

# APPENDIX C - EIR SCOPING MEETING COMMENTS

**Oppose Camarillo Springs Building**

**Study topics for EIR GPA 2017-2 and CZ 327**

**Opening Comments:**

The following comments concern the Camarillo Springs NOP document dated July 11, 2019.

The importance of fully addressing "ALL" of the environmental issues identified below must be underscored. While it is tempting to prioritize the issues, the "bottom line" is that each of them is vital and they are interdependent – what affects one affects all.

The Draft Environmental Impact Report MUST be done thoughtfully and thoroughly with no "cutting corners" in the interest of saving time or money. Each of the identified topics contains many issues to be explored. The City of Camarillo and the current and future residents of Camarillo Springs will have to live with the results of this Draft EIR far into the future. We will not be able to "undo" the important decisions made based on the findings.

It is vitally important that those evaluating the identified environmental issues do so with the highest standards of professional and personal integrity and without regard to any threats, promises, or unsupported representations of fact. The process must be transparent, independent, and based on the latest scientific methods, findings, and standards. Assumptions must be clearly stated and based on verifiable evidence.

The applicant's project has already been the subject of controversy both within and outside the Camarillo Springs community. This EIR will be thoroughly reviewed by many interested parties. Whatever the outcome, the findings of the Draft EIR should leave no room for additional equivocation, controversy, or challenge.

The Draft EIR will not be accurate and truly reflect the actual impacts of the proposed development if the Project Applicant continues to change what is being proposed. The information provided to the residents of the Camarillo Springs neighborhoods affected by the proposed project has been changed repeatedly by the project applicant. Details are vague or are "yet to be decided". The exact nature of the project must be "nailed down" and cannot continue to "be determined at a later date."

The residents (and voters) of Camarillo expect that the City of Camarillo and the Department of Community Development to manage the Draft EIR process in a manner that acknowledges the short-term and long-term importance and impact of the proposed project on our city and county. We expect that the City of Camarillo and the Department of Community Development remain objective and not succumb to threats, promises, or "theatrics" on the part of outsiders who may believe that money and "influence" can affect the content and conclusions of the report.

**Oppose Camarillo Springs Building Overview (Link01):**

We are an ad hoc organization with a current membership of 480 "Camarillo homeowners" of which most live in Camarillo Springs (Contact04). We have been active since 9/27/2017 opposing the new homes construction and golf course destruction that the Camarillo Springs City Council approved in GPA 2017-2 and CZ 327. Since that date we have been gathering facts to further support our opposition and to justify the denial of these amendments.

We are fully aware that we are facing a steam roller driven by power, practice, money and greed while we're equipped with a sling shot and pebbles made of neighborhood, beauty, preservation, and good common sense. We can only hope the Camarillo City Council will side with Camarillo's resident's needs and not the proficient bullying tactics already exposed by Chameleon, LLC and New Urban West, Inc.

Last Page = Contact Information (Contact00), Websites links (Link00) and Attachments (Attach00)

### **Aesthetics/Visual Resources:**

Approval of these amendments will erase the Camarillo Springs Golf course which has served as a welcoming ambassador into Camarillo for all those traveling down the hill north on 101. Adjacent to vast farmlands with the ocean in the distance and a huge lemon tree grove on the right our visitors can't help but relax and marvel at our unique beauty. They are reminded of the concrete maze they came from and encouraged that there are better environments for their family. We and most Camarillo citizens do not want this "progress".

On 9/27/17 Councilmember McDonald made it clear during the public session that her vote would be dependent on proposing single level homes only. No two story -or- loft homes. NUWI's latest plans that were presented to the public and are available for view on our website (Link01) include several two-story models. We feel the public promise from Mr. Han to Councilmember McDonald was broken. We do not support any homes, but if we are defeated, we request only single-story homes for our aging population (Attach05).

The view from the Camarillo Springs Country Club Village manufacturer homes is as squatters were looking up at the castle from across the moat. NUWI has presented visuals that clearly do not represent the reality of this view which is only approximately 220' (Attach01).

### **Air Quality:**

The most obvious intrusion will be the poisonous dust created by the construction equipment and bare earth. We all know this area to be "reconstructed" was once farmland while DDT was used regularly. It is proven that Parkinson and other diseases are caused by contaminated soil. Please run the appropriate soil samples and report the results as well as what restrictions if any will be given the developers in keeping the dust from reaching the homeowners with pulmonary and cardiac conditions. Most residents are greatly concerned about this (Link02).

### **Biological Resources:**

In our studies we found there were many abandoned oil wells located on the property (Link03). We were told by DOGGR that many were registered, but it appears never drilled. Many others as you can tell by their details produced oil or gas and were later "plugged and abandoned" (Link07). Please request a review by DOGGR of those wells located in any area where excavation is proposed to determine if the casing needs replacement (Contact03).

### **Cultural Resources/Tribal Cultural Resources:**

Please follow-up with Julie Tumamait who is the Chumash Indian Tribal Chair for the Camarillo Area (Contact01). We became concerned when one of our members sent us this link (Link05) describing past Chumash discoveries causing development stoppages and we were then told by other residents that they were aware of Chumash Indian Sites within our properties.



### **Geology and Soils:**

The soil must be thoroughly tested. Further, all precautions must be stipulated to protect the homeowners from soil and dust contact. This is a very important issue and concern for the residents.

### **Greenhouse Gas Emissions:**



No input.

### **Hazards and Hazardous Materials:**

No input

### **Hydrology and Water Quality:**

The obvious issue is the proposed flood control plan in which we believe is faulty and only serves the developer's construction needs.

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- The flap gates can be left open due to debris and cause water to back into the property.
  - The proposal assumes the flood level will always be 118 feet. In time it may increase due to ever increasing development up stream in the Conejo Creek and, of course, global warming.
  - The new proposed levee may fail. Squirrels and similar burrowing rodents have failed many a levee.
  - The plan to excavate the rear section of the golf course in order to take the pressure off the then removed golf course floodplain is questionable. Will it protect the water treatment plant? Will the excavation be enough to hold all the required water capacity? Why are we taking these chances for a few unnecessary and unwanted homes?
  - On 7/18/19 the designer for a NUWI golf course stated the rear section of the course must store 450-acre feet of water across the creek from the City's reclamation plant, but no mention of how that water will be removed once the creek level falls to the point below the entry level. If pumping is required, and once the golf course fails, there will not be anyone to maintain the pump system nor pay for its operation. Without proper drainage, there will be a host of issues caused by such a large amount of non-circulating water.
  - The proposed flood control plan seems to be very involved and its success seems to be dependent on specific modeling and limitations. Camarillo Springs has a troubling history of flooding both from the Conejo Creek and the surrounding mountains which pour into our community (Attach03). A flash flood of water, mud and rock filled up 12 homes in December of 2014 due to poor engineering and planning of "The Springs" development up against our mountain. One and a half million dollars+ of our tax money was spent by the City of Camarillo to construct a still untested fix to the problem. Why? The developer is gone, and the project had been approved by The City of Camarillo without a build site engineering report referencing the mountainside location. The taxpayers don't need to pay for anymore "fixes" if the flood control plan proves faulty.
  - Not enough study of the flash flood history and future capabilities of the mountain runoff has been conducted. The plan does little to prepare for future flash floods (Attach04). During heavy storms those two 24-inch pipes running under Camarillo Springs Road will plug up with debris early in the event. Mother Nature does not acknowledge computer models.
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- The Camarillo Springs Golf Course is built on a flood plain, and century old springs which are connected to the aquifers below. The developer wants to cover up the floodplain and the springs. Again, a whole lot of damage to our community for a few unnecessary and unwanted homes.
- If a golf course is sold by NUWI after new home construction, we anticipate the new owners to go out of business within a short period. Please confirm who would assume maintenance responsibilities for the man-made lake and surrounding property in front of the Country Club Village homes (Attach01).
- It is quite possible the new housing project will experience subsidence (Attach07). This disaster has befallen many a housing project with similar conditions (Link06). Unfortunately, the damage usually doesn't appear until after the magical 10-year anniversary. After 10 years the developer is no longer responsible, and insurance does not cover subsidence. The next cash source will be the City of Camarillo who approved the project. The result will be a payout of more tax dollars by the responsible and trustful taxpayers of Camarillo.
- We ask that you review the Calleguas Creek Riparian Restoration (Link05) in reference to the Camarillo Regional Park, Calleguas Creek watershed and California State University Channel Islands. Conservation Department: Shawn Anderson 805-437-8984

#### **Land Use and Planning:**

It is our belief the amendments are not able to move forward without an approval to re-zone the land in question.

We are concerned about the approval process for the FEMA approval and any permits issued by the City of Camarillo prior to FEMA approval. It appears the city can approve the grading for this project for the developer to obtain FEMA approval. If grading occurs prior to the final approval/denial of this project by the Camarillo City Council, the golf course will already be gone, the excavation will be completed, the mountain built, etc. This would mean the project will only need a rubber stamp of approval. We hope we misunderstand this scenario.

#### **Noise:**

Of course, the community will be plagued by construction noise. Perhaps all equipment must be solar powered.

#### **Population and Housing:**

Undetermined-No input.

#### **Public Services and Recreation:**

Still, the supposed golf course is still under design. The latest sketch hopes to deliver a 12-hole brand new course with a new driving range. The designer stated; "A 9-hole course is not an option" in a 7/18/19 public meeting by NUWI's agents. A park and dog park in the sketches were designated suspect in the same meeting by NUWI's agent (Attach02).

The information NUWI has produced indicates the balance of the property not being rezoned is available for use by the golf course. The golf course architect states there is only 85-90 acres available for the course, a very substantial difference than what the property maps indicate and previous reports to the City of Camarillo.

Proposed plans show the existing driving range with homes adjacent on one side, and park space on the other side. Golf balls have a propensity to leave the premises of a driving range either by going over/under the fencing, or through holes in the fencing. Having adjacent housing and casual recreation next to the driving range is incompatible, and potentially very dangerous.

In the September 27, 2017 Camarillo City Council referral approval meeting Councilmember Trembley made it public and perfectly clear that his approval vote was dependent on his receiving a report by Jacob Han prior to (we believe) the E.I.R. preparation. This report was to determine the construction and operating cost of the golf course and the projected profit/loss. The same report would also include a restaurant and lounge. Since Mr. Han confirmed his plans are to sell both prior to home construction completion it was clear Councilmember Trembley was helping Mr. Han determine how easy it will be to sell both features given their obvious limitations. We would like this report to a part of the E.I.R.

It is our belief that without a buyer there will never be a new golf course built nor a condensed existing course. It would be nonsense to build out a restaurant for the clubhouse without an owner as well.

The 18-hole golf course will be gone. It's unlikely any shorter version will ever be built. If one is built it will fail due to weak income and turn to weeds as only one buyer will be interested. Chameleon LLC and New Urban West will petition the City of Camarillo to build more homes on the north properties where the golf course was to be. More homes will be built. Just as was planned. No golf course, no open spaces, no wildlife. There will, however, be more traffic and concrete.

The Camarillo Springs Golf Course was purchased by Chameleon, LLC and is their property. They purchased a functioning and historically profitable golf course, the largest public recreation space in Camarillo, a floodplain, zoning not suitable for housing, protected Chumash Indian sites, abundant and protected wildlife, contaminated soil if disturbed, congested traffic and the potential for major flooding and mud slide activity.

#### **Traffic and Circulation:**

There are currently 16 residential projects for 1401 units (3502 persons) in process in little Camarillo. When you add the 3 EIR (GPA) projects currently under consideration it adds another 844 units (2110 persons) totaling 5,612 persons! Source DCD May project status report. An 8% increase in population!

This equates to  $2,245 \text{ units} \times 2 = 4,490 \text{ cars} \times 4 = 17,960 \text{ one-way trips per day}$ . Conclusion: There will be more traffic.

The Camarillo Springs Exit (North bound) is dangerous. The warning signs are driven over as quickly as Cal Trans can replace them. One day somebody's going to get killed there. Adding the traffic from 300 new homes will greatly improve those odds. The same is true for the Entrance (North bound). We request an all new exit and entrance be built for the northbound traffic at Chameleon LLC's expense. As they seek to improve our neighborhood, we're certain they will want to ensure the safety of their customers as well.

Our community is extremely concerned about the dumping of approximately 600 more cars into our small area in terms of traffic, but also EVACUATION. We all had a wakeup call a few months ago when we were evacuated from our Camarillo Springs neighborhoods. We had very little warning and time to react. It took some residents 2.5 hours in bumper to bumper traffic to be safely out of the

gates. That was frightening and could have ended in tragedy as it did in Northern California that same day. Although we as a neighborhood must work to do better; we reject the idea that the 300 homes more homes directly in the way of our escape will do anything but plug it up even more.

We are asking that a stop light be installed at the intersection of Camarillo Springs Road and Adohr lane/Ridge Way. The influx of traffic will require one and will be helpful during evacuation.

We also ask that a stop light be installed at the intersection of Camarillo Springs Road and the Golf Club entrance to this proposed project. There will be similar traffic issues at this point as well.

We insist that an access road without any obstruction be available for the Camarillo Springs Country Club Village residents located on the north end of Margarita be available to access Ridge Way. In case of fire, CSCCV needs a back way out in case of fire or other emergencies where evacuation is required. During our last fire a few months ago, one person had to ram through the golf course maintenance gate to help herself and others lined up behind her evacuate the neighborhood to safety.

We ask that Ridge Way road be expanded to 4 lanes. The intersection of Ridge Way and the north entrance/exit to the proposed plan must also have a traffic light as well. Marked as S7.

#### **Utilities and Energy:**

Understanding the proposed new homes will also be Camrosa water customers, we ask that a thorough study be made as to how much new water will be required for these new customers, where it's going to come from and just how it's "not" going to increase our water bills. We have one winter without a drought; water rates are forced up and now they propose creating more water usage.

#### **Wildlife:**

The Camarillo Springs Golf Course and the surrounding properties are the home and migratory path for a large variety of wildlife of which many species are endangered. Some have four legs and others have wings (Attach06). The springs ponds are migratory homes for water fowl who will surely be disrupted if the ponds disappear. A lot has been reported lately about the Ventura County Santa Monica-Sierra Madre Wildlife Corridor in which we are located. Mountain lions, bobcats, deer, etc. are frequently seen in our neighborhood. If the City of Camarillo adopts the Corridor as did Moorpark, we would officially be inside this protected area.

Several years ago, the Conejo Creek housing project was defeated which is also next to our neighborhood. A study was conducted of the wildlife and endangered species on that property and several species of endangered wildlife and plants were discovered to be thriving on that property (Attach08) and (Attach09). There is no reason to believe the same species make Camarillo Springs their home as well. Please have a careful and detailed study done within our neighborhood by the appropriate authorities.

Brian Morris

[www.opposecamspringsbuilding.com](http://www.opposecamspringsbuilding.com)

805-484-1299

6196 Corte Antigua Camarillo, CA 93012



**Website Links:**

- (Link01) <http://www.opposecamspringsbuilding.com/>
- (Link02) <https://trackingcalifornia.org/pesticides/pesticide-mapping-tool>
- (Link03) <https://maps.conservation.ca.gov/doggr/wellfinder/#/-118.99202/34.20325/15>
- (Link04) <https://www.latimes.com/archives/la-xpm-1986-03-03-me-14855-story.html>
- (Link05) <https://www.nature.org/en-us/explore/magazine/>
- (Link06) <http://www.natureconservancy.ca/en/where-we-work/newfoundland-and-labrador/news/protect-wetlands-help-fight.html>
- (Link07) <https://californiansagainstfracking.org/a-marina-del-rey-oil-well-blew-up-it-took-a-week-for-officials-to-notify-neighbors/>
- (Link08) [https://www.biologicaldiversity.org/species/birds/least\\_Bells\\_vireo/index.html](https://www.biologicaldiversity.org/species/birds/least_Bells_vireo/index.html)

**Contacts:**

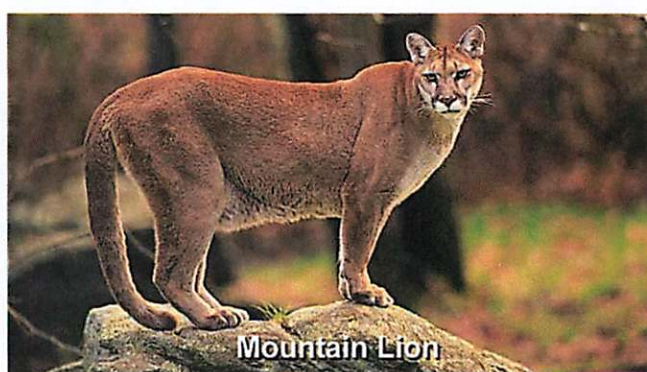
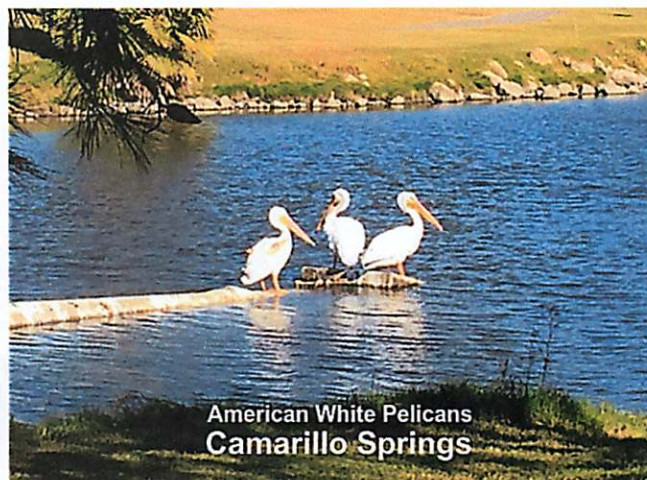
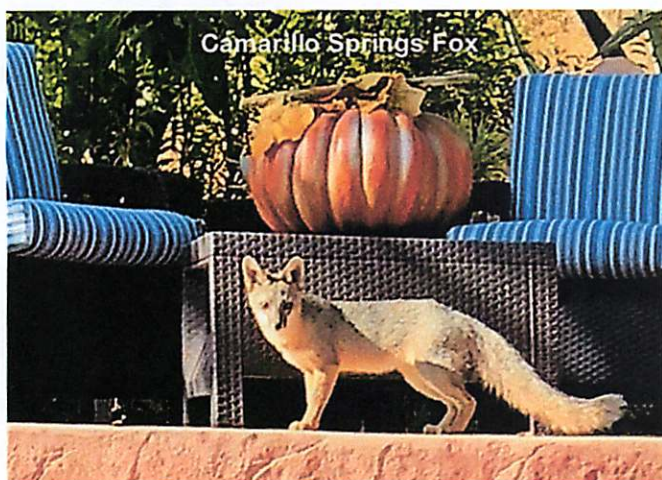
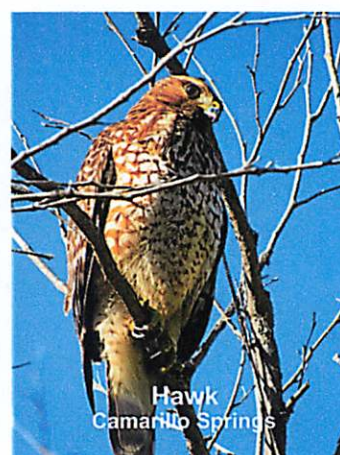
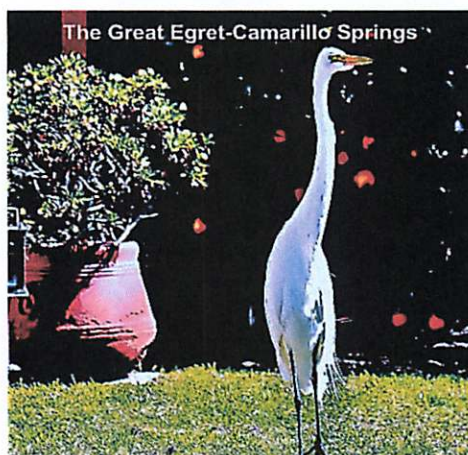
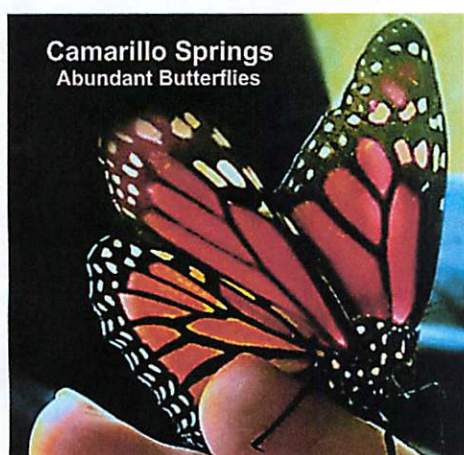
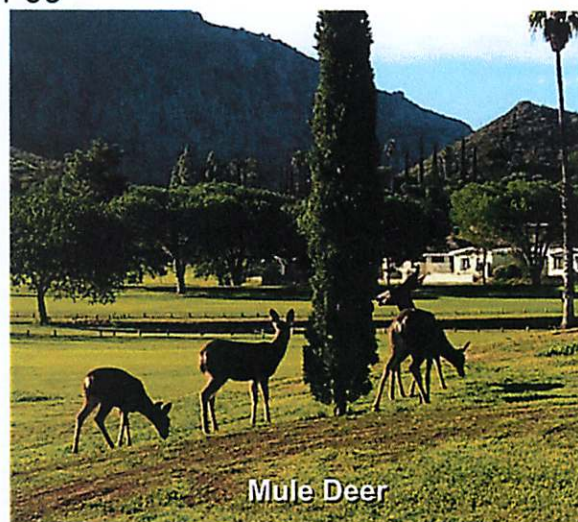
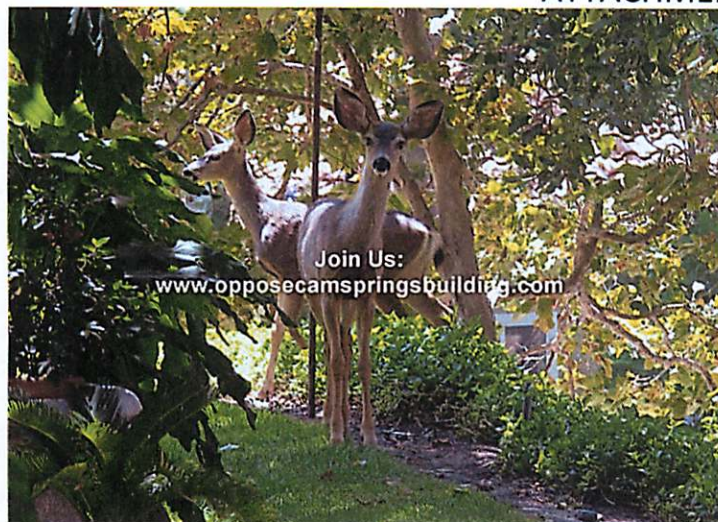
- (Contact01) Chumash Tribal Chair: Julie Tumamait (805)701-6152 [jtumamait@hotmail.com](mailto:jtumamait@hotmail.com)
- (Contact02) Conservation Dept. CSUCI Shawn Andersen 805-437-8984
- (Contact03) Ventura County DOGGR 805-937-7246.
- (Contact04) Oppose Camarillo Springs Building – Brian Morris – 805-484-1299 – [brianmorris@dslextrreme.com](mailto:brianmorris@dslextrreme.com)

**Attachments:**

- (Attach01) View of lake from 57 Margarita
- (Attach02) Latest NUWI Golf Course Plan
- (Attach03) History East Ventura County Rainfall
- (Attach04) USACOE Rainfall History
- (Attach05) One of several NUWI two story home plans
- (Attach06) Wildlife Photo Collage
- (Attach07) Subsidence article
- (Attach08) Letter-Dept. of Interior regarding Conejo Creek Project's Endangered Species 10/18/09
- (Attach09) Letter-Dept. of Interior regarding Conejo Creek Project's Endangered Species 09/10/12



ATTACHMENT 06





## ATTACHMENT 08

### **Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants**

These guidelines describe protocols for conducting botanical inventories for federally listed, proposed and candidate plants, and describe minimum standards for reporting results. The Service will use, in part, the information outlined below in determining whether the project under consideration may affect any listed, proposed, or candidate plants, and in determining the direct, indirect, and cumulative effects.

Field inventories should be conducted in a manner that will locate listed, proposed, or candidate species (target species) that may be present. The entire project area requires a botanical inventory, except developed agricultural lands. The field investigator(s) should:

1. Conduct inventories at the appropriate times of year when target species are present and identifiable. Inventories will include all potential habitats. Multiple site visits during a field season may be necessary to make observations during the appropriate phenological stage of all target species.
2. If available, use a regional or local reference population to obtain a visual image of the target species and associated habitat(s). If access to reference populations(s) is not available, investigators should study specimens from local herbaria.
3. List every species observed and compile a comprehensive list of vascular plants for the entire project site. Vascular plants need to be identified to a taxonomic level which allows rarity to be determined.
4. Report results of botanical field inventories that include:
  - a. a description of the biological setting, including plant community, topography, soils, potential habitat of target species, and an evaluation of environmental conditions, such as timing or quantity of rainfall, which may influence the performance and expression of target species
  - b. a map of project location showing scale, orientation, project boundaries, parcel size, and map quadrangle name
  - c. survey dates and survey methodology(ies)
  - d. if a reference population is available, provide a written narrative describing the target species reference population(s) used, and date(s) when observations were made
  - e. a comprehensive list of all vascular plants occurring on the project site for each habitat type
  - f. current and historic land uses of the habitat(s) and degree of site alteration
  - g. presence of target species off-site on adjacent parcels, if known
  - h. an assessment of the biological significance or ecological quality of the project site in a local and regional context
5. If target species is (are) found, report results that additionally include:
  - a. a map showing federally listed, proposed and candidate species distribution as they relate to the proposed project
  - b. if target species is (are) associated with wetlands, a description of the direction and integrity of flow of surface hydrology. If target species is (are) affected by adjacent off-site hydrological influences, describe these factors.

## ATTACHMENT 08



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003



IN REPLY REFER TO:  
2010-CPA-0019

November 18, 2009

Bob Burrow, AICP  
Director of Community Development  
City of Camarillo  
601 Carmen Drive  
Camarillo, California 93010

Subject: Notice of Preparation of an Environmental Impact Report for the Conejo Creek Properties Specific Plan, Ventura County, California

Dear Mr. Burrow:

This letter responds to your request for comments on the Notice of Preparation of an Environmental Impact Report (EIR) for the Conejo Creek Properties Specific Plan (Plan). The Notice of Preparation (NOP) was received in our office on November 5, 2009. The Plan area encompasses 740 acres bounded by the US 101, Pleasant Valley Road, Calleguas Creek and Conejo Creek in the southeast portion of the city of Camarillo, Ventura County, California.

As summarized from the NOP, the proposed Plan contains a conceptual land use plan, regulations, guidelines, and programs for a series of pedestrian-oriented residential neighborhoods in close proximity to existing and planned employment centers and neighborhood commercial uses. Implementation of the Plan would include the construction of 2,500 residential units, approximately 218 acres of recreation/open spaces uses, 15 acres of institutional uses, 100 acres of industrial uses, and 54 acres of office/commercial and mixed uses.

The U.S. Fish and Wildlife Service (Service) responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act and its implementing regulations prohibits the taking of any federally listed endangered or threatened species. Section 3(18) of the Act defines take to mean to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Service regulations (50 CFR 17.3) define harm to include significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. Harassment is defined by the Service as an intentional or negligent action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to breeding, feeding, or sheltering. The Act provides for civil and criminal penalties for the unlawful taking of listed species.

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Bob Burrow

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Exemptions to the prohibitions against take in the Act may be obtained through coordination with the Service in two ways. If a project is to be funded, authorized, or carried out by a Federal agency and may affect a listed species, the Federal agency must consult with the Service, pursuant to section 7(a)(2) of the Act. If the proposed project does not involve a Federal agency, but may result in the take of a listed animal species, the project proponent should apply to the Service for an incidental take permit, pursuant to section 10(a)(1)(B) of the Act. To qualify for the permit, you would need to submit an application to the Service together with a habitat conservation plan (HCP) that describes, among other things, how the impacts of the proposed taking of federally listed species would be minimized and mitigated and how the plan would be funded. A complete description of the requirements for a HCP can be found at 50 CFR 17.32.

From the information presented in the NOP and Initial Study for the Camarillo Conejo Creek Properties Specific Plan, we are unable to determine if the proposed Plan would substantially affect federally listed or candidate species that could occur on the project site. To assist the Service in adequately evaluating the proposed project from the standpoint of fish and wildlife protection, we offer the following comments and recommendations:

### Federally listed species:

1. We recommend that a botanical survey of the proposed project site be conducted in spring when both annual and perennial plant species are detectable. This survey should include focused searches for the federally endangered Branton's milk-vetch (*Astragalus brauntonii*), and Lyon's pentachaeta (*pentachaeta lyonii*); and the threatened Marcescent dudleya (*Dudleya cymosa marcescens*), Conejo dudleya (*Dudleya abramsii* ssp. *parva*), and Verity's dudleya (*Dudleya verity*). We are enclosing a copy of the Service's guidelines for conducting and reporting botanical inventories for federally listed, proposed, and candidate plants. Our records indicate that Verity's dudleya occurs less than 0.1 mile from the project site, near the intersection of Howard Road and Sanitation Road. Additionally, Conejo dudleya has been identified approximately 0.5 mile to east of the proposed project site, off Camarillo Springs Road.
2. The EIR should identify the plant communities that exist in the vicinity of the project site. Coastal sage scrub and cactus scrub plant communities provide suitable habitat for the federally threatened coastal California gnatcatcher (*Poliophtila californica californica*). The coastal California gnatcatcher has recently been observed by Service biologists at California State University Channel Islands, approximately 2.5 miles southwest of the proposed project site. If coastal sage scrub or cactus scrub habitat exists on site, the EIR should specify if the vegetation would be affected directly or indirectly by the proposed project. In addition, surveys according to Service protocol should be conducted for the coastal California gnatcatcher where this vegetation occurs. This will help the Service to evaluate the likelihood that the coastal California gnatcatcher may be affected by the proposed project.
3. The federally endangered least Bell's vireo (*Vireo bellii pusillus*) is known to occur at the project site, near the intersection of Howard Road and Sanitation Road in Conejo Creek. Least Bell's vireos have also been observed at the California State University Channel Islands campus.

### Potential impacts:

1. Construction along Conejo or Calleguas Creek, discharge of nuisance water from lands within the Plan area into the creeks, or the construction of the bypass channel within Conejo Creek may fall within the U.S. Army Corp's of Engineer's (Corps) jurisdiction. We recommend that you work with the Corps to determine if consultation pursuant to section 7 of the Act for potential adverse effects to listed species is warranted.
2. We have concerns that the proposed Plan may affect riparian and coastal sage scrub habitat for the coastal California gnatcatcher and least Bell's vireo by construction related noise, dust, lighting, and activity, in addition to increased use of the area as a result of the future development. For example, lighting of park facilities, sports fields, parking lots, or residential properties located along Conejo or Calleguas creeks may



## ATTACHMENT 08

- c. the target species phenology and microhabitat, an estimate of the number of individuals of each target species per unit area; identify areas of high, medium and low density of target species over the project site, and provide acres of occupied habitat of target species. Investigators could provide color slides, photos or color copies of photos of target species or representative habitats to support information or descriptions contained in reports.
  - d. the degree of impact(s), if any, of the proposed project as it relates to the potential unoccupied habitat of target habitat.
- 6. Document findings of target species by completing California Native Species Field Survey Form(s) and submit form(s) to the Natural Diversity Data Base. Documentation of determinations and/or voucher specimens may be useful in cases of taxonomic ambiguities, habitat or range extensions.
- 7. Report as an addendum to the original survey, any change in abundance and distribution of target plants in subsequent years. Project sites with inventories older than 3 years from the current date of project proposal submission will likely need an additional survey. Investigators need to assess whether an additional survey(s) is (are) needed.
- 8. Adverse conditions may prevent investigator(s) from determining presence or identifying some target species in potential habitat(s) of target species. Disease, drought, predation, or herbivory may preclude the presence or identification of target species in any year. An additional botanical inventory(ies) in a subsequent year(s) may be required if adverse conditions occur in a potential habitat(s). Investigator(s) may need to discuss such conditions.
- 9. Guidance from California Department of Fish and Game (CDFG) regarding plant and plant community surveys can be found in Guidelines for Assessing the Effects of Proposed Developments on Rare and Endangered Plants and Plant Communities, 1984. Please contact the CDFG Regional Office for questions regarding the CDFG guidelines and for assistance in determining any applicable State regulatory requirements.

## ATTACHMENT 08

Bob Burrow

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If you have any questions regarding this matter, please contact Colleen Mehlberg of our staff at (805) 644-1766, extension 221.

Sincerely,

/s/: Chris Dellith

Chris Dellith  
Senior Biologist

Enclosure

cc:

Dan Blankenship, California Department of Fish and Game

adversely impact the quality of the surrounding habitat for the least Bell's vireo and coastal California gnatcatcher.

3. With the information provided, it is unclear how the proposed bypass channel of Conejo Creek would affect the riparian vegetation that surrounds the creek in its current location. This vegetation provides breeding, roosting, and foraging habitat for the least Bell's vireo. In addition, the EIR should identify where the bypass channel will receive its water.
4. Page 17 of the Initial Study states that the Plan "could result in the discharge of pollutants into surface or ground water sources, including Calleguas Creek and Conejo Creek". Project-related material releases into the riparian area or water may negatively affect the quality of the habitat for the least Bell's vireo by killing native plants used for nesting or foraging. To reduce or eliminate such effects, we recommend you identify measures in the Plan, including best management practices, to control runoff and sedimentation.
5. Development of the Plan area may cause two problems related to predation. The first is the introduction of non-native predators, specifically cats (*Felis domesticus*). Cats are known to have a great impact on native animals, especially birds. The presence of cats extends the negative effects of the development well into adjacent habitat and could eliminate any nesting attempts by coastal California gnatcatchers or least Bell's vireos in the future, even if the habitat adjacent to the Plan area is preserved. Domestic cats and other pets could be introduced to the project area by workers during construction, or by future residents of the Plan area.
6. Residential development may result in the control of native predators, such as coyotes (*Canis latrans*). Coyotes are known to suppress the population of smaller predators, such as cats, grey foxes (*Urocyon cinereoargenteus*), and opossums (*Didelphis virginianus*) that prey upon nesting birds. In the absence of coyotes, populations of these smaller predators may increase, and native birds that nest in coastal sage scrub or the riparian corridor, including the coastal California gnatcatcher and least Bell's vireo, may decline or be eliminated.
7. Trash left during or after project activities could attract predators to work sites, which could, in turn, prey on coastal California gnatcatchers or least Bell's vireos. For example, raccoons (*Procyon lotor*) are attracted to trash and also prey opportunistically on listed species.
8. Housing development introduces a suite of other indirect effects. These include night lighting, noise, introduction of non-native plants, and potential contamination by pesticides used by residents. Suitable habitat in adjacent areas could be accessed by off-road vehicles via the project site during and after project development, or by pedestrians via the proposed public access trail network. Off-road vehicle and other recreational activities could physically destroy otherwise suitable habitat by creating new trails through vegetation. The combined impact of these effects will be to reduce the suitability of the habitat for coastal California gnatcatchers and least Bell's vireo in the surrounding area.

Based on our conservation responsibilities and management authority for migratory birds under the Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*), we are concerned about potential impacts the proposed project may have on migratory birds in the area. Under the MBTA, nests (nests with eggs or young) of migratory birds may not be harmed, nor may migratory birds be killed. Such destruction may be in violation of the MBTA. Therefore, we recommend a qualified biologist survey the area for nests prior to land clearing. If nests are located, or if other evidence of nesting (i.e., mated pairs, territorial defense, carrying nesting material, transporting food) is observed, a protective buffer (the size depending on the habitat requirements of the species) should be delineated and the entire area avoided to prevent destruction or disturbance to nests until they are no longer active.

Lastly, we recommend that you review information in the California Department of Fish and Game's (CDFG) Natural Diversity Data Base and that you contact the CDFG at (916) 324-3812 for information on other species of concern that may occur in this area. We appreciate the opportunity to provide comments on the proposed Plan and look forward to working with you in the future.

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United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003



IN REPLY REFER TO:  
08EVEN00-2012-CPA-0151

September 10, 2012

Robert Burrow, Director  
Department of Community Development  
City of Camarillo  
601 Carmen Drive  
Camarillo, California 93010

**Subject:** Notice of Availability of a Draft Environmental Impact Report for the Conejo Creek Properties Specific Plan, City of Camarillo, Ventura County, California

Dear Mr. Burrow:

We are responding to your notice, received in our office on July 24, 2012, informing us that the City of Camarillo (City) has completed a Draft Environmental Impact Report (DEIR) for the proposed Conejo Creek Properties Specific Plan (project). The proposed project encompasses 740 acres bounded by the Ventura Freeway (US 101), Pleasant Valley Road, Calleguas Creek and Conejo Creek in the southeast portion of the city of Camarillo, California.

The U.S. Fish and Wildlife Service (Service) responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act and its implementing regulations prohibits the taking of any federally listed endangered or threatened species. Section 3(19) of the Act defines take to mean to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Service regulations (50 CFR 17.3) define harm to include significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. Harassment is defined by the Service as an intentional or negligent action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to breeding, feeding, or sheltering. The Act provides for civil and criminal penalties for the unlawful taking of listed species.

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

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conservation plan (HCP) that describes, among other things, how the impacts of the proposed taking of federally listed species would be minimized and mitigated and how the plan would be funded. A complete description of the requirements for a HCP can be found at 50 CFR 17.32 or our website (<http://www.fws.gov/ventura>).

On November 18, 2009, we sent you a comment letter (enclosed) stating our concerns regarding the proposed project. We believe our comments and concerns, as stated in our November 18, 2009, letter regarding the effects of the proposed project on federally-listed species, which include the endangered least Bell's vireo (*Vireo bellii pusillus*), Braunton's milk-vetch (*Astragalus brauntonii*), and Lyon's pentachaeta (*Pentachaeta lyonii*), and the threatened California gnatcatcher (*Polioptila californica californica*), Marcescent dudleya (*Dudleya cymosa marcescens*), Conejo dudleya (*Dudleya abramsii* ssp. *parva*), and Verity's dudleya (*Dudleya verity*), remain relevant and applicable. The effects of the proposed project on these wildlife species may constitute "take" as defined in Section 3(19) of the Act.

Based on the information in the DEIR, the extent of Federal involvement in the proposed project is unclear. We recommend that you seek an incidental take permit through the habitat conservation planning process, pursuant to section 10(a)(1)(B) of the Act, for all aspects of the proposed project where there is no federal nexus and the project may result in take of federally-listed wildlife species. Due to the complexity of the proposed project and the listed species involved, we emphasize that the process of developing a HCP and application for an incidental take permit could take a considerable amount of time; therefore, the project proponent should begin this process as soon as possible.

Please note that despite the incorporation of any mitigation measures developed pursuant to the California Environmental Quality Act (CEQA), any take of listed wildlife species that would result from implementation of the proposed project would require an exemption to the prohibitions against take. Significant impacts as defined under CEQA do not necessarily equate to "take" as defined in Section 3(19) of the Act, nor do mitigation measures that reduce CEQA impacts to less-than-significant levels necessarily satisfy the need for an applicant to minimize and mitigate the effects of such take under the Act. For example, regarding the coastal California gnatcatcher, page 4.4-28 of the DEIR states, "Avoidance measures may include restricting development to the non-breeding season..." As the coastal California gnatcatcher is a resident species to the local area, working outside the breeding season would not completely avoid adverse impacts to the species, if present onsite.

We appreciate the opportunity to provide comments on the proposed project and look forward to working with the City and project applicant to ensure compliance with the Act. If you have any

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questions regarding this matter, please contact Colleen Mehlberg of my staff at (805) 644-1766, extension 221.

Sincerely,

/s/: Stephen P. Henry

Diane Noda  
Field Supervisor

Enclosure

cc:  
Dan Blankenship, California Department of Fish and Game

**Considerations for the Draft Environmental Impact Report (EIR) for the  
Camarillo Springs General Plan Amendment (GPA) 2017-2, Change of  
Zone 327, Tentative Tract Map 6016, Residential Planned Development  
Permit and Modifications to Special Use Permit 6**

Submitted by:

Barbara Williams  
1161 Belleza Street  
Camarillo, CA 93012  
Located in Camarillo Springs  
(805) 340-6404  
Email: [http://barbsk80@verizon.net](mailto:barbsk80@verizon.net)

I would like for the City of Camarillo and New Urban West to address in the Draft Environmental Impact Report (EIR) for the Camarillo Springs General Plan Amendment (GPA) 2017-2 to include the impact to the Ventura County Santa Monica – Sierra Madre Wildlife Corridor that includes the Camarillo Springs Golf Course. See Figure 1. Not only is the Camarillo Springs Golf Course part of a critical wildlife corridor, it is also a habitat for many species of animals, some of which are protected, endangered, or threatened. To develop our beautiful open space will impact the wildlife that we enjoy and coexist with every day.

The County has no land use authority within cities and areas like the Camarillo Springs Golf Course were excluded from the ordinances that protects wildlife corridors within Ventura County in the final draft with the expectation the City of Camarillo would protect the portion of the wildlife corridor with their city limits. Ventura County Wildlife Corridors as defined and protected via Ordinances 4537 and 4539 were designed to protect the movement of wildlife throughout Ventura County. Movement by the wildlife throughout the corridor is essential to their survival because:

- Animals must find food and shelter and offspring must establish new home ranges
- Isolated populations may survive for a limited time, but will be vulnerable to die-off due to diseases, periodic loss of food resources, and inbreeding
- Preservation of biological resources requires that plant and animal species be able to successfully move through the areas of the county that contain the habitats they depend on

More information may be found at the following Link:

<https://docs.vcrma.org/images/pdf/planning/conservation/HWCW/Enitire-PL16-0127.pdf>



Figure 1. Santa Monica – Sierra Madre Wildlife Corridor

Development of the Camarillo Springs Golf Course will imperil wildlife populations and create direct impediments to wildlife movement north of US 101 via Conejo Creek. The developer plans to build their homes on a "plateau" and then build barriers along Ridgeview to supposedly keep overflow from Conejo Creek through the fields to the golf course area. In reality it will prohibit wildlife from using Conejo Creek to continue north through the wildlife corridor. While the golf course does have fencing along Ridgeview that could impact animal migration, there are a number of areas in the western end when there are openings they can travel through.

There are a number of species of wildlife living in around the Camarillo Springs Golf Course. The most common wildlife in the Camarillo Springs area to include the golf course are:

Large/Medium Mammals	Rodents/Small Mammals	Birds	Reptiles
<a href="#"><u>Coyotes</u></a> - common	<a href="#"><u>Squirrels</u></a> - common	<a href="#"><u>Owls</u></a> - common	<a href="#"><u>Lizards</u></a> - common
<a href="#"><u>Raccoons</u></a> - common	<a href="#"><u>Gophers</u></a> - common	<a href="#"><u>Hawks</u></a> - common	<a href="#"><u>Snakes</u></a> - common
<a href="#"><u>Opossum</u></a> - common	<a href="#"><u>Mice</u></a> - common	<a href="#"><u>Song birds</u></a> - common	
<a href="#"><u>Bobcats</u></a> - occasional	<a href="#"><u>Woodrats</u></a> - common	<a href="#"><u>Hummingbirds</u></a> - common	
<a href="#"><u>Skunks</u></a> - occasional	<a href="#"><u>Black Rats</u></a> - common	<a href="#"><u>Ducks</u></a> - common	
<a href="#"><u>Mountain Lions</u></a> - rare	<a href="#"><u>European Rats</u></a> - common		
	<a href="#"><u>Rabbits</u></a> - common		

Source: <https://www.nps.gov/samo/learn/management/urban-wildlife.htm>

Endangered and threatened species were found in the area around Conejo Creek and Camarillo Springs during the Conejo Creek Development studies in preparation for their Draft EIR. The following endangered and threatened species are:

- Endangered
  - Least Bell's Vireo (*Vireo bellii pusillus*)
  - Branton's Milk-Vetch (*Astragalus brauntonii*)
  - Lyon's Pentachaeta (*Pentachaeta lyonii*)





**Figure 2. Locations of the Mountain Lions In the Vicinity of Camarillo Springs  
(Camarillo Springs Golf Course Area contained in RED circle)**

To develop the golf course would impact the geese and mountains as well as all of the other wildlife that make the golf course their home. These wildlife depend upon the green space created by the golf course for their survival. For the migratory wildlife like the Canadian Geese, it will impact where they travel and could impact survivability since they would not know where else to go from their historical homes. The minute any development effort on the golf course is begun, the wildlife will leave. For the years it takes to develop the homes, many wildlife will leave and be confused as to where it is safe for them to live. It is important that we don't change their habitats any more to ensure they can raise their young and teach them how to hunt and find food for themselves.

#### **Additional Concerns**

During the development of the Draft EIR for the Conejo Creek Development, which was not approved by the Camarillo City Council, it was discovered there were residual carcinogens in the soil. Of great concern was residual DDT. The Camarillo Springs Golf Course was built on farmland that was contiguous to the farmland proposed for development in the Conejo Creek Project. According to the Centers for Disease Control, DDT will last in the soil for 100's of years and cannot be removed at this time. To disturb the soil at the golf course, which was built before any homes were built, would place carcinogens in the air and with the prevailing westerly winds, it would go into our homes in Camarillo Springs. More than half of the community is seniors, who are susceptible to those carcinogens and could cause cancer or lung illnesses. DDT exposure has been tied to Parkinson's Disease. Studies have shown that DDT is supposed to be a suppressant of the immune system and can cause both Alzheimers and Parkinson's Disease.