

8.0 ADDENDA and ERRATA/ COMMENTS and RESPONSES

8.1 ADDENDA and ERRATA

This section of the Final Supplemental EIR for the California State University, Channel Islands 2009 Facilities Projects Supplemental presents modifications to the Draft SEIR text based on the response to comments received, which are included below in Section 8.2. Deletions are noted by ~~strikeout~~ and insertions by underline. Individual typographical corrections are not specifically indicated here.

The changes incorporated into this EIR correct minor errors or clarify information. The changes do not result in presentation of new substantial adverse environmental effects that cannot be mitigated by existing mitigation.

A global distinction was added throughout the EIR to discussions involving the Open Space conveyance area to indicate the area as “potential” and “future” conveyance area.

Section 2.0 Project Description

The following changes were made in Section 2.0 *Project Description* in SEIR in response to comment 3B.

Figure 2-3(b) has been modified such that the entire parcel is designated as a “restricted use area” rather than having a portion indicated as “federal encumbered property”

The language on page 2-18 of the EIR has been modified to read as follows.

Under the proposed project, the CSUCI would take control of about 370 additional acres, ~~including 279 acres~~ of Ventura County-owned public open space land adjacent to the north side of campus [see Figure 2-3(b)] pursuant to 40 U.S.C. § 550 (e).

Section 4.3 Biological Resources

The following rows were added to Table 4.3-5 on page 4.3-19 in Section 4.3 *Biological Resources* of the SDEIR in response to comment 1B.

Scientific Name	Common Name	G-Rank/ S-Rank	Fed/State	CNPS	Required Habitat	Likelihood of Occurrence
<u><i>Astragalus brauntonii</i></u>	<u>Braunton's milk-vetch</u>	<u>G2/S2.1</u>	<u>FE/-</u>	<u>1B.1</u>	<u>Closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland. Recent burns or disturbed areas in stiff gravelly clay soils overlying granite or limestone. 4-640 m.</u>	<u>Possible: suitable coastal sage scrub habitat onsite</u>



Scientific Name	Common Name	G-Rank/ S-Rank	Fed/State	CNPS	Required Habitat	Likelihood of Occurrence
<i>Dudleya cymosa</i> ssp. <i>ovatifolia</i>	Santa Monica <i>dudleya</i>	G5T2/S2.2	FT/-	1B.2	Chaparral, coastal scrub in canyons on sedimentary conglomerates; primarily N-facing slopes. 210-500 m.	Possible: suitable coastal sage scrub habitat onsite
<i>Dudleya cymosa</i> ssp. <i>marcescens</i>	Marcescent <i>dudleya</i>	G5T2/S2.2	FT/SR	1B.2	Chaparral on sheer rock surfaces and rocky volcanic cliffs. 180-520 m.	Unlikely: marginal habitat onsite

The following change was made to mitigation measure 09-BIO-1(b) on page 4.3-30 in Section 4.3 *Biological Resources* and within the Executive Summary Table. This change was made in response to comment 1C.

09-BIO-1(b) During the winter season prior to construction activities within riparian habitat either along Long Grade Canyon Creek or within the conveyance area, a habitat assessment shall be performed at the specific location of proposed impacts to determine the suitability of the habitat to support least Bell’s vireo during the breeding season. If the habitat assessment indicates that suitable habitat exists to support breeding and nesting activities by least Bell’s vireo, USFWS protocol surveys shall be conducted for least Bell’s vireo prior to any construction activity, including vegetation clearing, and including a buffer zone of 300 feet from the proposed construction area. If federal listed endangered or threatened wildlife species are found within any proposed development areas, CSUCI shall obtain the necessary signed copies of an incidental take permit and associated enacting agreements prior to the initiation of alteration of natural habitats containing such species.

The following discussion was modified in the paragraph following Mitigation Measure 09-BIO-1(b) on page 4.3-32. This change was made in response to comment 3L.

As discussed above, incidental take for endangered or threatened wildlife species, such as least Bell’s vireo, would be via either the Section 7 consultation process or through the preparation of a Section 10(a) Habitat Conservation Plan (HCP). Measure 09-BIO-1(b) provides a performance standard for the purpose of CEQA so that CSUCI is assured that the overall set of mitigation measures will achieve federal standards for species protection and habitat protection. To determine whether or not impacts can be sufficiently mitigated or whether the project would result in an unavoidable adverse significant impact to species listed under the Endangered Species Act (ESA), the regulatory framework of the ESA needs to be considered. Acquisition of a take permit requires that the impact be avoided to the extent practicable, that the impact be minimized, or that compensatory mitigation (typically in the form of habitat acquisition and/or restoration) be performed. This establishes performance criteria whereby in the regulatory opinion of the authorizing agency, the impacts to the listed species is reduced such that a finding of “no jeopardy” can be made. The criteria established under this act provides a basis



for determining whether or not a significant impact is fully mitigated, and compliance with this regulatory process sufficiently to obtain an incidental take permit indicates that impacts have been reduced to a level of less than significant.

The following change was made to mitigation measure 09-BIO-1(a), found on page 4.3-29 and in the Executive Summary. The change was made in response to comment 3K.

- 09-BIO-1(a)** Special-status wildlife species surveys shall be conducted within the Open Space Conveyance Area to determine the presence/absence of any endangered, threatened, or otherwise sensitive wildlife species at such time that specific facilities are proposed. Should the survey results conclude the presence of endangered or threatened species, consultation with USFWS or the CDFG will be required to determine whether or not an incidental take permit may be necessary. Also, prior to the commencement of any subsequent grading operations or other activities involving disturbance of natural habitat, a survey would be conducted to locate special-status wildlife species within 100 feet of the outer extent of projected soil disturbance activities, and any special status wildlife species encountered shall be relocated to suitable habitat outside of the fenced construction area by a qualified biologist in accordance with appropriate permits. ~~the locations should be clearly marked and identified on the construction/grading plans.~~ A biological monitor will also be present at the initiation of vegetation clearing to provide an education program to the construction operators regarding the efforts needed to protect special-status wildlife species. Fencing or flagging would be installed around the limits of grading prior to the initiation of vegetation clearing.

8.2 COMMENTS and RESPONSES

This section of the California State University, Channel Islands 2009 Facilities Projects Supplemental EIR contains all seven of the written comments received in response to the Draft EIR during the 45-day public review period of December 23, 2008, through February 6, 2009. Each comment received by CSUCI has been included within this report. Responses to all comments have been prepared to address the concerns raised by the commenters and to indicate where and how the EIR addresses environmental issues. Changes that were made to the EIR in response to comments are outlined in the beginning of this section under Addenda Errata.

This document constitutes the Final EIR to be presented to the Trustees of the State University for certification prior to decisions on acceptance and approval of 2009 Facilities Projects. Specific comments contained within any particular written letter have been numbered in order to provide a reference to it in the response. Each letter is presented first, with the responses following.



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United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
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Ventura, California 93003

IN REPLY REFER TO:
2009-FA-0039

February 5, 2009

Alan Paul, Associate Architect
Operations, Planning and Construction
California State University Channel Islands
One University Drive, Arroyo Hall
Camarillo, California 93012

Letter 1

Subject: Draft Supplemental Environmental Impact Report for the California State University Channel Islands 2009 Facilities Projects (SCH # 1999121111), Camarillo, California.

Dear Mr. Paul:

We are responding to your request for comments on the Draft Supplemental Environmental Impact Report (DSEIR) for the California State University Channel Islands (CSUCI) Facilities Projects. The notice of availability was dated December 23, 2008, and received in our office on December 24, 2008. The proposed projects are located 1.5 miles south of the city of Camarillo, on the existing CSUCI campus. The proposed projects consist of several construction activities, modifications to existing mitigation measures, and a land conveyance to the CUSCI campus envisioned under the CSUCI Master Plan. The Master Plan was certified under a Final EIR in 1998. The DSEIR provides additional detail to the current designs of the Facilities Projects as previously analyzed under California Environmental Quality Act documents.

On November 4, 2008, we responded to your request for comments on the notice of preparation of the subject DSEIR. In that comment letter, we communicated our concerns with the proposed project on federally listed species. After review of the resulting DSEIR, we continue to have concerns regarding the effects that this project could have on the following federally listed species, which may occur or have the potential to occur within the project vicinity: the federally endangered Braunton's milk-vetch (*Astragalus brauntonii*), Lyon's pentachaeta (*Pentachaeta lyonii*), and least Bell's vireo (*Vireo bellii pusillus*), and the federally threatened Verity's dudleya (*Dudleya verity*), Marcescent dudleya (*Dudleya cymosa* ssp. *marcescens*), Conejo dudleya (*Dudleya abramsii* ssp. *parva*), and Santa Monica Mountains dudleya (*Dudleya cymosa* ssp. *ovatifolia*).

The U.S. Fish and Wildlife Service's (Service) responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act prohibits the taking of any federally listed endangered or threatened species. Section 3(18) of the Act defines "take" to mean "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to

A

listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Harass is defined by the Service as intentional or negligent actions that create the likelihood of injury to a listed species by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. The Act provides for civil and criminal penalties for the unlawful taking of listed species.

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Exemptions to the prohibitions against take may be obtained through coordination with the Service in two ways. If a project is to be funded, authorized, or carried out by a Federal agency, and may affect a listed species, the Federal agency must consult with the Service pursuant to section 7(a)(2) of the Act. If a proposed project does not involve a Federal agency but may result in the take of a listed animal species, the project proponent should apply to the Service for an incidental take permit pursuant to section 10(a)(1)(B) of the Act.

The project site supports the following plant communities and habitat types: Ventura coastal sage scrub, wetland/riparian, California annual and ruderal grasslands, and disturbed/developed. These communities are interspersed to varying degrees within the project site and provide habitat for various wildlife species. According to the Biological Resources section of the DSEIR, the federally listed species identified, or with the potential to occur, on-site include the coastal California gnatcatcher (*Polioptila californica californica*), least Bell's vireo, Conejo dudleya, Verity's dudleya, and Lyon's pentachaeta. Concurrent with your determination, our records indicate that the coastal California gnatcatcher is not known to occur within this region of the Santa Monica Mountains and thus will not be further discussed herein. This letter includes our comments regarding the federally listed species you identified, as well as Braunton's milk-vetch, Santa Monica Mountains dudleya, and marscent dudleya.

B

As it is not our primary responsibility to comment on documents prepared pursuant to the California Environmental Quality Act (CEQA), our comments on the DSEIR do not constitute a full review of project impacts. We are providing our comments based upon a review of sections addressing biological resources, project activities that have potential to affect federally listed species, and our concerns for listed species within our jurisdiction related to our mandates under the Act. Based upon our review, we have the following concerns regarding the DSEIR's characterization of impacts to federally listed species.

C

According to Section 4.3 Biological Resources section of the DSEIR, Rincon Consultants observed the least Bell's vireo during the 2008 wetland delineation within the eastern portion of Long Grade Creek. In our response to the notice of preparation of the DSEIR, we conveyed our concerns that the proposed project could negatively affect the least Bell's vireo. Construction activities occurring within portions of Long Grade Creek have the potential to affect the least Bell's vireo and its riparian habitat. Table 4.3-4 of the Biological Resources section of the DSEIR states that the riparian stand lacks that density and structure preferred by the species for nesting and is not expected to support breeding. We recommend that you verify the occurrence of this species within the project site using surveys according the Service protocol. If the proposed activities will result in the take of the least Bell's vireo, we advise you to contact us to

initiate the consultation process or for the preparation of a habitat conservation plan and issuance of an incidental take permit. Mitigation measure 09-Bio-1(a) of the DSEIR describes the process of wildlife surveys and consultation with us if federally listed species are observed. However, surveys are only proposed within the Open Space Conveyance Area under this mitigation measure. While we recognize your efforts to protect federally listed species, we recommend that surveys be conducted throughout the entire project area to ensure all impacts to listed species can be addressed.

C

In our response to the notice of preparation of the DSEIR, we conveyed our concerns that the proposed projects could negatively affect the federally listed plants within the project site. We are concerned about potential impacts to Lyon’s pentachaeta, Braunton’s milk-vetch, Conejo dudleya, Verity’s dudleya, Santa Monica Mountains dudleya, and marscent dudleya. Figure 4.3-2 of the DSEIR illustrates special status elements tracked by the California Natural Diversity Database (CNDDDB) in the vicinity of CSUCI. While the CNDDDB is a useful resource to better understand the distribution of rare species, it does not represent all occurrences of those species and cannot be relied upon for definite presence within a selected location. As such, species not shown on the CNDDDB map in the project vicinity still have a potential to occur on the project site.

Table 4.3-5 of the DSEIR states that Verity’s dudleya has been observed and Conejo dudleya is likely to occur within the vicinity of the project site. We are concerned about the effects that the proposed project could have on these species. In addition, you concluded in Table 4.3-5 that Lyon’s pentachaeta is unlikely to occur onsite to due marginal habitat. You stated in this same table that focused surveys in potential fuel modification zones and areas adjacent to proposed development failed to discover this plant. We disagree with this determination because the species has been identified within the vicinity of the project and suitable habitat such as chaparral exists on site. The information provided (page 4.3-6) states that surveys for Lyon’s pentachaeta and other special status plants were conducted in 1999 by Rincon Consultants in the area now developed into residential housing. We want to emphasize that plant surveys from 10 years ago should not be used to characterize current species presence. Furthermore, the surveys were not conducted in the area now being proposed in the Facilities Projects.

D

Braunton’s milk-vetch, Santa Monica Mountains dudleya, and the marscent dudleya were not included in the discussion of special status plant species tracked in the vicinity of CSUCI of the DSEIR (Table 4.3-5). Due to the known occurrences of these species within the project vicinity and the available habitat within the project site, we recommend that surveys according to Service protocol be conducted. These species should be included in both the discussion of special status species within the project area and the project’s impacts to plants and wildlife.

We want to reiterate that we are concerned that the proposed project could affect federally listed plant species and recommend avoiding impacts to the Lyon’s pentachaeta, Braunton’s milk-vetch, Conejo dudleya, Verity’s dudleya, Santa Monica Mountains dudleya, and marscent dudleya. If the proposed project falls within the U.S. Army Corp’s of Engineer’s (Corps) jurisdiction and they decide the scope of their jurisdiction extends over the entire project site, we

E

recommend that you work with the Corps to determine if consultation under section 7 of the Act for potential adverse affects to listed plant species is warranted.

We encourage you to work with us to ensure compliance with the Act either through consultation or preparation of a habitat conservation plan and issuance of an incidental take permit. It should be noted that even with the incorporation of mitigation measures pursuant to the California Environmental Quality Act, any take of wildlife species would require exemption pursuant to section 7 or authorization pursuant to section 10 of the Act.

We appreciate the opportunity to provide comments on the proposed project and look forward to working with you in the future. If you have any questions regarding the contents of this letter, please contact Colleen Mehlberg of our staff at (805) 644-1766, extension 221.

Sincerely,



Chris Dellith
Senior Biologist

E

Letter 1

COMMENTER: Department of the Interior, United States Fish and Wildlife Service, Chris Dellith, Senior Biologist

DATE: February 5, 2009.

Response 1A

The commenter notes they have reviewed the DSEIR and gives a summary of the project. The commenter expresses concern regarding several federally listed species and notes that they also issued a letter in response to the Notice of Preparation. The commenter further states the responsibilities of the U.S. Fish and Wildlife Service (USFWS).

The SDEIR includes the letter issued by the USFWS in response to the Notice of Preparation within Appendix A of the SDEIR. Moreover, in response to the USFWS letter, the scope of the EIR was expanded to include a greater analysis of botanical and wildlife resources, particularly within the potential future conveyance area. At this time the only projects that are currently proposed include areas that were previously studied and areas that are under current study as part of the permit process for working with the U.S. Army Corps of Engineers and California Department of Fish and Game with respect to bridge crossings and wetlands creation. These areas include formerly agricultural areas that are currently fallow where the roads, sports fields and levee will be constructed, as well as the riparian corridor of Long Grade Canyon Creek, which would primarily only be affected by bridge crossings and the eventual sewer line crossing. No projects are as yet proposed within the potential future conveyance area, though it is reasonably foreseeable as discussed in Section 2.0 on page 2-18 and 2-21, that the property may be developed with a trailhead and hiking trails, that a native habitat preservation program would be implemented, and that passive open space multi-use areas could be developed with some minor non-occupancy structures such as a small greenhouse and washroom facilities equipped with sewer, water and power. Other foreseeable improvements include removal of unsafe structures, repairing existing roads and ADA accessibility. However, at this time no projects are proposed within the potential future conveyance area and only the land potential future conveyance is proposed.

Response 1B

The commenter assert that the plan area supports Ventura coastal sage scrub, wetland/riparian, California annual and ruderal grasslands, and disturbed/developed habitats. The commenter asserts that they concur with a determination that the California gnatcatcher (*Polioptila californica californica*) is not known to occur within the region of the Santa Monica Mountains and will thus not be further discussed. The commenter states they are concerned not only about the federally listed species identified in the EIR, but also about Braunton's milk-vetch (*Astragalus brauntonii*), Santa Monica dudleya (*Dudleya cymosa* ssp. *ovatifolia*), and marcescent dudleya (*Dudleya cymosa* ssp. *marcescens*).

The habitats mentioned by USFWS are included in the EIR analysis on Figure 4.3-1 in Section 4.3 *Biological Resources*. The EIR concludes that the California gnatcatcher is not likely to be



affected in Table 4.3-4. In response to this comment, Table 4.3-5 has been amended to include the two dudleya and Braunton’s milk-vetch species recommended for examination by USFWS. The following rows have been added to Table 4.3-5.

Scientific Name	Common Name	G-Rank/ S-Rank	Fed/State	CNPS	Required Habitat	Likelihood of Occurrence
<u><i>Astragalus brauntonii</i></u>	<u>Braunton’s milk-vetch</u>	<u>G2/S2.1</u>	<u>FE/-</u>	<u>1B.1</u>	<u>Closed-cone coniferous forest, chaparral, coastal scrub, valley and foothill grassland. Recent burns or disturbed areas in stiff gravelly clay soils overlying granite or limestone. 4-640 m.</u>	<u>Possible: suitable coastal sage scrub habitat onsite</u>
<u><i>Dudleya cymosa</i> ssp. <i>ovatifolia</i></u>	<u>Santa Monica dudleya</u>	<u>G5T2/S2.2</u>	<u>FT/-</u>	<u>1B.2</u>	<u>Chaparral, coastal scrub in canyons on sedimentary conglomerates; primarily N-facing slopes. 210-500 m.</u>	<u>Possible: suitable coastal sage scrub habitat onsite</u>
<u><i>Dudleya cymosa</i> ssp. <i>marcescens</i></u>	<u>Marcescent dudleya</u>	<u>G5T2/S2.2</u>	<u>FT/SR</u>	<u>1B.2</u>	<u>Chaparral on sheer rock surfaces and rocky volcanic cliffs. 180-520 m.</u>	<u>Unlikely: marginal habitat onsite</u>

Response 1C

The commenter states their comments are limited to federally listed species and that they are concerned about the potential for adverse effects to least Bell’s vireo, including impacts to habitat. The commenter acknowledges the habitat is noted in the DEIR as lacking the structure and density to support breeding habitat, but requests protocol surveys to verify the occurrence of the species. The commenter recommends consultation if “take” will occur.

As of fall 2008, the habitat is not considered suitable for nesting due to a lack of density and structure (Table 4.3-4). However, as time passes, there is potential for the riparian vegetation to become more suitable as it becomes more mature and dense. Mitigation measures 09-BIO-1(a-c) address impacts to special-status wildlife species. However, the language within the mitigation has been clarified in response to this comment. The mitigation measure 09-BIO-1(b) has been amended as follows.

- 09-BIO-1(b)** During the winter season prior to construction activities within Long Grade Canyon Creek, a habitat assessment shall be performed within Long Grade Canyon Creek to determine the suitability of the habitat to support least Bell’s vireo. If the habitat assessment indicates that suitable habitat exists onsite to support breeding and nesting activities by least Bell’s vireo, USFWS protocol surveys shall be conducted for least Bell’s vireo prior to any construction activity within the creek, including vegetation clearing. If federal listed endangered or threatened wildlife species are found within any proposed development areas, CSUCI shall obtain the necessary signed copies of an incidental take permit and associated enacting agreements prior to the initiation of alteration of natural habitats containing such species.



Response 1D

The commenter reiterates concern about the plant species added to Table 4.3-5 as well as several species already contained in Table 4.3-5. The commenter notes Figure 4.3-2 and special status elements tracked by the CNDDDB, indicating the distribution of rare species is tracked by the database, but does not represent all occurrences. The areas potentially affected by the currently proposed projects are limited to agricultural areas, also indicated on Figure 4.3-1 as agriculture in addition to Long Grade Canyon Creek, which runs along the southern boundary of the future playfields and proposed parking. The areas within the currently proposed facilities projects (sports fields, parking lots, access roadway and bridges) do not contain any volcanic rock outcrops, chaparral habitat, or coastal sage scrub.

The determinations regarding habitat suitability as indicated in Table 4.3-5 are based on numerous surveys conducted in association with the campus master plan over a period of more than 10 years, in addition to database material and information collected for the Camarillo regional park, which is now the potential future conveyance area. No facilities projects, other than the potential future conveyance of the land, are currently proposed or designed for the conveyance area. As previously indicated some improvements are reasonably foreseeable, and at the time any specific project is proposed, in accordance with Mitigation Measures 09-BIO-3(a-b) would be implemented. These measures require floristic spring surveys in native scrub and grassland habitats with avoidance of any listed endangered, threatened, or rare species such that no construction would occur within 200 feet of any rare species population. Therefore, no adverse effects to listed plant species are expected to occur.

Response 1E

The commenter reiterates concern regarding federally listed plant species and recommends avoidance. The commenter recommends working with the U.S. Army Corps of Engineers to determine whether consultation under Section 7 is warranted and encourages compliance with the Act through consultation or preparation of a habitat conservation plan and issuance of an incidental take permit. The proposed project will involve coordination and permitting with the U.S. Army Corps of Engineers for effects related to the bridges, wetlands and potentially for the sewer line at some later date. Adverse effects under CEQA have been mitigated to a level that is less than significant through implementation of mitigation measures identified in the Biological Resource Section of the EIR. Please see additional discussions pertaining to federally listed species above under responses 1A through 1D.





Department of Toxic Substances Control



Linda S. Adams
Secretary for
Environmental Protection

Maureen F. Gorsen, Director
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Arnold Schwarzenegger
Governor

January 09, 2009

Letter 2

Mr. Alan Paul (Alan.Paul@csuci.com)
California State University Channel Islands
One University Drive
Camarillo, CA 93012

SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR CALIFORNIA STATE UNIVERSITY CHANNEL ISLANDS 2009 FACILITIES PROJECTS, CAMARILLO, VENTURA COUNTY, CALIFORNIA (SCH 1999121111)

Dear Mr. Paul:

The Department of Toxic Substances Control (DTSC) has reviewed the Supplemental Environmental Impact Report (SEIR), dated December 23, 2008, for the subject project. The due date to submit comments is February 6, 2009. Based on a review of the SEIR, DTSC would like to provide the following comments:

1. The project consists of several improvements, modifications to existing mitigation measures, and a land conveyance associated with the California State University Channel Islands (CSUCI) campus. A
2. Since the site has previously been used for agricultural purposes, pesticides (e.g., DDT, DDE, toxaphene) and fertilizers (usually containing heavy metals) commonly used as part of agricultural operations are likely to be present. These agricultural chemicals are persistent and bio-accumulative toxic substances. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with the "Interim Guidance for Sampling Agricultural Soils (Third Revision), dated August 2008." This Guidance should be followed to sample agricultural properties where development is anticipated. B
3. If demolition of old structures will occur on site, lead based paint and organochlorine pesticides from termiticide applications may be potential environmental concerns at the site. DTSC recommends that these environmental concerns be investigated and possibly mitigated, in accordance with DTSC's "Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006." C

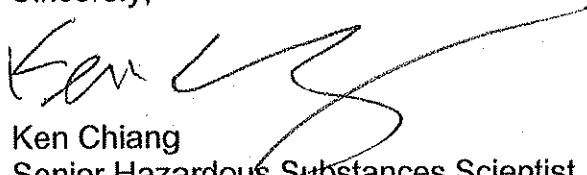
Mr. Alan Paul
January 09, 2009
Page 2

4. Since the project is school site related, CSUCI is invited to participate in DTSC's School Property Evaluation and Cleanup Program. If CSUCI elects to proceed to conduct an environmental assessment at the site, it should enter into a Voluntary Cleanup Agreement (VCA) with DTSC to oversee the preparation of the environmental assessment. For additional information on the VCA Program, please visit DTSC's web site at www.dtsc.ca.gov.

D

If you would like to discuss this matter further, please contact me at (818) 717-6617.

Sincerely,



Ken Chiang
Senior Hazardous Substances Scientist
Brownfields and Environmental Restoration

cc: State Clearinghouse (State.clearinghouse@opr.ca.gov)
Office of Planning and Research

Mr. Guenther W. Moskat (Gmoskat@dtsc.ca.gov)
CEQA Tracking Center – Sacramento HQ

School Reading File – Chatsworth (cwherry@dtsc.ca.gov)

CEQA Reading File – Chatsworth

Letter 2

COMMENTER: Department of Toxic Substances Control, Ken Chiang, Senior Hazardous Substances Scientist

DATE: January 9, 2009

Response 2A

The commenter states the project consists of improvements, modification of existing mitigation measures, and a potential future land conveyance. The commenter accurately summarizes the main project components.

Response 2B

The commenter states the site has been used for agricultural purposes and that pesticides and fertilizers are likely to be present and recommends these substances be investigated and possibly mitigated in accordance with the *“Interim Guidance for Sampling Agricultural Soils (Third Revision), dated August 2008.”*

The Department of Toxic Substances Control (DTSC) normally oversees projects involving K-12 educational facilities rather than university level facilities. Page 4.6-5 of the facilities projects SDEIR states previous agricultural use of the new access road area could have accumulated pesticides in the soil and development in this area could result in the exposure of persons to agricultural contaminants. Mitigation measure 09-HAZ-1 is included that requires soils sampling prior to soil disturbance to determine whether contaminants are present. If contaminants are present in concentrations exceeding regulatory action levels a health risk assessment and/or remediation of the affected soils may be required in accordance with federal, state and local regulations. Remediation could include onsite sequestration or offsite disposal in accordance with mitigation measure 09-HAZ-1.

Response 2C

The commenter states if demolition of old structures is to occur on site, lead based paint and organochlorine pesticides may be potential environmental concerns and should be investigated and possibly mitigated in accordance with the Department of Toxic Substances Control’s (DTSC) *“Interim Guidance, Evaluation of School Sites with Potential Soil Contamination as a Result of Lead From Lead-Based Paint, Organochlorine Pesticides from Termiticides, and Polychlorinated Biphenyls from Electrical Transformers, dated June 9, 2006.”*

The DTSC normally oversees projects involving K-12 educational facilities rather than university level facilities. The proposed facilities projects do not propose demolition of structures at this time. Demolition of structures in the potential future conveyance area could occur in the foreseeable future and the demolition would occur in accordance with state and local standards. Though the university is not required to seek oversight by the DTSC, their recommendations will be considered if and when any projects are proposed



within the open space conveyance area.

Response 2D

The Department of Toxic Substances Control (DTSC) normally oversees projects involving K-12 educational facilities rather than university level facilities. The commenter states that CSUCI may participate in the DTSC's School Property Evaluation and Cleanup Program and further notes that if CSUCI elects to conduct an environmental assessment of the site, CSUCI could enter into a Voluntary Cleanup Agreement with the DTSC.

Mitigation Measure 09-HAZ-1 requires on-site sequestration or off-site disposal such that hazards are reduced to below regulatory action levels for school sites. The Ventura County Environmental Health Division was named as the agency that would be responsible for oversight of cleanup activities if they are necessary; however, the DTSC will also be considered in the event that contamination is present and remediation is necessary.



February 6, 2009

Letter 3

Operations, Planning and Construction
California State University Channel Islands
One University Drive
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Attn.: Alan Paul
E-mail: Alan.Paul@csuci.edu

Subject: Comments on NOA/DEIR Campus Master Plan Facilities Projects – California State University Channel Islands

Dear Mr. Paul -

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document. Additional comments may have been sent directly to you by other County agencies.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Kari Finley, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Other related questions may be directed to Kari Finley at (805) 654-3327.

Sincerely,



Kim L. Rodriguez
County Planning Director

Attachment

County RMA Reference Number 08-048-1



A

RESOURCE MANAGEMENT AGENCY
county of ventura

Planning Division

Kimberly L. Rodriguez
Director

DATE: February 4, 2009

TO: Kari Finley
Senior Planner

FROM: Bruce Smith, Manager
General Plan Section

SUBJECT: California State University Channel Islands – Draft Supplemental EIR
Campus Master Plan Facilities Projects

In summary, the proposed project involves a proposal for physical improvements, modifications to existing mitigation measures, and a land conveyance to the California State University Channel Islands (CSUCI) campus. The improvements were previously envisioned under the master plan, however the current designs are more detailed than those previously analyzed, and additional background studies have been conducted. The primary tasks proposed are design details for the roadway access, accompanying bridges and parking; final flood control design; modification of mitigation conditions from prior Certified EIRs to enable structures and lighting supportive of athletic facilities within the 153-acre site; acceptance of conveyance from the County of Ventura of 370 acres adjacent to the north side of the existing campus property; and upgrade of an electrical power substation near the existing cogeneration facility as necessary to handle the campus' increasing electrical demand. The project site is the eastern edge of the Oxnard Plain and the western flank of the Santa Monica Mountains, 1.5 miles south of the City of Camarillo.

A

The Planning Division offers the following comments on the DSEIR.

The project description also states:

"[U]nder the proposed project, the CSUCI would take control of about 370 additional acres, including 279 acres of Ventura County-owned public open space land adjacent to the north side of campus [see Figure 2-3(b)] pursuant to 40 U.S.C. section 550(e). CSUCI proposed to preserve open space and wildlife habitat within the open space conveyance area, while also providing community access and education programs by developing portions into a multi-use regional educational and recreational area, consistent with the previous intended use of this area.

B

CSUCI would rehabilitate the property with the goal of protecting and restoring natural areas, removing unsafe structures and debris, monitoring and maintaining watershed health, and maximizing multiple-use recreational open space."

The DSEIR does not describe where the additional 101 acres is located and/or the nature of its use. The project description should clarify the location and the intended use of this area. The DSEIR should also evaluate any potential impacts associated with the proposed acquisition and development (if any) of this land.

The text goes on to define specific programs, trailhead improvements, potential uses and schedule. When the land conveyance becomes finalized, any proposed improvements or development in the Open Space Conveyance Area will require additional environmental evaluation prior to implementation. The County is particularly concerned with the potential effects on scenic, biological and cultural resources.

B

C



**Ventura County
Watershed Protection District
Water & Environmental Resources Division
Water Quality Section**

MEMORANDUM

DATE: February 4, 2009
TO: Kari Finley, RMA – Planning Division
FROM: Paul Tantet, Water Quality Section
SUBJECT: 08-048-1; CA STATE UNIVERSITY CHANNEL ISLANDS

Pursuant to your request, this office has reviewed the submittal of the subject CEQA document and offers the following comment(s):

1. As part of the 2004 Master Plan Update, Page 2-9 of the document states that up to 4,142 new parking spaces (two new parking lots) would be developed to serve the new athletic fields and campus core. Although the document claims that these new parking lots would be designed to drain to bio-swales in accordance with current Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) standards, it is our opinion that LID practices are far more effective in reducing potential surface water contamination.

As such, the project should additionally require (to the *maximum extent practicable*) all newly designed parking facility to incorporate low impact development (LID) practices such as permeable pavement to promote the infiltration of stormwater into the ground versus discharging to surface water bodies.

If you have questions, feel free to contact me at 662-6737.

D

**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Kari Finley/Dawnyelle Addison, Planning DATE: February 3, 2009

FROM: Alicia Stratton

SUBJECT: Request for Review of Draft Supplemental Environmental Impact Report
for the California State University Channel Islands 2009 Facilities
Projects, Trustees of California State University (Reference No. 08-048-1)

Air Pollution Control District staff has reviewed the subject draft supplemental environmental impact report (DSEIR), which is a proposal for physical improvements, modifications to existing mitigation measures, and a land conveyance to the California State University Channel Islands (CSUCI) campus. The improvements were previously envisioned under the master plan, however the current design are more detailed than those previously analyzed, and additional background studies have been conducted. The primary tasks proposed are design details for the roadway access, accompanying bridges and parking; final flood control design; modification of mitigation conditions from prior Certified EIRs to enable structures and lighting supportive of athletic facilities within the 153-acre site; acceptance of conveyance from the County of Ventura of 370 acres adjacent to the north side of the existing campus property; and upgrade of an electrical power substation near the existing cogeneration facility as necessary to handle the campus' increasing electrical demand. The project site is the eastern edge of the Oxnard Plain and the western flank of the Santa Monica Mountains, 1.5 miles south of the City of Camarillo.

E

Section 4.2 and Appendix B of the DSEIR addresses air quality issues. We concur with the findings of the discussion in Section 4.2.2, *Impact Analysis and Mitigation Measures*, that significant air quality impacts will not result from implementation of the facilities projects. The mitigation measure described for 09-Impact AQ-1 on Page 4.2-6 will address potential short-term air quality impacts from the grading phase of the project. Operational impacts are expected to be less than significant, based on the open space conveyance trip generation of 14 average daily trips and the fact that the type and intensity of use would remain essentially unchanged. No further mitigation is needed.

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



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

MEMORANDUM

DATE: February 3, 2009

TO: PWA – Planning Division
Attention: Kari Finley

FROM: Nazir Lalani, Deputy Director

SUBJECT: REVIEW OF DOCUMENT 08-048 California State University Channel Islands (CSUCI) 2009 Facilities Projects.

Notice of Availability (NOA) of a Draft Supplemental Environmental Impact Report (SEIR). Project is located at the existing CSUCI campus, 1.5 miles south of the City of Camarillo.

Project Applicant: California State University, Channel Islands (VTA Co.)

Lead Agency: **Trustees of the California State University**

Pursuant to your request, the Public Works Agency -- Transportation Department has completed the review for the subject NOA of a Draft SEIR for the CSUCI 2009 Facilities Projects. The proposed project consists of several physical improvements, modifications to existing mitigation measures, and a land conveyance to the CSUCI campus. The improvements were previously envisioned under the Master Plan; however, the current designs are more detailed than those that were previously analyzed, and additional background studies have been conducted. The proposed project encompasses the following primary tasks:

1. Proposed design details for the roadway access, accompanying bridges, and parking, including the following specific potential facility development features in the New Access Road Area: installation of a sanitary sewer line crossing Long Grade Creek, elevated road and parking light fixtures, decrease in planned tree coverage in parking lots ("orchard style plantings"), lighted site monument sign and message board, change in flood protection for the access road from 100 years to 25 years, burial of Southern California Edison (SCE) and Verizon lines, cultural resource mitigation, and substitution of bike lanes on the roadway for separated Class I bike path.
2. Final flood control levee design including lighted bike paths on the new and old levees.

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3. Modification of mitigation conditions from prior Certified EIRs to enable structures and

lighting supportive of athletic facilities within 153-acre site and elsewhere on the campus including: addition of sports field lighting to facilitate use of the fields after dark by the students and the community, potential installation of bleachers at some fields, potential installation of washroom and locker facilities in conjunction with the sports fields, and addition of sport field lights near Potrero Road.

4. Acceptance of conveyance from the County of Ventura of about 370 acres (Camarillo Regional Park) adjacent to the north side of the existing campus property for a multi-use regional education and recreational area consistent with the previous intended use of the area.
5. Upgrade of an electrical power substation near the existing cogeneration facility, as necessary, to handle the campus' increasing electrical demand.

F

We have these comments:

1. We generally concur with the comments in the NOP of a Supplemental EIR for those areas under the purview of the Transportation Department. Impact T-2, page ES-13, of the Executive Summary section provides that the proposed Facilities Project would add infrastructure and increase in use of campus facilities. However, the proposed facilities, including Open Space Conveyance Area, would not result in substantial increase in traffic trips beyond that identified in the 2000 Campus Master Plan because the number of full time equivalent students is not being changed. Therefore, impacts are Class III, Less Than Significant.
2. The proposed project (consisting of improvements, modifications to existing mitigation measures, and a land conveyance) is subject to the terms of agreement provided in the Memorandum of Understanding between County of Ventura, CSUCI Site Authority, and Ventura County Flood Control District dated April 2, 2001, and as amended February 28, 2006. If the proposed improvements, modifications, and land acquisition would result in traffic impacts beyond what is identified in the environmental documents, the applicant will be requested to mitigate these impacts.
3. Please provide us a copy of the Final Supplemental EIR for review when it becomes available.

G

H

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

Please contact me at 654-2080 if you have questions.



County of Ventura
Public Works Agency
Integrated Waste Management Division
MEMORANDUM

Date: February 4, 2009

To: Kari Finley, Senior Planner
Resource Management Agency, Planning Division

From: Pandee Leachman, Environmental Resource Analyst
Integrated Waste Management Division

Subject: **2009 Facilities Projects - California State University Channel Islands**
RMA Reference No: 08-048-1
Environmental Document Review/ Non-County Project
Notice of Preparation: Draft Supplementary Environmental Impact Report

Lead Agcy: California State University Channel Islands
Contact: Alan Paul

Pursuant to your request, the Integrated Waste Management Division (IWMD) has reviewed the CEQA *Notice of Preparation of a Draft Supplemental Environmental Impact Report*, prepared by the Trustees of California State University Channel Islands (CSUCI) for select facilities improvement projects in 2009. As Lead Agency for this project, and in accordance with CEQA, CSUCI has prepared a Draft Supplemental Environmental Impact Report (DSEIR) to evaluate the environmental effects associated with a proposed buildout of the campus as envisioned under the CSUCI Campus Master Plan, originally analyzed through an EIR in 1998, and by Supplemental EIRs in 2000 and 2004. The proposed buildout consists of numerous physical improvements to the campus, modifications to existing mitigation measures, and a 370 acre land conveyance to the CSUCI campus that will result in the creation of a multi-use regional educational and recreation area. Also included in the DSEIR are plans for the upgrade of an electrical power substation, new roadway access to the campus, new bridges and parking areas, the installation of a sanitary sewer line, elevated road and parking lot light-fixtures, a reduction in tree coverage in parking lots, new bike lanes on existing roadways, lighted bike paths on old, and new, flood control levees, and the potential installation of bleachers, and washroom and locker facilities at proposed athletic fields.

The Integrated Waste Management Division's (IWMD) comments are limited to the impacts this project may have on the County's permitted solid waste disposal facilities and ability to continue to meet, and exceed, the requirements of the *California Integrated Waste Management Act – Assembly Bill 939*. AB 939 mandates all cities and counties in the state to divert, at minimum, 50% of the solid waste generated within their boundaries from local landfills or face fines of up to \$10,000 per day. To assist the IWMD in meeting the diversion requirements of this law, two Ventura County ordinances were approved by the Board of Supervisors. Ordinance 4308 requires businesses, and residents, to divert landfill bound solid waste through waste prevention activities, reuse, and recycling. Ordinance 4357 requires all

construction and demolition projects to reduce their solid waste generation by recycling, or salvaging for reuse, a minimum of 60% of the project's construction and demolition (C&D) debris. Pursuant to both of these Ordinances, all materials on the "Directors List of Commercial Recyclables" must be diverted from landfill disposal by reuse, recycling, or composting. Included on the "Directors List" are asphalt, concrete, dirt, brush, wood, rocks and greenwaste - all components of proposed projects in the 2009 CSUCI Facilities Buildout project.

The IWMD requests that CSUCI provide specific information in the Draft Supplementary Environmental Impact Report (DSEIR) regarding their plans to manage, and divert from local landfills, tons of recyclable materials on the "Directors List of Commercial Recyclables" that will be generated during this ongoing construction project. To minimize the impact of this project, please include the following in the DSEIR:

1. A specification that all of the soil, sediment, wood-waste and vegetation (i.e., greenwaste) generated during any phase of the proposed Facilities buildout should be reused on-site in a manner approved by the County, or transported to a local, permitted, greenwaste facility for recycling and reuse. Delivery of uncontaminated soil or green waste to a local landfill as *disposal* tonnage is prohibited.
2. A specification that all concrete and asphalt generated during any phase of the proposed Facilities buildout shall be processed and reused on-site in a manner approved by the County, or transported to an approved concrete/asphalt facility in the County for recycling and reuse. Delivery of concrete and asphalt to a local landfill as *disposal* tonnage is prohibited.

Thank you for providing the IWMD with an opportunity to comment on this important environmental project. Please contact me at 805/658-4315 if you have any questions.



**COUNTY OF VENTURA
RESOURCE MANAGEMENT AGENCY
PLANNING DIVISION**

M E M O R A N D U M

DATE: February 5, 2009
TO: Kari Finley, Senior Planner
FROM: Christina Danko, Planning Biologist
SUBJECT: Comments on the DSEIR for California State University Channel Islands Facilities Projects (RMA #08-048-1)

Biological Resources – Project Impacts and Mitigation Measures

1) The paragraph regarding the coastal California gnatcatcher under Impact BIO-1 states that this species could potentially nest in the habitat on-site, but its presence is unlikely because it has never been observed in the project area. The impact analysis states that “given its lack of presence, no impact to this species is likely.” Given that suitable habitat is present, and no presence/absence surveys have been conducted for the coastal California gnatcatcher on this site, there is still some potential for it to be present on the site. A statement of “no impact” needs more supporting evidence. J

2) Mitigation Measure BIO-1(a) requires a survey to locate special-status wildlife species and mark their locations on construction/grading plans, prior to construction. How does this mitigate for potential construction impacts to special-status wildlife? Typically, a biological monitor, with any appropriate permits needed, should survey the construction area prior to construction and relocate special-status wildlife outside of the construction area, which should be fenced to prevent wildlife from returning to the construction area. K

3) Mitigation Measure BIO-1(b) only requires that appropriate incidental take permits are obtained. Does it assume that any actions required by the USFWS would mitigate impacts to the listed species to less than significant? This should be clarified. L

The paragraph immediately following MM-BIO-1(b) states that this mitigation measure provides a “performance standard” to ensure that the impact is mitigated, but the only performance standard is to obtain a permit.

**Location # 1740
800 South Victoria Avenue, Ventura, CA 93009**

4) Impact BIO-4, to sensitive plant communities, is considered “cumulatively significant”, but the mitigation measure defers to future environmental review of future projects to determine the appropriate mitigation measures. Does the project that is being reviewed through THIS environmental document have potentially significant cumulative impacts to sensitive plant communities? If so, the mitigation measures need to be developed now and implemented with this project. For impacts to special-status plants and wildlife, there are specific mitigation measures. Why are there no specific mitigation measures for impacts to sensitive plant communities? Either the impact analysis is unclear, or mitigation is needed.

M

5) The analysis for Impact BIO-6 states that the impact is less than significant, because a new wildlife corridor would be created through the project and a previous mitigation measure regarding night lighting would reduce lighting impacts. First, the mitigation measure for night lighting should be referenced here to make it clear (09-BIO-1(c)). Second, mitigation measure BIO-1(c) states that “lighting near habitat *occupied by special-status wildlife species* shall be shielded and directed away from habitat.” Who will determine which habitats should be protected from night lighting and which habitats do not need protection? This mitigation measure should be revised to state that all night lighting near natural open space should be shielded and directed away from that open space.

N



VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009
Sergio Vargas, Deputy Director - 805 650-4077

DATE: February 5, 2009

TO: Kari Finley, Case Planner

FROM: Robin Jester, P.E. for Larry Tanouye
Planning and Regulatory – Permit Section

SUBJECT: RMA 08-048. CA. STATE UNIVERSITY
Channel Islands, Facilities Projects

The Watershed Protection District has reviewed the above project and our revised comments are as follows:

The project description includes at least two features that may affect District jurisdictional channels and facilities, as follows.

1. Installation of sewer line across Long Grade Creek
2. Lighted bike paths on new and old levees

No site map or detailed information was provided in the NOP for review. Therefore, our comments are general in nature.

Long Grade Creek is a red-line stream under District regulatory jurisdiction and any work in, on, over, under and across requires a permit from the Ventura County Watershed Protection District. Installation of the sewer line will require an encroachment permit from the District. We suggest the project applicants meet with the District as soon as possible to discuss the potential impacts to this stream. No long-term changes in hydrologic conditions in the creek will be approved by the District; specific hydrology studies may be required. Short-term impacts and engineering design for the sewer line must be reviewed by the District.

It is unclear from the materials presented, which old and new levees are being impacted by the lighted bike paths. The District owns and operates levees critical for life and safety along Calleguas Creek near the university. Any changes to these levees, such as installation of bike paths and lighting must not interfere with operation and maintenance of these facilities or negatively impact the life-safety component. No landscaping with vegetation will be allowed on the levees or within 15 feet of the levee toe as part of this improvement. We suggest meeting with our Operations and Maintenance Division, as well as the Planning and Regulatory Division to fully explore the design opportunities and impact minimization measures for this feature.

End of Text

O

P

Letter 3

COMMENTER: County of Ventura Resource Management Agency, Kim Rodriguez,
County Planning Director

DATE: February 5, 2009.

Response 3A

The commenter notes they have reviewed the DSEIR and gives a summation of the project. No response is necessary.

Response 3B

The commenter quotes from the first paragraph under section 2.5.6 on page 2-18 of the DSEIR in Section 2.0 Project Description, stating that the potential future conveyance area consists of about 370 acres, of which 279 acres is Ventura County-owned public open space land. The commenter requests to know where the additional land is that makes up the total of 370 acres (91 acres) and what the uses on that land and associated environmental impacts would be.

The aforementioned paragraph of the EIR directs the reader to Figure 2-3(b), which shows a graphic of the property. The entire acquisition property totals about 370 acres as indicated by adding the individual parcel acreages on Figure 2-3(b). As noted previously in Supervisor Kathy Long's letter, the potential future conveyance property is composed of multiple parcels owned by the County, some of which are under use restrictions of the NPS, and some of which are part of the Camarillo Regional Park, but were purchased by the County from the Operating Engineers. However, all of the properties are subject to various restrictions respecting the land uses. The EIR has been clarified on this point and the following changes have been made in response to this comment.

Figure 2-3(b) has been modified such that the entire parcel is designated as a "restricted use area" rather than having a portion indicated as "federal encumbered property"

The language on page 2-18 of the EIR has been modified to read as follows.

Under the proposed project, the CSUCI would potentially take control of about 370 additional acres, ~~including 279 acres~~ of Ventura County-owned public open space land adjacent to the north side of campus [see Figure 2-3(b)] pursuant to 40 U.S.C. § 550 (e).

The uses and associated impacts of the entire 370 acre parcel are the same as analyzed throughout the EIR. No specific projects are proposed within the potential future conveyance area at this time; however, it is reasonably foreseeable that CSUCI would preserve portions of the potential future conveyance area as open space and wildlife habitat and would provide community access and education programs. Other foreseeable improvements for the potential future conveyance area include the rehabilitation of structures, removal of unsafe structures, and restoration of natural areas. Trailheads and parking would be developed at a future date.



An initial study would be required for any potential impacts stemming from planned improvements for the potential future conveyance area.

Response 3C

The commenter asserts that when the land conveyance of the open space conveyance area is finalized, improvements or development will require additional environmental evaluation prior to implementation. The commenter is concerned with the potential effects on scenic, biological, and cultural resources.

At this time there are no specific development proposals for the property. It is reasonably foreseeable that improvements such as trails, restrooms, ADA access, a small greenhouse, and washroom facilities as discussed in Section 2.0 *Project Description*, of the EIR on pages 2-17 and 2-21 could occur in the future to maintain and enhance public access, while increasing the educational opportunities for CSUCI students. If and when any additional improvements to the potential future conveyance property are proposed, the plans or proposals would be evaluated in light of what was analyzed in the 2009 facilities projects EIR. An initial study would be prepared for any project and if there is potential for adverse effects beyond those mitigated in the 2009 Facilities Projects SEIR, additional environmental review in accordance with CEQA would occur. However, at this time, only the potential future conveyance of the property is proposed.

Response 3D

The commenter states the project should require all new parking facilities to incorporate low impact development (LID) practices such as permeable pavement to promote infiltration of stormwater into the ground.

The proposed project would provide stormwater runoff treatment consistent with the most recent Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) standards. While it is the commenter's opinion LID practices are more effective in reducing surface water contamination, the project's design proposal of parking lot drainage to bioswales is in accordance with SQUIMP standards and impacts under the proposed drainage design would be less than significant. The preference is noted for consideration by decisionmakers.

Response 3E

The commenter concurs with the findings of Section 4.2.2. regarding the potential for adverse air quality impacts. No response is necessary.

Response 3F

The commenter gives a summary of the project description and states the proposed facilities projects including the potential future open space conveyance area would not result in a substantial increase in traffic trips beyond what was identified in the 2000 Campus Master Plan because the number of full time students is not being changed. The comment is noted and no response is necessary.



Response 3G

The commenter asserts that the proposed project is subject to the terms provided in the MOU between the County of Ventura, CSUCI Site Authority, and the Ventura County Flood Control District as amended February 28, 2006. The commenter further asserts that if the proposed project would result in traffic impacts beyond what was identified in the environmental documents, the University should mitigate these impacts.

The proposed facilities projects would contribute to buildout of the overall master plan as envisioned in the 1998, 2000 and 2004 amendments to the master plan. The proposed improvements would not increase utilization of County roadways to access the site. The project could eventually result in development of trails that would result in an increase of about 14 average daily trips as indicated in Table 4.7-7 in Section 4.7 *Transportation/Traffic*. If in the future any new uses are proposed that could contribute traffic beyond that associated with the 15,000 full time equivalent students (FTES) (A total of 11,750 FTES would be served on site, while 3,250 FTES would be served off site) and approximately 1,500 faculty and staff by the year 2025, additional analysis and environmental review would be initiated. At that time, if new significant traffic impacts were identified, mitigation measures would be required.

Response 3H

The commenter requests a copy of the Final SEIR for review when it becomes available. Copies of the FSEIR will be made available to the County of Ventura staff when the document is available.

Response 3I

The commenter gives a summary of the project description, and summarizes state and local requirements on waste diversion. The commenter requests specific plans to manage and divert from local landfills a range of commercial recyclable materials.

The University 1998 CSUCI Campus Master Plan Program EIR contains mitigation measures to reduce solid waste and sources of solid waste. The CSU system, including CSU Channel Islands, complies with systemwide AB 939 performance standards, which require recycling of construction material. As a state agency the University is not directly subject to County Ordinances. However, through its own practices, the intent of County waste reduction ordinances are being met through CSU systemwide procedures.

Response 3J

The commenter reiterates a portion of the discussion under the second paragraph of the impact discussion for Impact 09-BIO-1 and opines that there is potential for the species to be present onsite because there is Venturan coastal sage scrub habitat present onsite. However, it is emphasized that the discussion on page 4.3-28 concludes no impact is likely because the California gnatcatcher has never been observed in this portion of the Santa Monica Mountains.



Moreover, the letter from the Department of the Interior USFWS concurs with this determination. Please see Letter 1 and response 1B.

Response 3K

The commenter notes that mitigation measure BIO-1(a) requires a survey to locate special status wildlife species prior to any construction or grading activity at the time specific facilities are proposed. The commenter notes the requirement to locate special-status wildlife species within 100 feet of the outer extent of projected soils disturbance and the locations should be clearly marked and identified on the construction drawings and suggests modifying the mitigation measure to require relocation to outside the construction area by a biological monitor with appropriate permits. The mitigation measure BIO-1(a) will be modified as follows in response to this comment.

- 09-BIO-1(a)** Special-status wildlife species surveys shall be conducted within the Open Space Conveyance Area to determine the presence/absence of any endangered, threatened, or otherwise sensitive wildlife species at such time that specific facilities are proposed. Should the survey results conclude the presence of endangered or threatened species, consultation with USFWS or the CDFG will be required to determine whether or not an incidental take permit may be necessary. Also, prior to the commencement of any subsequent grading operations or other activities involving disturbance of natural habitat, a survey would be conducted to locate special-status wildlife species within 100 feet of the outer extent of projected soil disturbance activities, and any special status wildlife species encountered shall be relocated to suitable habitat outside of the fenced construction area by a qualified biologist in accordance with appropriate permits. ~~the locations should be clearly marked and identified on the construction/grading plans.~~ A biological monitor will also be present at the initiation of vegetation clearing to provide an education program to the construction operators regarding the efforts needed to protect special-status wildlife species. Fencing or flagging would be installed around the limits of grading prior to the initiation of vegetation clearing.

Response 3L

The commenter asserts that Mitigation Measure 09-BIO-1(b) only asserts that appropriate incidental take permits be obtained and requests clarification on whether any actions by USFWS would mitigate the impacts to listed species to a level of insignificance. Mitigation measure 09-BIO-1(a) would reduce potential impacts to listed species through the consultation process and/or the preparation of a habitat conservation plan.

The paragraph following mitigation measure 09-BIO-1(a) has been modified to explain that the acquisition of a take permit requires that compensatory mitigation (typically in the form of habitat acquisition and/or restoration) be performed. The modified paragraph follows.



~~As discussed above, incidental take for endangered or threatened wildlife species, such as least Bell's vireo, would be via either the Section 7 consultation process or through the preparation of a Section 10(a) Habitat Conservation Plan (HCP). Measure 09-BIO-1(b) provides a performance standard for the purpose of CEQA so that CSUCI is assured that the overall set of mitigation measures will achieve federal standards for species protection and habitat protection. To determine whether or not impacts can be sufficiently mitigated or whether the project would result in an unavoidable adverse significant impact to species listed under the Endangered Species Act (ESA), the regulatory framework of the ESA needs to be considered. Acquisition of a take permit requires that the impact be avoided to the extent practicable, that the impact be minimized, or that compensatory mitigation (typically in the form of habitat acquisition and/or restoration) be performed. This establishes performance criteria whereby in the regulatory opinion of the authorizing agency, the impacts to the listed species is reduced such that a finding of "no jeopardy" can be made. The criteria established under this act provides a basis for determining whether or not a significant impact is fully mitigated, and compliance with this regulatory process sufficiently to obtain an incidental take permit indicates that impacts have been reduced to a level of less than significant.~~

Mitigation measure 09-BIO-1(c) would further reduce the potential for adverse effects from lighting and noise on special status wildlife. Additionally, as discussed under Response 1B, Mitigation Measure 09-BIO-1(b) has been expanded and clarified to specifically include least Bell's vireo. Adverse effects to listed plant species would be mitigated through implementation of surveys and avoidance per mitigation measures 09-BIO-3(a-b). The combination of these mitigation measures would reduce the potential for adverse effects to listed wildlife species to a level that is less than significant. Please see additional discussions regarding federally listed species under the responses to Letter 1.

Response 3M

The commenter opines that this EIR should apply mitigation for as-yet unknown impacts associated with potential future development of the conveyance property. Impact statement 09-BIO-4 discusses the potential for adverse effects to Venturan coastal sage scrub habitat, indicating that at the time any specific projects are proposed, additional investigation with respect to adverse effects to Venturan coastal sage scrub habitat be analyzed and mitigated if necessary. At this time there is no footprint to analyze. The potential future conveyance area is 370 acres and there is no specific location or plans for any potential improvements. In accordance with CEQA, this EIR analyzes reasonably foreseeable effects, with a degree of forecasting and specificity appropriate for the scale of individual components (Sections 15144 and 15146 of the CEQA Guidelines) such as the roadway construction project vs. eventual improvement on the potential future conveyance area. This EIR tiers off of previous EIRs for the master plan and future environmental documents will tier off of the analysis in this environmental document. No adverse effects to Venturan coastal sage scrub would occur as a result of the direct physical improvements associated with the 2009 facilities projects. Future projects within the potential future conveyance area would need to be evaluated once there is a specific proposal.

Response 3N

The commenter requests that mitigation measure 09-BIO-1(c) be modified to include natural open spaces and not just near habitat utilized by special-status wildlife species. Mitigation measure 09-BIO-1(c) in addition to mitigation measure 09-AES-2(a) for bicycle path light standards, 09-AES-2(d) for Dark Skies standards, and mitigation measure S-AES-3(a), which requires downward directed light pools and non-glare lighting also would be incorporated into the overall lighting design for the campus. These mitigation measures in combination with the Biological Resources Mitigation Measure 09-BIO-1(c) would reduce the potential for adverse effects to a level that is less than significant. No changes to the EIR are necessary.

Response 3O

The commenter suggests the project applicants meet with the Ventura County Watershed Protection District (District) as soon as possible to discuss the potential impacts to Long Grade Creek. The commenter states no long-term changes in hydrologic conditions in the creek will be approved by the District and short term impacts and engineering design for the sewer line shall be reviewed by the District.

The work adjacent to Long Grade Canyon Creek constructing a new northern levee would result in a greater water storage area during larger flood events as discussed in Section 4.5 *Hydrology and Water Quality* under 09-Impact-HYD-2. This would result in the creation of about 10 acres of wetlands between the existing channel and the proposed new earthen levee, which is a beneficial biological and hydrological impact. The proposed facilities projects will also include a sewer line crossing to connect future restroom facilities with the main campus, as well as two pedestrian bridge crossings and two vehicular bridge crossings as described in Section 2.0 *Project Description*. These projects are all part of the master plan, but would be constructed separately in accordance with design development and funding.

As discussed in Section 2.0 *Project Description*, Phase I of the roadway improvements would consist of one vehicular bridge crossing and one pedestrian bridge crossing. Phase II of the roadway would involve a second pedestrian bridge and vehicular bridge. The sewer line crossing would be constructed in association with development of the restroom facilities for athletic fields. Funding and design development for these improvements is not currently available. CSUCI planning staff will meet with agencies having regulatory jurisdiction over each of the project components, including the Ventura County Watershed Protection District as part of the design and permitting process.

Response 3P

The commenter states it is unclear which old and new levees are being affected by the lighted bike paths. The commenter suggests meeting with the District's Operations and Maintenance Division, as well as the Planning and Regulatory Division to explore designs and impact minimization measures for this feature. Mitigation Measure 09-T-3(b) states the Ventura County Watershed Protection District would be consulted during the design phase of the project to ensure the design does not affect the function or maintenance of the levee.





Office of
AGRICULTURAL COMMISSIONER

P.O. Box 889, Santa Paula, CA 93061
815 East Santa Barbara Street
Telephone: (805) 933-2926 Ext. 228
FAX: (805) 525-8922

Agricultural Commissioner
Henry S. Gonzales

Chief Deputy
Susan Johnson

January 12, 2009

Letter 4

Alan Paul, Associate Architect
California State University Channel Island
Operations, Planning and Constructin
One University Drive, Arroyo Hall
Camarillo, CA 93012

Subject: Notice of Availability of a Draft Supplemental EIR for California State University Channel Islands 2009 Facilities Projects (SCH # 1999121111)

Dear Mr. Paul:

Thank you for the opportunity to comment on the sufficiency of the Draft SEIR referenced above.

Project Description: Design details for roadway access, bridges and parking, flood control levee design including lighted bike paths, and modification of prior mitigation measures to allow sports field lighting near Potrero Road and other facilities.

Location: The CSUCI campus is located in the unincorporated area of Ventura County northeast of the intersection of Lewis Road and Potrero Road with primary access at University Drive off Lewis Road.

Comments: The Ventura County Agricultural Commissioner's staff comments on the following topics: Agricultural Soils and Land Use Incompatibility, which includes agricultural water quantity and quality, dust control, solar access, and the potential introduction of pests and diseases.

The Draft SEIR did not identify new or additional impacts to agricultural resources related to the enhanced design information. Prior EIRs for the Campus Master Plan and supplemental information have sufficiently described the impacts to agricultural resources within the master plan area and adjacent properties.

The proposed modifications of the mitigation measures from prior EIRs include additional lighting for sports fields as well as some bleachers, washrooms and locker facilities, which do not create new significant impacts to adjacent off-site agricultural land. However, under the Ventura County Agricultural Policy Advisory Committee Agricultural/Urban Buffer Policy adopted by the committee in 2006, projects for newly created recreation areas next to farmland are now recommended to include a 300 foot setback (or 150 feet with vegetative barrier) between the recreation use area and off-site farm properties. These standards will be included in the Ventura County Initial Study Assessment Guidelines for CEQA evaluations in 2009. The

A

B

Alan Paul [NOA CSUCI]
January 12, 2009
Page 2

proposed revisions do not include the creation of new recreations areas; therefore, no new impacts are associated with these revisions.

This letter has been reviewed by Susan Johnson, Ventura County Chief Deputy Agricultural Commissioner.

If you have any questions about the content of this communication, please contact me at the telephone number or email address below.

Thank you.

Sincerely,

Rita Graham
Agricultural Land Use Planner
(805) 933-2926 Ext. 228
rita.graham@ventura.org

B

Letter 4

COMMENTER: County of Ventura Office of Agricultural Commissioner, Rita Graham,
Agricultural Land Use Planner

DATE: January 12, 2009

Response 4A

The commenter describes the proposed facilities projects and plan area location. No response is necessary.

Response 4B

The commenter states under the Ventura County Agricultural Policy Advisory Committee (APAC) Agricultural/Urban Buffer Policy, projects for newly created recreation areas next to farmland are recommended to include a 300 foot setback (or 150 feet with vegetative barrier) between the recreation use area and off-site farm properties. The commenter closes by acknowledging that the proposed revisions do not include the creation of new recreational areas and thus no new impacts would arise. No response is necessary.





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February 5, 2009

Mr. Alan Paul, Associate Architect
California State University Channel Islands
Operations, Planning and Construction
One University Drive, Arroyo Hall
Camarillo, CA 93012

Letter 5

Subject: Notice of Availability of a Draft Supplemental EIR for California State University Channel Islands 2009 Facilities Projects (SCH # 1999121111)

Dear Mr. Paul:

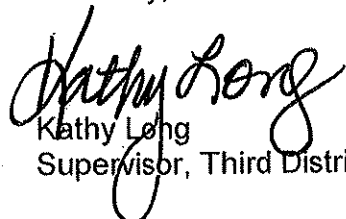
Thank you for the opportunity to comment on the Draft SEIR referenced above.

As Ventura County Supervisor representing the Third District, I have been directly involved since 1998 with a concerted effort to facilitate the conveyance of Camarillo Regional Park. In 2004 the California State University Channel Islands, Ventura County Parks Department and I began actively working with the National Parks Service (NPS) and California State Department of Parks and Recreation (CDPR) agencies on conveyance. On January 28, 2009 NPS provided the County with the last approval needed to complete the transfer.

The property consists of several parcels with various restrictions respecting the land uses. All of the parcels including those received from the NPS, the CDPR as well as the property purchased by the County from the Operating Engineers, have been conditioned through the deeds of conveyance to be used for the purposes of a public park.

My office, the County Parks Department and the University have continued to work diligently toward the development of the property in accordance with the state grant contracts, federal program of utilization and deeds of conveyance, I believe a conveyance would be in the public interest and will lead to a beneficial expansion of public-park, recreational activities and the protection of the native habitat areas on the property.

Sincerely,


Kathy Long
Supervisor, Third District

Letter 5

COMMENTER: Board of Supervisors, County of Ventura, Kathy Long, Supervisor, Third District

DATE: February 2, 2009

Response 5

The commenter states the County Parks Department and CSUCI have worked towards the conveyance of the property in concert with the National Parks Service (NPS) and the California Department of Parks and Recreation (CDPR). The commenter further states that NPS provided the County with the last of their approvals necessary for the potential future conveyance on January 28, 2009. The commenter states that the property consists of several parcels with various restrictions respecting the land uses and that all of the parcels including those from NPS, the CDPR and those purchased by the County from the Operating Engineers have been conditioned through the deeds of conveyance to be used for the purposes of a public park. The commenter closes by indicating that the potential future conveyance would be in the public interest and would lead to a beneficial expansion of public-park recreational activities and the protection of native habitat areas on the property. The comment is noted for the record, but no response regarding the EIR is necessary.





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February 2, 2009

Mr. Alan Paul, Associate Architect
California State University Channel Islands
Operations, Planning and Construction
One University Drive
Arroyo Hall
Camarillo, California 93012

Letter 6

Transmitted via email pdf attachment to alan.paul@csuci.edu

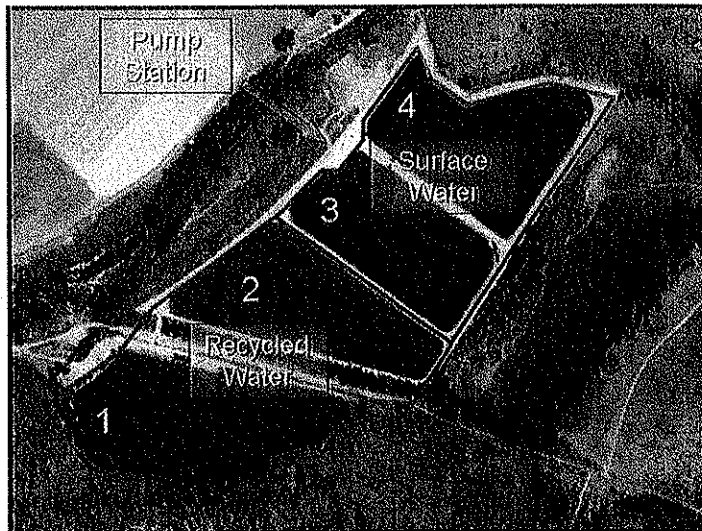
Subject: Request for Comments on Draft Supplemental Environmental Impact Report, California State University Channel Islands 2009 Facilities Projects

Dear Mr. Paul,

Thank you for the opportunity to comment on the draft Supplemental EIR, CSUCI 2009 Facilities Projects. On behalf of the Camrosa Water District I have the following comments.

In Section 2.0, Project Description, Figure 2-3b illustrates a portion of the Open Space Conveyance Area including a 235.56 acre area highlighted in yellow. Above it is an area outlined in blue that is labeled (NOT A PART). The area encompassed in blue is owned by Camrosa Water District where 3 of 4 surface storage ponds and a pumping plant are located. The fourth pond is located on an easement in the area highlighted in yellow. That area is shown in the figure below and is labeled with the number "1".

A



7385 Santa Rosa Road ■ Camarillo, CA 93012-9284
Phone: (805) 482-4677 ■ FAX: (805) 987-4797
Website: www.camrosa.com

Camrosa Pond #1 is wholly within the site boundary of the Open Space Conveyance Area. Camrosa holds an easement for Pond #1 which is the primary pond for storage of Title-22 treated effluent from the Camrosa Water Reclamation Facility (CWRF). Pond #1 has existing users and active piping facilities. Camrosa requires continued access to Pond #1 to maintain existing operations.

A

On page 2-21, there is a brief discussion of how the Open Space Conveyance Area will be used. The discussion states that "Some minor non-occupancy structures to support the passive activities on the site are anticipated, such as a small greenhouse and washroom facilities equipped with sewer, water and power." It should be noted that the "Conveyance Area" is outside the jurisdictional boundaries of Camrosa Water District and, therefore, water and sewer service is not available from Camrosa Water District to serve this area.

B

In Figure 2-3a (page 5), provides for a sump pump near Long Grade Creek. What is the location of the discharge point for the sump pump shown in the figure? Depending on the height of the proposed levee and discharge point, flooding could occur at the CWRF.

C

Section 4.3, Biological Resources, page 4.3-12 states the "Water and habitat quality within the Creek is relatively poor due to agricultural runoff" The water in Calleguas Creek is from a variety of sources including effluent from the Hill Canyon Wastewater Treatment Plant, effluent from the Camarillo Wastewater Treatment Plant, urban runoff and agricultural runoff. The quality of the water varies greatly depending upon the time of the year and the predominant source.

D

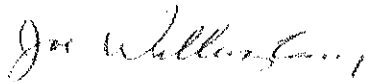
In Section 4.5, Hydrology, page 4.5-2 levees and flooding is discussed. Figure 4.5-1 shows CWRF outside of the flood zone. This may be based on the flood channel north-east of the plant (south-west of the proposed levee). If the flood channel would be breached by extra flow created by the proposed levee, the area of CWRF would be vulnerable.

E

In addition, Camrosa has several pipelines that traverse the 153 acre acquisition area and the farmland to the north of this area. Manhole elevations are set above expected flood depths in those areas. The construction of roads and levees that may alter the area flooded, particularly if it results in higher flood elevations in the vicinity of a manhole, will require raising manholes to elevations above the expected flood depth.

F

Respectfully submitted,



Joe Willingham
Planning and Data Systems Manager
Camrosa Water District

Letter 6

COMMENTER: Camrosa Water District, Joe Willingham, Planning and Data Systems Manager

DATE: February 2, 2009

Response 6A

The commenter notes Camrosa Pond #1 is wholly within the site boundary of the potential future open space conveyance area and that Camrosa holds an easement for Pond #1 which is the primary pond for storage of Title-22 treated effluent from the Camrosa Water Reclamation Facility (CWRF) and Pond #1 has existing users and active piping facilities. The commenter states that Camrosa requires continued access to Pond #1 to maintain existing operations. These comments are recorded for consideration and existing access easements within the conveyance area will remain unchanged with transfer of the conveyance area.

Response 6B

The commenter states the potential future conveyance area is outside the jurisdictional boundaries of the Camrosa Water District and water and sewer service is not available to serve this area. These comments are recorded for consideration. Site suitability for water and septic will be evaluated prior to development of any washroom facilities within the potential future open space conveyance area.

Response 6C

The commenter would like to know where the location of the discharge point of the sump pump show in Figure 2-3(a) will be located because depending on the height and location of the discharge point flooding could occur at the Camrosa Water Reclamation Facility. The preliminary development plans do not as of yet show the precise location of the sump discharge; however, as discussed on page 4.5-2 of the SDEIR it is envisioned that the sump will discharge to the proposed 10-acre wetland creation area proposed between the existing northern levee along Long Grade Canyon Creek and the proposed new levee (also see Figure 2-3a in Section 2.0 *Project Description*). It is also emphasized that the levee along the south side of Long Grade Canyon Creek will be taller than the levees along the north side of Long Grade Canyon Creek such that overflows will be conveyed to the north.

Response 6D

The commenter asserts that the quality of the water within Calleguas Creek is highly variable rather than “relatively poor”, depending on the time of year, since the water comes not only from agricultural runoff, but also as effluent from the Hill Canyon Wastewater Treatment Plant, effluent from the Camarillo Wastewater Treatment Plant, and urban runoff. These comments are noted; however, the characterization of the water quality as relatively poor within Calleguas Creek was made specifically in reference to steelhead trout habitat and was also attributed to



the presence of ruderal or non-native species; therefore no change will be made to this text within the EIR.

Response 6E

The commenter states if the flood channel were breached by extra flow created by the proposed levee, the area of the Camrosa Water Reclamation Facility would be vulnerable to flooding. The proposed levee will be constructed upland of the existing northern levee and would serve to increase the retention capacity of the existing channel through the creation of an additional 10 acres of wetlands as discussed in Section 4.5 *Hydrology and Water Quality* under 09-Impact Hyd-2. The new northern levee will be lower than the southern levee that protects the Camrosa Water Reclamation Facility. The proposed modifications were designed such that other facilities, including the south campus area as well as the Camrosa Water Reclamation Facility would not be exposed to an increase in flooding potential. Please see additional discussion under response 6C.

Response 6F

The commenter states the construction of roads and levees may alter the flood area and if such alterations result in higher flood elevations in the vicinity of a manhole, manholes would be required to be raised to elevations above the anticipated flood depth. It should be noted that the flood elevations on site are different than the flood elevations on record already and that existing Camrosa infrastructure may already be subject to flooding during a 100-year storm pursuant to updated Federal Emergency Management Agency (FEMA) modeling (personal communication, AECOM, February 2009). The University would work with Camrosa Water Reclamation Facility to ensure that project activities do not adversely affect the pipelines and manholes within New Access Roadway Area [see Figure 2-3(a) previously called the 153-acre acquisition area in former EIRs] in conformance with existing easements and agreements.



January 14, 2009

Alan Paul, Associate Architect
California State University Channel Islands
Operations, Planning and Construction
One University Drive
Arroyo Hall
Camarillo, CA 93012

Letter 7

Re: CSUCI 2009 facilities Projects Supplemental EIR

Dear Mr. Paul:

This letter is in response to the Notice of Availability Draft Supplemental EIR. I am commenting on the mitigation measures for Cultural Resources in the document. I have read and reviewed the measures on the online document. I am in agreement with the measures that have been recommended. I have worked as a Native American monitor at this location and in the surrounding area. It is important to me and other Chumash people to have these measures in place to offset any destruction to an area that has many recorded sites in the vicinity. We need to be available should you require information from us.

The area is filled with many pieces of our past. I feel that there are more resources that have not yet been discovered. Preservation of unidentified resources is important factor. I feel that having these mitigation measures in place will help to preserve and treat with respect any remaining Cultural Resources in this sensitive location. Should you need any further assistance, please do not hesitate to call. Thank you.

Sincerely

Charles S. Parra
Ventureno Chumash
P.O. Box 6612
Oxnard, CA 93031
(805) 340-3134 or
(805) 443-8599

Letter 7

COMMENTER: Charles S. Parra, Ventureño Chumash

DATE: January 14, 2009

Response 7

The commenter agrees with the mitigation measures recommended to mitigate the potential affects of the facilities projects to cultural resources in the project area. No response is necessary.

