

Avalon Homes Project

Final Environmental Impact Report
State Clearinghouse No. 2016051075

prepared by

City of Oxnard
Community Development Department
214 South C Street
Oxnard, California 93030
Contact: Jamie Peltier, Planning Supervisor

prepared with the assistance of

Rincon Consultants, Inc.
180 North Ashwood Avenue
Ventura, California 93003

December 2025

RINCON CONSULTANTS, INC. SINCE 1994

Table of Contents

1 Introduction 1-1
1.1 Content and Organization of the Final EIR 1-1
1.2 Public Review and Responses to Comments 1-1
1.3 Organization of the Responses to Comments 1-2
1.4 Project Decision Process 1-3
2 Responses to Comments on the Draft EIR 2-1
2.1. Comments on the Draft EIR 2-1
3 Revisions to the Draft EIR 3-1
3.1 Revisions to the Draft EIR 3-1
4 Mitigation Monitoring and Reporting Program 4-1

This page intentionally left blank.

1 Introduction

On August 7th, 2025, the City of Oxnard (City) released for public review the Draft Environmental Impact Report (Draft EIR) for the proposed Avalon Homes Project (hereinafter referred to as the project). The Draft EIR was prepared by the City in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000–21177) and the *CEQA Guidelines* (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000–15387). The City is serving as the lead agency under CEQA for consideration of certification of the EIR and has principal responsibility for deciding whether to approve the proposed project.

1.1 Content and Organization of the Final EIR

The Final EIR (this document) summarizes the project information presented in the Draft EIR and contains responses to comments on environmental issues received from agencies, organizations, and individuals who reviewed the Draft EIR. The contents of the Draft EIR, in addition to the following chapters, together constitute the Final EIR as required by the CEQA Guidelines.

- **Chapter 1** – **Introduction.** This chapter summarizes the contents of the Final EIR and the environmental review process.
- **Chapter 2** – **Responses to Comments.** During the public review period for the Draft EIR, the City received 8 comment letters. This chapter contains summaries of these comment letters and the City's responses to those comments that raise significant environmental points. A list of individuals, organizations, and public agencies commenting on the Draft EIR is provided within this section.
- **Chapter 3** – **Revisions to the Draft EIR.** This chapter provides a list of changes that were made to the Draft EIR. These revisions are shown in strikeout and underline text in this chapter.
- **Chapter 4** – **Mitigation Monitoring and Reporting Program (MMRP).** This chapter includes the Mitigation Monitoring and Reporting Program (MMRP) prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Section 15091(d) and 15097 of the *State CEQA Guidelines*.

1.2 Public Review and Responses to Comments

In accordance with Sections 15087 and 15105 of the *CEQA Guidelines*, the Draft EIR was circulated for public review and comment to responsible agencies and interested parties as well as members of the public, for a period of 45 days (August 7th, 2025 through September 21st, 2025) as required by CEQA. Comment letters received on the Draft EIR are provided in their entirety in Chapter 2, *Responses to Comments*.

Responses to each of the comments received are provided in Chapter 2, *Responses to Comments,* of this document as part of the Final Environmental Impact Report (Final EIR). Although some of the comments have resulted in changes to the text of the Draft EIR (see Chapter 3, *Revisions to the Draft EIR*), none of the changes constitute "significant new information," which would require

recirculation of the Draft EIR. "Significant new information" is defined in Section 15088.5(a) of the *CEQA Guidelines* as follows:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.

(4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

None of these circumstances has arisen from comments on the Draft EIR; therefore, recirculation is not required.

The Draft EIR, Final EIR, and associated appendices are available for review online at: https://www.oxnard.gov/community-development/planning-environmental-services/environmental-postings and at the City Counter, 214 South C Street, Oxnard, California 93030.

As required by *CEQA Guidelines* Section 15088(b), at least 10 days before consideration of the Final EIR for certification, the City provided a written response (electronic copy) to each public agency that submitted written comments on the Draft EIR.

1.3 Organization of the Responses to Comments

CEQA requires a lead agency that has prepared a Draft EIR to consult with and request comments from responsible and trustee agencies that have jurisdiction by law with respect to the project, and to provide the public with an opportunity to comment on the Draft EIR (*CEQA Guidelines* Sections 15086 and 15087).

Sections 15088(a) and (c) of the *CEQA Guidelines* also require a lead agency to evaluate comments on environmental issues received from persons who reviewed the Draft EIR and to prepare written responses to comments raising significant environmental issues. The Final EIR is the mechanism for responding to these comments. Responses are not required for comments regarding the merits of the proposed project or regarding issues not related to the project's environmental impacts. Several of the comments on the Draft EIR state the commenter's preferences regarding the design or approval of the proposed project, potential economic impacts, or provide general statements concerning the content of the Draft EIR. Detailed responses are not warranted or required by CEQA for comments that do not address environmental issues related to the proposed project. Such instances are noted in the responses. The City will review all comments received, including those that do not warrant a response under CEQA, before considering certification of the Final EIR or approval of the proposed project.

Each comment has been reproduced with individual comments bracketed and numbered according to the type of commenter (agency, organization, and individual) with responses following each comment. In some instances, clarifications of the text of the Draft EIR may be required. In those cases, the text of the Draft EIR is revised and the changes compiled in Chapter 3, *Revisions to the*

Draft EIR. The text deletions are shown with strikeout (~~strikeout~~), and additions are shown with underline (<u>underline</u>).

1.4 Project Decision Process

This document and the Draft EIR, as amended through responses to comments, together constitute the Final EIR, which will be considered by the City prior to a decision on whether to approve the project. If the City decides to approve the project, the City, as required by *CEQA Guidelines* Section 15090, must first certify that the Final EIR was completed in compliance with the requirements of CEQA, was reviewed and considered by the City, and reflects its independent judgment and analysis. The City would then be required to adopt findings of fact on the disposition of each significant environmental impact, as required by *CEQA Guidelines* Section 15091, and a statement of overriding considerations, as required by *CEQA Guidelines* Section 15093. A Mitigation Monitoring and Reporting Program, which is required by *CEQA Guidelines* Section 15091(d), has been included as part of Chapter 4, *Mitigation Monitoring and Reporting Program*, of this Final EIR and will be adopted by the City in conjunction with any project approval.

2 Responses to Comments on the Draft EIR

This chapter of the Final EIR contains the comment letters received during the public review period for the Draft EIR, which started on August 7th, 2025 and concluded on September 21st, 2025. In conformance with Section 15088(a) of the *CEQA Guidelines*, written responses were prepared to address comments received on environmental issues during this review period.

2.1 Comments on the Draft EIR

The City of Oxnard received eight comment letters on the Draft EIR. The commenters, including the numerical designation for each comment letter received, the author of the comment letter, and the page number on which each commenter's letter appears are listed below.

Letter No. and Commenter		Page No.
1	Victoria Tang, Environmental Program Manager, California Department of Fish and Wildlife	xx
2	Miya Edmonson, LDR/CEQA Branch Chief, California Department of Transportation, District 7	xx
3	Denise Gonzalez, District Supervisor, California Coastal Commission	xx
4	Nicole Collazo, Air Quality Specialist, Ventura County Air Pollution Control District	xx
5	PWA-RT Advance Planning, County of Ventura Public Works Agency	xx
6	Yunsheng Su, PWA-WP Case Reviewer, Watershed Protection, Ventura County Public Works Agency	xx
7	County of Ventura, Public Works, Groundwater Team	xx
8	Amanda Fagan, Director of Planning and Sustainability, Ventura County Transportation Commission	xx

The comment letters and responses follow. The comment letters are numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response A1.1, for example, indicates that the response is for the first issue raised in Comment Letter A1).

Where a comment resulted in a change to the Draft EIR text, a notation is made in the response indicating that the text is revised. Changes in text are signified by strikeout font (~~strikeout font~~) where text was removed and by underlined font (<u>underlined font</u>) where text was added. These changes in text are also included in Chapter 3, *Revisions to the Draft EIR*. As discussed further in Chapter 3, these textual revisions clarify and expand upon information in the Draft EIR. Pursuant to *CEQA Guidelines* Section 15088.5, these revisions do not constitute significant new information and recirculation of the Draft EIR is not required.

Letter 1

COMMENTER: Victoria Tang, Environmental Program Manager, California Department of Fish and Wildlife

DATE: September 16, 2025

Response 1.1

The commenter expresses appreciation for their inclusion in the environmental review process and provides a summary of the proposed project.

This comment does not contain a substantive comment on the analysis or conclusions of the Draft EIR. No response or revisions to the Draft EIR are required.

Response 1.2

The commenter mentions the overall role of the California Department of Fish and Wildlife.

This comment does not contain a substantive comment on the analysis or conclusions of the Draft EIR. No response or revisions to the Draft EIR are required.

Response 1.3

This next comment is a summary of the project and mentions specific details of the development and issues discussed in the Draft EIR.

This comment does not contain a substantive comment on the analysis or conclusions of the Draft EIR. No response or revisions to the Draft EIR are required.

Response 1.4

The commenter states that they have comments and recommendations of potential impacts to mock heather scrub and mentions that the project does not provide compensatory mitigation for adverse impacts. The comment then identifies suggested Mitigation Measures that should be included into the Draft EIR since they feel that significant impacts would occur prior to mitigation.

As discussed in Section 4.3.1(d), of the Draft EIR, both the willow thicket and the mock heather scrub vegetated dunes north of the willow thicket in the RP designated portion of the property, are considered ESHAs in the Oxnard Coastal Land Use Plan. In particular, the residential portion of the project would be developed primarily in areas vegetated with mock heather scrub and ice plant. As disclosed in the Draft EIR, while these latter areas are also dune habitat, they are more disturbed and are not mapped or considered ESHA in the CLUP.

Overall, the proposed project design provides buffer features within the constraints of the shape and narrow width of the area to be developed. These features consist of the single-loaded private street across the northern boundary of the development area, and a combination wall-fence to separate yards from the preserved areas where residential uses would be juxtaposed to the RP designated areas. However, these buffer features are less than prescribed by the CLUP, and some adverse effect on wildlife behavior and the quality of habitat within the preserved areas could occur, as described in the comment. With that, Mitigation Measures BIO-5(a) through BIO-6(c), of the Draft EIR, would help reduce potential impacts to a less than significant level by requiring a Re-

vegetation Plan, consultation with the various Regulatory Agencies, management of residential landscaping, and overall protection and enhancement of RP designated areas with implementation of a formal enhancement plan. It should be noted that consultation with the Regulatory Agencies would comply with the commenter requested compensatory mitigation. No revision to the Draft EIR is required.

Response 1.5

The commenter states that focused surveys were not conducted prior to circulation for the presence of least Bell's vireo and that proper mitigation was not provided. According to the Draft EIR, willow habitats within the southern portion of the project site are unsuitable to support least Bell's vireo populations due to their characteristics, surroundings, and land uses. Additionally, although protocol surveys were not conducted, the site was visited by biologists from Impact Sciences and Rincon Consultants in 2014 and 2016, respectively, and least Bell's vireos were not detected by sight or sound. The surveys were conducted by qualified biologists during the avian breeding season, and this highly vocal species would almost certainly have been detected if present. No revision to the Draft EIR is required.

Response 1.6

The commenter states that the provided BIO-1(a) Mitigation Measure has the potential to not adequality avoid or minimize impacts on special-status plants. The comment then goes on to suggest new Mitigation Measures that they feel would reduce potential impacts to special-status plants.

As described in Section 4.3.1(d), of the Draft EIR, the project site has the potential to support special status plant species, including approximately 4.44 acres of habitat within the portion of the site that would be developed that may be suitable for Orcutt's pincushion, Ventura marsh milk-vetch, and salt marsh bird's beak. Although no listed or sensitive plant species have been found in three previous surveys, the project site has the potential to support these special-status plant species. If special-status plants are present in the areas to be developed, individual plants would likely be removed during construction.

Adequate mitigation is already proposed for those areas where the proposed development would not directly impact potential special-status species, but occur proximate to habitat areas that would not be developed, such as at the interface between the northern (preserved) and southern (proposed for development) portions of the project site, indirect effects from project construction such as excessive dust, runoff, or spread of invasive plant species could adversely affect special-status plant populations in the adjacent areas. Mitigation Measure BIO-1(a) consists of a pre-construction botanical survey for special status plants. The commenter suggests adding mapped areas within 100-feet of the project activities, which is not typical for these types of projects. Sufficient implementation of the Draft EIR Mitigation Measure would reduce potential impacts to less than significant. No revision to the Draft EIR is required.

Response 1.7

The comment suggest that species of special concern (SSC) may be adversely impacts by project buildout and that Mitigation Measure BIO-3 should be edited to include the California legless lizard. With that, the commenter is also suggesting that if they are found that they be relocated to suitable

undisturbed habitat out of the area directly and indirectly affected by ground disturbance activities. A pre-construction survey is already proposed as part of mitigation, which would help identify if any SSC species or subspecies are located at the project development site. At this time, there is no indication that the legless lizard exists at the project site. No revision to the Draft EIR is required.

Response 1.8

The commenter states that Mitigation Measures BIO-2(a) and BIO-2(b) could be improved to ensure adquate surveys occur prior to the start of construction. Their suggested change is that the surveys be done three days prior to grading or tree removal, instead of one-week. The proposed one-week prior is industry standard and typical protocol for nesting bird surveys. Also, the commenter suggested revising BIO-2(b) to include additional buffers of no work, due to potential birds and raptor nests. It should be noted that development on the project site would include the removal of existing trees within small areas of the willow thicket that may be used by yellow warbler (and other native resident or migratory avian species) as nesting habitat and inadvertently removing an active nest. Also, grading and other construction activities in the vicinity of an active nest could disrupt nesting behavior and/or result in nest abandonment. However, implementation of Mitigation Measures BIO-2(a) and BIO-2(b) would avoid and minimize impacts to yellow warblers as well as other nesting birds, as active nests and exclusionary buffers will be monitored by a qualified biologist (at least initially) to determine if the active nests are being adversely affected by construction activities and to determine if a buffer would need to be increased to reduce such effects. With that, no revision to the Draft EIR is required.

Response 1.9

The commenter suggests preparing a mitigation monitoring and reporting plan, which includes their recommended Mitigation Measures. As part of this Final EIR, Section 4., *Mitigation Monitoring and Reporting Program*, was prepared and included in the overall environmental package for review and approval. Comment is noted and no revision to the Draft EIR is required.

Response 1.10

The commenter recommends that the City provide wildlife friendly fencing designs within the northern preserve of the site. Additionally, they are requesting that the Final EIR disclose potential environmental impacts of the suggested fencing on existing wildlife. The recommendation is noted for the record but their comment does not suggest a deficiency within the Draft EIR. Therefore, no revision to the Draft EIR is required.

Response 1.11

This particular comment states that the CDFE concurs with Mitigation Measure BIO-6(a), which is the coordination with CDFW pursuant to Fish and Game Code, Section 1600. This is noted for the record and no revision to the Draft EIR is required.

Response 1.12

The commenter recommends that the City and Applicant report any special status species and natural communities detected during project surveys to the California Natural Diversity Database. They are also suggesting that information on special status native plant populations and sensitive

natural communities be submitted to CDFW's Vegetation Classification and Mapping Program. The City and Applicant team will follow all suggested protocols mentioned in this particular comment. With that, this is noted for the record and no revision to the Draft EIR is required.

Response 1.13

This comment is ensuring that all environmental document filing fees are paid so that adequate review of the information can be performed. This is noted for the record and no revision to the Draft EIR is required.

Response 1.14

This comment is conclusory in nature and states that the CDFW is appreciative of the opportunity to comment on the Draft EIR. With that, no revision to the Draft EIR is required.

Letter 2

COMMENTER: Miya Edmonson, LDR/CEQA Branch Chief, California Department of Transportation, District 7

DATE: September 18, 2025

Response 2.1

The commenter expresses appreciation for their inclusion in the environmental review process and provides a summary of the proposed project, including the overall mission of Caltrans.

This comment does not contain a substantive comment on the analysis or conclusions of the Draft EIR. No response or revisions to the Draft EIR are required.

Response 2.2

The commenter states that they concur with Mitigation Measure T-2 (Bicycle Improvements), which requires the Applicant to provide bicycle parking at the small parking lot within the northern open space area. However, the comment then goes on to state that even with implementation of Mitigation Measure T-2, impacts would continue to exceed the CEQA threshold and impacts would be significant and unavoidable.

As disclosed in Section 4.12, *Transportation*, of the Draft EIR, the proposed project would result in 14.35 VMT per capita in the TAZ. The total VMT per capita in Ventura County during the 2016 baseline year was 13.77 miles (see Table 1 in the Transportation Impact Analysis, Appendix M). As such, 15 percent below existing countywide VMT per capita is 11.70. Because project VMT per capita of 14.35 would exceed 11.70 VMT per capita, the project would potentially conflict with CEQA Guidelines Section 15064.3(b). Impacts would be potentially significant. However, Mitigation Measure T-2 would encourage the use of bicycles for transportation because it would connect the project site to the larger bicycle network in Oxnard, such as existing bicycle lanes on Harbor Boulevard and W. Wooley Road. The use of bicycles for transportation could reduce VMT as less people choose to drive cars for local trips. In the case of the proposed project, the project also includes components that typically reduce VMT, such as pedestrian sidewalks and multi-use paths, or proximity to local businesses and transit, which are both within 1 mile of the project site. However, even with these components and Mitigation Measure T-2, the VMT per capita with the project would exceed the significance threshold.

Because of this, the commenter recommends that the City consider implementing a comprehensive Transportation Demand Management program. As disclosed in Section 4.12, *Transportation*, even with pedestrian sidewalks and multi-use paths, or local transit, impacts would still remain significant and unavoidable. The comment and suggested program is noted, but no revisions to the Draft EIR are needed.

Response 2.3

The commenter encourages the City to consider applying Complete Streets principles at the design stage of the project to integrate multi-modal features such as sidewalks, bike paths, bus stops, and rideshare facilities. The comment is noted, but no additional analysis or revisions to the Draft EIR are required.

Response 2.4

The commenter recommends that large-size truck travel and construction traffic be limited to off-peak commute hours. The commenter states that if construction would require the use of oversized transport vehicles on State highways, a permit for heavy construction equipment and/or materials would be required. The commenter also states that if construction traffic is expected to cause issues on any State facilities, the Lead Agency should submit a construction traffic control plan for the Department of Transportation's review.

The City does not anticipate that oversized vehicles would be required during construction. In the event project construction does require the transportation of heavy construction equipment or the use of oversized-transport vehicles on State highways, the City and/or the construction contractor would obtain the required Caltrans transportation permit, and trips during peak hours would be limited to the extent feasible. Furthermore, the project would not result in substantial disruption of traffic along any State transportation facilities. No additional analysis or revisions to the Draft EIR are required.

Response 2.5

The commenter provides contact information for the Department of Transportation's project coordinator. This comment is noted and no revisions to the Draft EIR are required.

Letter 3

COMMENTER: Denise Gonzalez, District Supervisor, California Coastal Commission

DATE: September 22, 2025

Response 3.1

The commenter notes that the California Coastal Commission (South Central Coast District Office) has reviewed the Draft EIR for the proposed project. The commenter provides an overview of the project location and project description. The comment letter also states that the project is within the City of Oxnard Local Coastal Program (LCP).

This comment does not contain a substantive comment on the analysis or conclusions of the Draft EIR. No response or revisions to the Draft EIR are required.

Response 3.2

The comment mentions that the project would impact over 8 acres of vegetation and that roughly 0.91 acres of biological resources would be impacted by the project. What's more, the commenter then suggests the Coastal Land Use Plan (CLUP) ESHA map is not the only controlling factor in determining the delineation of ESHA and the overall rarity of the habitat type must also be considered, regardless of the level of disturbance.

According to Section 4.3-4, *Biological Resources*, of the Draft EIR, wetlands and riparian habitats in Oxnard's coastal zone are protected through various policies in the CLUP. Section 3.2.2 of the CLUP describes and maps the lands considered to be Habitat Areas within the plan, and the policies applicable to these areas. Both the willow thicket and the mock heather scrub vegetated dunes north of the willow thicket in the RP designated portion of the property, are considered ESHAs in the CLUP. Potential direct effects related to the willow thicket are discussed in in the Draft EIR section, since this area might also be considered jurisdictional waters subject to review and permitting by other agencies. The residential portion of the project would be developed primarily in areas vegetated with mock heather scrub and ice plant. While these latter areas are also dune habitat, they are more disturbed and are not mapped or considered ESHA in the CLUP. No revisions to the Draft EIR are required.

Response 3.3

The commenter defines ESHA in this particular comment and goes on to state that the Draft EIR significantly underestimates the area of ESHA that would be directly removed by the proposed project. The comment then suggests that the project revise its total calculations of ESHA impacts.

According to the Draft EIR, the Dune Scrub in the area of the project is degraded and fragmented habitat and has a lack of sensitive species, such as special status species. What is more, the surveys performed on the project site show no rare plants or animals that would function as critical habitat or a wildlife corridor. Although the comments are appreciated, the surveys at the project site do not consider the commenter areas as rare or especially valuable. No revisions to the Draft EIR are required.

Response 3.4

This comment reiterates that the project site area should be considered all ESHA land and only uses dependent on those resources should be allowed on the site. The commenter also states that the buffer of 100-feet in width shall be provided adjacent to all resource protection areas.

Overall, the proposed project's consistency with the related policies and ordinances protecting biological resources, including policies of the City's General Plan, CLUP, and Code of Ordinances, are described in Section 4.9, *Land Use and Planning*, of the Draft EIR. That discussion concludes that the project is generally consistent with applicable coastal policies, and that the non-compliance with the 100-foot buffer distance in Local Coastal Policy 6.d. would not represent a significant impact given the other habitat protection measures incorporated within the project and required through the biological Mitigation Measures presented. No revisions to the Draft EIR are required.

Response 3.5

The commenter suggests that the property as proposed would does not conform to the resource protection policies of the certified Oxnard LCP. The comment then goes on to explain that the California Coastal Commission statements are just opinions by its staff and that the project should re-calculate buffer calculations.

As disclosed in the Draft EIR, along the northern portion of the development, the proposed private street would occupy a width of 46-feet between the nearest residential lots and the boundary of the RP designated land. The private street is designed with two 10-foot travel lanes, 8-foot parking lanes that would have permeable pavement, rolled curbs, and a sidewalk only on its southern side adjacent to the residences. A narrow (2-foot wide) strip along its northern edge would have a split rail fence, and a retaining wall would be used to minimize the extent of fill necessary along the northern edge. This design is proposed to help minimize the extent of encroachment into the willow thickets that occur north of the road. The residential lots on the southern side of the street would have front yard setbacks of 10 feet for houses and 20-feet for garages. Thus, the total horizontal distance from structures to the edge of the RP boundary and preserved ESHA would range from 56 to 66 feet. Automobile traffic, front yard activities such as landscape maintenance, and pedestrian activity would all occur within 100 feet of the boundary of the RP designated area and the preserved portion of willow thicket. The noise and human activity within this area would have some effect on wildlife within the preserved areas. Due to this potential impact, the project proposes Mitigation Measure BIO-1(b), which is the overall management of residential landscaping. With implementation of the above measure, potential impacts to sensitive resource areas due to the proximity of developed areas within 100-feet would be minimized and would be offset through improved habitat value within the preserved areas. These measures would reduce the potential impact to a less than significant level. This comment is noted and no revisions to the Draft EIR are required.

Response 3.6

The commenter suggests that the applicant and city should consider an approval of the amount of development that represents a reasonable economic use of the property. It goes on to state that the five project alternatives and their related analyses are flawed as none the alternatives address what level of development is the minimum necessary to provide the applicant a reasonable econ comic use of their property while avoiding impacts to ESHA.

CEQA Guidelines (§15126.6) require an EIR to evaluate a reasonable range of alternatives that would feasibly attain most of the basic objectives of the project while avoiding or substantially lessening significant environmental effects. The Draft EIR includes five alternatives, including the No Project Alternative and three alternatives that reduce biological resource impacts compared to the proposed project. These alternatives were selected to provide a reasonable range of options that meet CEQA requirements.

The Coastal Act and the Oxnard LCP provisions regarding ESHA protection apply to project permitting decisions, not to the scope of CEQA alternatives analysis. It should be noted that CEQA does not require the EIR to determine the minimum level of development necessary to avoid a constitutional taking or to conduct an economic feasibility study unless such analysis is essential to evaluating whether an alternative is feasible. In this case, the Draft EIR identifies alternatives that reduce ESHA impacts and explains why they may or may not be feasible relative to project objectives.

The comment's suggestion to include an economic analysis and additional alternatives based on minimum reasonable economic use is noted. However, CEQA does not require the lead agency to evaluate every conceivable alternative or to perform economic studies unless necessary to determine practicality. This comment is noted and no revisions to the Draft EIR are required.

Response 3.7

The comment suggests that Mitigation Measure BIO-1(b) is inadequate since the Draft EIR underestimates the total ESHA acreage impacted, the proposed 2:1 mitigation ratio is insufficient given the rarity of dune scrub habitat, and conversion of dune scrub to willow thicket is not appropriate mitigation. The comment recommends a 3:1 ratio for dune habitats, prioritization of on-site restoration, and perpetual preservation of remaining ESHA.

As noted above, under previous responses, Mitigation Measure BIO-1(b) was developed in consultation with qualified biologists and is consistent with standard practices for compensating impacts to sensitive habitats under CEQA. The measure requires restoration and/or preservation of ESHA at a minimum 2:1 ratio, which is considered biologically meaningful and feasible given site constraints and available off-site opportunities. The proposed creation of willow thickets in the northern portion of the site is intended to replace the specific habitat type (willow thicket) impacted by development and to maintain ecological functions for associated species.

The Draft EIR acknowledges that dune scrub is a sensitive habitat type and includes mitigation requirements for its disturbance. However, CEQA does not mandate a specific ratio; rather, it requires feasible mitigation to reduce impacts to less than significant levels. Thus, no changes to the Draft EIR are required at this time.

Response 3.7

The commenter provides a conclusory statement and welcomes any further questions.

This comment does not contain a substantive comment on the analysis or conclusions of the Draft EIR. No response or revisions to the Draft EIR are required

Letter 4

COMMENTER: Nicole Collazo, Air Quality Specialist, Ventura County Air Pollution Control District

DATE: September 17, 2025

Response 4.1

The commenter notes that the Ventura County Air Pollution Control District (APCD) has reviewed the Draft EIR for the proposed project. The commenter provides an overview of the project location and project description.

This comment does not contain a substantive comment on the analysis or conclusions of the Draft EIR. No response or revisions to the Draft EIR are required.

Response 4.2

The commenter mentions that the APCD Complaint Hotline and Office Line number included in the Draft EIR contains outdated numbers and they should be updated.

The commenter's suggestions are noted and implied revisions to the Draft EIR are presented in Section 3. *Revisions to the Draft EIR*, of this Final EIR. No additional analysis or revisions to the Draft EIR are required, beyond the above mentioned change.

Letter 5

COMMENTER: PWA-RT Advance Planning, County of Ventura Public Works Agency

DATE: August 17, 2025

Response 5.1

The commenters briefly acknowledges the project and then states that they recommend that the Traffic Impact Analysis Study and the Traffic and Circulation Study be signed and sealed by an appropriately licensed professional before finalizing the Final EIR.

The commenter's suggestions are noted. Preparation of the Traffic Impact Analysis was done by Iteris, who are a fully licensed professional consulting company. Overall, this comment does not pertain to the adequacy of the Draft EIR analysis or CEQA process. No additional analysis or revisions to the Draft EIR are required.

Letter 6

COMMENTER: Yunsheng Su, PWA-WP Case Reviewer, Watershed Protection, Ventura County Public Works Agency

DATE: August 22, 2025

Response 6.1

The commenter notes that Ventura County Public Works Agency (Watershed Protection, Watershed Planning and Permits Division) has reviewed the Draft EIR for the proposed project. The commenter provides an overview of the project location and project description.

This comment does not contain a substantive comment on the analysis or conclusions of the Draft EIR. No response or revisions to the Draft EIR are required.

Response 6.2

The commenter notes that the project application is complete regarding Ventura County Public Works Agency's (Watershed Protection, Watershed Planning and Permits Division) area of concern.

This comment does not contain a substantive comment on the analysis or conclusions of the Draft EIR. No response or revisions to the Draft EIR are required.

Response 6.3

The commenter reiterates the Draft EIR's conclusion that impacts involving flood control facilities and watercourses would be less than significant. The commenter provides additional information that supports this conclusion by explaining that the proposed project would not include new or modified direct stormwater drainage connections to the Ventura River, activities within Watershed Protection's easement, or activities over, under, or within the Ventura River. The commenter acknowledges that the proposed project would result in no increase of impervious area and confirms that the environmental impact on redline channels under the jurisdiction of Ventura County Public Works Agency (Watershed Protection, Watershed Planning and Permits Division) would be less than significant.

This comment does not contain a substantive comment on the analysis or conclusions of the Draft EIR. No response or revisions to the Draft EIR are required.

Response 6.4

The commenter indicates that the Ventura County Public Works Agency (Watershed Protection, Watershed Planning and Permits Division) has no specific comments or conditions for the project. No response or revisions to the Draft EIR are required.

Response 6.5

The commenter provides contact information for the Ventura County Public Works Agency (Watershed Protection, Watershed Planning and Permits Division). This comment is noted.

Letter 7

COMMENTER: County of Ventura, Public Works Department, Groundwater Team

DATE: Unknown

It should be noted that the document provided by the County of Ventura did not have any comments to the publicly released document. Instead, the County mistakenly provided a copy of the Draft EIR document. No response or revisions to the Draft EIR are required.

Letter 8

COMMENTER: Amanda Fagan, Director of Planning and Sustainability, Ventura County Transportation Commission

DATE: September 15, 2025

Response 8.1

The commenter states that they are grateful for the opportunity to review the Recirculated Draft EIR.

This comment does not include specific examples of deficiencies that pertain to the adequacy of the content or analysis provided in the Draft EIR. As such, no response, additional analysis, or revisions to the Draft EIR are required.

Response 8.2

The commenter states they support the analysis methodology and consistency with the Office of Planning and Research technical recommendation for assessment of VMT. With that, they state that the recommended policies do not reduce VMT below the 15-percent threshold and would result in potential significant impacts. They recommend that the applicant review the VMT adaptive mitigation program for VMT reduction strategies.

As disclosed in Section 4.12, *Transportation*, of the Draft EIR, the proposed project would result in 14.35 VMT per capita in the TAZ. The total VMT per capita in Ventura County during the 2016 baseline year was 13.77 miles (see Table 1 in the Transportation Impact Analysis, Appendix M). As such, 15 percent below existing countywide VMT per capita is 11.70. Because project VMT per capita of 14.35 would exceed 11.70 VMT per capita, the project would potentially conflict with CEQA Guidelines Section 15064.3(b). Impacts would be potentially significant. However, Mitigation Measure T-2 would encourage the use of bicycles for transportation because it would connect the project site to the larger bicycle network in Oxnard, such as existing bicycle lanes on Harbor Boulevard and W. Wooley Road. The use of bicycles for transportation could reduce VMT as less people choose to drive cars for local trips. In the case of the proposed project, the project also includes components that typically reduce VMT, such as pedestrian sidewalks and multi-use paths, or proximity to local businesses and transit, which are both within 1-mile of the project site. However, even with these components and Mitigation Measure T-2, the VMT per capita with the project would exceed the significance threshold. Impacts would be significant and unavoidable.

Response 8.3

The commenter states that they are available to answer any questions regarding their review.

This comment does not pertain to the adequacy of the Draft EIR or CEQA process. No additional analysis or revisions to the Draft EIR are required.

This page intentionally left blank.

3 Revisions to the Draft EIR

As required by California Environmental Quality Act (CEQA) Guidelines Section 15088, this chapter provides corrections or clarifications of certain statements in the Draft Environmental Impact Report (DEIR). The correction(s) and/or addition(s) do not constitute significant new information, as defined by CEQA Guidelines Section 15088.5, because none would result in new significant impacts or a substantial increase in the severity of any impact already identified in the DEIR.

New information is not significant unless the DEIR changes in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project. Specifically, Section 15088.5(a) defines significant new information which requires recirculation to be any of the following:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
4. The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043).

This chapter presents specific text changes made to the Draft EIR since its publication and public review. The changes are presented in the order in which they appear in the original Draft EIR and are identified by the Draft EIR page number. Text deletions are shown in ~~strikethrough~~, and text additions are shown in <u>underline</u>. The information contained within this chapter clarifies and expands on information in the Draft EIR. These revisions do not constitute "significant new information" requiring recirculation of the Draft EIR (see Public Resources Code Section 21092.1; *CEQA Guidelines* Section 15088.5).

3.1 Revisions to the Draft EIR

4.2 Project Impacts and Mitigation Measures

Page 4.2-14 with subheading Mitigation Measure AQ-1(a)

…

5. Signs displaying the APCD Complaint Line Telephone number for public complaints shall be posted in a prominent location visible off the site: ~~(805) 645-1400~~ <u>The 24-hour hotline is (805) 303-3700</u> ~~during business hours and (805) 654-2797 after hours~~ <u>and the office hours phone number is (805) 303-3708 available Monday-Friday 8:00 a.m. through 5:00 p.m</u>.

This page intentionally left blank.

4 Mitigation Monitoring and Reporting Program

The Environmental Impact Report (EIR) for the Avalon Homes Project identifies the mitigation measures required to reduce environmental impacts associated with the project. The California Environmental Quality Act (CEQA) requires a public agency to adopt a monitoring and reporting program (MMRP) for assessing and ensuring compliance with required mitigation measures applied to proposed development. As stated in Section 21081.6(a)(1) of the Public Resources Code:

> "the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment."

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of making findings or adopting a mitigated negative declaration.

The mitigation monitoring table below lists the identified mitigation measures for the project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The first column, entitled "Mitigation Measure," identifies mitigation measures that were identified in the Final EIR. The second column, entitled "Implementing Action," refers to the action that must be taken to ensure the mitigation measure's implementation. The third column, entitled "Implementation Monitoring and Reporting Responsibility," refers to the agency responsible for oversight or ensuring that the mitigation measure is implemented. The fourth column, entitled "Implementation Timing Requirements," refers to how often the monitoring will occur to ensure that the mitigation action is complete. The "Compliance Verification" column is where the agency responsible for oversight verifies that the measures have been implemented.

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
Aesthetics						
AQ-1(a) Dust Control Measures						
The following shall be implemented during grading and construction to control dust. • The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust. • Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavating activities. Application of water (preferably reclaimed, if available) should penetrate sufficiently to minimize fugitive dust during grading activities. • Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities: 1) All trucks shall be required to cover their loads as required by California Vehicle Code Section 23114. 2) All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. 3) Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods shall be periodically applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the	Perform site inspections, once at the start of construction and once half-way through construction, to verify contractor compliance. Retain copies of inspection records in project file.	The City is responsible for verifying project dust measures. The construction contractor is responsible for implementing the project dust measures.	Prior to construction activities and throughout the construction phase.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
area within three weeks, it shall be seeded and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust. 4) Signs shall be posted on-site limiting traffic to 15 miles per hour or less. 5) During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to affect adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust from being an annoyance or hazard, either off-site or on-site. 6) Adjacent streets and roads shall be swept at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads. 7) Personnel involved in grading operations, including contractors and subcontractors, shall wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations. 8) Shaker plates shall be installed at all truck exits from the site. • Dust control requirements shall be shown on all grading plans. • Signs displaying the APCD Complaint Line Telephone number for public complaints shall be posted in a prominent location visible off the site: (805) 645-1400 during business hours and (805) 654-2797 after hours.						
AQ-1(b) Construction Equipment Controls						
The following shall be implemented during construction to minimize emissions of ozone precursors.	Perform site inspections, once at the start of construction and once half-way through	The City is responsible for verifying project measures.	Prior to construction activities and throughout the construction phase.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
1) All mobile off-road equipment (wheeled or tracked) used during construction activities shall meet the USEPA Tier 4 Final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards. 2) Construction contractors shall minimize equipment idling time throughout construction. Engines shall be turned off if idling would be for more than five minutes. 3) Equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications. 4) The number of pieces of equipment operating simultaneously shall be minimized. 5) Construction contractors shall use alternatively fueled construction equipment (such as compressed natural gas, liquefied natural gas, or electric) when feasible. 6) The engine size of construction equipment shall be the minimum practical size. 7) Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated clean diesel engines) shall be utilized wherever feasible. 8) During the smog season (May through October), the construction period should be lengthened so as to minimize the number of vehicles and equipment operating at the same time.	construction, to verify contractor compliance. Retain copies of inspection records in project file.	The construction contractor is responsible for implementing the project dust measures.				
AQ-1(c) Low Volatile Paints						
Wherever feasible, non-painted exterior surfaces and low volatile interior and exterior paints shall be used for architectural coatings.	Perform site inspections, once at the start of construction and once half-way through construction, to verify contractor compliance. Retain copies of	The City is responsible for verifying project paint review.	Prior to construction activities and throughout the construction phase.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
	inspection records in project file.					
Biological Resources						
BIO-1(a) Pre-construction Botanical Survey						
Prior to issuance of a grading permit for the project, spring and summer seasonal botanical surveys for special status plants, including but not limited to Orcutt's pincushion, shall be conducted within the impact area by a qualified botanist satisfactory to the City. A summary of the survey findings shall be provided to the City for approval. If any special status species are observed, avoidance, minimization, and/or mitigation shall be performed to reduce effects. If the species cannot be fully avoided, the Applicant shall draft a plan to offset impacts to the species as discussed in Mitigation Measure BIO-1(b). If state-listed endangered, threatened, or rare plants are detected in areas proposed for development, the Applicant shall contact the CDFW to secure incidental take authorization or develop an avoidance strategy.	The City shall verify and review the completion of a botanical survey and survey results. If construction is delayed after the survey has been conducted, an additional survey shall be conducted such that no more than seven days have elapsed between the last survey and the commencement of construction activities.	Review and verification prior by City.	Review and verification once prior to issuance of any construction permit. After each additional survey (as necessary).			
BIO-1(b) Mitigation Plan						
In the event that Orcutt's pincushion or any other special status plant populations cannot be fully avoided, restoration, management, maintenance, and monitoring plans shall be developed by a qualified biologist and/or resource specialist and shall be reviewed and approved by CDFW and the City of Oxnard prior to issuance of a grading permit. The mitigation therein shall be implemented within one (1) year following completion of project construction. The Applicant shall secure a bond for an amount equal to the cost of the mitigation effort prior to issuance of the grading permit. The bond shall be released by the City upon satisfaction of the approved performance criteria after the monitoring period has expired.	The City shall verify and review the completion of a botanical survey and survey results. If construction is delayed after the survey has been conducted, an additional survey shall be conducted such that no more than seven days have elapsed between the last survey and the commencement of construction activities.	Review and verification prior by City.	Review and verification once prior to issuance of any construction permit. After each additional survey (as necessary).			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
The restoration, management, maintenance, and monitoring plans shall include one or more of the following methods, to be implemented either individually or in conjunction with each other: *Onsite or Offsite Restoration (Salvage and Replanting)* Restoration shall involve the collection of seed from within the development footprint or nearby areas, if necessary, and replanting the seed in a suitable area in a portion of the project site that is set aside for preservation. Collection of seed from state-listed endangered, threatened, or rare plants shall not occur without appropriate authorization from CDFW. If onsite restoration is infeasible, an offsite location as close to the impact area as possible, but within the local watershed, may be used. The Restoration Plan, prepared by a qualified plant ecologist satisfactory to the City, shall include, but not be limited to, the following to achieve a performance standard of a 2:1 replacement, or as dictated by a regulatory agency with permitting authority over the species: • Location of the mitigation/restoration and map; • Success criteria (e.g., acceptable survivorship, percent cover, or other appropriate metric); • Identification of the party responsible for achieving the success criteria; • Plant species, container sizes, and seeding rates; • Planting schedule; • Monitoring frequency, methods, and duration; • Means to control exotic vegetation; • Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken); • Irrigation methods and schedule; and,						

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
• Identification of a protection instrument providing for conservation of the mitigation site in perpetuity. The Applicant shall maintain and monitor the plants for a minimum of five years. *Offsite Preservation* Offsite preservation shall consist of locating a population of the impacted special status plant species containing at least two times the number of individuals impacted by the project and preserving the population in perpetuity via placement of a permanent conservation easement or purchase of the land and dedication to the City or an approved conservation organization acceptable to the City. The preserved population shall be located in an area of sufficient size to create a preserve core and be located, as feasible, at least 350 feet away from existing or proposed development, paved roads, v-ditches and irrigated areas. Additionally, the preserved population shall exhibit connectivity to other protected open space or hillside areas. The Preservation Plan shall at least identify the specific location of the preservation site and size; number of individuals preserved; ownership of the land; parties involved; and the preservation methodology (i.e., permanent conservation easement or dedication to an approved conservation organization, etc.).						
BIO-2(a) Nesting Bird Survey						
If grading or tree removal is to occur during the bird-breeding season (January 1 through September 15), at a minimum, one (1) survey shall be conducted prior to the initiation of grading or tree removal by a qualified biologist (a person with a biology degree and/or established skills in bird recognition). The survey shall occur no more than one (1) week prior to grading or tree removal. The work limits plus a 500-foot buffer, as feasible, shall be surveyed to accommodate potential active raptor nests, as well	The City shall verify that construction is scheduled outside of the bird breeding season; if construction is to occur during the bird breeding season, the City shall verify and review the completion of a nesting	Review and verification by the City prior to issuance of any construction permit.	Review and verification once prior to issuance of any construction permit. After each additional survey (as necessary).			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
as other birds nesting nearby. A copy of the biologist contract for these services shall be submitted to the Planning Department for review and approval prior to issuance of grading permits. A report summarizing the findings of the survey and the recommended buffers shall be provided to the Planning Department prior to vegetation removal activities.	bird survey and survey results. If nests are found, the City shall verify through field monitoring the compliance with established buffer. If construction is delayed after the survey has been conducted, an additional nesting bird survey shall be conducted such that no more than seven days have elapsed between the last survey and the commencement of construction activities.					
BIO-2(b) Establishment of Appropriate Buffers During Grading and Construction						
Based on the nesting bird survey, in the event that nesting birds are observed within 500 feet of the disturbance/construction area, species-specific exclusionary buffers shall be implemented as determined by the qualified biologist, and construction timing and location shall be adjusted accordingly until the nestlings have fledged and are no longer dependent upon the nest. The active nests and exclusionary buffers shall be monitored by a qualified biologist (at least initially) to determine if the active nests are being adversely affected by construction activities and to determine if a buffer would need to be increased to reduce such effects.	The project Applicant, under the direction of the City, would determine if a buffer is needed.	Review and verification by the City prior to issuance of any construction permit.	Once prior to submittal of construction drawings and once prior to issuance of building permits.			
BIO-3 Biological Monitoring						
A qualified biological monitor familiar with globose dune beetle and southern California legless lizard shall be present during initial ground-disturbing activities (including, but not limited to, site preparation, grading, excavation, and trenching)	The City shall verify that the project Applicant has retained a qualified biologist and verify that the specialist is on-site	Review and verification by the City prior to issuance of any construction permit.	Once by City prior to issuance of initial demolition and/or construction permits.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
within suitable habitat for these species. The biological monitor shall have the authority to temporarily stop work if one or more individuals are observed. The monitor shall then relocate these individuals to suitable undisturbed habitat, outside the areas directly and indirectly affected by ground disturbance activities.	during ground-disturbing activities.					
BIO-5(a) Protection and Enhancement of RP Designated Area						
Prior to recordation of the final map for the project, the applicant shall prepare a protection and enhancement plan for the area to be preserved within the RP land use designation (approximately 29.18 acres in Parcels A and B shown on the tentative map). The plan shall be prepared by a qualified biologist and/or resource specialist and shall be reviewed and approved by the City of Oxnard. The plan shall address and incorporate the following features, which may be modified through consultation with other agencies and the City prior to finalization: • Timing and procedures for establishing a conservation easement or similar protection mechanism for the RP designated land to be preserved • Incorporation of Ventura marsh milk vetch or any other sensitive plant species, if required as part of mitigation measure BIO-1 • Revegetation or enlargement of the willow thicket area, if required as part of mitigation measure BIO-6(b) • Removal and control of invasive species such as ice plant • Modifications to and maintenance of perimeter fencing to prohibit or control public access • Inclusion of limited public access, with prohibitions or controls addressing pets, no	The project Applicant, under the direction of the City, shall prepare a protection and enhancement plan for review by the City prior to grading activities.	Prior to the issuance of building permits	Once by City prior to issuance of initial demolition and/or construction permits.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
entry areas, and other aspects of potential public use • Funding mechanism, which may include provision of performance bonds to the City to ensure installation of all improvements and completion of restoration and protection measures or alternative implementation guarantees.						
BIO-5(b) Management of Residential Landscaping						
The applicant shall accomplish the following measures, to the satisfaction of the Planning Division: 1) Preparation, review, and implementation of landscaping plans for the project shall include provisions for the control of invasive plant species to address the potential impacts of non-native plants colonizing adjacent native habitats. Covenants, Conditions and Restrictions shall be recorded specifying that landscaping for individual housing lots shall not include any exotic invasive plant species. The Covenants, Conditions and Restrictions shall be binding on each of the lots in the subdivision, shall run with the land affected by the subdivision, and shall be included or incorporated by reference in every deed transferring one or more of the lots in the subdivision. 2) The project applicant shall also provide, in connection with the sale of each housing unit, an information packet that explains the sensitivity of the natural habitats onsite and nearby and the need to minimize impacts on the identified sensitive species, designated resource protection areas, the limits on public access within or adjacent to such areas, the prohibition on landscaping that includes exotic invasive plant species, and the limits on exterior residential	The project Applicant, under the direction of the City, shall prepare a landscaping plan for review by the City prior to grading activities.	Prior to the issuance of building permits or grading permits.	Once by City prior to issuance of initial demolition and/or construction permits.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
lighting. Interpretive signs shall also be placed in appropriate locations along the edges of resource protection areas explaining the sensitivity of certain species and natural habitats and the need to minimize impacts on these adjacent areas.						
BIO-6(a) Consultation with Regulatory Agencies						
Prior to issuance of any grading permits for the project, and prior to clearing of any vegetation from the site, the applicant shall provide the Oxnard Planning Division with proof of consultation with CDFW, the U.S. Army Corps of Engineers, and the Los Angeles RWQCB. This consultation might result in the applicant being required to provide these agencies with a completed delineation of jurisdictional aquatic resources within the project footprint, or to apply for permits authorizing impacts to streams or wetlands. If federal or State permits are obtained, the applicant shall provide a copy of the approved permits to the Planning Division for review and approval prior to issuance of grading permits. The applicant shall comply with all permit conditions when implementing the proposed activities, including any seasonal timing restrictions, impact avoidance measures, limitations on construction means and methods, site restoration, compensatory mitigation, and reporting requirements.	The project Applicant, under the direction of the City, shall consult with regulatory agencies prior to any grading permits are issued or clearance of any vegetation.	Prior to the issuance of building permits or grading permits.	Once by City prior to issuance of initial demolition and/or construction permits.			
BIO-6(b) Re-vegetation Plan						
If jurisdictional wetlands/habitat are not avoided, areas of permanent disturbance shall be compensated for by creation, restoration, or enhancement of similar habitat at a 4:1 ratio, or as required by the regulatory agencies having permitting jurisdiction over the resources. Compensation for impacts to willow thickets shall consist of native and appropriate willow scrub	The project Applicant, under the direction of the City, shall prepare a re-vegetation plan, if required, within one year of completion of construction.	City of Oxnard and Building Department.	Within one year of completion of construction of development.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
species, unless otherwise specified by the regulatory agencies. Re-vegetation shall occur as close to the impact area as possible and shall be within the same watershed. For this project, a likely revegetation area, should one be necessary, could be in the preservation area immediately north of the willow thicket, within the larger project boundaries. Payment of an in-lieu fee to a conservation organization approved by the City (and acceptable to the regulatory agencies, as appropriate) to conduct the mitigation may be accepted if no other locations are feasible, as confirmed by the City. The project Applicant shall submit a re-vegetation plan prepared by a qualified restoration biologist for review and approval by the City prior to issuance of a grading permit. The plan shall include, but not be limited to, the following components: • Location of the mitigation/restoration and map; • Success criteria (e.g., acceptable survivorship, percent cover, or other appropriate metric); • Identification of the party responsible for achieving the success criteria; • Plant species, container sizes, and seeding rates; • Planting schedule; • Monitoring frequency, methods, and duration; • Means to control exotic vegetation; • Contingency planning (i.e., if the effort fails to reach the performance criteria, what remediation steps need to be taken); • Irrigation methods and schedule; and,						

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
• Identification of a protection instrument providing for conservation of the mitigation site in perpetuity. The revegetation shall be initiated within one (1) year of completion of project construction. The Applicant shall maintain and monitor the restored areas for a minimum of five years.						
BIO-6(c) Protection Measures During Construction						
The grading and improvement plans for the project shall indicate measures to minimize encroachment into the willow thicket habitat beyond the anticipated 0.91 acre of permanent impact. These shall include the use of a retaining wall or walls, minimum improvements along the north side of the private extension of Canal Street through the project (i.e. no sidewalks on north side and minimum improvements to meet City standards for this roadway). The plans shall also indicate through drawing or notes that equipment and vehicle parking and staging areas are to be separated from the preserved areas by 100 feet or more and shall prohibit vehicle and equipment from crossing or entering the willow thicket areas from the north (except as necessary for any approved revegetation work). The stormwater management plan shall ensure that runoff from construction areas is diverted away from the willow thicket areas as much as feasible.	The project Applicant, under the direction of the City, shall prepare protection measures (as identified) before grading or clearance activities related to the project.	The City is responsible for ensuring accurate measures are implemented during construction activities. The project contractor is also responsible for implementing all measures.	Once by City prior to issuance of initial demolition and/or construction permits.			
Cultural Resources						
CR-1 Retention of a Qualified Archaeologist						
Prior to the start of ground-disturbing activities, the City and/or subsequent responsible parties shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards (NPS 2020b) (Qualified Archaeologist) to respond to and address inadvertent discoveries identified for	Retention of a qualified archaeologist prior to grading and/or ground disturbance activities.	The City is responsible for verifying all construction monitoring is accurately performed.	Prior to the commencement of any ground-disturbing activities.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
the duration of construction activities. The Qualified Archaeologist shall possess experience and familiarity with historic-period and prehistoric archaeological resources in the region.						
CR-2: Workers Environmental Awareness Program Training						
All on-site personnel shall be briefed regarding unanticipated discoveries prior to the start of construction activities. A basic presentation shall be prepared and presented by a Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist to inform all on-site personnel working on the project about the archaeological sensitivity of the area. The purpose of the Workers Environmental Awareness Program training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the project and explain the importance of and legal basis for the protection of significant archaeological resources. All on-site personnel shall also be instructed in the proper procedures to follow in the event that archaeological resources or human remains are uncovered during ground-disturbing activities. These procedures include stopping or redirecting work and the immediate notification of the Qualified Archaeologist, and if appropriate, a Native American representative, and establishing an appropriate temporary avoidance buffer. The necessity of training attendance shall be stated on all construction plans, and the City and/or subsequent responsible parties shall maintain records demonstrating construction worker training participation.	Retain a qualified archaeologist to prepare and conduct WEAP training for all construction personnel. Retain copies of WEAP training and attendance in project file.	The City is responsible for verifying all construction personnel have attended WEAP training prior to construction. The qualified archaeologist is responsible for preparing and conducting the WEAP training.	Prior to the commencement of any ground-disturbing activities.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
CR-3 Archaeological Monitoring						
The Qualified Archaeologist shall oversee an archaeological monitor possessing experience and familiarity with historic-period and prehistoric resources in the region. The archaeological monitor shall conduct full-time monitoring within undisturbed native soils to the project's proposed maximum depths of disturbance. In general, archaeological monitoring shall be limited to initial ground disturbance, which is defined as construction-related earthmoving of sediments from their native place of deposition and does not include any secondary movement of sediment that might be required for the project (e.g., backfilling). The Qualified Archaeologist may adjust monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter archaeological deposits. The archaeological monitor shall be responsible for maintaining daily monitoring logs. If throughout the course of project construction activities, a discovery is made by construction personnel and a monitor is not present, the protocols and procedures outlined in the Workers Environmental Awareness Program training shall be followed. Following the completion of project construction activities, the Qualified Archaeologist shall prepare an archaeological monitoring report with the results of the archaeological monitoring program that meets state and local requirements and submit the report to the City and the SCCIC at the California State University at Fullerton. Reports submitted to the SCCIC shall be formatted and completed in accordance with the CHRIS document submittal standards.	Prepare a CRMP to support the archaeological and Native American monitoring effort. Ensure the CRMP includes monitoring protocols to be carried out during project construction. Ensure the CRMP outlines the appropriate measures to be followed in the event of a cultural resource discovery during project construction.	The qualified archaeologist is responsible for preparing the CRMP. The City is responsible for reviewing and approving the CRMP. Native American groups that were previously contacted as part of AB 52 consultation for the project are responsible for reviewing and commenting on the CRMP prior to its finalization.	Prior to the start of ground-disturbing activities and as-needed.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
CR-4 Inadvertent Discovery of Archaeological Resources						
In the event that previously unknown archaeological resources are inadvertently encountered during ground-disturbing activities, work in a 50-foot radius of the find shall be halted and redirected, and the Qualified Archaeologist shall be contacted immediately. The Qualified Archaeologist or other designated archaeologist working under the direction of the Qualified Archaeologist, shall provide recommendations regarding the resource's potential significance and potential treatment in coordination with the City. If the resource is determined by the Qualified Archaeologist to be indigenous in origin, then a Native American representative shall also be contacted to participate in the evaluation of the resource. If the Qualified Archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via Project redesign, the Qualified Archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of the California Code of Regulations (CCR) Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the Qualified Archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the	Retain an archaeological monitor and Native American monitor to observe all ground-disturbing activities within the project site. Ensure the CRMP documents the findings during the project's monitoring efforts. Retain copies of monitoring logs in the project file.	The archaeological monitor and Native American monitor are responsible for monitoring activities during construction. The City is responsible for retaining an archaeological and Native American monitor, reviewing monitoring logs, and submitting monitoring logs to the SCCIC.	During project construction.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
regional repository of the CHRIS, per CCR Section 15126.4(b)(3)(C).						
CR-5 Procedures for Discovery of Human Remains						
In the event that human remains are inadvertently encountered during ground disturbing activities, they shall be treated consistent with State and local regulations including California Health and Safety Code Section 7050.5, PRC Section 5097.98, and the CCR Section 15064.5(e). In accordance with these regulations, if human remains are found, the County Coroner must be immediately notified of the discovery. No further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. If the County Coroner determines that the remains are, or believed to be Native American origin, the County Coroner is required to notify the Native American Heritage Commission that shall notify those persons believed to be the most likely descendent (MLD). The MLD has 48 hours from being granted site access to make recommendations for the disposition of the remains. If the MLD does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance.	Retain an archaeological monitor and Native American monitor to observe all ground-disturbing activities within the project site. Ensure the CRMP documents the findings during the project's monitoring efforts. Retain copies of monitoring logs in the project file.	The archaeological monitor and Native American monitor are responsible for monitoring activities during construction. The City is responsible for retaining an archaeological and Native American monitor, reviewing monitoring logs, and submitting monitoring logs to the SCCIC.	During project construction.			
CR-6 Paleontological Resources						
The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If a potential fossil is discovered during project construction, construction activity within 50 feet of the find shall cease until the discovery is examined by a Qualified Professional Paleontologist as defined by the Society of Vertebrate Paleontology (SVP 2010). If the find is determined to be	Retain a paleontological monitor to observe all ground-disturbing activities within the project site. Retain copies of monitoring logs in the project file.	The monitor is responsible for monitoring activities during construction. The City is responsible for retaining a paleontological monitor, reviewing monitoring logs, and submitting monitoring logs as deemed necessary.	During project construction.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
scientifically significant, the Qualified Professional Paleontologist shall direct all mitigation measures related to paleontological resources consistent with the SVP (2010) standards, which shall include fossil salvage, laboratory preparation, curation in a paleontological repository, and a paleontological monitoring report. Additionally, the Qualified Professional Paleontologist and City shall decide if full- or part-time monitoring shall be instated for further project-related excavations. A Qualified Professional Paleontologist is defined by the SVP (2010) as an individual with: • A graduate degree in paleontology or geology, and/or a publication record in peer reviewed journals; and demonstrated competence in field techniques, preparation, identification, curation, and reporting in the state or geologic province in which the project occurs. An advanced degree is less important than demonstrated competence and regional experience. • At least two full years professional experience as assistant to a Project Paleontologist with administration and project management experience; supported by a list of projects and referral contacts. • Proficiency in recognizing fossils in the field and determining their significance. • Expertise in local geology, stratigraphy, and biostratigraphy. • Experience collecting vertebrate fossils in the field.						

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
Geology and Soils						
GEO-1 Geotechnical Recommendations						
All recommendations contained within the Preliminary Soils Engineering Investigation conducted by SubSurface Designs, Inc. (Appendix H of this EIR) shall be followed for future development within the project site. These recommendations include the following: • Grading for the proposed development shall include the removal and re-compaction of the upper six feet (6') of the existing alluvium for support of the proposed foundation system. The grading shall extend outside of the footprint of the proposed structure ten feet (10'). A minimum of four feet (4') of compacted fill shall be maintained below the bottom of all foundations. A layer of bi-directional geogrid shall be placed within the bottom of the grading limits prior to the placement of compacted fill. Portions of the bottom excavation for the recommended removals are anticipated to require stabilization prior to the placement of compacted fill. In areas where excessive pumping is encountered, the geogrid shall be covered with one foot (1') of six inch (6") minus rock then covered with a geofabric. The earth material outside of the grading limits for the proposed structure shall be removed and re-compacted down two feet (2') for support in all areas to receive concrete slab, decking, or paving. • Grading shall be carried forth as described in the Grading and Earthwork section. Based on the granular nature of the upper alluvium, each layer shall be compacted to 95percent of the maximum density as	Retain a qualified professional geologist or professional engineer to ensure all recommendations are followed prior to issuance of grading permits.	The City is responsible for reviewing that the contractor implements remedial measures and all recommendation are performed during construction.	Prior to issuance of grading permits and throughout construction.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
determined by the latest version of ASTM D 1557. • Structures shall be supported by a mat foundation. Foundations shall be designed as outlined in the Foundations section.						
GEO-2 Drainage and Maintenance						
Drainage and maintenance recommendations included in the Preliminary Soils Engineering Investigation shall be incorporated into the design of the project. These recommendations include, but are not limited to: • A comprehensive drainage system shall be designed and incorporated into the final plans. • Pad areas shall be maintained and planted in a way that will allow the drainage system to function as intended. Positive pad drainage shall be incorporated into the final plans. All drainage from the roof and pad shall be directed so that water does not pond adjacent to the foundations or flow toward them. All drainage shall be collected and directed via non-erosive devices to a location approved by the building official.	Retain a qualified professional geologist or professional engineer to prepare a SMP for the project. Ensure the SMP establishes remedial measures and soil management practices to ensure worker safety and prevent off-site migration of contaminants. Retain a copy of the SMP in the project file.	The qualified professional geologist or professional engineer is responsible for preparing the SMP. The City is responsible for reviewing and approving the SMP and verifying that the contractor implements remedial measures and soil management practices during construction.	Prior to issuance of grading permits and throughout construction.			
Greenhouse Gas Emissions						
GHG-1(a) Increased Efficiency						
The application shall include the following energy savings requirements in construction and building management contracts. • The project shall comply with the latest Title 24 standards under the California Green Building Code.	Start or grading through end of construction.	City shall be responsible for ensuring all efficiency strategies have been met for the project.	Issuance of Certificate of Occupancy.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
• The project shall use solar or low-emission water heaters in new buildings/residences. • The project shall require that landscapers providing services use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced in Ventura County (meaning that the equipment can be easily purchased in stores in Ventura County and the cost of the equipment is not more than 20 percent greater than the cost of standard equipment). •						
GHG-1(b) Renewable Energy						
The proposed project shall install solar panels and/or similar equipment that generates electricity from sunlight and/or wind. The owner/tenant of the building may elect to install such equipment to service the building and/or enter into a commercially reasonable public or private utility agreement for purposes of generating energy or transmission, if requested by the City and economically feasible.	Start or grading through end of construction.	City shall be responsible for ensuring all efficiency strategies have been met for the project.	Issuance of Certificate of Occupancy.			
GHG-1(c) Passive Energy Conservation Design						
The proposed project shall include passive energy conservation design elements, including building material massing, orientation, landscape shading, recycled or low-impact materials, window glazing to increase insulation, water circulation pumps to reduce water use, and/or similar measures shown to be equally effective.						

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
GHG-1(d) Natural Ventilation						
The applicant shall include natural ventilation in building design plans whenever feasible.	Start or grading through end of construction.	City shall be responsible for ensuring all efficiency strategies have been met for the project.	Issuance of Certificate of Occupancy.			
Noise						
NOI-1 Construction Noise Control Plan						
The construction contractor shall prepare and implement a Construction Noise Control Plan. The construction contractor shall submit the Construction Noise Control Plan to the City of Oxnard Public Works Department for review and approval prior to initiation of construction. The details of the Construction Noise Control Plan shall be included as part of the permit application drawing set and as part of the construction drawing set. The Construction Noise Control Plan shall include the following measures: • At least 21 days prior to the start of construction activities, all off-site businesses and residents within 500 feet of the project site shall be notified of the planned construction activities. The notification shall include a brief description of the project, the activities that would occur, the hours when construction would occur, and the overall duration of the construction period. The notification shall include the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. • At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the	The project Applicant, under the direction of the City, shall prepare a noise control plan prior to commencement of construction related activities.	City shall be responsible for ensuring that the noise control plan is accurately described and followed.	Prior to issuance of a grading and/or building permit.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, the representative shall investigate, take appropriate corrective action, and report the action to the City. • During the entire active construction period, equipment, tools, and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds), wherever feasible. During the entire active construction period, stationary noise sources shall be located as far from sensitive receivers as possible, muffled, and enclosed within temporary sheds or insulation barriers, or other measures for equivalent noise reduction will be incorporated to the extent feasible. • The contractor shall be required to use impact tools that are hydraulically or electrically powered wherever feasible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools. • Stockpiling of materials shall be located as far as feasible from nearby noise-sensitive receptors. • Signs shall be posted at the job site entrance(s) to reinforce the prohibition of unnecessary engine idling. All equipment shall be turned off if not in use for more than five minutes.						

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
• Use of stereos and other amplified noise not necessary for the completion of construction work shall be prohibited. During the entire active construction period and to the extent feasible, the use of noise producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only. The construction manager shall ensure the use of use smart back-up alarms, which automatically adjust the alarm level based on the background noise level or switch off back-up alarms and replace with human spotters in compliance with safety requirements and laws.						
NOI-2 Alternative Construction Equipment						
Prior to the issuance of a grading and building permit, the following measures shall be included as notes on all construction plans: Construction activities that utilize large earthmoving equipment (rated at 100 hp or more) within 15 feet of offsite residential structures shall be conducted with small offroad equipment limited to 100 hp or less.	The project Applicant, under the direction of the City, shall prepare a noise control plan with notes that state NOI-2 equipment requirements on the plans.	City shall be responsible for ensuring that the noise control plan is accurately described and followed.	Prior to issuance of a grading and/or building permit.			
Transportation						
T-2 Bicycle Improvements						
The applicant shall include bicycle parking at the proposed small parking lot for the open space area in the northern area of the project site. The number of bicycle parking spaces shall be no less the number of vehicle parking spaces provided at the parking lot. The design and finish of the bicycle parking (e.g., bicycle rack, bicycle lockers, etc.) shall use natural colors, such as shades of green and tan found in the surrounding open space area to the north. The project applicant shall also include a Class III bicycle land on the proposed internal circulation road. The Class III bicycle lane shall extend the full length of	The project Applicant, under the direction of the City, shall ensure the inclusion of bicycle parking for the open space area in the northern area of the project site prior to completion of construction activities.	The City is responsible for ensuring that bicycle parking has been implemented. The construction contractor is responsible for implementing the bicycle parking during construction activities.	Prior to the issuance of a certificate of occupancy.			

Mitigation Measure	Implementing Action	Implementation Monitoring & Reporting Responsibility	Implementing Timing Requirements	Compliance Verification		
				Initial	Date	Comments
the internal access road, effectively providing a bicycle-lane connections between existing Dunes Street at the north end and Canal Street at the south end.						

Appendix A

Comment Letters

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

September 16, 2025

Jamie Peltier
City of Oxnard
214 South C Street
Oxnard, CA 93030
Jamie.Peltier@oxnard.org

Subject: Draft Environmental Impact Report for the Avalon Homes Project, SCH No. 2016051075, Ventura, CA

Dear Jamie Peltier:

The California Department of Fish and Wildlife (CDFW) reviewed the Draft Environmental Impact Report (DEIR) from the City of Oxnard (City) for the Avalon Homes Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines[1]. 1

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

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. 2

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for

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

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law[2] of any species protected under the California Endangered Species Act (CESA; Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: Oxnard Dunes, LLC

Objective: The proposed Project involves the construction of 65 residential dwelling units on the southern 8.75 acres of a 38.33-acre property. The property would be subdivided into residential lots and five open space lots. The remaining 29.58 acres in the northern portion would mainly remain undeveloped. This area is proposed to be preserved for open space under a restoration plan. Improvements in this area would include a small parking lot and two loop trails, which total approximately 1.5 acres. Primary Project activities include site preparation, grading, and construction.

Location: The Project site is located on Assessor's Parcel Numbers 196-001-022, 196-001-023, and 196-001-027 in the City of Oxnard in Ventura County. It is at the southeastern corner intersection of Harbor Boulevard and West Fifth Street, north of the existing Oxnard Dunes Subdivision. The site is accessible from Dunes Street off of Harbor Boulevard to the west and Canal Street off of West Wooly Road to the south. East of the site is the Edison Canal, which runs generally north to south.

Timeframe: The Project is proposed to occur Fall 2026 to 2028.

3

Biological Setting: The Project site is currently undeveloped with existing vegetation. The surrounding area is largely comprised of agricultural and residential land. The northern portion of the Project site extends into the Resource Protection land use designation, which includes Environmental Sensitive Habitat Areas (ESHA) associated with the Oxnard dunes and riparian vegetation.

A biological assessment was prepared in January 2014 by Impact Sciences, Inc., and a field survey was performed in 2014 and 2016 by Impact Sciences, Inc. and Rincon biologists. A field survey was conducted in October 2024 by Rincon biologists. Four vegetation associations were recorded during the 2014 biological assessment of the Project site. These include the *Ericameria ericoides* Shrubland Alliance (State Rank (S) 3; 24.94 acres), *Salix lasiolepis* Shrubland Alliance (S4; 9.56 acres), *Carpobrotus* Semi-Natural Herbaceous Stand (2.96 acres), and ornamental landscaping (0.32 acre). These vegetation associations were consistent with the findings of the 2024 field survey. No

[2] "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

focused surveys were conducted. Yellow warbler (*Setophaga petechia*; California Species of Special Concern (SSC)) was observed on site in 2014 and 2016.

Special-status species that are of potential concern include, but are not limited to, least Bell's vireo (*Vireo bellii pusillus*; Endangered Species Act (ESA)-listed endangered; CESA-listed endangered), Orcutt's pincushion (*Chaenactis glabriuscula var. orcuttiana*; California Rare Plant Rank (CRPR) 1B.1), Ventura Marsh milk-vetch (*Astragalus pycnostachyus var. lanosissimus*; ESA-listed endangered; CESA-listed endangered; CRPR 1B.1), Southern California legless lizard (*Anniella stebbinsi*; SSC), yellow warbler, nesting birds, and raptors.

The DEIR proposes mitigation measures regarding a pre-construction botanical survey, a mitigation plan, a nesting bird survey, the establishment appropriate buffers during grading and construction, biological monitoring, protection and enhancement of the resource protection designated area, management of residential landscaping, consultation with regulatory agencies, a revegetation plan, and protection measures during construction. 3

Project History: CDFW previously commented on the NOP in 2016 and the initial DEIR in 2020. Comments addressed special-status flora and fauna species and potential impacts to streams.

COMMENTS AND RECOMMENDATIONS

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

COMMENT # 1: Impacts to Mock Heather Scrub

Issue: *Ericameria ericoides* Shrubland Alliance, or mock heather scrub, will be impacted by Project activities.

Specific impact: The Project proposes development within mock heather scrub but does not provide compensatory mitigation for adverse impacts.

Why impact would occur: The Project proposes to impact 4.44 acres of mock heather scrub in order to construct the residential housing. The implementation of the Project will include grading, vegetation clearing for construction, and other activities that may result in direct mortality, population declines, or local extirpation of the sensitive plant species. Mock heather scrub is considered an ESHA in the Oxnard Coastal Land Use Plan and a S3 sensitive natural community. While CDFW appreciates the implementation of BIO-6(b), which addresses revegetation for impacted jurisdictional wetland/habitat, there are concerns that mock heather scrub will not be considered for revegetation, particularly in areas that are not within jurisdictional wetland/habitat. Mock 4

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

heather scrub serves as a buffer on the Project site between the preserved habitat and residential community in the south. The vegetation alliance may act as a habitat to multiple special-status wildlife and plant species. Compensatory mitigation is necessary to help offset the overall decline of this sensitive vegetation community given the rarity and potential cumulative loss of dune habitat along the coast. Additionally, according to the DEIR, an increase of dense development in the west and south has reduced the extent to which onshore winds affect natural processes of dune formation and vegetation growth. Compensatory mitigation would help reduce this adverse impact by providing supplemental habitat.

Evidence impact would be significant: CDFW considers plant communities, alliances, and associations with a statewide ranking of S1, S2, S3 and S4 as sensitive and declining at the local and regional level (Sawyer et al. 2008). An S3 ranking indicates there are 21-80 occurrences of this community in existence in California, S2 has 6-20 occurrences, and S1 has less than 6 occurrences. The Project may have direct or indirect effects to these sensitive species.

Impacts to special-status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to these sensitive plant species will result in a project(s) continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS). 4

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Mitigation Measure #1: Compensatory Mitigation

CDFW recommends avoiding any sensitive natural communities, specifically *Ericameria ericoides* Shrubland Alliance (mock heather scrub), found within or near the Project. If avoidance is not feasible, mitigating at a minimum ratio of 2:1 should be implemented. This ratio should be for the acreage and the individual plants that comprise each unique community. All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan by a qualified restoration biologist for review and approval by the City prior to any ground disturbance. The restoration plan should include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and, a funding mechanism to assure for in perpetuity management and reporting. Areas proposed as mitigation should have a recorded conservation easement and be dedicated to an entity which has been approved to hold/manage lands (Assembly Bill 1094; Government Code, §§ 65965-65968).

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

COMMENT # 2: Impacts to Least Bell's Vireo

Issue: The DEIR does not provide mitigation measures to reduce impacts to least Bell's vireo.

Specific impact: The DEIR states that least Bell's vireo has the potential to occur on site; however, focused surveys were not conducted prior to circulation, and mitigation measures were not included.

Why impact would occur: Least Bell's vireo was observed within the Project footprint in 2009.The DEIR states that "arroyo willow thickets provide marginal habitat for least Bell's vireo." CDFW disagrees that least Bell's vireo has a low potential to occur due to suitable habitat and a recent occurrence on site. Construction during the breeding season of nesting birds could potentially result in the incidental loss of breeding success or otherwise lead to nest abandonment. Noise from construction activities, generators, and heavy equipment may disrupt vireo mating calls or songs, which could impact reproductive success (Patricelli and Blickley 2006, Halfwerk et al. 2011). Although there is potential for least Bell's vireo to occur during Project activities, the DEIR incorporates a general pre-construction nesting bird survey rather than focused surveys for this listed species. Without focused surveys, the Project may result in missed detection of least Bell's vireo and adverse impacts. Adverse impacts that may occur to least Bell's vireo includes, but is not limited to, direct injury, direct mortality by heavy machinery, or entrapment. 5

Evidence impact may be significant: There are only a few populations and breeding pairs of least Bell's vireo remaining. Project construction and activities resulting in loss of breeding pairs or nestlings or habitat supporting least Bell's vireo may result in the Project potentially causing a wildlife population to drop below self-sustaining levels; threaten to eliminate an animal community; or substantially reduce the number of restrict the range of an endangered, rare, or threatened species (CEQA Guidelines, § 15065).

CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. Inadequate avoidance, minimization, and mitigation measures for impacts on the least Bell's vireo will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on a wildlife species identified as special status by CDFW and USFWS. As to CESA, take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting.

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Mitigation Measure #2: Least Bell's Vireo Focused Surveys

The Project proponent shall retain a qualified biologist to conduct protocol surveys for least Bell's vireo. The qualified biologist shall conduct surveys according to the United States Fish and Wildlife Service's Least Bell's Vireo Survey Guidelines[3] (USFWS 2001). Per protocol, all potential least Bell's vireo habitat shall be surveyed at least eight times during the period from April 10 through July 31. CDFW recommends CDFW and USFWS shall be notified of survey findings, including negative findings, within 45 calendar days following the completion of protocol-level surveys.

If least Bell's vireo is identified within 500 linear feet of Project activities, the Project Proponent shall develop a plan to completely avoid impacts to the species and submit to CDFW for review and approval. The Project Proponent shall not conduct any Project activities within 1000 linear feet of occupied habitat from March 1 through July 15. The Project Proponent shall not conduct any Project activities within 500 linear feet of occupied habitat from July 15 to September 15. If full avoidance cannot be accomplished, the Project Proponent shall postpone the Project until appropriate CESA authorization is obtained. 5

Mitigation Measure #3: Incidental Take Permit

If take or adverse impacts to least Bell's vireo cannot be avoided, the Project Proponent shall consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.

Recommendation #1: ESA Consultation

Take under the ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. CDFW recommends consultation with the USFWS, in order to comply with ESA, well in advance of any ground-disturbing activities and/or vegetation removal that may impact least Bell's vireo.

[3] https://www.fws.gov/sites/default/files/documents/survey-protocol-for-least-bells-vireo.pdf

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

COMMENT # 3: Impacts to Special-Status Plants

Issue: Mitigation measure BIO-1(a) may not adequately avoid or minimize Project impacts on special-status plants.

Specific impact: Ground-disturbing activities (i.e., vegetation removal and grading) may result in loss of suitable habitat, loss of population, and direct mortality of special-status plants. The DEIR does not provide avoidance buffers for special-status plants if they are observed on site.

Why impact would occur: According to the DEIR, there is a moderate potential for Orcutt's pincushion to occur within the Project site due to suitable coastal bluff scrub habitat. Additionally, Ventura marsh milk-vetch was observed approximately 100 feet north of the Project site. While CDFW appreciates inclusion of mitigation measure BIO-1(a) to conduct a pre-construction botanical survey, there is no inclusion of an avoidance buffer if a special-status species does occur on site. A lack of avoidance buffers around special-status plant species may result in adverse impacts due to Project activities occurring in proximity. CDFW recommends a minimum 50-foot buffer around special-status plant species. Biological buffer zones may be determined by a qualified botanist based on the species and environmental context (adjacent land uses, etc.) with 50 feet as the minimum. 6

Evidence impact would be significant: Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Plants with a CRPR of 1B are rare throughout their range, endemic to California, and are seriously or fairly threatened.

Impacts to any sensitive or special status species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. The Project and environmental document should be conditioned to avoid and/or mitigate for potential impacts to special-status plants if present. Inadequate avoidance, minimization, and mitigation measures for impacts to sensitive or special status species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species by CDFW.

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Mitigation Measure #4: Rare Plant Survey

Within one year prior to the commencement of ground-disturbing activities, habitat assessment surveys for the special-status plants shall be conducted by a qualified

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

botanist. Surveys shall be in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities[4] (CDFW 2018) and Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants[5] (USFW 2000) at the appropriate time of year when the target species would be in flower or otherwise clearly identifiable. Locations of special-status plant populations shall be clearly identified in the field by staking, flagging, or fencing a minimum 50-foot-wide buffer around them prior to the commencement of activities that may cause disturbance.

Mitigation Measure #5: Pre-Construction Botanical Survey – The City should revise BIO-1(a) to incorporate the underlined language and omit language in strikethrough:

Prior to issuance of a grading permit for the project, spring and summer seasonal botanical surveys for special status plants, including but not limited to Orcutt's pincushion, shall be conducted within the impact area by a qualified botanist satisfactory to the City. All occurrences of special status species will be mapped and occurrences within 100 feet of the project activities shall be flagged in the field. A minimum of a 50-foot buffer shall be placed around all known locations of special-status species within 100-feet of project activities to avoid potential impacts to seed banks and microhabitats that support the species. These buffers shall be flagged/fenced and avoided during construction. A summary of the survey findings shall be provided to the City for approval. If any special status species are observed, avoidance, minimization, and/or mitigation shall be performed to reduce effects. If the species cannot be fully avoided, the Applicant shall draft a plan to offset impacts to the species as discussed in Mitigation Measure BIO-1(b). If state-listed endangered, threatened, or rare plants are detected in areas proposed for development, the Applicant shall contact the CDFW to secure incidental take authorization or develop an avoidance strategy. 6

COMMENT # 4: Impacts to SSC

Issue: SSC may be adversely impacted by Project buildout.

Specific impact: Direct impacts to SSC reptiles could result from Project construction and activities (e.g., equipment staging, mobilization, and grading); ground disturbance; vegetation clearing; and trampling or crushing from construction equipment, vehicles, and foot traffic. Additionally, relocation of species may result in adverse impacts during trapping and/or transit. 7

Why impact would occur: The City acknowledges the potential presence of Southern California legless lizard and provides mitigation measure BIO-3, which describes the presence of a qualified biologist and relocation strategies. Based on the mitigation measure, there is no indication that the qualified biologist will conduct a pre-construction

[4] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline
[5] https://cnps.org/wp-content/uploads/2019/10/Bot-Cert_US-Fish-and-Wildlife-Service-guidelines-botanical-inventories-LR.pdf

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

survey prior to Project activities. This may allow species to be present within the Project site and go undetected until activities commence. CDFW recommends a pre-construction survey be conducted within three days prior to the initiation of ground disturbing activities to further avoid adverse effects to SSC. Moreover, actively relocating species out of the Project site may result in incidental injury or physical distress, especially during the transit process. While relocation activities may be warranted, species should be given the opportunity to move out of harm's way on their own accord.

Evidence impact would be significant: A California Species of Special Concern is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

1. if the species is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role;
2. if the species is listed as threatened or endangered under ESA-, but not CESA-, threatened, or endangered;
3. if the species meets the State definition of threatened or endangered but has not formally been listed;
4. if the species is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status; and,
5. if naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for CESA threatened or -endangered status (CDFW 2025).

7

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Mitigation Measure #6: Biological Monitoring – The City should revise BIO-3 to incorporate the underlined language and omit language in strikethrough:

A qualified biologist ~~biological monitor familiar with globose dune beetle and southern California legless lizard~~ shall conduct surveys for special-status wildlife, including globuse dune beetle and southern California legless lizard, three days prior to the initiation of and be present during initial ground-disturbing activities (including, but not limited to, site preparation, grading, excavation, and trenching) ~~within suitable habitat for these species~~. The qualified biologist ~~biological monitor~~ shall have the authority to temporarily stop work if one or more individuals are observed. Individuals of these species that are found shall be relocated to suitable undisturbed habitat, outside of the areas directly and indirectly (e.g., noise) affected by ground disturbance activities, as determined by the qualified biologist. The qualified biologist, with the appropriate

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

permits, shall conduct surveys and relocation activities according to methods approved by CDFW. If a special-status species is found, the qualified biologist shall contact CDFW, and the species shall be passively ushered out of harm's way to an area that is unaffected by the Project. If the Project requires special-status species to be removed, disturbed, or otherwise handled, the qualified biologist shall prepare a species-specific list (or plan) of proper handling and passive relocation protocols. The list (or plan) of protocols shall be implemented during Project construction and activities/biological construction monitoring. ~~The monitor shall then relocate these individuals to suitable undisturbed habitat, outside the areas directly and indirectly affected by ground disturbance activities.~~ 7

COMMENT # 5: Impacts to Nesting Birds and Raptors

Issue: Mitigation Measures BIO-2(a) and BIO-2(b) may be improved to ensure adequate surveys occur prior to the start of construction.

Specific impact: Project activities such as tree removal and vegetation clearing may result in mortality or injury to individual birds and raptors present within the Project site. Additionally, the DEIR does not include the implementation of an avoidance buffer.

Why impact would occur: Yellow warbler was observed within the Project site due to the adjacent riparian habitat. Bird species can construct nests and begin laying eggs in less than seven days. Therefore, a pre-construction nesting bird survey scheduled within one week prior to construction may miss some instances of nesting. To minimize the chances of missing nests, CDFW recommends scheduling the survey within three days before the start of ground disturbing activities and/or vegetation clearing. Additionally, the mitigation measures do not include an avoidance buffer in the event a nesting bird is observed on site. Disturbance too close to the nest may impact the parents' ability to forage effectively and reduce nestlings' chances of survival. In some cases, disturbance can cause the parents to abandon the nest completely. 8

Evidence impact would be significant: Sections 3503, 3503.5, and 3513 of the Fish and Game Code protect nesting and migratory birds and birds of prey. Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto. Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto. Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the federal Migratory Bird Treaty Act.

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

Mitigation Measure #7: Nesting Bird Survey – The City shall revise MM-BIO-2(a) to incorporate the underlined language and omit the language in strikethrough:

If grading or tree removal is to occur during the bird-breeding season (January 1 through September 15), at a minimum, one (1) survey shall be conducted prior to the initiation of grading or tree removal by a qualified biologist (a person with ~~a biology degree and/or~~ established skills in bird recognition). The survey shall occur no more than ~~one (1) week~~ three days prior to grading or tree removal. The work limits plus a 500-foot buffer, as feasible, shall be surveyed to accommodate potential active raptor nests, as well as other birds nesting nearby. A copy of the biologist contract for these services shall be submitted to the Planning Department for review and approval prior to issuance of grading permits. A report summarizing the findings of the survey and the recommended buffers shall be provided to the Planning Department prior to vegetation removal activities. 8

Mitigation Measure #8: Establishment of Appropriate Buffers During Grading and Construction – The City shall revise MM-BIO-2(b) to incorporate the underlined language and omit the language in strikethrough:

Based on the nesting bird survey, in the event that nesting birds are observed within 500 feet of the disturbance/construction area, the following buffers shall be established: 1) no work within 300 feet of a non-listed nesting migratory bird nest, and 2) no work within 500 feet of a listed bird or raptor nest. The species-specific exclusionary buffers shall be implemented as determined by the qualified biologist, and construction timing and location shall be adjusted accordingly until the nestlings have fledged and are no longer dependent upon the nest. The active nests and exclusionary buffers shall be monitored by a qualified biologist ~~(at least initially)~~ to determine if the active nests are being adversely affected by construction activities and to determine if a buffer would need to be increased to reduce such effects. If construction must take place within the recommended buffer widths above, the Project applicant will contact the City and Wildlife Agencies to determine the appropriate buffer.

ADDITIONAL COMMENTS

Mitigation and Monitoring Reporting Plan. CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a mitigation monitoring and reporting plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The Lead Agency is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment A). 9

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

Fencing. Fencing associated with trail creation and maintenance could obstruct wildlife movement and result in wildlife injury or mortality due to impalement and entanglement (e.g., chain link fencing). CDFW recommends the City provide wildlife friendly fencing designs within the northern preserve on site. Fencing designs should be disclosed and evaluated in the FEIR for potential impacts on biological resources and wildlife movement. The FEIR should discuss how fencing proposed for the Project would minimize impacts on biological resources, specifically wildlife movement. CDFW supports the use of wildlife-friendly fencing. Wildlife-friendly fencing should be used and strategically placed in areas of high biological resource value to protect biological resources, habitat, and wildlife movement. CDFW recommends A Landowner's Guide to Wildlife Friendly Fences[6] for information wildlife-friendly fences (MFWP 2012). 10

Lake and Streambed Alteration Agreement Acknowledgement. CDFW concurs with MM BIO-6(a) to coordinate with CDFW pursuant to Fish and Game Code, section 1600 et seq. The Project proponent should notify prior to any Project construction or activities. Based on this notification and other information, CDFW determines whether an LSA with the Project proponent is required prior to conducting the proposed activities. Please visit the Lake and Streambed Alteration[7] Program webpage to obtain a notification package for an LSA. We look forward to further coordination with the City, and receipt of the streambed notification package for the Project. 11

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB website[8] provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms. 12

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the Combined Rapid Assessment and Relevé Form[9].

The City should ensure data collected for the preparation of the DEIR is properly submitted.

[6] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=134713&inline
[7] https://wildlife.ca.gov/Conservation/Environmental-Review/LSA
[8] https://wildlife.ca.gov/Data/CNDDB
[9] https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.) 13

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist the City in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of any forthcoming hearing date(s) for the Project (CEQA Guidelines, § 15073(e)). 14

Questions regarding this letter or further coordination should be directed to Joleena De La Fe[10], Environmental Scientist.

Sincerely,

DocuSigned by:
5991E19EF8094C3...
Victoria Tang
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

ec: California Department of Fish and Wildlife
Victoria Tang, Environmental Program Manager
Frederic (Fritz) Rieman, Senior Environmental Scientist (Supervisor)
Joleena De La Fe, Environmental Scientist

Office of Land Use and Climate Innovation
State.Clearinghouse@lci.ca.gov

REFERENCES

[CDFW] California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural

[10] Phone: (858) 354-3527; Email: joleena.delafe@wildlife.ca.gov

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

Communities. Available from: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline

Halfwerk, W., Holleman, L.J.M., Lessells, Ck.M., Slabbekoorn, H. 2011. Negative impact of traffic noise on avian reproductive success. Journal of Applied Ecology 48:210–219.

[MFWP] Montana Fish, Wildlife and Parks. 2012. A Landowner's Guide to Wildlife Friendly Fences: How to Build Fence with Wildlife in Mind. Second Edition Revised and Updated. Available from: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=134713&inline

Patricelli, G., and J.J.L. Blickley. 2006. Avian communication in urban noise: causes and consequences of vocal adjustment. Auk 123:639–649.

[UFWS] United States Fish & Wildlife Service. 2000. Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants. Available from: https://cnps.org/wp-content/uploads/2019/10/Bot-Cert_US-Fish-and-Wildlife-Service-guidelines-botanical-inventories-LR.pdf

[USFWS] United States Fish and Wildlife Service. 2001. Least Bell's Vireo Survey Guidelines. Available from: https://www.fws.gov/sites/default/files/documents/survey-protocol-for-least-bells-vireo.pdf

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

ATTACHMENT A: DRAFT MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Mitigation Measure	**Timing**	**Responsible Party**
Mitigation Measure #1: Compensatory Mitigation CDFW recommends avoiding any sensitive natural communities, specifically *Ericameria ericoides* Shrubland Alliance (mock heather scrub), found within or near the Project. If avoidance is not feasible, mitigating at a minimum ratio of 2:1 should be implemented. This ratio should be for the acreage and the individual plants that comprise each unique community. All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan by a qualified restoration biologist for review and approval by the City prior to any ground disturbance. The restoration plan should include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and, a funding mechanism to assure for in perpetuity management and reporting. Areas proposed as mitigation should have a recorded conservation easement and be dedicated to an entity which has been approved to hold/manage lands (Assembly Bill 1094; Government Code, §§ 65965-65968).	Prior to Project Initiation/After Project Completion	Lead Agency/Project Proponent
Mitigation Measure #2: Least Bell's Vireo Focused Surveys The Project proponent shall retain a qualified biologist to conduct protocol surveys for least Bell's vireo. The qualified biologist shall conduct surveys according to the	Prior to Project Initiation/During Project Construction	Qualified Biologist/Project Proponent

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

Mitigation Measure	Timing	Responsible Party
United States Fish and Wildlife Service's Least Bell's Vireo Survey Guidelines[11] (USFWS 2001). Per protocol, all potential least Bell's vireo habitat shall be surveyed at least eight times during the period from April 10 through July 31. CDFW recommends CDFW and USFWS shall be notified of survey findings, including negative findings, within 45 calendar days following the completion of protocol-level surveys. If least Bell's vireo is identified within 500 linear feet of Project activities, the Project Proponent shall develop a plan to completely avoid impacts to the species and submit to CDFW for review and approval. The Project Proponent shall not conduct any Project activities within 1000 linear feet of occupied habitat from March 1 through July 15. The Project Proponent shall not conduct any Project activities within 500 linear feet of occupied habitat from July 15 to September 15. If full avoidance cannot be accomplished, the Project Proponent shall postpone the Project until appropriate CESA authorization is obtained.		
Mitigation Measure #3: Incidental Take Permit If take or adverse impacts to least Bell's vireo cannot be avoided, the Project Proponent shall consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.	Prior to Project Initiation	Project Proponent

[11] https://www.fws.gov/sites/default/files/documents/survey-protocol-for-least-bells-vireo.pdf

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

Mitigation Measure	Timing	Responsible Party
Recommendation #1: ESA Consultation Take under the ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. CDFW recommends consultation with the USFWS, in order to comply with ESA, well in advance of any ground-disturbing activities and/or vegetation removal that may impact least Bell's vireo.	Prior to Project Initiation	Project Proponent/Lead Agency
Mitigation Measure #4: Rare Plant Survey Within one year prior to the commencement of ground-disturbing activities, habitat assessment surveys for the special-status plants shall be conducted by a qualified botanist. Surveys shall be in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities[12] (CDFW 2018) and Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants[13] (USFW 2000) at the appropriate time of year when the target species would be in flower or otherwise clearly identifiable. Locations of special-status plant populations shall be clearly identified in the field by staking, flagging, or fencing a minimum 50-foot-wide buffer around them prior to the commencement of activities that may cause disturbance.	Prior to Project Initiation	Qualified Biologist/Project Proponent

[12] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline
[13] https://cnps.org/wp-content/uploads/2019/10/Bot-Cert_US-Fish-and-Wildlife-Service-guidelines-botanical-inventories-LR.pdf

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

Mitigation Measure	Timing	Responsible Party
Mitigation Measure #5: Pre-Construction Botanical Survey - The City should revise BIO-1(a) to incorporate the underlined language and omit language in strikethrough: Prior to issuance of a grading permit for the project, spring and summer seasonal botanical surveys for special status plants, including but not limited to Orcutt's pincushion, shall be conducted within the impact area by a qualified botanist satisfactory to the City. All occurrences of special status species will be mapped and occurrences within 100 feet of the project activities shall be flagged in the field. A minimum of a 50-foot buffer shall be placed around all known locations of special-status species within 100-feet of project activities to avoid potential impacts to seed banks and microhabitats that support the species. These buffers shall be flagged/fenced and avoided during construction. A summary of the survey findings shall be provided to the City for approval. If any special status species are observed, avoidance, minimization, and/or mitigation shall be performed to reduce effects. If the species cannot be fully avoided, the Applicant shall draft a plan to offset impacts to the species as discussed in Mitigation Measure BIO-1(b). If state-listed endangered, threatened, or rare plants are detected in areas proposed for development, the Applicant shall contact the CDFW to secure incidental take authorization or develop an avoidance strategy.	Prior to Project Initiation	Lead Agency
Mitigation Measure #6: Biological Monitoring - The City should revise BIO-3 to incorporate the underlined language and omit language in strikethrough: A qualified biologist ~~biological monitor familiar with globose dune beetle and southern California legless lizard~~ shall conduct surveys for special-status wildlife, including globuse dune beetle and southern California legless lizard, three days	Prior to Project Initiation	Lead Agency

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

Mitigation Measure	Timing	Responsible Party
prior to the initiation of and be present during initial ground-disturbing activities (including, but not limited to, site preparation, grading, excavation, and trenching) ~~within suitable habitat for these species~~. The qualified biologist ~~biological monitor~~ shall have the authority to temporarily stop work if one or more individuals are observed. Individuals of these species that are found shall be relocated to suitable undisturbed habitat, outside of the areas directly and indirectly (e.g., noise) affected by ground disturbance activities, as determined by the qualified biologist. The qualified biologist, with the appropriate permits, shall conduct surveys and relocation activities according to methods approved by CDFW. If a special-status species is found, the qualified biologist shall contact CDFW, and the species shall be passively ushered out of harm's way to an area that is unaffected by the Project. If the Project requires special-status species to be removed, disturbed, or otherwise handled, the qualified biologist shall prepare a species-specific list (or plan) of proper handling and passive relocation protocols. The list (or plan) of protocols shall be implemented during Project construction and activities/biological construction monitoring. ~~The monitor shall then relocate these individuals to suitable undisturbed habitat, outside the areas directly and indirectly affected by ground disturbance activities.~~		
Mitigation Measure #7: Nesting Bird Survey - The City shall revise MM-BIO-2(a) to incorporate the underlined language and omit the language in strikethrough: If grading or tree removal is to occur during the bird-breeding season (January 1 through September 15), at a minimum, one (1) survey shall be conducted prior to the initiation of grading or tree removal by a qualified biologist (a person with ~~a biology degree and/or~~ established skills in bird recognition). The survey shall occur no more than ~~one (1) week~~ three days prior to grading or tree removal. The work	Prior to Project Initiation	Lead Agency

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

Mitigation Measure	**Timing**	**Responsible Party**
limits plus a 500-foot buffer, as feasible, shall be surveyed to accommodate potential active raptor nests, as well as other birds nesting nearby. A copy of the biologist contract for these services shall be submitted to the Planning Department for review and approval prior to issuance of grading permits. A report summarizing the findings of the survey and the recommended buffers shall be provided to the Planning Department prior to vegetation removal activities.		
Mitigation Measure #8: Establishment of Appropriate Buffers During Grading and Construction - The City shall revise MM-BIO-2(b) to incorporate the underlined language and omit the language in strikethrough: Based on the nesting bird survey, in the event that nesting birds are observed within 500 feet of the disturbance/construction area, the following buffers shall be established: 1) no work within 300 feet of a non-listed nesting migratory bird nest, and 2) no work within 500 feet of a listed bird or raptor nest. The species-specific exclusionary buffers shall be implemented as determined by the qualified biologist, and construction timing and location shall be adjusted accordingly until the nestlings have fledged and are no longer dependent upon the nest. The active nests and exclusionary buffers shall be monitored by a qualified biologist ~~(at least initially)~~ to determine if the active nests are being adversely affected by construction activities and to determine if a buffer would need to be increased to reduce such effects. If construction must take place within the recommended buffer widths above, the Project applicant will contact the City and Wildlife Agencies to determine the appropriate buffer.	Prior to Project Initiation	Lead Agency

Docusign Envelope ID: 668605E1-B896-4861-8040-271141EF292B

Mitigation Measure	Timing	Responsible Party
Fencing. Fencing associated with trail creation and maintenance could obstruct wildlife movement and result in wildlife injury or mortality due to impalement and entanglement (e.g., chain link fencing). CDFW recommends the City provide wildlife friendly fencing designs within the northern preserve on site. Fencing designs should be disclosed and evaluated in the FEIR for potential impacts on biological resources and wildlife movement. The FEIR should discuss how fencing proposed for the Project would minimize impacts on biological resources, specifically wildlife movement. CDFW supports the use of wildlife-friendly fencing. Wildlife-friendly fencing should be used and strategically placed in areas of high biological resource value to protect biological resources, habitat, and wildlife movement. CDFW recommends A Landowner's Guide to Wildlife Friendly Fences[14] for information wildlife-friendly fences (MFWP 2012).	Prior to Project Initiation	Lead Agency

[14] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=134713&inline

DEPARTMENT OF TRANSPORTATION
DISTRICT 7
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 269-1124
FAX (213) 897-1337
TTY 711
www.dot.ca.gov

Making Conservation
a California Way of Life

September 18, 2025

Jamie Peltier, Planning Supervisor
Community Development Department
City of Oxnard
214 South C Street
Oxnard, CA 93030

RE: Avalon Homes Project
SCH # 2016051075
Vic. VEN-101/PM R24.65,
VEN-1/PM R15.11,
VEN-34/PM 6.29,
GTS # VEN-2019-00649-RDEIR

Dear Jamie Peltier:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced environmental document. The project would include the construction of a maximum of 65 residential dwelling units. The property would be subdivided into 17 residential lots and five open space lots. Proposed Tentative Tract Map 5888 would create 15 individual lots for the 15 single family residences or 30 duplex residences and two lots for 35 single family residential clustered condominium units.

Two of the five open space lots (totaling 29.58 acres) are designated and zoned for Resource Protection (R-P) and would remain undeveloped, except for minimal improvements to allow controlled public access. Together with land already owned by the City of Oxnard, this component of the project would preserve the designated sensitive habitat within the "Northern Dunes Area" shown in the Coastal Land Use Plan. The three remaining open space or common lots would include a drainage mitigation area, open space at the project gated entry and a private community recreation area. The project includes a restoration plan for the Northern Dunes Area, which details the access and management proposed for this area.

1

The Recirculated Draft EIR identifies a significant and unavoidable impact for the Transportation resource area. This significant and unavoidable impact includes mitigation and is associated with conflicts with Section 15064.3 of the CEQA Guidelines as it relates to Vehicle Miles Traveled (VMT).

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. As a reminder, all environmental document should include Vehicle Miles Traveled. You may reference the Governor's Office of Planning and Research (OPR) for more information:

https://opr.ca.gov/ceqa/#guidelines-updates

The Project includes sidewalks and walking trails that align with applicable RTP/SCS policies, such as Policy 03, which encourages the development of multi-modal streets that accommodate walking, biking, and driving. The proposed loop paths within the northern open space area would connect to the sidewalk network along the new internal circulation road, providing opportunities for pedestrians and bicyclists to access the broader transportation system in Oxnard. This design is also consistent with the goals of the Oxnard Sustainable Transportation Plan. 2

While the Project may incrementally increase transit use, the applicant would be required to pay City of Oxnard traffic impact fees, which would contribute to improvements and expansion of local transit facilities.

The Project is projected to result in 14.35 VMT per capita within the TAZ. By comparison, the countywide baseline VMT per capita in 2016 was 13.77 miles, with the CEQA significance threshold set at 15 percent below baseline, or 11.70 miles. Because the Project's VMT per capita exceeds the 11.70 threshold, it would potentially conflict with CEQA Guidelines Section 15064.3(b), and impacts are considered potentially significant.

Caltrans concurs with Mitigation Measure T-2 (Bicycle Improvements), which requires the applicant to provide bicycle parking at the small parking lot within the northern open space area. The number of bicycle spaces should be no fewer than the number of vehicle spaces, and bicycle racks or lockers should be designed in natural colors to blend with the surrounding open space. In addition,

the applicant would provide a Class III bicycle lane along the full length of the internal circulation road, creating a continuous bicycle connection between Dunes Street at the north end and Canal Street at the south end.

However, even with implementation of Mitigation Measure T-2 and the proposed multimodal features, the Project's VMT per capita would continue to exceed the CEQA threshold. As such, transportation impacts related to VMT would remain significant and unavoidable.

The Project is anticipated to exceed the CEQA threshold for VMT and therefore results in a significant transportation impact. While existing transit services such as Routes 1, 34, and 101 are located at some distance from the site, the Project would contribute to increased trips on these corridors as well as additional congestion and delay on local streets, freeway ramps, and key intersections. 2

To reduce these potential impacts, Caltrans recommends that the City consider implementing a comprehensive Transportation Demand Management (TDM) program. Potential measures include enhancing transit access through shuttle or micro-transit service, improving nearby bus stop facilities, and offering transit subsidies to residents. Expansion of active transportation infrastructure should also be prioritized, including improved bicycle and pedestrian connections, secure bike parking, bike-share facilities, and wayfinding signage. On-site mobility solutions such as EV charging, carpool support, real-time mobility information, and designated live/work units could further reduce reliance on single-occupancy vehicle trips.

Finally, we encourage the City to consider applying Complete Streets principles at the design stage to integrate multimodal features such as sidewalks, bike paths, bus stops, and rideshare facilities. Coordinated intersection upgrades may also be needed to accommodate higher volumes of vehicles, bicycles, and pedestrians. Taken together, these strategies would improve the Project's VMT performance and support a safer, more balanced transportation system. 3

Any transportation of heavy construction equipment and/or materials that require the use of oversized transport vehicles on State highways will need a Caltrans transportation permit. Any large-size truck trips be limited to off-peak commute periods for the construction phase and operation phase. Construction truck loads should be covered with a tarpaulin cover. Storm water run-off is a sensitive issue for Los Angeles County. Please be mindful that projects should be designed to discharge clean run-off water. 4

If you have any questions, please feel free to contact Mr. Alan Lin, the project coordinator, at (213) 269-1124 and refer to GTS # VEN-2019-00649-RDEIR. 5

Sincerely,

Miya Edmonson

MIYA EDMONSON
LDR/CEQA Branch Chief

email: State Clearinghouse

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-2801
VOICE (805) 585-1800
FAX (805) 641-1732
WWW.COASTAL.CA.GOV

September 22, 2025

Jamie Peltier, Planning Supervisor
City of Oxnard, Planning Division
214 South C Street
Oxnard, CA 93030

RE: Avalon Homes Subdivision Recirculated Draft Environmental Impact Report SCH # 2016051075 (July 2025)

Dear Ms. Peltier,

Coastal Commission staff has reviewed the Draft Recirculated Environmental Impact Report (DEIR) for the Avalon Homes Subdivision Project and would like to provide the following comments for your consideration. It should be noted that Commission staff has previously provided comments about this project, both in writing and in person. Commission staff sent a comment letter regarding the Notice of Preparation for this DEIR on June 27, 2016 and a comment letter regarding the DEIR on February 21, 2020 (attached). Commission staff also met with the property developers and City of Oxnard staff to discuss the subject project on October 10, 2017 and April 18, 2018, and conducted site visits to the subject property on November 1, 2017 and May 9, 2018. Many of the issues that are discussed in this comment letter were identified and discussed extensively at these meetings and in the previous comment letters, prior to the recirculation of the DEIR dated July 2025.

The Avalon Homes Subdivision Project involves the construction of a maximum of 65 residential dwelling units on 8.75 acres of a 38.33 acre property (Assessor's Parcel Numbers: 196-001-022, 023, and 027). The property is proposed to be subdivided into 17 residential lots (two lots for 35 single family residential clustered condominium units and 15 lots for 15 single family residences or 30 duplex residences), and five open space or common use lots. Two open space lots at the northern portion of the property totaling 29.58 acres would remain undeveloped, except for minimal improvements to allow controlled public access. The three remaining open space or common lots would include a drainage mitigation area, open space at the project gated entry and a private community recreation area. The project site is located at the southeastern corner of the intersection of Harbor Boulevard and West Fifth Street, north of the existing Oxnard Dunes Subdivision. The northern portion of the subject property has a land use designation of Resource Protection and is zoned Coastal Resource Protection (29.6 acres), the purpose of which is to protect, preserve and restore environmentally sensitive habitat areas within the coastal zone of the city. The southern portion of the subject property has a land use designation of Residential Existing and is zoned Coastal Multiple-Family (8.75 acres). 1

The project, as proposed, is located within the jurisdiction of the City of Oxnard Local Coastal Program (LCP). Due to the project's proposed siting, the project is also within the appealable jurisdiction of the Coastal Commission. As such, the proposed project will require a coastal development permit from the City of Oxnard which would be appealable to the Commission.

The project site is situated within and adjacent to areas identified and mapped as an Environmentally Sensitive Habitat Area (ESHA) by the LCP. The DEIR states that existing vegetation throughout the project site consists predominantly of previously disturbed coastal dune scrub. According to the 2014 Biological Assessment, the Mock Heather (*Ericameria ericoides*) Shrubland Alliance is the dominant plant community at the project site and currently covers approximately 24.94 acres. Vegetation cover in this community is patchy and typical of coastal dunes, ranging from open sand with zero cover to 100 percent cover on shrub-dominated low dunes. Arroyo willow thickets (*Salix lasiolepis* Shrubland Alliance) are interspersed within swales throughout the project site and make up approximately 9.56 acres of the site. The willows are characterized as a riparian scrub community that form part of an upland dune/riparian swale complex that is typical of the region, and canopy cover is 100 percent. Ice plant mats (*Carpobrotus* Semi-Natural Herbaceous Stand) cover approximately 2.96 acres in the southern-most portion of the project site. There is also a small amount of ornamental landscaping in localized areas that are immediately adjacent to an existing residential development at the southern end of the site. 1

The DEIR indicates that the proposed project would impact over 8 acres of vegetation, including 4.44 acres of mock heather scrub, 0.91 acre of arroyo willow thickets, and 2.26 acres of ice plant mat vegetation and ornamental landscaping. However, the DEIR states that the only areas that constitute ESHA on the site are the arroyo willow thickets that are interspersed throughout the site, and the mock heather scrub vegetated dunes in the Resource Protection-designated northern portion of the site. The DEIR states that although mock heather scrub and ice plant dune areas exist where residential development is proposed and are also considered dune habitat, they are not considered ESHA because they are more disturbed and are not mapped as ESHA on the City's LCP ESHA Map. The DEIR concludes that only 0.91 acre of biological resources (arroyo willow thicket areas removed within the development footprint) would be impacted by the project. 2

However, the LUP ESHA map is not the only controlling factor in determining the delineation of ESHA. While the LCP gives examples of the types of sensitive habitats that might qualify as ESHA, and also describes the location of some of those areas, there is no indication in the LCP that these described areas represent the only areas within the City's Coastal Zone that meet the criteria to be considered ESHA. The City's LCP incorporates the Coastal Act definition of ESHA. If habitat meets this definition, it must be accorded the protection provided for ESHA by the policies and provisions of the LCP. The City must therefore examine site-specific facts to determine whether habitat present on a project site qualifies as ESHA. Further, site disturbance is also not the only 3

controlling factor in determining whether habitat meets the definition of ESHA. For one thing where, as in this case, disturbance is not the result of permitted development, the habitat should be considered to have the extent and condition that existed prior to any disturbance. Additionally, the rarity of the habitat type must be considered, regardless of the level of disturbance.

Section 30107.5 of the Coastal Act, which is incorporated into the City's LCP, defines ESHA as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments".

In this case, despite the partially disturbed nature of some portions of the project site, the entire site can be characterized as southern dune scrub habitat based on the sandy substrate, evidence of dune morphology, and presence of numerous native dune species. Holland (1986) states that southern dune scrub is a dense coastal scrub community restricted to the coast on stabilized back dune slopes, ridges, and flats and integrating toward the coast with southern foredunes. He describes southern dune scrub as a community composed of scattered shrubs, subshrubs, and herbs, generally less than 1m tall and often developing considerable cover. He states that southern dune scrub is similar to northern and central dune scrub but that it is exposed to a climate that is drier, warmer and less windy. He characterizes southern dune scrub as dominated by *Atriplex leucophylla, Croton californicus, Ephedra californica, Ericameria ericoides, Haplopappus venetus vernoniodes, Lupinus chamissonis, Lycium brevipes, Opuntia littoralis, Rhus integrifolia,* and *Simmondsia chinensis.* Holland found that southern dune scrub "has been virtually eliminated from mainland southern California." 4

The California Department of Fish and Wildlife's Natural Diversity Data Base (CNDDB) plant community descriptions are based on Holland (1986) and the Manual of California Vegetation, Second Edition (2009). The CNDDB natural communities list (2010) identifies southern dune scrub as a rare habitat type and assigns it the highest rarity rankings, classifying it as critically imperiled at both the global and state level (G1, S1.1). The southern dune scrub on the subject property is part of a very small area of remnant southern dune scrub that still exists in the Oxnard area. Previous Commission actions have found that dune habitat, even when disturbed or degraded, and occupied entirely by non-natives, constitutes ESHA because coastal dunes are extremely rare and are easily disturbed and degraded by human activities and development. 5

The Commission's Staff Ecologist, Dr. Jonna Engel, has reviewed the biological assessments for the subject project and conducted two site visits. Dr. Engel's review of the biological assessment and her own observations indicate that the entire project site should be considered southern dune scrub habitat complex that constitutes ESHA based on the sandy substrate, dune morphology, and presence of dune scrub indicator and associated native species throughout the site. The arroyo willow thickets that are interspersed throughout the site are a component of the southern dune scrub habitat complex (backdune swales). Southern dune scrub habitat meets the definition of ESHA because it is rare and is easily disturbed and degraded by human activities and

development, as shown by the significant loss of dune habitat across the California coast and the high cover of non-native invasive species occupying California coastal dunes. Thus, Dr. Engel disagrees with the ESHA delineations in the DEIR, and has instead determined that the entire project site should be considered ESHA. As such, the DEIR evaluation of 0.91 acres of biological resource impacts significantly underestimates the area of ESHA that would be directly removed by the proposed project. We would recommend that a revised calculation of ESHA impacts be included. 5

Section 30240 of the Coastal Act, which is incorporated as a policy of the certified Oxnard Land Use Plan (LUP), states that ESHA shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. In addition, Section 30240 requires that development in areas adjacent to ESHA shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

In addition, Oxnard LUP Policy 6.d states that a buffer of 100 feet in width shall be provided adjacent to all resource protection areas, and that the buffer may be reduced to a minimum of 50 feet only if it is demonstrated that a larger buffer is unnecessary to protect the resources of the habitat area. Furthermore, LUP Policy 6.b states that disturbance or destruction of sand dune vegetation is prohibited unless no feasible alternative exists.

For the reasons detailed below, the subject project as proposed does not conform to the resource protection policies of the certified Oxnard LCP. The proposed 65-unit residential development with access road and other accessory development would result in direct impacts to ESHA, which is inconsistent with Coastal Act Section 30240 because residential development is not a resource-dependent use and would not protect ESHA against significant disruption of habitat values. The proposed subdivision of a property that is entirely ESHA into multiple residential lots is also inconsistent with Section 30240 because it would increase the density and intensity of use on the property and result in greater impacts to ESHA. 6

Although it is Commission staff's opinion that the entire project site should be considered ESHA and therefore the proposed development would be located within ESHA, we would also note our disagreement with the ESHA buffer calculations outlined in the DEIR. ESHA buffers should not be calculated by measuring the distance between a sensitive habitat and the nearest residential structure, but instead by measuring the distance between a sensitive habitat and *any* structure, including roads, fences, etc. Buffers are intended to serve as transitional habitat and provide distance and physical barriers to human intrusion. In this case, the private roads and perimeter walls proposed as part of the residential neighborhood are located immediately adjacent to the small areas of onsite ESHA identified by the DEIR, with a separation of only one to two feet. This is substantially less than the 100-foot buffer mandated by the LCP, and there is no evidence presented in the DEIR demonstrating that a reduced buffer is appropriate in this case.

Due to the strict protection afforded to ESHA under the Coastal Act and Oxnard LCP, new development within ESHA (or the provision of less than the required ESHA buffer) can only be permitted where it is found that the application of these provisions would result in a taking of private property. In that case, the City could consider an approval of the amount of development that represents a reasonable economic use of the property. That is obviously not the case here. Five project alternatives are analyzed in the DEIR, three of which have lesser impacts to biological resources than the proposed project (one of those alternatives being no development). However, the delineation of ESHA that was used in the DEIR alternatives analysis is flawed, as discussed above, and none of the analyzed alternatives address what level of development is the minimum necessary to provide the applicant a reasonable economic use of their property while also avoiding impacts to ESHA to the maximum extent feasible. Thus, additional alternatives should be evaluated in order to identify the alternative that represents a reasonable economic use, and is sited and designed to avoid and minimize impacts to ESHA to the greatest extent feasible. Appropriate mitigation of biological impacts must also be included to further reduce or offset such impacts. One such mitigation measure that should be required is the preservation in perpetuity of all remaining ESHA on the site. An economic analysis should be performed to determine what level of development would provide the minimum reasonable economic use of the site and inform the development of additional project alternatives. 6

If the City considers approving an amount of development that represents a reasonable economic use of the property, it is crucial that the appropriate mitigation for any unavoidable loss of ESHA is required. Mitigation Measure BIO-1(b) of the DEIR calls for the restoration and/or preservation of on-site and/or off-site ESHA at a 2:1 mitigation-to-impact ratio. The applicant has proposed the creation of approximately 2 acres of willow thickets in the northern portion of the site, as a measure to compensate for the direct loss of 0.9 acres of willow thickets by the residential component in the southern portion of the site. However, for the reasons discussed above, the southern dune scrub found throughout the entire project site meets the definition of ESHA, and thus the total acreage of ESHA being removed for development purposes would actually be greater. Furthermore, Commission staff does not consider a 2:1 mitigation ratio appropriate in this case, given the rarity and biological importance of the habitats being cleared for development purposes. A 4:1 mitigation-to-impact ratio is preferred for projects that result in the loss of wetlands and a 3:1 mitigation-to-impact for the loss of rare land resources including dune habitats. Additionally, the conversion of dune scrub habitat into wetland habitat in the northern portion of the site is not appropriate mitigation. If suitable physical characteristics existed in the proposed restoration areas to support wetland vegetation, such vegetation would likely already be present. Priority should be given to onsite restoration or enhancement, unless there is not sufficient area of disturbed habitat on the project site, in which case off-site mitigation should be required. 7

We appreciate the opportunity to provide comments for your consideration. Please feel welcome to contact me with any further questions. 8

Sincerely,

Denise Gonzalez

Denise Gonzalez
District Supervisor

STATE OF CALIFORNIA— CALIFORNIA NATURAL RESOURCES AGENCY GAVIN NEWSOM, *GOVERNOR*

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT OFFICE
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001-2801
VOICE (805) 585-1800
FAX (805) 641-1732
WWW.COASTAL.CA.GOV

February 21, 2020

Isidro Figueroa, Principal Planner
City of Oxnard, Planning Division
214 South C Street
Oxnard, CA 93030

RE: Avalon Homes Subdivision Draft Environmental Impact Report SCH # 2016051075

Dear Mr. Figueroa,

Coastal Commission staff has reviewed the Draft Environmental Impact Report (DEIR) for the Avalon Homes Subdivision Project and would like to provide the following comments for your consideration. It should be noted that Commission staff has previously provided comments about this project, both in writing and in person. Commission staff sent a comment letter regarding the Notice of Preparation for this DEIR on June 27, 2016. Commission staff also met with the property developers and City of Oxnard staff to discuss the subject project on October 10, 2017 and April 18, 2018, and conducted site visits to the subject property on November 1, 2017 and May 9, 2018. Many of the issues that are discussed in this comment letter were identified and discussed extensively at these meetings and in the previous comment letter, prior to the completion of the DEIR.

The Avalon Homes Subdivision Project involves the construction of a maximum of 65 residential dwelling units on 8.75 acres of a 38.33 acre property (Assessor's Parcel Numbers: 196-001-022, 023, and 027). The property is proposed to be subdivided into 17 residential lots (two lots for 35 single family residential clustered condominium units and 15 lots for 15 single family residences or 30 duplex residences), and five open space or common use lots. Two open space lots at the northern portion of the property totaling 29.58 acres would remain undeveloped, except for minimal improvements to allow controlled public access. The three remaining open space or common lots would include a drainage mitigation area, open space at the project gated entry and a private community recreation area. The project site is located at the southeastern corner of the intersection of Harbor Boulevard and West Fifth Street, north of the existing Oxnard Dunes Subdivision. The northern portion of the subject property has a land use designation of Resource Protection and is zoned Coastal Resource Protection, the purpose of which is to protect, preserve and restore environmentally sensitive habitat areas within the coastal zone of the city. The southern portion of the subject property has a land use designation of Residential Existing and is zoned Coastal Multiple-Family.

The project, as proposed, is located within the jurisdiction of the City of Oxnard Local Coastal Program (LCP). Due to the project's proposed siting, the project is also within

the appealable jurisdiction of the Coastal Commission. As such, the proposed project will require a coastal development permit from the City of Oxnard which would be appealable to the Commission.

The project site is situated within and adjacent to areas identified and mapped as an Environmentally Sensitive Habitat Area (ESHA) by the LCP. The DEIR states that existing vegetation throughout the project site consists predominantly of previously disturbed coastal dune scrub. According to the 2014 Biological Assessment, the Mock Heather (*Ericameria ericoides*) Shrubland Alliance is the dominant plant community at the project site and currently covers approximately 26.16 acres. Vegetation cover in this community is patchy and typical of coastal dunes, ranging from open sand with zero cover to 100 percent cover on shrub-dominated low dunes. Arroyo willow thickets (*Salix lasiolepis* Shrubland Alliance) are interspersed within swales throughout the project site and make up approximately 9.66 acres of the site. The willows are characterized as a riparian scrub community that form part of an upland dune/riparian swale complex that is typical of the region, and canopy cover is 100 percent. Ice plant mats (*Carpobrotus* Semi-Natural Herbaceous Stand) cover approximately 2.02 acres in the southern-most portion of the project site. There is also a small amount of ornamental landscaping in localized areas that are immediately adjacent to an existing residential development at the southern end of the site.

The DEIR indicates that the proposed project would impact over 8 acres of vegetation, including 5.39 acres of mock heather scrub, 0.90 acre of arroyo willow thickets, and 2.32 acres of ice plant mat vegetation and ornamental landscaping. However, the DEIR states that the only areas that constitute ESHA on the site are the arroyo willow thickets that are interspersed throughout the site, and the mock heather scrub vegetated dunes in the Resource Protection-designated northern portion of the site. The DEIR states that although mock heather scrub and ice plant dune areas exist where residential development is proposed and are also considered dune habitat, they are not considered ESHA because they are more disturbed and are not mapped as ESHA on the City's LCP ESHA Map. The DEIR concludes that only 0.90 acre of biological resources (arroyo willow thicket areas removed within the development footprint) would be impacted by the project.

However, the City's LCP incorporates the Coastal Act definition of ESHA. While the LCP gives examples of the types of sensitive habitats that might qualify as ESHA, and also describes the location of some of those areas, there is no indication in the LCP that these described areas represent the only areas within the City's Coastal Zone that meet the criteria to be considered ESHA. The City must therefore examine site-specific facts to determine whether habitat present on a project site qualifies as ESHA. Section 30107.5 of the Coastal Act, which is incorporated into the City's LCP, defines ESHA as "any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments".

Despite the partially disturbed nature of some portions of the project site, the entire site can be characterized as southern dune scrub habitat based on the sandy substrate, evidence of dune morphology, and presence of numerous native dune species. Holland (1986) states that southern dune scrub is a dense coastal scrub community restricted to the coast on stabilized back dune slopes, ridges, and flats and integrating toward the coast with southern foredunes. He describes southern dune scrub as a community composed of scattered shrubs, subshrubs, and herbs, generally less than 1m tall and often developing considerable cover. He states that southern dune scrub is similar to northern and central dune scrub but that it is exposed to a climate that is drier, warmer and less windy. He characterizes southern dune scrub as dominated by *Atriplex leucophylla, Croton californicus, Ephedra californica, Ericameria ericoides, Haplopappus venetus vernoniodes, Lupinus chamissonis, Lycium brevipes, Opuntia littoralis, Rhus integrifolia,* and *Simmondsia chinensis.* Holland found that southern dune scrub "has been virtually eliminated from mainland southern California."

The California Department of Fish and Wildlife's Natural Diversity Data Base (CNDDB) plant community descriptions are based on Holland (1986) and the Manual of California Vegetation, Second Edition (2009). The CNDDB natural communities list (2010) identifies southern dune scrub as a rare habitat type and assigns it the highest rarity rankings, classifying it as critically imperiled at both the global and state level (G1, S1.1). The southern dune scrub on the subject property is part of a very small area of remnant southern dune scrub that still exists in the Oxnard area. Previous Commission actions have found that dune habitat, even when disturbed or degraded, and occupied entirely by non-natives, constitutes ESHA because coastal dunes are extremely rare and are easily disturbed and degraded by human activities and development.

The Commission's Staff Ecologist, Dr. Jonna Engel, has reviewed the biological assessment for the subject project and conducted two site visits. Dr. Engel's review of the biological assessment and her own observations indicate that the entire project site should be considered southern dune scrub habitat complex that constitutes ESHA based on the sandy substrate, dune morphology, and presence of dune scrub indicator and associated native species throughout the site. The arroyo willow thickets that are interspersed throughout the site are a component of the southern dune scrub habitat complex (backdune swales). Southern dune scrub habitat meets the definition of ESHA because it is rare and are easily disturbed and degraded by human activities and development, as shown by the significant loss of dune habitat across the California coast and the high cover of non-native invasive species occupying California coastal dunes. Thus, Dr. Engel disagrees with the ESHA delineations in the DEIR, and has instead determined that the entire project site should be considered ESHA. As such, the DEIR evaluation of 0.90 acres of biological resource impacts significantly underestimates the area of ESHA that would be directly removed by the proposed project. We would recommend that a revised calculation of ESHA impacts be included.

Sections 30230, 30231, and 30240 of the Coastal Act, all of which are incorporated as policies of the certified Oxnard Land Use Plan (LUP), require that sensitive natural resources in the coastal zone be maintained, enhanced, restored, and protected to the

maximum extent feasible. In particular, Section 30240 requires that ESHA be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within those areas. In addition, Section 30240 requires that development in areas adjacent to ESHA shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

In addition, Oxnard LUP Policy 6.d states that a buffer of 100 feet in width shall be provided adjacent to all resource protection areas, and that the buffer may be reduced to a minimum of 50 feet only if it is demonstrated that a larger buffer is unnecessary to protect the resources of the habitat area. Furthermore, LUP Policy 6.b states that disturbance or destruction of sand dune vegetation is prohibited unless no feasible alternative exists.

For the reasons detailed below, the subject project as proposed does not conform to the resource protection policies of the certified Oxnard LCP. The proposed 65-unit residential development with access road and other accessory development would result in direct impacts to ESHA, which is inconsistent with Coastal Act Section 30240 because residential development is not a resource-dependent use and would not protect ESHA against significant disruption of habitat values. The proposed subdivision of a property that is entirely ESHA into multiple residential lots is also inconsistent with Section 30240 because it would increase the density and intensity of use on the property and result in greater impacts to ESHA.

Although it is Commission staff's opinion that the entire project site should be considered ESHA and therefore the proposed development would be located within ESHA, we would also note our disagreement with the ESHA buffer calculations outlined in the DEIR. ESHA buffers should not be calculated by measuring the distance between a sensitive habitat and the nearest residential structure, but instead by measuring the distance between a sensitive habitat and *any* structure, including roads, fences, etc. Buffers are intended to serve as transitional habitat and provide distance and physical barriers to human intrusion. In this case, the private roads and perimeter walls proposed as part of the residential neighborhood are located immediately adjacent to the small areas of onsite ESHA identified by the DEIR, with a separation of only one to two feet. This is substantially less than the 100-foot buffer mandated by the LCP, and there is no evidence presented in the DEIR demonstrating that a reduced buffer is appropriate in this case.

Due to the strict protection afforded to ESHA under the Coastal Act and Oxnard LCP, new development within ESHA (or the provision of less than the required ESHA buffer) can only be permitted where it is found that the application of these provisions would result in a taking of private property. In that case, the City could consider an approval of the amount of development that represents a reasonable economic use of the property. That is obviously not the case here. Five project alternatives are analyzed in the DEIR, three of which have lesser impacts to biological resources than the proposed project (one of those alternatives being no development). However, the delineation of ESHA

that was used in the DEIR alternatives analysis is flawed, as discussed above, and none of the analyzed alternatives address what level of development is the minimum necessary to provide the applicant a reasonable economic use of their property while also avoiding impacts to ESHA to the maximum extent feasible. Thus, additional alternatives should be evaluated in order to identify the alternative that represents a reasonable economic use, and is sited and designed to avoid and minimize impacts to ESHA to the greatest extent feasible. Appropriate mitigation of biological impacts must also be included to further reduce or offset such impacts. One such mitigation measure that should be required is the preservation in perpetuity of all remaining ESHA on the site. An economic analysis should be performed to determine what level of development would provide the minimum reasonable economic use of the site and inform the development of additional project alternatives.

If the City considers approving an amount of development that represents a reasonable economic use of the property, it is crucial that the appropriate mitigation for any unavoidable loss of ESHA is required. Mitigation Measure BIO-1(b) of the DEIR calls for the restoration and/or preservation of on-site and/or off-site ESHA at a 2:1 mitigation-to-impact ratio. The applicant has proposed the creation of approximately 2 acres of willow thickets in the northern portion of the site, as a measure to compensate for the direct loss of 0.9 acres of willow thickets by the residential component in the southern portion of the site. However, for the reasons discussed above, the southern dune scrub found throughout the entire project site meets the definition of ESHA, and thus the total acreage of ESHA being removed for development purposes would actually be greater. Furthermore, Commission staff does not consider a 2:1 mitigation ratio appropriate in this case, given the rarity and biological importance of the habitats being cleared for development purposes. A 4:1 mitigation-to-impact ratio is preferred for projects that result in the loss of wetlands and a 3:1 mitigation-to-impact for the loss of dune habitats. Additionally, the conversion of dune scrub habitat into wetland habitat in the northern portion of the site is not appropriate mitigation. If suitable physical characteristics existed in the proposed restoration areas to support wetland vegetation, such vegetation would likely already be present. Priority should be given to onsite restoration or enhancement, unless there is not sufficient area of disturbed habitat on the project site, in which case off-site mitigation should be required.

We appreciate the opportunity to provide comments for your consideration. Please contact me with any further questions at (805) 585-1800.

Sincerely,



Carolyn Groves
Coastal Program Analyst

VENTURA COUNTY
AIR POLLUTION
CONTROL DISTRICT

ALI REZA GHASEMI, PE
Air Pollution Control Officer
4567 Telephone Road, 2nd Floor | Ventura, CA 93003
Phone: 805.303.4005 | Fax: 805.456.7797

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Jamie Peltier, Planning Supervisor DATE: September 17, 2025

FROM: Nicole Collazo, Air Quality Specialist, Planning Division

SUBJECT: City of Oxnard Avalon Homes Recirculated EIR (RMA 16-016-2)

Ventura County Air Pollution Control District (APCD) staff has reviewed the environmental document prepared for the Avalon Homes residential project for the construction of a maximum of 65 dwelling units. The property would be subdivided into 17 residential lots and five open space lots. Proposed Tentative Tract Map 5888 would create 15 individual lots for the 15 single family residences or 30 duplex residences and two lots for 35 single family residential clustered condominium units. The project location is near Harbor Boulevard and Fifth Street in Oxnard. The Lead Agency is the City of Oxnard. 1

APCD submits the following comments regarding the draft recirculated EIR.

GENERAL COMMENTS

1) The APCD Complaint Hotline and Office Line included in Page 4.2-14 of the draft EIR contains outdate phone numbers. Please update the document to reflect APCD's most current phone lines for complaint notification. The 24-hr hotline phone number is 805-303-3700 and the office hours phone number is 805-303-3708 available Monday-Friday 8:00 a.m. through 5:00 p.m. 2

Thank you for the opportunity to comment on the draft EIR If you have any questions, you may contact me at nicole@vcapcd.org.

COUNTY OF VENTURA
PUBLIC WORKS AGENCY

MEMORANDUM

DATE: August 17, 2025

TO: RMA – Planning Division
Attention: Philip Hess

FROM: PWA-RT Advance Planning
Christopher Solis, Senior Engineering Manager CMS
Jesus Banuelos, Engineer IV

SUBJECT: **ENVIRONMENTAL DOCUMENT REVIEW**
PROJECT NO: RMA 16-016-2
LEAD AGENCY: City of Oxnard, Planning Division
PROJECT: Avalon Homes Project

PROJECT COMMENTS:

The County of Ventura has reviewed the environmental documents for the proposed Avalon Homes project. We appreciate the opportunity to provide comments. The project consists of two primary components:

- **Northern Parcel:** A 29.6-acre open space preserve.
- **Southern Parcel:** 65 residential units on an 8.75-acre.

The County recommends the Traffic Impact Analysis Study and the Traffic and Circulation Study be signed and sealed by an appropriately licensed professional before accepting the study into the Final EIR. 1

WATERSHED PROTECTION

WATERSHED PLANNING AND PERMITS DIVISION
800 South Victoria Avenue, Ventura, California 93009

M E M O R A N D U M

DATE: August 22, 2025

TO: Philip Hess, Case Planner
County of Ventura

FROM: Yunsheng Su, PWA-WP Case Reviewer

SUBJECT: RMA16-016-2
APN:196001027
CEQA Review Comments and Conditions

Pursuant to your request dated 8/20/2025, this office has reviewed the submitted materials and provides the following comments.

PROJECT LOCATION:

Location Map:



PROJECT DESCRIPTION:

The proposed project has two major components: an open space or preserve area in the northern area of approximately 29.6 acres, just south of West Fifth Street, and proposed residences in the southern 8.75 acres of the project site extending from the northern terminus of Canal Street to Dunes Street to the northwest. Within the residential component, the project would include the construction of a maximum of 65 residential dwelling units. The property would be subdivided into 17 residential lots and five open space lots. Proposed Tentative Tract Map 5888 would create 15 individual lots for the 15 single family residences or 30 duplex residences and two lots for 35 single family residential clustered condominium units. 1

APPLICATION COMPLETENESS:

Complete - from our area of concern. 2

ENVIRONMENTAL IMPACT ANALYSIS:

Item 31a. Flood Control Facilities/Watercourses – Ventura County Public Works Agency, Watershed Protection is deemed to be Less Than Significant.

The proposed project is situated about 600 feet from the West Fifth Street Drain, which is a WP jurisdictional redline channel. No new or modified direct stormwater drainage connections to this WP channel, activities within WP's easement, or activities over, under, or within the redline channel appear to be proposed or indicated on the applicant's submitted materials.

This proposed project would result in an increase of impervious area within the subject property. It is understood that impacts from the proposed increase in impervious area and stormwater drainage design within the project site will be required to be mitigated to less than significant under the conditions imposed by County of Ventura. The mitigation requires that runoff from the proposed project site be released at no greater than the existing flow rate and in such manner as to not cause an adverse impact downstream in peak discharge, velocity, or duration. 3

WP staff determines that the proposed project design with the conditions mentioned above mitigates the direct and indirect project-specific and cumulative impacts to flood control facilities and watercourses. Therefore, the environmental impact is less than significant (LS) on redline channels under the jurisdiction of the Ventura County Public Works Agency - Watershed Protection.

WATERSHED PROTECTION COMMENTS:

None. 4

WATERSHED PROTECTION CONDITIONS:

None.

5

If you have any questions, please feel free to contact me by email at Yunsheng.Su@Ventura.Org or by phone at 805-654-2005.

END OF TEXT.

Ventura County Transportation Commission

Jamie Peltier, Planning Supervisor
Community Development Department
City of Oxnard
214 South C Street,
Oxnard, CA 93030

Transmitted via Email to: Jamie.peltier@oxnard.org

September 15, 2025

Subject: Recirculated Draft Environmental Impact Report (EIR) – Avalon Homes Project SCH #2016051075

Dear Ms. Peltier,

Thank you for the opportunity to review and comment on the Recirculated Draft Environmental Impact Report for Avalon Homes. On behalf of the Ventura County Transportation Commission (VCTC), please accept the following comments: 1

4.12.2b. Impact Analysis- Project Impacts and Mitigation Measures (pg 4.12-8)

VCTC staff appreciate the comprehensive technical analysis conducted for Vehicle Miles Traveled (VMT) and use of the Ventura County Transportation Model (VCTM) to complete the impact analysis for this section. VCTC supports the analysis methodology and consistency with the Office of Planning and Research (OPR) technical recommendations for assessment of VMT. However, implementation of the recommended policies does not reduce VMT below the 15 percent threshold, and results in potentially significant impacts (Impact T-2). VCTC staff recommends that the Applicant review the Vehicle Miles Traveled Adaptive Mitigation Program (VMT AMP) for VMT reduction strategies to further mitigate potentially significant CEQA impacts, https://www.goventura.org/work-with-vctc/vmt-amp/ 2

Should you have any questions concerning this review, please contact me at (805) 642-1591 (ext. 103) or by email at: afagan@goventura.org. 3

Respectfully Submitted,

Amanda L. Fagan

Amanda Fagan
Director of Planning and Sustainability