposed project; and, (2) evaluate the significance of these effects. Based upon the analysis contained in the Initial Study, the proposed project would have less than significant impacts or no impacts related to the following:

- General Plan Environmental Goals and Policies
- Land Use
- Water Resources
- Agricultural Resources
- Visual Resources
- Energy Resources
- Coastal Beaches and Sand Dunes
- Seismic Hazards
- Geologic Hazards
- Hydraulic Hazards
- Aviation Hazards
- Fire Hazards
- Hazardous Materials and Waste
- Glare
- Public Health
- Water Supply
- Waste Treatment and Disposal
- Utilities
- Flood Control and Drainage
- Law Enforcement and Emergency Services
- Fire Protection
- Education
- Recreational Facilities

However, the environmental analysis presented in the Initial Study concludes that the proposed project could have potentially significant adverse impacts associated with six issue areas unless mitigation measures are applied that can effectively reduce or avoid these impacts. These issue areas include:

- Air Quality
- Biological Resources
- Paleontological Resources
- Cultural Resources
- Noise and Vibration
- Transportation and Circulation

Measures have been formulated that, with full implementation, would effectively mitigate all of the potentially significant adverse environmental impacts associated with the proposed project to a level of less than significant. These measures are presented in the next section of this Final Mitigated Negative Declaration.

Based upon the impact analysis contained in Section B of the of the proposed project's Initial Study and the mandatory findings of significance contained therein (Initial Study Section C), this Final Mitigated Negative Declaration documents the VCWPD's finding that there are no significantly adverse unavoidable impacts associated with the proposed project, and that preparation of an Environmental Impact Report (EIR) is not warranted.

7. MITIGATION MEASURES

Implementation of the following mitigation measures would either avoid potentially significant impacts identified in the proposed project's Initial Study, or reduce them to a level of less than significant:

Air Quality

- MM AQ-1** All equipment shall be turned off when not in use. Engine idling shall not exceed five (5) minutes unless required for proper operation.
- MM AQ-2** Maintain equipment engines in good operating condition and in proper tune per manufacturers' specifications.
- MM AQ-3** Use equipment that meets applicable California Air Resources Board's diesel and gasoline engine emission standards.
- MM AQ-4** All project construction and site preparation operations shall be conducted in compliance with all applicable Ventura County Air Pollution Control District Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10 (Permits Required).

Biological Resources

- MM B-1** During all project-related construction, all equipment, including hand tools, shall be washed before entering the proposed project area to remove any weed seeds or other propagules and to prevent any new weed infestations in the proposed project area. All washing shall take place at a location where rinse water is collected and disposed of in either a sanitary sewer or landfill.
- MM B-2** The VCWPD and OVLC shall not conduct trail improvements during periods of surface flow or in areas of ponded water occurring in the proposed project trail work areas.
- MM B-3** All personnel, including contractors, OVLC staff, and volunteers, involved in project activities will receive training on sensitive biological resources that may be encountered in the project area. Personnel will be reminded that harassment, handling, or removal of wildlife and/or other sensitive resources from the project area is prohibited by law. Personnel will be instructed that, in the event that a special-status species is identified within an immediate work area, work will cease until the project biologist is notified. Further instructions will be provided by the project biologist. The briefing will also

include notification that all debris (trash) is to be removed from the proposed area on a daily basis.

- MM B-4** The kiosk will contain information about plants and wildlife, including sensitive species the public may encounter along the trail. Warnings which prohibit the disturbance and collection of plants and wildlife will be clearly posted. Contact information for the reporting of concerns or violations will also be clearly posted.

Paleontological Resources

- MM P-1** If fossil remains are found during project implementation, the on-site supervisor shall contact an approved paleontological consultant immediately. The on-site supervisor shall additionally divert all project-related activities to other areas until the identified fossil materials have been evaluated by the paleontological consultant, who will determine if further mitigation measures are warranted.

Cultural Resources

- MM C-1** In the event that archaeological resources are found during project implementation, the on-site supervisor shall contact an approved archaeological consultant immediately. The on-site supervisor shall additionally divert all project-related activities to other areas until the discovery has been evaluated by the approved archaeological consultant, who will determine if further mitigation measures are warranted.

- MM C-2** If human remains are discovered during construction, all work will be diverted from the area of the discovery and the on-site supervisor will be informed immediately. All State and federal laws, statutes, and regulations that govern the treatment of human remains shall be adhered to. All provisions and requirements of the Native American Graves Protection and Repatriation Act (NAGPRA) shall be met. All relevant Public Resource Codes and Health and Safety Codes regarding the discovery and handling of human remains shall be complied with.

Noise and Vibration

- MM N-1** All equipment shall include noise reduction measures, as applicable. These measures shall include, but may not be limited to, properly operating and maintaining mufflers, correct placement of equipment engine covers, and ensuring that small loading equipment is equipped with rubber tires.
- MM N-2** All machinery shall be equipped with the best available exhaust mufflers and “hush kits,” as applicable.
- MM N-3** Chain saws and trimmers shall be maintained with sharp, damped blades with random tooth spacing. Plant material shall be tightly clamped, as feasible, during cutting operations.
- MM N-4** To the extent feasible, noise levels shall be kept relatively uniform. Excessive and impulse noises shall be avoided.

- MM N-5** Noise producing signals, including horns, whistles, alarms, and bells shall be limited to safety warning purposes only.
- MM N-6** For the trail improvements, provide readily removable and moveable noise shields so that they may be repositioned, as necessary, to provide noise abatement for non-stationary and stationary processes along a construction corridor as the construction process moves.
- MM N-7** As part of the project's advanced notification to all residences and/or property owners located within 500 feet of the project parking areas and trail upgrades, a contact person name and phone number shall be provided. The contact person shall respond to questions or concerns related to noise and vibration within 24 hours. If warranted by inquiries or complaints, on site noise measurements shall be taken to determine if noise or vibration levels are substantially greater than expected levels. If construction activities are delayed by more than two weeks, an additional notice with a revised project implementation schedule shall be mailed to adjacent property owners.

Transportation/Circulation

- MM T-1** Consult with the County of Ventura Public Works Agency, Transportation Department, and the City of Ojai, Public Works Department, Transportation Division at least 30 days prior to project implementation. Consultations shall include identification of: all potential haul routes; proposed traffic safety measures such as warning signs, lights, flashing arrow boards, barricades and cones; lane closures that may be necessary; potential project-related parking, bicycle or pedestrian restrictions; and, any measures to alleviate potential access to and/or parking restrictions. Traffic control measures the Ventura County Transportation Department or City of Ojai Transportation Division recommend shall be implemented, as necessary.

8. MITIGATION MEASURE MONITORING AND REPORTING

Section 15074(d) of the *State Guidelines for the Implementation of the California Environmental Quality Act (State CEQA Guidelines)* and Section 21081.6 of the Public Resources Code require the lead agency of an environmental review document to adopt a Mitigation Measure Monitoring Program to ensure that all mitigation measures are complied with during implementation of a proposed project. Consistent with these requirements, Appendix A of this Final Mitigated Negative Declaration identifies the timing, monitoring methods, responsibility, and compliance verification method for all mitigation measures identified in Section 7 of this Final Mitigated Negative Declaration.

Appendix A.
Mitigation Measure Monitoring Program-
Implementation Plan

Appendix A. Mitigation Measure Monitoring Program – Implementation Plan

Mitigation Measure	Mitigation Measure Implementation Phase	Monitoring Action	Responsible Agency	Monitoring Documentation
<i>Air Quality</i>				
AQ-1: All equipment shall be turned off when not in use. Engine idling shall not exceed five (5) minutes unless required for proper operation.	During project implementation.	The project's <i>Plans and Specifications</i> shall require the contractor to adhere to the requirements of Mitigation Measure AQ-1. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document the equipment that was used in daily or weekly project implementation/inspection reports.
AQ-2: Maintain equipment engines in good operating condition and in proper tune per manufacturers' specifications.	During project implementation.	The project's <i>Plans and Specifications</i> shall require the contractor to adhere to the requirements of Mitigation Measure AQ-2. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document the condition of the equipment that was used in daily or weekly project implementation/inspection reports.
AQ-3: Use equipment that meets applicable California Air Resources Board's diesel and gasoline engine emission standards.	During project implementation.	The project's <i>Plans and Specifications</i> shall require the contractor to adhere to the requirements of Mitigation Measure AQ-3. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document the equipment that was used in daily or weekly project implementation/inspection reports.
AQ-4: All project construction and site preparation operations shall be conducted in compliance with all applicable Ventura County Air Pollution Control District Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10 (Permits Required).	During project implementation.	The project's <i>Plans and Specifications</i> shall require the contractor to adhere to the requirements of Mitigation Measure AQ-4. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document fugitive dust conditions based on visual inspections in daily or weekly project implementation/inspection reports.

Mitigation Measure	Mitigation Measure Implementation Phase	Monitoring Action	Responsible Agency	Monitoring Documentation
<i>Biological Resources</i>				
B-1: During all project-related construction, all equipment, including hand tools, shall be washed before entering the proposed project area to remove any weed seeds or other propagules and to prevent any new weed infestations in the proposed project area. All washing shall take place at a location where rinse water is collected and disposed of in either a sanitary sewer or landfill.	During project implementation.	The VCWPD Restoration Coordinator, or his/her designee, shall designate an area for the washing of all equipment in compliance with Mitigation Measure B-1. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document compliance with Mitigation Measure B-1 in the project's daily or weekly project implementation/inspection reports.
B-2: The VCWPD and OVLC shall not conduct trail improvements during periods of surface flow or in areas of ponded water occurring in the proposed project trail work areas.	During project implementation.	The VCWPD Restoration Coordinator, or his/her designee, shall ensure that no project-related work in the trail work areas occurs when surface water is present. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document compliance with Mitigation Measure B-2 in the project's implementation/inspection reports.
B-3: All personnel, including contractors, OVLC staff, and volunteers, involved in project activities will receive training on sensitive biological resources that may be encountered in the project area. Personnel will be reminded that harassment, handling, or removal of wildlife and/or other sensitive resources from the project area is prohibited by law. Personnel will be instructed that, in the event that a special-status species is identified within an immediate work area, work will cease until the project biologist is notified. Further instructions will be provided by the project biologist. The briefing will also include notification that all debris (trash) is to be removed from the proposed area on a daily basis.	During project implementation.	The VCWPD Restoration Coordinator, or his/her designee, shall ensure that all project-related personnel are appropriately trained in the project's mitigation measures, protocols, standards, specifications, recommendations, and Best Management Practices. The project's <i>Plans and Specifications</i> shall additionally require the contractor to adhere to the all environmental protection measures, protocols, standards, specifications, recommendations, and Best Management Practices. The contractor shall additionally ensure that all on site work crews are equipped with, and trained in the use of, fuel and herbicide spill cleanup kits. The	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document compliance with Mitigation Measure B-3 in the project's daily or weekly project implementation/inspection reports.

Mitigation Measure	Mitigation Measure Implementation Phase	Monitoring Action	Responsible Agency	Monitoring Documentation
		contractor shall also ensure that all on site work crews have the California Department of Fish and Game's OSPR phone number, and that all on site work crew supervisors are instructed to call the OSPR immediately in the event of an accidental fuel or herbicide spill. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.		
B-4: The kiosk will contain information about plants and wildlife, including sensitive species the public may encounter along the trail. Warnings which prohibit the disturbance and collection of plants and wildlife will be clearly posted. Contact information for the reporting of concerns or violations will also be clearly posted.	During project implementation.	The VCWPD Restoration Coordinator, or his/her designee, shall ensure that the signage specified in this mitigation measure is included on the project kiosk. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document compliance with Mitigation Measure B-4.
<i>Paleontological Resources</i>				
P-1: If fossil remains are found during project implementation, the on site supervisor shall contact an approved paleontological consultant immediately. The on site supervisor shall additionally divert all project-related activities to other areas until the identified fossil materials have been evaluated by the paleontological consultant, who will determine if further mitigation measures are warranted.	During project implementation.	The VCWPD Restoration Coordinator, or his/her designee, shall ensure that all project-related work is stopped or re-directed in the event that fossil remains are found, and that a qualified paleontologist is contacted immediately to evaluate the subject site and discovery. The VCWPD Restoration Coordinator, or his/her designee, shall additionally ensure that any recommendations of the paleontological consultant are followed.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document compliance with Mitigation Measure P-1, if and when implemented, in the project's daily or weekly project implementation/inspection reports.

Mitigation Measure	Mitigation Measure Implementation Phase	Monitoring Action	Responsible Agency	Monitoring Documentation
<i>Cultural Resources</i>				
C-1: In the event that archaeological resources are found during project implementation, the on site supervisor shall contact an approved archaeological consultant immediately. The on site supervisor shall additionally divert all project-related activities to other areas until the discovery has been evaluated by the approved archaeological consultant, who will determine if further mitigation measures are warranted.	During project implementation.	The VCWPD Restoration Coordinator, or his/her designee, shall ensure that all project-related work is stopped or re-directed in the event that archaeological resources are found, and that a qualified archaeologist is contacted immediately to evaluate the subject site and discovery. The VCWPD Restoration Coordinator, or his/her designee, shall additionally ensure that any recommendations of the archaeological consultant are followed.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document compliance with Mitigation Measure C-1, if and when implemented, in the project's daily or weekly project implementation/inspection reports.
C-2: If human remains are discovered during construction, all work will be diverted from the area of the discovery and the on site supervisor will be informed immediately. All State and federal laws, statutes, and regulations that govern the treatment of human remains shall be adhered to. All provisions and requirements of the Native American Graves Protection and Repatriation Act (NAGPRA) shall be met. All relevant Public Resource Codes and Health and Safety Codes regarding the discovery and handling of human remains shall be complied with.	During project construction.	The VCWPD Restoration Coordinator, or his/her appointed designee, shall ensure that all project-related work is stopped or re-directed in the event that human remains are encountered during project construction, and that all laws and regulations governing the discovery and handling of human remains are complied with.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document compliance with Mitigation Measure C-2, if and when implemented, in the project's daily or weekly project implementation/inspection reports.
<i>Noise and Vibration</i>				
N-1: All equipment shall include noise reduction measures, as applicable. These measures shall include, but may not be limited to, properly operating and maintaining mufflers, correct placement of equipment engine covers, and ensuring that small loading equipment is equipped with rubber tires.	During project implementation.	The project's <i>Plans and Specifications</i> shall require the contractor to adhere to the requirements of Mitigation Measure N-1. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document the equipment that was used in daily or weekly project implementation/inspection reports.

Mitigation Measure	Mitigation Measure Implementation Phase	Monitoring Action	Responsible Agency	Monitoring Documentation
N-2: All machinery shall be equipped with the best available exhaust mufflers and "hush kits," as applicable.	During project implementation.	The project's <i>Plans and Specifications</i> shall require the contractor to adhere to the requirements of Mitigation Measure N-2. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document the equipment that was used in daily or weekly project implementation/inspection reports.
N-3: Chain saws and trimmers shall be maintained with sharp, damp blades with random tooth spacing. Plant material shall be tightly clamped, as feasible, during cutting operations.	During project implementation.	The project's <i>Plans and Specifications</i> shall require the contractor to adhere to the requirements of Mitigation Measure N-3. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document the equipment that was used in daily or weekly project implementation/inspection reports.
N-4: To the extent feasible, noise levels shall be kept relatively uniform. Excessive and impulse noises shall be avoided.	During project implementation.	The project's <i>Plans and Specifications</i> shall require the contractor to adhere to the requirements of Mitigation Measure N-4. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document excessive noise levels and all measures taken to minimize them in daily or weekly project implementation/inspection reports.
N-5: Noise producing signals, including horns, whistles, alarms, and bells shall be limited to safety warning purposes only.	During project implementation.	The project's <i>Plans and Specifications</i> shall require the contractor to adhere to the requirements of Mitigation Measure N-5. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.	VCWPD	The VCWPD Restoration Coordinator, or his/her appointed designee, shall document excessive and/or unnecessary noise levels and all measures taken to minimize them in daily or weekly project implementation/inspection reports.

Mitigation Measure	Mitigation Measure Implementation Phase	Monitoring Action	Responsible Agency	Monitoring Documentation
<p>N-6: For the trail improvements, provide readily removable and moveable noise shields so that they may be repositioned, as necessary, to provide noise abatement for non-stationary and stationary processes along a construction corridor as the construction process moves.</p>	<p>During project implementation.</p>	<p>The project's <i>Plans and Specifications</i> shall require the contractor to adhere to the requirements of Mitigation Measure N-6. Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.</p>	<p>VCWPD</p>	<p>The VCWPD Restoration Coordinator, or his/her appointed designee, shall document excessive and/or unnecessary noise levels and all measures taken to minimize them in daily or weekly project implementation/inspection reports.</p>
<p>N-7: As part of the project's advanced notification to all residences and/or property owners located within 500 feet of the project parking areas and trail upgrades, a contact person name and phone number shall be provided. The contact person shall respond to questions or concerns related to noise and vibration within 24 hours. If warranted by inquiries or complaints, on site noise measurements shall be taken to determine if noise or vibration levels are substantially greater than expected levels. If construction activities are delayed by more than two weeks, an additional notice with a revised project implementation schedule shall be mailed to adjacent property owners.</p>	<p>Prior to and during project implementation.</p>	<p>The VCWPD Restoration Coordinator, or his/her designee, shall ensure that notifications and re-notifications, if needed, are distributed to all potentially affected parties prior to the project implementation. The VCWPD Restoration Coordinator, or his/her designee, shall respond to any questions or complaints within a 24-hour period. The VCWPD Restoration Coordinator, or his/her designee, shall additionally modify project-related activities, as necessary, to address project-related complaints.</p>	<p>VCWPD</p>	<p>The VCWPD Restoration Coordinator, or his/her appointed designee, shall document the date(s) that all project-related notifications are transmitted in the project's pre-implementation status report(s) as well as any daily or weekly project implementation/inspection reports, as needed, for additional notifications. The VCWPD Restoration Coordinator, or his/her appointed designee, shall additionally document all project-related questions, concerns or complaints that are received in daily or weekly project implementation/inspection reports, as well as what measures were taken to address the received questions, concerns or complaints.</p>

Mitigation Measure	Mitigation Measure Implementation Phase	Monitoring Action	Responsible Agency	Monitoring Documentation
<i>Transportation/Circulation</i>				
<p>T-1: Consult with the County of Ventura Public Works Agency, Transportation Department, and the City of Ojai, Public Works Department, Transportation Division at least 30 days prior to project implementation. Consultations shall include identification of: all potential haul routes; proposed traffic safety measures such as warning signs, lights, flashing arrow boards, barricades and cones; lane closures that may be necessary; potential project-related parking, bicycle or pedestrian restrictions; and, any measures to alleviate potential access and/or parking restrictions. Traffic control measures the Ventura County Transportation Department or City of Ojai Transportation Division recommend shall be implemented, as necessary.</p>	<p>Prior to and during project implementation.</p>	<p>At least 30 days prior to project implementation the VCWPD Project Manager shall contact the County of Ventura Public Works Agency, Transportation Department, and the City of Ojai, Public Works Department, Transportation Division and request that they provide project-related traffic control measures, as appropriate.</p> <p>The project's <i>Plans and Specifications</i> shall require the contractor to adhere to all of the traffic control requirements stipulated by the County of Ventura Public Works Agency, Transportation Department, and the City of Ojai, Public Works Department, Transportation Division. These requirements shall additionally be communicated as part of the project's worker training process (see Mitigation Measure B-1).</p> <p>Project-related activities shall be periodically monitored by the VCWPD Restoration Coordinator, or his/her designee, to further ensure compliance.</p>	<p>VCWPD</p>	<p>Prior to project implementation the VCWPD Project Manager shall document compliance with Mitigation Measure T-1 in the project's pre-implementation status report(s).</p> <p>During project implementation the VCWPD Restoration Coordinator, or his/her appointed designee, shall document compliance with Mitigation Measure T-1 in daily or weekly project implementation/inspection reports.</p>

Appendix B.
Comments and Responses to Comments

Appendix B. Responses to Comments Received on the Draft Mitigated Negative Declaration and Initial Study

The proposed project's Draft Mitigated Negative Declaration and supporting Initial Study were circulated for public and agency review from April 5 through May 5, 2010. The Notice of Intent to Adopt a Draft Mitigated Negative Declaration (NOI) was mailed to 158 individuals, including property owners located within 500 feet of the proposed project; the NOI was provided along with 76 CDs and 11 hard copies of the document to agencies and interested parties, including 15 CDs to the State Clearinghouse; and the NOI along with hard copies of the document was also placed in five local libraries for the public to access, including the Avenue Library, E.P. Foster Library, Meiners Oaks Library, Ojai Library, and Santa Paula Library. Noticing regarding the availability of the Draft Mitigated Negative Declaration and supporting Initial Study, as well as announcing the Ojai Valley Municipal Advisory Council (MAC) meeting, was also completed by placing notices in the Ojai Valley News on April 7 and April 14, 2010, and in the Ventura County Star on April 7 and April 9, 2010.

During the review period, written comments could be submitted to the Ventura County Watershed Protection District's (VCWPD's) Project Manager, who was also available by phone for any verbal questions or comments. However, with respect to verbal comments, the public was instructed to submit these comments in writing to the VCWPD by May 5, 2010 to be considered as part of the CEQA record. As part of the NOI, the public was invited to attend the Ojai Valley Municipal Advisory Council (MAC) meeting on April 19, 2010 at the Oak View Community Center (18 Valley Drive, Oak View), where a presentation on the proposed project and a general overview of the California Environmental Quality Act (CEQA) process was given by the VCWPD. Approximately a dozen people, in addition to the council members, attended this meeting. VCWPD distributed PowerPoint slide handouts and answered questions at the meeting. The public was informed that the MAC meeting was not a public hearing for the project, and that any comments must be submitted in writing to the VCWPD by May 5, 2010 to be addressed in the CEQA document.

Written comments have been received from ten parties, including eight regulatory agencies and two member of the public. Table B-1 provides a listing of each commenting party. The written comments received are presented in the first section of this appendix. Each letter or email received has been assigned a letter (e.g., "A," "B," "C", etc.) and the specific comments contained in each letter have subsequently been assigned a number (e.g., "1," "2," "3", etc.). The alphanumeric assignment of each comment (e.g., "A-1," "A-2," "B-1," "B-2," etc.) is indicated in the right-hand margin of each written correspondence received. Responses to these comments are contained in the second section of this appendix and they cross-reference each comment's alphanumeric assignment.

Table B-1. Written Comments on the Draft Mitigated Negative Declaration and Supporting Initial Study

Comment Letter or E-mail	Commenter
A	Russ Baggerly
B	California Department of Transportation, District 7
C	Ventura County Public Works Agency
D	Resource Management Agency, County of Ventura, Environmental Health Division
E	City of Ventura
F	Jesse Small
G	Ventura County Public Works Agency, Transportation Department
H	Ventura County Air Pollution Control District
I	Native American Heritage Commission
J	Governor's Office of Planning and Research, State Clearinghouse and Planning Unit

Comment Set A: Russ Baggerly

Russ Baggerly
119 S. Poli Avenue
Ojai, CA 93023

April 17, 2010

Pam Lindsey, Watershed Ecologist
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, CA 93009-1610

Re: Draft Mitigated Negative Declaration and Initial Study for the California River Parkways Trailhead Project (A Component of the Matilija Dam Ecosystem Restoration Project) Proposition 50 Grant Agreement No. R81782-0

Dear Ms. Lindsey:

The California Environmental Quality Act (CEQA) documentation consisting of a Mitigated Negative Declaration (MND) for the above named project is the subject of this letter. There are potential significant adverse impacts on the environment, either directly or indirectly caused by the project that have not been sufficiently identified, reviewed, analyzed, and ultimately mitigated to a level less than significant. Further, there is not sufficient data, nor substantial evidence to support conclusions expressed in the text of the document. This letter will represent a "fair argument" that such potential significant adverse impacts on the environment exist. Without mitigation of the impacts to a level less than significant, the lead agency would be required according to Guidelines Section 15064 to prepare an Environmental Impact Report instead.

(1) If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment, the lead agency shall prepare an EIR (*Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988). Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68).

Comment Set A: Russ Baggerly, continued

Russ Baggerly Comments
Trailhead MND
April 17, 2010

Surface Water Quality Degradation

The potential for surface water quality degradation is not sufficiently analyzed in Section B.4D of the Mitigated Negative Declaration (MND). There is not sufficient data or substantial evidence to support the conclusion that “potential impacts to surface water quality resulting from the proposed project would be less than significant.”

The issue of horse manure is found on pages B-25, last paragraph. The first sentence states that the manure could potentially be transported via natural processes to surface water in the project area (meaning the Ventura River), and that the manure could contribute to nitrogen loading and water quality degradation. This sentence identifies the potential for a significant adverse impact on the environment, and then, without any data to support the language, it is stated later in the paragraph that the manure produced in the new staging/parking area is not expected to contribute to water quality degradation such as nitrogen-loading.

Presumably, the intervening sentence between these obviously contradictory statements (that the lead agency states will provide signage and “guidance” about disposing of manure in waste bins provided) will obviate and mitigate this impact and sustain the conclusion of the latter sentence. However, because the signs and guidance do not actually remove the horse manure and urine from the project area and/or keep it out of the Ventura River, it is not a true mitigation measure and cannot be relied upon for compliance with CEQA.

This letter provides evidence to support the conclusion that horse manure and urine produced in the proposed project area will indeed contribute to violations of the State Basin Plan for the Los Angeles Regional Water Quality Control Board (LARWQCB) water quality objectives for nitrogen and phosphorus.

Nitrogen and Phosphorus Contamination of Surface Water (Biostimulatory Substances)

The number of equestrian trailers arriving at the proposed project site is estimated for weekday and weekend visitors on page A-7. Average or median

A-1

A-2

Comment Set A: Russ Baggerly, continued

Russ Baggerly Comments
Trailhead MND
April 17, 2010

numbers could be used to calculate the amounts of horse manure and urine that would be deposited in the staging area.

Weekday estimates for horse trailers at the trailhead are approximately 2–3/day. These trailers can hold from one to six or even eight horses depending on the size of the trailer. A conservative representation of a trailer to horse ratio could be 2 trailers with three horses in each trailer. This would represent 6 horses per day during the weekdays throughout the year. Assume that 20% of these horses (1.2 horses) will excrete manure or void urine when they are in the staging area. Further, the signage containing “guidance” for horse owners to deposit manure in waste bins is a suggestion for a voluntary action with no enforcement or authority attached to it. It is therefore it safe to estimate that at least 50% of the equestrians will not dispose of the manure in the suggested manner and the urine will never be disposed of.

A-2,
cont.

One thousand (1,000) horses will produce an annual output of nitrogen and phosphorus in manure and urine equal to 232,226 pounds/year and 26,645 respectively (*Source Assessment Report: Nitrogen and Phosphorus in the Ventura River Watershed*, page 40, Larry Walker & Associates, August 2009).

Next, the same calculation for weekend equestrian use must be calculated and added to the total amount of nitrogen and phosphorus that could be added to surface water causing degradation to water quality. A calculation can be made for nutrients that have the potential for contamination of the Ventura River.

I am willing to concede that not all of these nutrients will find their way into the river, but on the other hand, WPD should concede that they cannot possibly conclude that there will be absolutely no surface water contamination. There is also a cumulative impact of adding these contaminants to the nutrient load of the Ventura River. The cumulative impact from the Ojai Valley Land Conservancy staging areas on Rice and Oso Roads and horse boarding facilities must also be reviewed in the environmental document.

A-3

This level of contamination to surface water quality that could be added to the already unacceptable load of nutrients outlined in the LARWQCB Total Maximum Daily Load for algae and biostimulatory substances (nutrients) for

A-4

Comment Set A: Russ Baggerly, continued

Russ Baggerly Comments
Trailhead MND
April 17, 2010

reaches one, two and three of the Ventura River represents a significant adverse impact on the environment that has not been identified, reviewed, analyzed, or mitigated to a level less than significant in the MND.

A-4,
cont.

Mitigation Measure: A suitable mitigation measure for this impact is for WPD to provide continuous maintenance on the project site to collect and remove all horse manure on a daily basis.

A-5

Also, the concept proffered in the MND on page B-26 (first partial paragraph) that the proposed project is only going to shift horses from one staging area to the proposed project area, and therefore would not introduce a substantial new source of manure that could contribute to water quality degradation is a conclusory statement without any evidence to support it. The only way the conclusion could possibly be sustained is if the Ojai Valley Land Conservancy closed one of their other equestrian staging areas thereby maintaining the current level of contamination. Common sense would dictate that more than likely the proposed project may double the nutrient loading from equestrians recreating in the Ventura River Area simply by providing more area for equestrian staging. The conclusory statement and concept noted above should be removed from the MND.

A-6

The Initial Study should be modified to identify that there are potential impacts to surface water from contamination from nutrients found in horse manure and urine and provide suitable mitigation measures to avoid, reduce, or minimize the impact to a level less than significant. Or, in the alternative, WPD could move to produce an EIR and attempt to justify the impact with a Statement of Overriding Considerations.

A-7

Conclusion

This letter has provided a “fair argument”, complete with substantial evidence to support it, that an unmitigated significant adverse impact on the environment will occur because of the operation of the proposed project. Therefore the Mitigated Negative Declaration and the Initial Study (as they are currently written) fail to comply with the requirements of CEQA.

A-8

Comment Set A: Russ Baggerly, continued

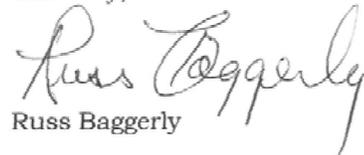
Russ Baggerly Comments
Trailhead MND
April 17, 2010

Please redraft, and recirculate the MND, or produce an Environmental Impact Report for the proposed project.

**A-8,
cont**

Thank you for the opportunity to comment.

Sincerely,


Russ Baggerly

c: Supervisor Steve Bennett, 1st District, County of Ventura
Mayor Bill Fulton, City of San Buenaventura
Shirley Smith, Los Angeles Regional Water Quality Control Board

Comment Set B: California Department of Transportation, District 7

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, OFFICE OF PUBLIC
TRANSPORTATION AND REGIONAL PLANNING
IGR/CEQA BRANCH
100 SOUTH MAIN STREET
LOS ANGELES, CA 90012
PHONE (213) 897-6696
FAX (213) 897-1337



Flex your power!
Be energy efficient!

April 21, 2010

IGR/CEQA CS/100408, MND
County of Ventura
California River Parkway Trailhead Project
Vic. VEN-33/150, SCH# 201004104

Ms. Pam Lindsey
Ventura County Watershed Protection District
800 S. Victoria Avenue
Ventura, CA 93009

Dear Ms. Lindsey:

Thank you for including the California Department of Transportation (Caltrans) in the
environmental review process for the Mitigated Negative Declaration (MND) for the California
River Parkway Trailhead Project. The proposed project site is situated west of the intersection
of Old Baldwin Road and Baldwin Road (State Route 150). Based on the information received,
we offer the following comments:

We encourage the implementation of a Complete Street Policy that promotes the safe access of all modes
of transportation including facilities for bicyclists.

B-1

We recommend that truck trips on State Highways be limited to off-peak commute periods. The
contractor should avoid platooning of truck trips on State Highways. Transport of over-size or over-
weight vehicles on State Highways will need a Caltrans Transportation Permit.

B-2

Any work to be performed within the State Right-of-way will need a Caltrans Encroachment Permit.

B-3

If you have any questions, you may reach me at (213) 897-6696 and please refer to our record number
100408/CS.

Sincerely,

Elmer Alvarez (handwritten signature)

ELMER ALVAREZ
IGR/CEQA Program Manager
Office of Regional Planning

RECEIVED

APR 26 2010

WATERSHED PROTECTION DIST.

cc: Scott Morgan, State Clearinghouse

"Caltrans improves mobility across California"

Comment Set C: Ventura County Public Works Agency

From: Pam Lindsey
To: Elizabeth Martinez
Date: 4/27/2010 5:22 PM
Subject: Fwd: Draft MND for California River Parkway Trailhead Project at Baldwin Road and the Ventura River

for our files.

>>> Jim Myers 4/27/2010 11:57 AM >>>

The draft MND adequately addresses my areas of review in the County Initial Study Checklist Erosion/Siltation and Non WPD Drainage Facilities

| C-1

Comment Set D: Resource Management Agency, Environmental Health Division



Environmental Health Division
Robert Gallagher
Director

Resource Management Agency
ENVIRONMENTAL HEALTH DIVISION

MEMORANDUM

DATE: April 29, 2010
TO: Pam Lindsey
FROM: Melinda Talent *MT*
SUBJECT: **DRAFT MITIGATED NEGATIVE DECLARATION FOR CALIFORNIA RIVER PARKWAYS TRAILHEAD PROJECT (FC081908)**

RECEIVED
APR 30 2010
WATERSHED PROTECTION DIST.

The Environmental Health Division (EHD) reviewed the subject document and submits the following comment:

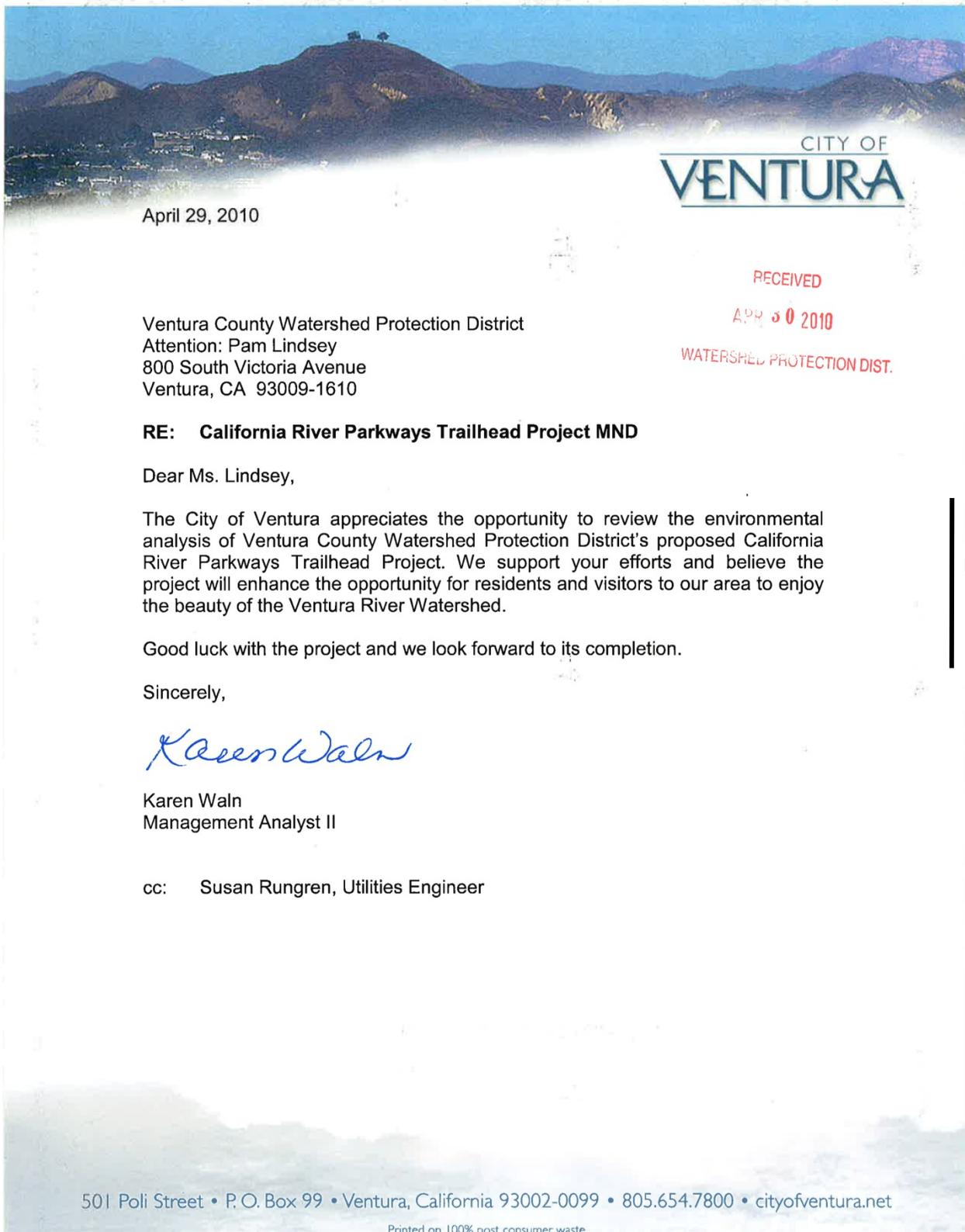
- Page B-87 and B-88, item B.18C Hazardous Wastes, last sentence on page B-87 starting with "Additionally... - the information regarding the Ojai County 1964 closed, illegal or abandoned landfill site should not be included in the Hazardous Wastes section. This information should be placed in section B.24D Solid Waste Facilities, page B-112 of the subject document.

If you have any questions, please call me at 805/654-2811.

800 South Victoria Avenue, Ventura, CA 93009-1730 (805) 654-2813 FAX (805) 654-2480
Internet Web Site Address: www.ventura.org/rma/envhealth

D-1

Comment Set E: City of Ventura



E-1

Comment Set F: Jesse Small

May 3, 2010

Pam Lindsey

Ventura County Watershed Protection District

800 South Victoria Avenue

Ventura, CA 93009-1610

Re: New Trailhead Project for the Ojai Valley Land Conservancy off of Old Baldwin Road

Dear Ms. Lindsey:

I am a homeowner in the neighborhood bordering the riverbed along the subject area. I have read the Mitigated Negative Declaration and the Initial Study for the project, and I have a number of concerns and questions:

1. I'd like to see the upper gate (located at the Ventura River County Water District office) closed and locked at sunset. A large portion of Old Baldwin Road between this sign and the one at the entrance to Ojai Valley Organics is not visible from Hwy 150 by law enforcement. Putting a sign up that says "closed at dusk" will not prevent people from staying on the trail until very late at night. Currently, there are people that arrive at dusk at the Rice/El Roblar trailhead and hike down the trail staying many hours past dark on many nights. Also, I am aware of the problems with drug dealing and violence that occurred at the trailhead off of Meyer Road when the gate there was not locked at sunset. We don't want to give them another location to set up shop.
2. The findings regarding fire hazards are wrong. The number of houses does not determine if fire hazard is increased in the subject area. However, as the people affected by the Jesusita and Tea Fires last year in Santa Barbara can attest, increased numbers of people who have no investment stake there and who are irresponsible do increase the potential for fires. About a year ago there was a fire that very quickly burned the fields next to Old Baldwin Rd. It was probably started by someone coming from Ojai Valley Organics and throwing out a cigarette. Let's make sure that no fires of any kind including campfires or smoking occur on the trail lands.
3. Can the proposed trail that runs along the eastern river bank be relocated farther west to reduce the amount of noise and potential fire hazards to neighbors in this area? At least with more distance from a potential fire's start point, the Fire Dept. might have a chance to extinguish it before it threatens homes.
4. Increased numbers of people will also mean there will be more trespassers on our private road (Trusty). How will this be mitigated?

F-1

F-2

F-3

F-4

Comment Set F: Jesse Small, continued

5. Why is Ventura County pursuing this project when the poor economy has taken such a toll on the public revenues? There are plenty of existing trailhead access points. It seems there must be better uses for public funds at this time.

F-5

6. There is a discrepancy between the description of the distance the ADA trail extends in the report and the trail drawing on the aerial view.

F-6

7. It seems the company (Aspen Environmental Group) that prepared the study for this project considered the impacts on all the flora and fauna in the area and even earthquakes and tsunami, but glossed over impacts to home and property owners closest to the project. Except for consideration of the traffic noise for homes located on Old Baldwin Rd. and the proximity of trails to the mobile home park, little is mentioned about the other homeowners except general location.

F-7

Thank you for your consideration of these issues.

Jesse Small

Comment Set G: Ventura County Public Works Agency, Transportation Department



**PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division
MEMORANDUM**

DATE: May 4, 2010

TO: Watershed Protection District
Attention: Pam Lindsey

FROM: Behnam Emami, Engineering Manager II

SUBJECT: 2ND REVIEW OF DOCUMENT Administrative Draft No. 1 Mitigated Negative Declaration (MND) and Initial Study (IS)
California River Parkways Trailhead Project (Project No. FC081908)
Provide new trailhead to existing trails, new vehicle and equestrian trailer parking areas.
Ventura River watershed within the Ojai Valley situated west of the intersection of Old Baldwin Road and Baldwin Road (MOK, NMR, MRM).
Lead Agency: **Ventura County Watershed Protection District**
APN 032-0-070-070 and 011-0-070-060

Pursuant to your request, the Public Works Agency - Transportation Department completed the second review of the Administrative Draft No.1 MND and IS for the California River Parkways Trailhead Project.

The proposed project proposes to enhance and expand recreational resources and opportunities in the Ojai Valley. The proposed project would provide a new trailhead to an existing trails network maintained by the Ojai Valley Land Conservancy, contributing to the goals of the Matilija Dam Ecosystem Restoration Project. Project components include new vehicle and equestrian trailer parking areas, trailhead with interpretive kiosk, and trail improvements, as well as two parking spaces and trail access compatible with the Americans with Disabilities Act. The project is located in the Ventura River watershed within the Ojai Valley of unincorporated Ventura County. The proposed parking area and trailhead are situated west of the intersection of Old Baldwin Road and Baldwin Road (Hwy 150), and the proposed trail improvements would occur to the west and north of the trailhead, expanding on an existing network of multi-use recreational trails.

Our comments and conditions are as follows:

1. The Permittee shall address Comments #1-4 and #6 as described in the Memorandum dated February 8, 2010 (attached).
2. The Permittee shall install an Equestrian Ahead Sign (W11-7) and Arrow (W16-7p) at all equestrian crossings on Old Baldwin Road as shown on the attached California Sign Chart 2010 Sheet 5 of 12.

G-1

G-2

Please contact me at 654-2087 if you have questions.

F:\transport\LandDev\County\VWCPD FC081908-1.doc

Attachment 1 to Comment Set G: Ventura County Public Works Agency, Transportation Department



**PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division
MEMORANDUM**

DATE: February 8, 2010

TO: Watershed Protection District
Attention: Elizabeth Martinez

FROM: Behnam Emami, Engineering Manager II

SUBJECT: REVIEW OF DOCUMENT RMA 10-500 Administrative Draft No.1 Mitigated
Negative Declaration (MND) and Initial Study (IS)

California River Parkways Trailhead Project (Project No. FC081908)

Provide a new point of entry to the Ventura County-maintained Ojai Valley Trail
and the City of Ventura-maintained Ventura River Trail.

Ventura River watershed within the Ojai Valley approximately 12 miles north of the
City of Ventura, west of the intersection of Old Baldwin Road and Baldwin Road.
(MOK, NMR, MRM).

Lead Agency: **Ventura County Watershed Protection District**
APN 032-0-070-070 and 011-0-070-060

Pursuant to your request, the Public Works Agency - Transportation Department completed the
review of the Administrative Draft No.1 MND and IS for the California River Parkways Trailhead
Project.

The proposed project would provide a new point of entry to the Ventura County-maintained Ojai
Valley Trail (OVT) and the City of Ventura-Maintained Ventura River Trail (VRT), building on an
existing trails network maintained by the Ojai Valley Lands Conservancy. Primary components
include parking area, crosswalk, and swale, Interpretive Kiosk, Trailhead, and Trail Improvements.
The proposed project would provide a linkage between existing trails south of Matilija Dam, and Los
Padres Natinal Forest trails north of the dam. The project is located in the Ventura River watershed
within the Ojai Valley approximately 12 miles north of the City of Ventura, west of the intersection
of Old Baldwin Road and Baldwin Road.

Our comments and conditions are as follows:

1. The IS indicates that the project will generate additional traffic to the local roads and the
Regional Road Network. Page B-93 of the IS provides that project construction will require
ten peak daily truck trips with an average three daily truck trips and five average daily worker
employee trips. Construction of the trailhead and parking lot would take approximately four
months and trail work is approximately two months to complete. Once operational,
anticipated average daily use would be approximately 12 to 15 vehicles.

G-3

Attachment 1 to Comment Set G: Ventura County Public Works Agency, Transportation Department, continued

2. The parcel is within the SR 33 Impact Area. The project, as proposed, has the potential to generate additional traffic on SR 33 between the northerly end of the Ojai Freeway and the City of Ojai. Addition of traffic to SR 33 in this area may be inconsistent with County General Plan (GP) Policy 4.2.2.4(b). According to the County GP (Ojai Area Specific Portion), if a project generates one or more PHT AM southbound or PM northbound on SR 33, between the northerly end of the Ojai Freeway and the City of Ojai, a significant adverse impact will occur. The peak hours on SR 33 are 6:30 a.m. to 9 a.m. (southbound) and 3:30 p.m. to 6:30 p.m. (northbound). Therefore, the permittee shall submit a Traffic Study, prepared by a licensed engineer identifying the amount of traffic generated by this project and the traffic impacts on the County Regional Road Network, in particular SR 33. The Traffic Study shall also identify any traffic mitigation measures that may be necessary to address the potential adverse impacts this project may have on SR 33 or any other road in the County Regional Road Network.

G-4

3. To address the cumulative adverse impacts of traffic on the Regional Road Network, Ventura County TIMF Ordinance 4246 and GP Policy 4.2.2 require that the Transportation Department of the Public Works Agency collect a TIMF. **Prior to issuance of a Building Permit** for new construction or a **Zoning Clearance** to initiate a new use or to increase an existing use, and pursuant to the TIMF Ordinance, the permittee shall deposit with the Transportation Department a TIMF. Based on the permittee’s information, the fee due the County would be:

G-5

$$15 \text{ ADT} \times \$8.54 / \text{ADT} = \underline{\$128.10}$$

The permittee may submit a Traffic Study to substantiate if a lower trip generation rate should be used to calculate the TIMF. The above fee may be subject to adjustment at the time of deposit, due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record Construction Cost Index. If the project cumulative impacts are not mitigated by payment of a TIMF, current GP policy will require County opposition to this project.

4. **Prior to issuance of a Building Permit** for new construction or a **Zoning Clearance** to initiate a new use or to increase an existing use, and pursuant to the Reciprocal Traffic Mitigation Agreement between the City of Ojai and the County of Ventura, the permittee shall also deposit with the Transportation Department a TIMF on behalf of the City of City of Ojai, to be transferred to the City within 30 days. The fee due the City would be:

G-6

$$15 \text{ ADT} \times \$35.87 / \text{ADT} = \underline{\$538.05}$$

The permittee may submit a Traffic Study to substantiate if a lower trip generation rate should be used to calculate the TIMF. The above fees may be subject to adjustment at the time of deposit, due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record Construction Cost Index. If the project cumulative impacts are not mitigated by payment of a TIMF, current GP policy will require County opposition to this project.

Attachment 1 to Comment Set G: Ventura County Public Works Agency, Transportation Department, continued

5. Page 2, last paragraph of the MND provides that Old Baldwin Road is maintained by Ventura County General Services Agency (GSA). We don't have records to verify this statement, so Transportation Department is requesting documentation to support this information. However, if this statement cannot be substantiated, Transportation Department further requests that maintenance of Old Baldwin Road be relinquished to Ventura County GSA, since traffic generated by this project is recreational-related. The relinquishment shall also be processed as part of the scope of the project.

G-7

6. Since the project is adjacent to Highway 150, Caltrans should review this project.

G-8

Our review is limited to the impacts this project may have on the County's Regional Road Network.

Please contact me at 654-2087 if you have questions.

Attachment 2 to Comment Set G: Ventura County Public Works Agency, Transportation Department

From: Gerald Weeks
To: Martinez, Elizabeth
CC: Emami, Ben
Date: 5/12/2010 8:10 AM
Subject: Old Baldwin Road (FC0818908, RMA 10-500)

Elizabeth,

I am sending this email on behalf of Ben Emami.

I reviewed the Draft IS/MND Section B.22A(1) Pages B-99 to B-106 for the Trailhead Project on Old Baldwin Road and the only comment I have is about the Ojai TIMF fee of \$538.05. See first paragraph of Page B-102.

Gerald Weeks, Jr. "Gary"
Planning Division
Transportation Dept.

G-9

Gerald Weeks, Jr., P.E. ("Gary")
Engineer III
Planning Division
PWA - Transportation Dept.
County of Ventura
800 South Victoria Avenue
Ventura, California 93009-1620
(805) 477-7157 Phone/Voicemail
(805) 648-9201 Fax
gerald.weeks@ventura.org Email

Comment Set H: Ventura County Air Pollution Control District

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Pam Lindsay

DATE: May 6, 2010

FROM: Alicia Stratton

SUBJECT: Request for Review of the Draft Mitigated Negative Declaration (MND) for the California River Parkways Trailhead Project (Project No. FC081908)

Air Pollution Control District staff has reviewed the subject project, which is a proposal to enhance and expand recreational resources and opportunities in the Ojai Valley area. The project would provide a new point of entry to the Ojai Valley Trail and Ventura River Trail; contribute to the Recreation Plan goals of the Matilija Dam Ecosystem Restoration Project through implementation of a new trailhead parking lot, access gate and ramp, trail enhancement and public outreach; meet statutory requirements of Proposition 50 grant funding; contribute to the IRWMP goal to provide compatible watershed-related recreational, public access and educational opportunities; and achieve identified need in the Ventura County 2005 Consolidated Plan and Annual Plan to provide at least one project per year that is compatible with the ADA through provision of a trailhead with ADA parking and trail. The project location is in the Ventura River watershed, within the unincorporated Ojai Valley.

Section B.3 of the MND addresses air quality issues. We concur with the findings of this discussion that significant operational air quality impacts would not result from the project. Short-term, construction related impacts would occur, as shown in Table B.3-3, *Summary of Maximum Daily Construction Emission Estimates*, however, these impacts are considered temporary in nature and therefore not counted toward the five lbs/day threshold of significance of ROG and NOx for projects in the area. The Mitigation Measures described on Page B-17 (MM AQ-1, 2, 3 and 4) will address ozone precursor emissions from project equipment. Table B.3-4, *Summary of Maximum Daily Operation/Maintenance Emission Estimates*, indicates that long-term, operational emissions from the project would be less than the five lbs/day threshold for ROG and NOx (0.55 lbs/day ROG and NOx). 10, (Permits Required).

If you have any questions, please call me at (805) 645-1426.

H-1

Comment Set I: Native American Heritage Commission

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



May 3, 2010

Pam Lindsey
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, CA 93009-1610

RE: SCH#2010041014 California River Parkways Trailhead Project; Ventura County.

Dear Ms. Lindsey:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- Checklist of actions: Contact the appropriate regional archaeological information center for a record search; If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey; Contact the Native American Heritage Commission for: A Sacred Lands File Check, USGS 7.5 minute quadrangle name, township, range and section required, A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached; Lack of surface evidence of archeological resources does not preclude their subsurface existence.

I-1
I-2
I-3
I-4

Sincerely,
Katy Sanchez
Katy Sanchez
Program Analyst
(916) 653-4040



CC: State Clearinghouse

Comment Set I: Native American Heritage Commission, continued

Native American Contact List
Ventura County
May 3, 2010

Charles Cooke
32835 Santiago Road
Acton , CA 93510

(661) 733-1812 - cell
suscol@intox.net

Chumash
Fernandeno
Tataviam
Kitanemuk

Julie Lynn Tumamait
365 North Poli Ave
Ojai , CA 93023
jtumamait@sbcglobal.net
(805) 646-6214

Chumash

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks, CA 91362
805 492-7255
(805) 558-1154 - cell
folkes9@msn.com

Chumash
Tataviam
Fernandeno

Patrick Tumamait
992 El Camino Corto
Ojai , CA 93023
(805) 640-0481
(805) 216-1253 Cell

Chumash

Owl Clan
Dr. Kote & Lin A-Lul'Koy Lotah
48825 Sapaque Road
Bradley , CA 93426
(805) 472-9536

Chumash

San Luis Obispo County Chumash Council
Chief Mark Steven Vigil
1030 Ritchie Road
Grover Beach CA 93433
cheifmvgil@fix.net
(805) 481-2461
(805) 474-4729 - Fax

Chumash

Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517
Santa Ynez , CA 93460
varmenta@santaynezchumash.
(805) 688-7997
(805) 686-9578 Fax

Chumash

Owl Clan
Qun-tan Shup
48825 Sapaque Road
Bradley , CA 93426
(805) 472-9536
(805) 835-2382 - CELL

Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010041014 California River Parkways Trailhead Project; Ventura County.

Comment Set I: Native American Heritage Commission, continued

Native American Contact List

Ventura County

May 3, 2010

Stephen William Miller
189 Cartagena
Camarillo , CA 93010
(805) 484-2439

Chumash

Charles S. Parra
P.O. Box 6612
Oxnard , CA 93031
(805) 340-3134 (Cell)
(805) 488-0481 (Home)

Chumash

Santa Ynez Tribal Elders Council
Adelina Alva-Padilla, Chair Woman
P.O. Box 365
Santa Ynez , CA 93460
elders@santaynezchumash.org
(805) 688-8446
(805) 693-1768 FAX

Chumash

Richard Angulo
P.O. Box 182
Salome , AZ 85348

Chumash

Randy Guzman - Folkes
655 Los Angeles Avenue, Unit E
Moorpark , CA 93021
ndnRandy@gmail.com
(805) 905-1675 - cell

Chumash
Fernandefio
Tataviam
Shoshone Paiute
Yaqui

Santa Ynez Band of Mission Indians
Sam Cohen, Tribal Administrator
P.O. Box 517
Santa Ynez , CA 93460
(805) 688-7997
(805) 686-9578 Fax

Chumash

Coastal Band of the Chumash Nation
Janet Garcia, Chairperson
P.O. Box 4464
Santa Barbara CA 93140
805-964-3447

Chumash

Carol A. Pulido
165 Mountainview Street
Oak View , CA 93022
805-649-2743 (Home)

Chumash

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010041014 California River Parkways Trailhead Project; Ventura County.

Comment Set I: Native American Heritage Commission, continued

Native American Contact List
Ventura County
May 3, 2010

Melissa M. Para-Hernandez
119 North Balsam Street Chumash
Oxnard , CA 93030
805-983-7964

Frank Arredondo
PO Box 161 Chumash
Santa Barbara Ca 93102
805-617-6884
ksen_sku_mu@yahoo.com

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2010041014 California River Parkways Trailhead Project; Ventura County.

Comment Set J: Governor's Office of Planning and Research, State Clearinghouse and Planning Unit



ARNOLD SCHWARZENEGGER
GOVERNOR

May 6, 2010

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

Pam Lindsey
Ventura County Watershed Protection District
800 S. Victoria Avenue
Ventura, CA 93009-1610

Subject: California River Parkways Trailhead Project
SCH#: 2010041014

Dear Pam Lindsey:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 5, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

J-1

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

J-2

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

Enclosures
cc: Resources Agency

RECEIVED
MAY 11 2010
WATERSHED PROTECTION DISTRICT

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Comment Set J: Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, continue

Document Details Report
State Clearinghouse Data Base

SCH# 2010041014
Project Title California River Parkways Trailhead Project
Lead Agency Ventura County Watershed Protection District

Type MND Mitigated Negative Declaration
Description NOTE: Review Per Lead

The proposed project would provide a new trailhead to an existing trails network maintained by the Ojai Valley Land Conservancy (OVLC). The primary components of the proposed project include 0.86 acres of "rustic" parking areas, including ADA-compatible parking spaces, passenger vehicle, equestrian, and bus parking; interpretive kiosk, providing information about the trails, trail safety, cultural resources, and natural resources; and trail improvements, including the construction of a connector trail between the parking areas and an existing unimproved Ojai Valley Sanitation District (OVSD) maintenance road, construction of an ADA-compatible trail adjacent to the existing unimproved OVSD maintenance road, and improvements to existing structure sections of OVLC trails.

Lead Agency Contact

Name Pam Lindsey
Agency Ventura County Watershed Protection District
Phone (805) 654-2036 **Fax**
email
Address 800 S. Victoria Avenue
City Ventura **State** CA **Zip** 93009-1610

Project Location

County Ventura
City
Region
Lat / Long 34° 25' 34.5" N / 119° 17' 54" W
Cross Streets Old Baldwin Rd and Baldwin Rd (SR 150)
Parcel No. 032-0-070-070; 011-0-070-060
Township **Range** **Section** **Base**

Proximity to:

Highways 150, 33
Airports
Railways
Waterways Ventura River
Schools Montessori Schl of Ojai
Land Use Open Space (OS, 40 acre minimum)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Cal Fire; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 3; Department of Toxic Substances Control; Native American Heritage Commission

Date Received 04/05/2010 **Start of Review** 04/05/2010 **End of Review** 05/05/2010

Note: Blanks in data fields result from insufficient information provided by lead agency.

Comment Set J: Governor's Office of Planning and Research, State Clearinghouse and Planning Unit,
continue

STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

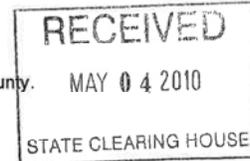
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



May 3, 2010

Pam Lindsey
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, CA 93009-1610

RE: SCH#2010041014 California River Parkways Trailhead Project; Ventura County.



Clear
5-5-10
e

Dear Ms. Lindsey:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. USGS 7.5 minute quadrangle name, township, range and section required.
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. Native American Contacts List attached.
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Katy Sanchez
Program Analyst
(916) 653-4040

CC: State Clearinghouse

**Responses to Comments Received on the
Draft Mitigated Negative Declaration and Initial Study**

Comment Letter A

Russ Baggerly

- A-1** Comment noted. Section A.7.4 (Proposed Project) and the impact discussion presented in Section B.4D (Surface Water Quality) of the Initial Study have been modified to clarify that OVLC staff will collect and dispose of horse manure in the staging/parking area during daily maintenance visits. With this regular maintenance, as well as the signs posting guidance for recreationists to remove and dispose of horse manure, the potential for additional horse manure in the parking area to result in water quality impacts would not be significant.
- A-2** Calculations provided by the commenter have been considered for the purposes of this analysis. These calculations provide estimates of the average annual volume of waste that would be produced by a number of horses, but do not directly estimate what percentage of such waste would be deposited in the horse staging area during use of the proposed project area.
- A-3** We agree that a small percentage of horse manure and urine produced in association with the proposed project would be deposited into active flow of the Ventura River. The portion of trail to be improved under the proposed project is located along a terraced portion of the riverbed, in an area that mostly drains away from active flow. During the dry season months (typically April through November) horse manure would be broken down through natural processes including weather and traffic along the trail. It is reasonable to anticipate that a small quantity of decomposing manure along the trails would filter through vegetated areas and into the main channel / active flow of the Ventura River. The horse manure generated along the project trail that is anticipated to make direct contact with the Ventura River is not considered substantial. Similarly, horse urine deposited along the trail would filter through soils and vegetated areas, and the potential for urine to make direct contact with the Ventura River is also considered low.

As described above in response to Comment A-1, text has been added to the discussion of water quality impacts to clarify that daily OVLC maintenance activities will include the collection and disposal of horse manure from the staging/parking area. In addition, as described in Section B.4D (Surface Water Quality) of the Initial Study, new equestrian visitors attracted to the area as a result of the proposed project are not expected to introduce a substantial new source of manure. Horse manure and urine introduced to the area would not result in a significant impact to water quality. The proposed project would be in compliance with all existing water quality objectives and Total Maximum Daily Load requirements of the Los Angeles RWQCB, including as related to nitrogen and phosphorus.

As described, it is not expected that the proposed project would introduce substantial new equestrian use in the area. Rather, the project would provide a formalized parking and staging location to an area that is already characterized by frequent equestrian use. It is expected that some new equestrian recreationists who do not currently visit the area would be attracted to the improved trails and parking area. These new visitors are not anticipated to be substantial, and the volume of horse manure introduced to the area would not be substantially different than existing conditions. As stated above, most horse manure and urine generated in associated with the proposed project would not be directly deposited into the Ventura River. The analysis presented in Section B.4D (Surface Water Quality) of the Initial Study does not conclude that no surface water contamination would occur; rather, it is described that horse manure could

potentially be transported via natural processes to surface water in the area, and that potential impacts to surface water quality would be less than significant.

- A-4** As described above and in Section B.4D (Surface Water Quality) of the Initial Study, the proposed project would not result in significant water quality impacts, including as relevant to existing Total Maximum Daily Load (TMDL) designations for the Ventura River. TMDLs were considered in the water quality analysis presented in Section B.4, and existing TMDLs are presented in Tables B.4-1 and B.4-2. Regarding nutrient loading in the Ventura River, as noted by the commenter, Section B.4D describes potential effects of horse manure and urine deposition along project trails and in the staging area, and describes that the proposed project would be in compliance with all existing water quality objectives and TMDL requirements of the Los Angeles RWQCB, including as related to nitrogen and phosphorus. The Los Angeles RWQCB has not established a TMDL for algae in the Ventura River.
- A-5** The suggested mitigation measure has been incorporated into the document by revising the project description in the Initial Study to include details regarding daily manure removal by the OVLC. As described above, the OVLC will provide daily maintenance of the new parking and staging area, which will include collection and disposal of any horse manure left by equestrian recreationists. Potential impacts to water quality would be less than significant.
- A-6** To clarify, the Initial Study does state that the project would draw new recreationists to the area (see Section B.4D); however, it is expected that the majority of visitors would represent recreationists who currently visit the area, and new visitors are not anticipated to be substantial. The volume of horse manure introduced to the area in association with the proposed project would not be substantially different than existing conditions.
- A-7** The responses provided above address concerns regarding nutrient loading associated with horse urine and manure. The Initial Study does address this issue and states that there are potential impacts, and includes mitigation measures and operations procedures to minimize project impacts.
- A-8** The environmental analysis presented in the Initial Study is thorough and complete, and the determination that water quality impacts associated with the proposed project would be less than significant is a scientifically sound determination. As described in the Initial Study, mitigation measures and operations procedures to be implemented with the proposed project, as well as compliance with applicable laws and regulations, ensure that potential impacts remain less than significant. The commenter has provided no evidence that the impact analysis presented in the Initial Study is flawed or incomplete. This analysis is in full compliance with the requirements of CEQA, and it is not necessary to redraft or re-circulate the MND, or to prepare an Environmental Impact Report for the proposed project.

Comment Letter B

California Department of Transportation, District 7

- B-1** As noted by the commenter, the proposed project site is west of the intersection of Old Baldwin Road and Baldwin Road (State Route 150). Old Baldwin Road is within the jurisdiction of the County of Ventura, and is maintained by Ventura County Transportation Department, of the County's Public Works Agency. Public safety is a priority of the Transportation Department.

The commenter recommends implementation of a "Complete Street Policy" that promotes safe access for all modes of transportation, including bicycles. Per the Caltrans "Complete Streets Implementation Action Plan", dated February 1, 2010, a "Complete Street" is a transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users including bicyclists, pedestrians, transit vehicles, truckers, and motorists, appropriate to the function and context of the facility. The proposed project is being completed with grant funds which includes the scope of work outlined in Section A.7.4 (Proposed Project) of the Initial Study. The addition of a bike lane along Old Baldwin Road is outside of the scope of the project, and funds for such an addition to the project are not available. Although a bike lane will not be designated on Old Baldwin Road, the proposed project's staging/parking area and trails are intended for multiple recreational uses, and would accommodate visitors on foot, bicycle, and horse.

- B-2** Comment noted. As described in Initial Study Section B.22A(1) (Transportation/Circulation, Public Roadways and Highways – Level of Service) of the Initial Study, construction traffic for the proposed project is expected to originate in Ventura, accessing the site by traveling northbound in the morning and southbound in the evening, against Peak Hour Traffic (PHT) in each direction. Any construction traffic required to originate from Ojai would be scheduled to avoid PHT.

As estimated for the Air Quality emission calculations (see Initial Study Appendix 3), the proposed project would generate only three (3) truck roundtrips during the surface treatment phase of the project, which represents the largest number of truck trips throughout construction. Therefore, the proposed project would not result in the platooning of trucks.

All required permits, including those issued by the California Department of Transportation, will be acquired and complied with as part of the proposed project.

- B-3** The nearest State Right-of-Way (ROW) to the proposed project is along State Route 150. The proposed project site, including the staging/parking area and trail improvements, is located entirely outside of this ROW; therefore, a Caltrans Encroachment Permit is not required. As noted in response to Comment B-2, all required permits will be acquired and complied with.

Comment Letter C

Ventura County Public Works Agency

- C-1** Comment confirms the adequacy of the analysis for erosion/siltation and non-VCWPD drainage facilities in the Draft MND/IS. No response or analysis is required.

Comment Letter D**Resource Management Agency, County of Ventura, Environmental Health Division**

- D-1** The suggested revisions have been made to Initial Study Sections B.18C (Hazardous Wastes) and B.24D (Solid Waste Facilities).

Comment Letter E**City of Ventura**

- E-1** Comment expresses project support by the City of Ventura. No response or analysis is required.

Comment Letter F**Jesse Small**

- F-1** As discussed in Initial Study Section A.7.4 (Proposed Project), under “Operations and Maintenance”, the referenced upper gate located at the Ventura River County Water District Office would remain in place but would be left in an open position to allow access to the parking area and trailhead during operating hours. This gate would be closed and locked at sunset by one OVLC staff. Additional text has been added to the project description to clarify.
- F-2** To address the concern expressed and limit the potential for fire hazards during operations, the signs to be posted at the parking area and trailhead would explicitly state that smoking and camp fires are prohibited. Initial Study Section A.7.4 (Proposed Project) and Section B.17 (Fire Hazards) have been updated to reflect this commitment.
- F-3** The intent of the project is not to create new trails, but rather upgrade existing trails and provide some new connector trails. By upgrading existing trails, the project would limit the area of impact, as most of the width of the trails has been previously disturbed and supports minimal vegetation. Furthermore, portions of these existing trails are maintained dirt access roads currently utilized by the Ojai Valley Sanitation District (OVSD) to service their facilities, and may be utilized by the fire department for emergency access (if needed). The proposed trail upgrade along the eastern bank cannot be relocated farther west, as suggested by the commenter, since it is an existing maintained service road.
- F-4** The proposed project will provide a designated area for recreationalists to park and signs to direct users to the trailhead and upgraded trails. These areas would be open for use between dawn and dusk. A sign is currently posted on Trusty Lane, which is located approximately 1,200 feet from parking area, stating that it is a “Private Drive”. Users of the proposed project’s parking area would be traveling along Old Baldwin Road during daylight hours and therefore should see this sign and know to not trespass. Therefore, while the project may introduce new people to the neighborhood, recreationists would be expected to stay on Old Baldwin Road and not trespass on Trusty Lane. Trespassing is illegal and if such activities are occurring, the property owners should contact the local Sherriff’s Department.
- F-5** As discussed in Section A.7.1 (Project Background), Proposition 50 grant funding was received to implement the proposed project. The Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) was passed November 5, 2002, which authorized legislation to appropriate \$100 million for the acquisition, restoration, protection and development of river parkways through a grant program. The VCWPD applied for grant funding for the proposed project in October, 2007 and received official funding for the

proposed project in April, 2009. The funding for this project is separate from the general fund provided by the County of Ventura and the project is not utilizing those public funds. This project will create jobs for construction workers and purchase goods, such as fencing, which will benefit the current economy.

- F-6** As discussed in Initial Study Section A.7 (Project Description), the proposed project would provide approximately 1,500 feet of ADA-accessible trail from the ADA parking spaces past the kiosk area and along and south of the existing Ojai Valley Sanitation District maintenance road to a circular turn-around. The drawings provided, including Figures A.7-1a, A.7-1b, and A.7-2 are based on an 85% design construction plan, as such the distances are approximate. Text in Section A.8 has been revised to clarify that the ADA-compatible trail would not extend behind the mobile home development, but rather the proposed trail upgrades (non-ADA) would be located adjacent to and west of the mobile home development.
- F-7** Environmental impacts addressed in the Initial Study are based on the Ventura County *Initial Study Assessment Guidelines*. The Initial Study primarily focuses on impacts on the physical environment, but many types of effects on the human environment are also discussed and evaluated in the Initial Study. For discussions of effects on the human environment, please see Sections B.2 (Land Use), B.3 (Air Quality), B.4 (Water Resources), B.8 (Visual Resources), B.9 (Paleontological Resources), B.10 (Cultural Resources), B.11 (Energy Resources), B.13 (Seismic Hazards), B.14 (Geologic Hazards), B.16 (Aviation Hazards), B.17 (Fire Hazards), B.18 (Hazardous Materials/Waste), B.19 (Noise and Vibration), B.20 (Glare), B.21 (Public Health), B.22 (Transportation/Circulation), B.23 (Water Supply), B.24 (Waste Treatment/Disposal), B.25 (Utilities), B.26 (Flood Control/Drainage), B.27 (Law Enforcement/Emergency Services), B.28 (Fire Protection), and B.29 (Education).

Comment Letter G

Ventura County Public Works Agency, Transportation Department

- G-1** Please refer to responses to Comments G-3 through G-6 and G-8, below. These comments were made on the Administrative Draft No. 1 Initial Study and were incorporated into the Draft Initial Study released in April 2010, as described below.
- G-2** Text has been added to Initial Study Section A.7.4 (Proposed Project) to clarify that the proposed project would include installation of an Equestrian Ahead Sign (W11-7) and Arrow (W16-7p) at all equestrian crossings on Old Baldwin Road. Please note that the attachment showing these signs was not provided; therefore, it has not been included in this document.
- G-3** The description provided in the comment has been updated between the Administrative Draft No. 1 Initial Study and the Draft Initial Study released in April 2010. The description in Initial Study Section B.22A(1) (Transportation/Circulation, Public Roads and Highways – Level of Service) now states that “construction of the trailhead and parking area construction would take approximately two (2) months; trail work is anticipated to take approximately two (2) months to complete. Project construction will require ten (10) peak daily truck trips; with an average of three (3) daily truck trips and five (5) average daily worker employee trips accessing the site”.
- G-4** Initial Study Section B.22A(1) (Transportation/Circulation, Public Roads and Highways – Level of Service) under “Proposed Project Impacts” describes the project’s potential to generate traffic on State Route 33 and addresses the County General Plan Policy 4.2.2.4(b) for both construction and operations. The VCWPD has determined that the proposed project would not

result in additional Peak Hour Traffic (PHT) trips on State Route 33 between the northerly end of the Ojai Freeway and the City of Ojai, and a Traffic Study is not required. Mitigation Measure T-1 would further avoid or minimize the potential for adverse traffic impacts associated with the proposed project.

- G-5** Initial Study Section B.22A(1) (Transportation/Circulation, Public Roads and Highways – Level of Service) under “Cumulative Impacts” addresses the cumulative impacts of traffic on the Regional Road Network and notes that the project is required to pay the Ventura County Traffic Impact Mitigation Fee (TIMF) per Ordinance 4246 and General Plan Policy 4.2.2.
- G-6** Text presented in Initial Study Section B.22A(1) (Transportation/Circulation, Public Roads and Highways – Level of Service) under “Cumulative Impacts” has been modified to state that the project is required to pay the City of Ojai TIMF pursuant to the Reciprocal Traffic Mitigation Agreement between the City of Ojai and the County of Ventura. Based on the permittee’s traffic information, the amount of this TIMF is \$538.05. The District will pay the Ojai TIMF fee of \$538.05 prior to project construction.
- G-7** In response to this comment, the VCWPD confirmed that Old Baldwin Road is maintained by the County of Ventura Public Works Agency (PWA) Transportation Department. The maintenance of this road will remain with the PWA and not be relinquished to Ventura County General Service Agency.
- G-8** The Draft Initial Study was provided to the California Department of Transportation, Division of Environmental Planning for their review.
- G-9** The District will pay the Ojai TIMF fee of \$538.05 prior to project construction. Please see response to Comment G-6.

Comment Letter H
Ventura County Air Pollution Control District

- H-1** Comment concurred with the Air Quality analysis, findings, and mitigation measures in the Draft MND/IS. No response or analysis is required.

Comment Letter I
Native American Heritage Commission

- I-1** Comment noted. Appendix 4 of the Initial Study includes the Cultural Resources Report prepared for this proposed project. As described in the report, the regional archaeological information center (South Central Coastal Information Center at California State University Fullerton) was consulted for this project.
- I-2** The Cultural Resources Report presented in Appendix 4 of the Initial Study describes the methodologies and results of an on-foot field inspection conducted with the aid of RPA-certified archaeologist and Project Manager, Wayne Bonner, and Ventureneno Chumash Native American representatives, Susie Ruiz and Charles Parra, on December 15, 2009.
- I-3** As described in Appendix 4 of the Initial Study, the Native American Heritage Commission (NAHC) was contacted on December 10, 2009 to search their Sacred Lands Files (SLF) for the project area. A response was received on December 21, 2009 (Katy Sanchez, Program Analyst,

NAHC). The letter response indicated that a record search of the sacred lands file failed to indicate the presence of Native American cultural resources in the immediate project area.

- I-4** Appendix 4 of the Initial Study describes that if human remains are discovered during construction-related activities, then the procedures described in Section 7050.5 of the California Health and Safety Code shall be followed. These procedures require notification of the County Coroner. If the County Coroner determines that the discovered remains are those of Native American ancestry, then the Native American Heritage Commission (NAHC) must be notified by telephone within 24 hours. Sections 5097.94 and 5097.98 of the Public Resources Code describe the procedures to be followed after the notification of the NAHC.

Additionally, Mitigation Measure C-2, which is presented in Section B.10C (Ethnic, Social, and Religious Resources) of the Initial Study, specifies that if human remains are discovered during project construction, all work will be diverted from the area of the discovery and the on-site supervisor will be informed immediately. All State and federal laws, statutes, and regulations that govern the treatment of human remains shall be adhered to. All provisions and requirements of the Native American Graves Protection and Repatriation Act (NAGPRA) shall be met. All relevant Public Resource Codes and Health and Safety Codes regarding the discovery and handling of human remains shall be complied with.

Comment Letter J

Governor's Office of Planning and Research, State Clearinghouse and Planning Unit

- J-1** Comment noted. Independently of the State Clearinghouse, the VCWPD has received comment letters from the: California Department of Transportation, District 7 (Comment Letter B); Ventura County Public Works Agency (Comment Letter C); Resource Management Agency, County of Ventura, Environmental Health Division (Comment Letter D); City of Ventura (Comment Letter E); Ventura County Public Works Agency, Transportation Department (Comment Letter G); Ventura County Air Pollution Control District (Comment Letter H); and Native American Heritage Commission (Comment Letter I). Responses to these comments are provided above. It should be noted that the comment letter from the Native American Heritage Commission is the same letter as provided by the State Clearinghouse. Please see responses to Comment Letter I, above. No other federal, State, or local regulatory agencies have provided written or verbal comments directly to the VCWPD.
- J-2** Comment noted. Thank you for confirming VCWPD's compliance with the State Clearinghouse requirements for draft environmental documents.